WEDNESDAY, 19 NOVEMBER 1997

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

PETITIONS

The Clerk announced the receipt of the following petitions—

Inner City Rail Loop Service

From **Mr Beattie** (13 petitioners) requesting the House to agree in principle to fund the inner city rail loop service connecting the central business district of the city to the Valley, Bowen Hills, RNA Showgrounds and RBH and via Normanby Terrace to the CBD by the year 2000 and instruct Queensland Rail accordingly.

Abortion Law

From **Mr Carroll** (125 petitioners) requesting the House to enforce the existing law on abortion and to take suitable measures to stop the abuse of the law.

Nerang State Forest

From **Mr Connor** (189 petitioners) requesting the House to reopen the closed tracks in the Nerang State Forest and allow the immediate and future use of these tracks by cyclists, bush walkers and equestrians as was previously the case in the Nerang State Forest and if any further information is required on the subject that this information should be sourced through an ombudsman rather than sourced from parties who may be self-serving.

Treatment Program for Heroin Addicts

From **Mr Horan** (32 petitioners) requesting the House to ensure that the State and Federal Governments of Australia immediately send appropriately qualified people to Israel to look at the program to help heroin addicts, as recommended by Dr Andre Waismann, to evaluate and learn about the program and, if it is as good as it seems, then to quickly set up trials in all States of Australia.

Lady Ramsay Child Care Centre

From **Mr Horan** (28 petitioners) requesting the House to ensure that the Lady Ramsay Child Care Centre at Royal Women's Hospital, Brisbane, will continue as a public sector service when a new centre is built on campus and that this centre be used as a model for other hospital based child care centres built as part of Queensland Health's capital works agenda.

Central Highland Schools, Airconditioning

From **Mr Johnson** (1,182 petitioners) requesting the House to (a) aircondition all Central Highland schools by 2000 and award retrospective funding to those schools airconditioned during 1996 onwards; (b) fund 50% of the total cost of airconditioning the schools and, if the schools have not raised enough for their share, the Government provide a low-interest loan or act as guarantor for a commercial loan; and (c) sign an undertaking by all political parties to meet these requests.

Maroochy Shire, Portion 877

From **Miss Simpson** (350 petitioners) requesting the House to confer on the area of land known as Portion 877 in the Shire of Maroochy protected conservation status to preserve this unique flora and fauna habitat as a matter of urgency.

Juvenile Offenders

From **Miss Simpson** (3,411 petitioners) requesting the House to review the sentencing Act for juvenile offenders so that they may be named and receive the same sentences as that of adult offenders in relation to serious crimes and acts of violence against the person.

Caboolture Airfield

From **Mr J. H. Sullivan** (29 petitioners) requesting the House to ensure the "Bribie Island Connector Road" is not constructed over Caboolture Airfield, but is constructed along such a route and in such a manner so as (a) not to reduce the existing runway dimensions; (b) not infringe upon the take-off and approach paths to the existing runways; (c) not reduce the existing number of runways; and (d) not obstruct vehicular access to the airfield, thereby guaranteeing the continued operation of warplanes and other aviation-related activities and events upon the airfield.

Special Needs Students

From **Mr T. B. Sullivan** (73 petitioners) requesting the House to provide adequate

facilities with recurrent funding and staffing which will service the needs of young people with learning difficulties.

Petitions received.

MINISTERIAL STATEMENT

BizArts

Hon. J. M. SHELDON (Caloundra—Deputy Premier, Treasurer and Minister for The Arts) (9.36 a.m.), by leave: As Minister for The Arts, it is my pleasure to inform the House of the successful results of the BizArts program in Queensland. BizArts was established to develop and ensure the involvement of artists and designers in architectural projects and, in turn, to encourage the private sector to commission products which may be indicative of their corporate identity or business. BizArts encourages the private sector to commission Queensland artists and designers to create distinctive furniture, functional art, or fit-outs for their business environments.

The management of the Government's BizArts program was devolved to the Queensland Artworkers Alliance in 1996 and has already implemented 11 projects generating $89,971 in commissions for Queensland designers. Currently, five clients/sponsors have already indicated a commitment to commissioning a further $140,000 of work based on prototypes developed under the BizArts program.

BizArts will be incorporated into the Queensland Designing Environments Strategy for consideration by Cabinet. The Government is currently continuing its research and is consulting with industry stakeholders to develop this strategy, which will offer Queensland a comprehensive directive regarding public art in this State. Design is essential to the process of innovation and a source of competitive advantage to Queensland industries. Currently, many Queensland firms are paying more for manufactured designs created in or copied from Italy, France, Japan or even other States of Australia. Through BizArts, the coalition is encouraging these firms to look to Queensland artists and designers first.

BizArts also enables artists and designers to work on prototypes which will be manufactured either for sale to the general public or for the business which originally commissioned the design. This helps to develop the Queensland economy by stimulating manufacturing activity and sales. Additionally, suppliers who provide the raw materials for the designs will benefit from this increased demand. For example, Gregory Gilmour was commissioned to develop a unique lighting solution for Gadens Lawyers, a prominent national legal firm.

Another example of this is the recently launched Noosa Regional Gallery Cafe. In this instance the regional gallery commissioned innovative design products and the gallery management chose to commission designers from the region. John Fuller, based at Coolum Beach, has produced an integrated Self-Serve Cafe Dispenser, and Jonathan Abraham, based at Cooroy, has produced cafe furniture in the form of chairs, table tops, lights and a magazine rack.

The challenge presented to the coalition Government is to raise the status and profile of Queensland's design identity in local, national and international markets. This State Government continues to encourage Queensland industry to utilise Queensland's talented and world-class design capability. Design is central to adding value to production and it is critical to producing innovative, high-quality products which can compete both nationally and, ultimately, internationally.

BizArts represents a significant vehicle for architects and other built environment professionals to enhance the design culture in Queensland that emphasises the role and benefits of design in creating international competitive advantage. It has offered employment opportunities for both artists and designers, manufacturers, arts workers and material suppliers while enhancing business environments and competitive market-ready design solutions. The success of BizArts is indicative of the ability of the Government and the industry to work together, ensuring the success of Queensland design, designers and the cultural industry sector.

MINISTERIAL STATEMENT

Surgery on Time

Hon. M. J. HORAN (Toowoomba South—Minister for Health) (9.40 a.m.), by leave: On 1 July last year, the coalition State Government commenced the Surgery on Time program, an innovative strategy to reduce elective surgery waiting lists in Queensland. At that time, the coalition had inherited the worst elective surgery waiting lists in Australia, a terrible Labor legacy, with 49% of Category 1 patients waiting more than the clinically acceptable time of 30 days. When this Government introduced Surgery on Time, we took the courageous step of setting targets.

The first target was to reduce long-wait Category 1 patients, those waiting more than 30 days, to less than 5% by 31 December last year. That was an enormous task, considering the staggering Category 1 long-wait list left to us by Labor.

It is now on record in this House that the Category 1 target was successfully reached by November last year, one month short of the set time. Many said at the time that that outstanding result could never be sustained. However, today I wish to inform this House that this target has been successfully maintained, and improved, over the past 12 months, with the most recent November 1997 long-wait Category 1 figure at just 2%. Queensland now has the best Category 1 waiting list figures of any State or Territory in Australia, a transformation which under the coalition took less than six months. That has been an outstanding result by the Queensland Health staff involved with Surgery on Time.

The 10 main Queensland public hospitals are a vital part of the strategy and have each collectively contributed to this achievement. As at 1 November 1997, each of the 10 participating hospitals recorded the following long-wait Category 1 results—

Cairns Base Hospital—0% long-wait

Gold Coast Hospital—0% long-wait

Ipswich Hospital—0% long-wait

Nambour Hospital—2% long-wait

Princess Alexandra Hospital—3.2% long-wait

Rockhampton Hospital—0% long-wait

Royal Brisbane Hospital—2.2% long-wait

Prince Charles Hospital—3.4% long-wait

Toowoomba Hospital—4.5% long-wait

Townsville Hospital—1.3% long-wait

TOTAL—2% long-wait average Statewide.

Also during October, the 10 hospitals completed a record 6,166 elective surgery procedures, the highest individual monthly figure ever recorded under the Surgery on Time program and a 5% increase on the previously highest monthly figure of 5,869 procedures undertaken during July this year.

MINISTERIAL STATEMENT

Queensland Cotton

Hon. D. J. SLACK (Burnett—Minister for Economic Development and Trade and Minister Assisting the Premier) (9.42 a.m.), by leave: I am sure I speak for all members when I congratulate the Queensland export company Queensland Cotton on winning a prestigious award in the National Export Awards held in Canberra yesterday. Queensland Cotton took on exporting companies from throughout the nation and won. It was awarded the Supermarket to Asia Agribusiness category within the overall National Export Awards. Yesterday's success is the second this year for Queensland Cotton. Only a month or so ago, it was recognised as the State's best exporter by winning the Premier's Award for Export Achievement.

Queensland Cotton operates cotton gins in Australia, has even expanded into the United States and has achieved export sales of $298m. The company expects to market more than 650,000 bales of cotton this financial year. Ninety-four per cent of that will be exported.

Queensland Cotton and all Queensland companies that take on the challenge of exporting deserve our recognition and our support. It is their foresight, effort and struggle that is winning the wealth and the jobs for our children into the new century.

MINISTERIAL STATEMENT

Retail Sales; Queensland Economy

Hon. B. W. DAVIDSON (Noosa—Minister for Tourism, Small Business and Industry) (9.44 a.m.), by leave: It is a pleasure to be able to come into the House today as a bearer of further evidence that this Government has got it right in terms of encouraging strong economic growth in this State. Whilst those opposite continue their message of gloom and doom, it is this Government that continues to demonstrate that we have it right in providing Queensland business with support and leadership. As Minister for Small Business, I have made it my priority to work with business operators on a daily basis. I know that for many small-business people recent times have not been easy. However, I would like to acknowledge the tremendous resilience that small-business operators are capable of demonstrating. What we are now starting to see are the positive results from that commitment demonstrated by our business people and the partnership that this Government has fostered with business.

The latest figures available from the Australian Bureau of Statistics confirm the largest monthly increase in retail sales for almost nine years. The seasonally adjusted 3.7% increase in retail spending was the best monthly result in the country and represents a $2.04 billion injection into our State's

economy. It is widely acknowledged that consumer spending is a strong barometer of the community's sentiments. Put simply, if community members feel that prospects are good and the economy is being well managed, they then have the confidence to spend. Without that confidence there is an inevitable tendency for caution in spending. The figures showed very strong retail growth, with consumers spending $792m on food, $135m on clothing and soft drinks, $183m on household goods and $180m in our department stores.

The economic good news is also reflected in the recent State of Retailing reports issued by the Retailers Association of Queensland. The August report indicated that electrical retailing sales were 12% ahead of last year with good growth in the regions, whilst in the footwear area there were good sales to report with expectations building for a strong Christmas season. The same positive outcomes were also evident in the RAQ's September bulletin, with discount department stores reporting a good start to spring and cautious optimism going into Christmas. In the books and gifts sector, the trends represent a growing optimism for Christmas. It is encouraging to read the reports and to see that those positive predictions are also apparent in sectors such as menswear, department stores and takeaway foods. What is important from all this is that we can now plainly see the evidence that there is growth and recovery. There is also every likelihood that consumer confidence both in this Government and in the economy generally will remain, prompting a sustainable higher level of consumer spending. Increased sales must also lead to increased employment opportunities.

It also appears that retailers are not the only ones who are benefiting from the leadership that we are providing for business. We are continuing to see a range of other positive indicators for business. The Real Estate Institute of Queensland has previously reported that residential home sales for the June quarter showed a staggering 30% increase over the same period last year. Morgans Stockbroking has predicted that our State is on the verge of a new cycle of jobs growth building on the achievements to date. None of the figures or predictions that I have referred to today are Government figures. They are the results of independent analysis that confirms that this Government has got it right in terms of the strategy that we are providing for business.

Another positive step forward for business was taken recently with the appointment of my new Ministerial Retail Advisory Council. That move enhances Queensland's reputation as one of the most progressive States in the area of retail tenancy reform. That council is to be chaired by Mr Neil Summerson from Ernst and Young and comprises key figures from all aspects of the retail tenancy debate. The new Retail Advisory Council will ensure that this Government maintains a direct and influential conduit with those doing business in Queensland. Despite the fact that our retail tenancy laws are already the envy of every other State and Territory, I intend to ensure that Queensland remains a leader in this vital component of retail practice. My Retail Advisory Council will be examining a draft retail strategy as a preliminary to possible amendments to the Retail Shop Leases Act.

Business recognises that the Government's commitment to long-term economic strategies rather than quick-fix solutions is the correct approach. This approach taken by the coalition Government is delivering the recovery needed for small business and has confirmed Queensland as a leader in the nation.

MINISTERIAL STATEMENT

Air Quality

Hon. B. G. LITTLEPROUD (Western Downs—Minister for Environment) (9.48 a.m.), by leave: A report headed "Smog smothers clean-air image" in the Courier-Mail on 15 November contains a number of misleading statements which should be brought to the attention of the House. The statement in the article claiming that the air quality in Australian cities is among the worst in the world is incorrect. The claim is probably based on the report's comparison of transport emissions per capita in 37 global cities for 1990. Because of the large distances travelled and the low density in Australian cities, it would be expected that the emissions per capita would be high when compared to cities like Hong Kong. The actual report cited goes on to state, and I quote—

> "It should be noted that for air pollution concentrations the important statistic is emissions per unit area, not emissions per capita."

On this score, because of their relatively low density, Australian cities are low by world standards. Examples in the report show the transport emissions per unit area for Australian cities to be 40% of those for Hong Kong, 20%

of those for Kuala Lumpur, 50% of those for Frankfurt and 80% of those for San Francisco.

The statement claiming that Brisbane has considerably higher levels of carbon monoxide and sulfur dioxide than Sydney and Melbourne is based on emission inventory studies carried out in Brisbane in 1993, Sydney in 1992 and Melbourne in 1990. Care needs to be taken when comparing inventories, as factors including the differences in methodology, the area being covered and how current the data is can have a large effect on the levels estimated. As Brisbane was the last capital city to have an inventory undertaken, the most recent information on emission factors and methodology would have been utilised.

Actual measurements of sulfur dioxide and carbon monoxide in the air in the capital cities does not indicate that the levels in Brisbane are any higher than levels found in Sydney and Melbourne. The major contributor to carbon monoxide emissions in Brisbane is motor vehicles, not industry, as stated in the article.

The level of fine particles in Australian cities is some 50% less than for cities in Japan, not 50% more than Tokyo, as stated in the article. A report being prepared for the Australian and New Zealand Environment and Conservation Council titled State of Knowledge: Airborne Particles in Australia and New Zealand claims that the levels of fine particles in Australian cities are amongst the lowest in the world.

In actual fact, south-east Queensland has a history of relatively low air pollution levels. I have stated that in this House quite often. However, as the region's population and economic activities continue to grow rapidly, air pollution, particularly photochemical smog and fine particles, could become a problem in the future.

To ensure that air quality in south-east Queensland is maintained and improved, a south-east Queensland regional air quality strategy is being developed. Input to the development of the strategy has been sought from all sections of the community.

MINISTERIAL STATEMENT

Safety Switches

Hon. T. J. G. GILMORE (Tablelands—Minister for Mines and Energy) (9.51 a.m.), by leave: In August I advised the House that Queensland experienced an appalling number of accidental electrocutions in 1996-97. The 20 such deaths was far in excess of the comparable national and international figures and demanded that urgent action be taken by the Government to redress the situation. While there has been a marked improvement so far in 1997-98, there can be no room for complacency, and we will continue our drive to ensure that we minimise the number of tragic deaths associated with the transmission, distribution and use of this wonderful form of energy.

I also advised that I had initiated a study of the effectiveness of safety switches in reducing the frequency of electrocutions. I am pleased to advise that I have received the report of the study and I wish to share with the House its major findings. The study found that safety switches, which were made compulsory on domestic power circuits of new homes except for refrigerators and freezers from July 1992, have proved to be quite reliable in service and that the initial doubts about their expected performance have proved to be unfounded. The study found that 62% of electrocutions in Queensland in recent years could have been avoided if safety switches had been installed. The study suggests that safety switches, as a secondary form of protection against electric shock, are one of the best means of reducing the number of fatalities both in the home and the workplace.

The views of all relevant sectors of the electrical industry were sought during the study. There was also a call for members of the public to express their views. I am pleased to advise that there is widespread support for increasing the range of installations where safety switches are mandatory. There is a convincing argument that complete domestic electrical installations, not just the power circuits, be so protected. The same argument applies to what the report calls quasi-domestic installations, which include caravan parks, which have been the scene of far too many serious electrical accidents. In commercial and industrial electrical installations, there appears just cause for arguing that the power circuits which supply portable and hand-held equipment, which again have been an all-too-frequent source of electrocutions, have this form of protection installed.

A fairly satisfying outcome of the study is the relatively high number of older homes where householders have elected to have safety switches installed despite there being no compulsion to do so. More than 55% of older homes have been equipped. I am pleased to have personally promoted their use to householders. Nevertheless, there are still

an estimated 523,000 dwellings in Queensland which do not have the benefit of safety switch protection. What incentive we provide to encourage these householders to get their electrical contractors to install safety switches is something to which I am giving consideration.

I would like to commend employers like the international chain of McDonald's Family Restaurants to the House. McDonald's, as we all know, is a major employer of young Australians, particularly students who need an income to supplement the allowances they receive from their parents and elsewhere. McDonald's has elected voluntarily to install safety switches in its Australian restaurants, both new and existing, at considerable cost to provide protection for its staff and particularly our younger Australians, our most valuable resource. This program commenced last year and will be completed in the near future. May I also commend the lead shown by McDonald's to other Queensland employers as an example of how we can use modern proven technology for improving the electrical safety of workplaces.

Of course, safety switches are not the sole means of promoting electrical safety. I am pleased to say that the Queensland Electrical Education Council, under Mr Norm Pearce's respected and resourceful leadership, has been very active in addressing public electrical safety issues. They have identified overhead powerlines and unauthorised electrical work as two problem areas to be addressed in the multimedia safety promotion which is now occurring. They are also looking at what should be done in our schools to make sure our young people are imbued with a correct appreciation of electrical hazards.

Much has been done this year to improve our electrical safety performance, but much remains to be done to capitalise on this work. Mr Speaker, I plan to report further to the House when I have determined what precisely we are going to do in connection with the mandatory requirements for safety switches in Queensland, but you have my assurance that I am giving every consideration to the requirements being extended beyond the current provision, which is limited to power circuits of new domestic installations.

MINISTERIAL STATEMENT

Water Infrastructure Projects

Hon. H. W. T. HOBBS (Warrego—Minister for Natural Resources) (9.55 a.m.), by leave: In response to recommendations by my Water Infrastructure Task Force, a water infrastructure development group has been formed within my department to manage the Government's interests in water infrastructure projects. The group, who have worked on most of the State's water projects over the last 20 years, are specialists in the delivery of major water infrastructure projects. The group is responsible for the delivery of the existing capital works program, including the Sugar Industry Infrastructure Package projects. In other words, the Government's massive $680m, five-year implementation plan for new water infrastructure across this State is now well under way.

In recent weeks I have attended ceremonies which give a foretaste of things to come. First was the turning on of the tap of the new Teemburra Dam west of Mackay to mark the transition from construction to operation, opening up new horizons for cane farmers in the Pioneer Valley and allowing more water for urban and industrial use. I have also opened Stage 2 of the Bedford Weir in central Queensland, a three-metre raising of the structure which will add 150% to the present storage capacity of 9,772 megalitres. Last week marked the completion of the 2.5 metre raising of the Borumba Dam in the Gympie hinterland, increasing capacity by a third and, once again, allowing more water for crop irrigation and urban and industrial use. It is a pattern I look forward to repeating across the State as projects come on stream and begin providing that basic commodity of water, followed by wealth and prosperity.

Highlights of the good progress being achieved on the projects include the Burdekin River irrigation area augmentation, where ongoing works are continuing in the Haughton, Northcote and Selkirk areas, with 19 more farms to be developed. Rubber dams have been manufactured and civil works for Dumbleton Weir Stage 3 will be completed by the end of this year. Satisfactory construction progress is being maintained at Walla Weir Stage 1, with excavation complete and some 8,000 cubic metres of concrete placed. Environmental issues are in hand and infrastructure relocations are progressing. Planned completion of the weir is May 1998.

With the Sugar Industry Infrastructure Package projects, all projects are proceeding as planned, except the northern drainage projects, which are awaiting resolution of a number of environmental issues. Completion of the Warrill Creek Diversion Weir in the Boonah area is expected in December 1997. Work is continuing on Stage I of the Mareeba-

Dimbulah irrigation area augmentation and a second release of water is being planned. Raising of the Bingegang Weir fixed crest is in progress and completion is planned in December 1997.

MINISTERIAL STATEMENT

Mr G. Uhlmann

Hon. V. G. JOHNSON (Gregory—Minister for Transport and Main Roads) (9.58 a.m.), by leave: Yesterday the Leader of the Opposition asked a question without notice regarding the awarding of a specialist consultancy service to lead teams in the implementation of the recommendations of the maritime program project within Queensland Transport. It is true the former Deputy Director-General of Queensland Transport, Mr Gary Uhlmann, is a member of the successful tendering company, Brooks Management Services.

A report provided to me by Queensland Transport yesterday afternoon reveals that the accepted Government purchasing arrangements for such services were fully complied with and indicates clearly that Mr Uhlmann had no involvement whatsoever in the preparation of the invitation to offer. The Director-General of Queensland Transport has also advised me that Mr Beattie's statement that Mr Uhlmann deleted quality assurance requirements is false, because quality was covered in the main document. Queensland Transport's purchasing section had deleted it in the attachments in accordance with normal practice.

However, as I share the Leader of the Opposition's concerns for total probity in all Government business transactions, I have asked the Director-General of Queensland Transport to appoint an independent probity auditor to review all aspects associated with the awarding of this consultancy.

ABSENCE OF PREMIER

Mr FITZGERALD (Lockyer—Leader of Government Business) (10 a.m.): I advise the House of absence of the Premier from the Chamber, at least during question time.

SITTING HOURS; ORDER OF BUSINESS

Sessional Order

Mr FITZGERALD (Lockyer—Leader of Government Business) (10 a.m.), by leave, without notice: I move—

"That notwithstanding anything contained in the Standing and Sessional Orders, for this day's sitting, the House will continue to meet past 7.30 p.m.

Private members' motions will be debated between 6 and 7 p.m.

The House will then break for dinner and resume its sitting at 8.30 p.m.

Government Business will take precedence for the remainder of the day's sitting, except for a 30-minute Adjournment debate."

Motion agreed to.

CRIMINAL JUSTICE COMMITTEE

CJC Publications

Hon. V. P. LESTER (Keppel) (10.01 a.m.): I lay upon the table of the House Criminal Justice Commission publications titled Submission in Response to the Crime Commission Bill 1997 and Submission in Response to the Police Powers and Responsibilities Bill 1997.

The committee is tabling these documents as it believes that it is in the spirit of the Criminal Justice Act that all non-confidential publications by the CJC be tabled in the Parliament. However, the committee stresses that it has not necessarily conducted an inquiry into the content of these publications and that it is the CJC which has determined that these publications are not "reports of the commission" for the purposes of section 26 of the Criminal Justice Act.

NOTICE OF MOTION

Government Mismanagement of Public Funds

Mr BEATTIE (Brisbane Central—Leader of the Opposition) (10.02 a.m.): I give notice that I shall move—

"That this House—

Condemns the Premier and the Treasurer for ignoring the findings of the Fitzgerald Inquiry by once again wasting and mismanaging the public's money on political propaganda in newspapers and on television in a desperate bid to try to stop the plummeting ratings of the Liberals and Nationals;

Reminds the Government and the public that, having examined the way in which the National Party Government of the 1980s misused the public's money on political advertising, The Fitzgerald Report

said, 'There is no legitimate justification for taxpayers' money to be spent on politically-motivated propaganda';

And further—

Requires the Government to change its wrong priorities, stop wasting millions of dollars in this way and ensure that no Government advertising contains photographs or references to its Ministers;

And calls on the Government to spend these millions of dollars on basic services for Queenslanders."

PRIVATE MEMBERS' STATEMENTS

Criminal Compensation

Mr BEATTIE (Brisbane Central—Leader of the Opposition) (10.03 a.m.): A week ago when a rape victim had her compensation cut in half by the unwanted and incompetent Attorney-General, she was being victimised again by an uncaring Government that has its priorities completely wrong. This crime victim had told her horrific story to a judge, and his independent, impartial and well-considered judgment was that she should receive $60,000.

The Attorney-General at first sought to blame his department for the appalling and heartless decision to slash the sum to $30,000, virtually admitting that he is little more than some sort of rubber stamp. Then he tried to blame the legislation. The trouble is that if the legislation had been to blame, which it was not, there had been nearly two years in which the Attorney-General could have changed it. More pointedly, the legislation never prevented the previous Government from paying exactly what a judge had decided should be a victim's compensation.

The truth is that the Department of Attorney-General and Justice has been bled dry of funds by a desperate and frightened Premier. The Premier is misusing millions of dollars of taxpayers' money on party-political propaganda on television and in newspapers to try to stop the plummeting fortunes of the Liberals and Nationals. He told the weak Attorney-General that he was ripping out $600,000 from the Department of Justice to pay for the television advertisement that was on night after night at peak viewing time. That is the ad that shows the prisoner in his cell waiting for his turn to escape. For some reason, that ad has not been screened for the past two weeks.

The victim had her compensation cut in half because there is not enough money left in the kitty for all victims to be properly compensated. This is the worst case possible of waste, mismanagement and wrong priorities. The Premier has spent the rest of that cash on TV ads instead of paying court awarded damages. This shows what sort of an Attorney-General we have. It is little wonder that the people of this State believe that he should be removed from the position and it is little wonder that the Parliament has no confidence in him.

Ethnic and Multicultural Affairs

Mr CARROLL (Mansfield) (10.05 a.m.): On 25 March this year Premier Rob Borbidge tabled in Parliament the report of the review into Queensland's ethnic affairs policy that had been undertaken by the Queensland Ethnic Affairs Ministerial Advisory Committee. After considering the report and the public submissions, on 22 September 1997 the National/Liberal coalition Government decided to accept, in principle, most of the report's recommendations.

To give effect to this decision, the Government has decided that the Bureau of Ethnic Affairs will be redesignated as the Office of Ethnic and Multicultural Affairs and upgraded to an administrative division in the Department of the Premier and Cabinet. The primary roles of the new office will be the provision of policy advice to the Government through the director-general of the department and the coordination of whole-of-Government issues affecting ethnic and multicultural interests. All jobs in the Bureau of Ethnic Affairs will be preserved under the new arrangement. The Government has also decided to establish a new ministerial advisory committee on ethnic and multicultural affairs and to ask that committee to make recommendations to the Premier on funding proposals to enable peak regional community organisations to carry out specific advice and consultation activities in ethnic and multicultural affairs.

Progress has already been made in implementing those decisions with the establishment of an implementation unit chaired by the Office of the Public Service. The Office of Ethnic and Multicultural Affairs was gazetted on 10 November. All the work involved in the transition is expected to be completed by the end of this financial year.

The Government has also decided that the current community use of the historic building Yungaba will be continued and that options will be considered for the development

of this well-known site as a cultural focal point of ethnic and multicultural activity. The Director-General of the Department of Public Works and Housing will chair a working group to look at options for it, including the idea of developing a museum on migration. I am pleased that our Government has taken these steps, which I believe will enrich our multicultural Queensland society.

Ambulance Service

Hon. D. M. WELLS (Murrumba) (10.07 a.m.): Today a large number of ambulance officers will march on Parliament House to draw the attention of the Minister and his department to the plight of the ambulance-using public of Queensland. The last time that those officers marched, the Minister and his director-general responded in their usual way by leaving on an overseas trip. Today the hierarchy of the service are all away on a conference junket. At least they have caught the Minister here on one of his rare visits to Australia!

The Borbidge/Sheldon coalition Government has just set aside $1m for the restructure of the upper echelons of the Ambulance Service. The Government has allowed massive salary package increases to go through for the Ambulance Commissioner and the assistant commissioners. At the same time, the Government is resisting the claims of the union for adequate funding for the service, more ambulance officers and better pay and conditions. This is the same hypocritical attitude that the coalition Government has displayed over the issue of the resourcing of the Ambulance Service.

The coalition's own consultant recommended an increase of $32m in the Ambulance Service budget, but a few months later the Government actually reduced the funds to the Ambulance Service from $157.5m to $158m, a decline in funding when one takes inflation into account. Weeks after that, in July, the Minister for Emergency Services told a seminar at Bond University that he was going to fix up all the problems. Only a couple of weeks ago he told ambulance officers that he was on their side and that he was going to get the increases in funds that the Ambulance Service needed, but still nothing has happened.

Through no fault of the hardworking ambulance officers, response times have blown out by approximately one minute during the time that the National/Liberal Party Government has been in power. Staffing rosters have been cut to the bone at many ambulance stations. Despite an increasing population and an increasing number of road accidents, we have the same number or fewer ambulance officers. Ambulance officers have to take greater risks and endure greater stress in order to help the public that they have already dedicated their lives to serving. This Government's inaction and its willingness to allow response times to blow out will cause the death of somebody if it has not done so already.

Time expired.

Destination Outback Marketing Strategy

Mr MITCHELL (Charters Towers) (10.09 a.m.): It gives me great pleasure to inform the House of an initiative that is set to boost both tourist numbers and local economies in outback Queensland. Launched by my colleague the Minister for Tourism, Bruce Davidson, the Destination Outback marketing strategy provides a clear direction for the marketing of the outback as a tourist destination through to the year 2000 and beyond. The strategy is the most comprehensive ever developed for the outback. Its aim is to establish an awareness of outback Queensland as a safe drive-holiday destination—a destination which offers the adventure of Australia's bush combined with the history and heritage which built our nation.

The figures show that almost nine million Australians take a holiday of three nights or more each year using their own car as a means of transport. This drive market is motivated purely by leisure. It excludes travel for other purposes, such as visiting friends and relatives, sport and education. Queensland has a 19% share of this drive market. Although the majority of the drive market is headed for the Gold and Sunshine Coasts, there is still a large growth opportunity to increase the drive market to outback Queensland.

That is what the outback Queensland marketing strategy is all about. The strategy identifies three strong outback product zones, namely Dinosaur/Fossil Country, the Matilda Country and the Channel Country. These product zones will be targeted to improve public awareness of the experiences available in the Queensland outback. Further work will be done to identify additional product zones for drive tour options. Suggested areas include Cape York, the Gulf Savanna, the Central Highlands and the Gemfields, the Carnarvon Gorge and the Blackdown Tablelands.

The whole thrust of this strategy is to promote the outback as a holiday destination made up of a number of attractions and features which all add up to a true outback adventure. I can testify to the industry's delight at being involved in both the development and implementation of a strategy devoted solely to marketing the outback as a destination in its own right. The Destination Outback strategy is further evidence of the coalition Government's commitment to regional Queensland and its recognition of the growing importance of tourism to rural communities.

Time expired.

Ms T. Jackson, Office of Consumer Affairs

Ms SPENCE (Mount Gravatt) (10.11 a.m.): Mr Speaker, as you would appreciate, I am contacted by many Queensland consumers who are dissatisfied with the service they receive from the Office of Consumer Affairs. In some cases, their concerns are justified; in many cases, problems are caused by an overworked and understaffed bureaucracy which simply cannot cope with the number of complaints it receives.

In order to do my job as shadow Minister for Consumer Affairs and properly represent Queenslanders who feel they have a legitimate complaint against the department, it is often necessary that I speak to officers of the department in order to satisfy myself that correct and proper investigations have taken place. I recently spoke to a member of the Minister's staff regarding one such case. She suggested that I speak to a Ms Tracey Jackson, a senior officer in the Office of Consumer Affairs, who was familiar with the case I was inquiring about. I put through a call to Ms Jackson, who took a week to get back to me. When I finally spoke to Ms Jackson, she refused to discuss the case with me. She informed me that she was not employed to speak to Opposition members of Parliament. When I informed her that the Minister's staff had directed me to her for assistance, she insinuated that I was a liar and still refused to discuss the case with me.

This incident raises a number of larger issues. Does the bureaucracy of this State exist to serve only the coalition members of Parliament? What hope is there for democracy in Queensland if Opposition members of this Parliament cannot access the bureaucracy in order to serve the constituents they represent? I believe I deserve an apology from Ms Jackson and the Minister's assurance that, when I have the courtesy to observe proper protocols and go through his office, I will not be met by a wall of resistance from the Public Service. Yesterday, the Minister made a ministerial statement which criticised the member for Bulimba for not checking his facts with the Minister's office before raising an issue in Parliament. What does the Minister expect when Opposition members are treated in this fashion by his officers? It seems that raising issues in Parliament is the only way we can communicate with this Government.

Time expired.

Cairns Base Hospital Redevelopment

Mrs WILSON (Mulgrave) (10.13 a.m.): Today I rise to inform the House of the coalition Government's progress on the Cairns Base Hospital redevelopment. Last week the Minister for Health announced a massive $36.4m in contracts for the redevelopment. A $27.88m contract has been awarded to Theiss Contractors for the construction of the hospital's three-storey main clinical services building which will house emergency, medical records, radiology, intensive care, operating theatres, CSSD, day surgery, maternity, gynaecology, and a special care baby unit.

A $4.57m contract has also been awarded to a local Cairns builder, CMC Cairns, for the fit-out of the clinical services building Stage 1, to house pathology, engineering, hotel services and a mortuary. A $3.94m contract has also been awarded to north Queensland builder Graham Evans for the fit-out of the hospital's new mental health unit, which will comprise 40 beds, including eight high dependency, 23 low dependency, five special purpose and four drug and alcohol beds. The Minister also announced a $644,500 contract to Ericsson Australia for the supply and installation of the hospital's new PABX system.

These announcements are part of the $105m allocated to the Cairns Base Hospital, with the project due for completion around June 1999. The construction phase is great news for the local economy, with two of the four contracts awarded to local firms and over 1,000 jobs expected to be created. The Cairns Base Hospital redevelopment, along with the planned Edmonton and Smithfield community health centres, will provide the Cairns district with accessible health facilities and the services they demand. Unlike the former Labor Government, the State coalition realises the health needs of the people of north Queensland and is committed to the provision

of the health services and facilities required. We said what we would do, and we have done it.

Time expired.

Broadley Auto Group Pty Ltd; Minister for Justice and Attorney-General

Mr PURCELL (Bulimba) (10.15 a.m.): Today I wish to take what little time is allotted to me to correct some inaccuracies in statements made in the House yesterday by the Attorney-General when he did a bucket job on me. I can see that I will have to give him the right information in daily bulletins in Parliament, as he is not getting that from elsewhere. It seems to me that I can get more information out of the consumers in Cairns than he can—and that is a story in itself.

The Minister seems to have forgotten that I took this matter to him some three or four weeks before I brought it up in the House, thinking that he would take a personal interest in the matter and get it sorted out. After all, that is what he is paid for. After being told by his director-general that the matter was still being investigated and proceeding and yet seeing that nothing was happening and that Broadley Motors, the subject of a lot of the accusations, was about to be sold, I thought the matter had to be expedited. That is why I took the action I did.

I wish to clear up some of the inaccuracies in the Minister's statement yesterday. He said that he did not know about the matter. That is an untruth. Consumer Affairs had contact on 10 April this year, and that was logged by a solicitor in Consumer Affairs. An officer of Consumer Affairs went to Cairns some two weeks later and interviewed the person who made the complaint. That officer was going to be placed in charge of the Consumer Affairs office there after the previous bloke moved to Queensland Transport. That happened on 21 April. A letter was sent to the Minister on 26 September this year setting out the detail of what had happened up to that point. So far all that has been received by way of a reply is an acknowledgment from the Minister's office that it had received the letter—nothing else.

The Minister should tell me again that he does not know about it. There were some 60 contacts with Consumer Affairs over this matter. They have received nothing by way of a response. The scuttlebutt in Cairns from Broadley's son is: "Daddy has been talking to the Minister, and everything is going to be all right." The Minister should tell me again: did he talk to Broadley or did his office do that for him?

Time expired.

Livingstone Shire Council

Hon. V. P. LESTER (Keppel) (10.17 a.m.): Recently, Livingstone Shire ratepayers have received an increase as a result of what used to be a regional rate levy, or a rural rate levy, being declared possibly invalid by the Ombudsman. This has caused considerable complaints amongst ratepayers and has meant that a ratepayer organisation has had a number of public meetings. This has to some extent caused instability within the shire.

I am very pleased to say that within 10 days of asking the Minister for Local Government, Mrs McCauley, to meet both ratepayers and the council, she was there. Very successfully, we took the submissions of the council and ratepayers. The Minister has taken up the suggestion that I made, which was that she appoint to the shire for a short period a person to investigate how things can be done better. Those terms of reference will be set by her. That person will be independent.

Obviously, that is what is needed. I understand from a recent conversation with the Minister that this person will be appointed very soon. I ask ratepayers to be calm and let everything take its course. They are being very responsible. There is no need for any politics in the issue. This issue can be resolved to everybody's benefit. This is one of the greatest areas in the world. I believe that all that can be done is being done. We have cooperation from the shire, the ratepayers and everybody else. It is full steam ahead.

Time expired.

Maryborough Economy

Mr DOLLIN (Maryborough) (10.19 a.m.): Maryborough's economy cannot take much more of the economic hammering being handed out by this Borbidge/Sheldon Government. Since this Government attained the Treasury benches, Maryborough and district's economy has nose dived. There are now more than 30 vacant shops in the central business district, and many more businesses are just hanging on by the skin of their teeth—and five more of those fell off this week. As well as freezing most of the capital works, there has been a slaughter of Public Service jobs through transferring regional

Government offices out of Maryborough to the south-east corner or downgrading those regional offices to local office status. This has cost hundreds of jobs. This is tearing the heart out of Maryborough's economy. Regional offices lost to date are Sport and Recreation, Lands, Environment and Heritage, Boating and Fisheries, and DBIRD. Now the Queensland Fire and Rescue Authority is under threat of transfer to the Sunshine Coast.

The Minister for Emergency Services and Sport, Mr Veivers, has stated in the media that there is no truth to this rumour. I must ask: why then is there a clause in a position description document for a vacancy with the regional office which states on page 2—

> "The QFRA board has made an in principle decision to relocate the QFRA regional headquarters to the Sunshine Coast."

This, of course, destroys the credibility of the Minister's denial. I now have it on good authority that the regional office of the Department of Industrial Relations and Training is also destined to be moved to the south-east corner. This transfer will cost Maryborough a further 20 jobs. The responsible Minister, Mr Santoro, has denied that any such move is imminent. I would like to be able to believe him, but his track record in our region does not inspire any confidence. However, I do believe that my exposure of this Minister's sneaky plans will at best stall these moves until after the coming State election. I am sure that the coalition will not be in a position to implement these shifts after that.

On top of that, just this week the Maryborough Chronicle has decided to close down the printing press, the heart of any newspaper, after 100 years of printing in Maryborough. Boys Drapery Stores are going into liquidation with a loss of 25 jobs. This company survived the Great Depression but not this Government.

Time expired.

Policing, Mount Ommaney Electorate

Mr HARPER (Mount Ommaney) (10.21 a.m.): I rise to highlight the various negative and incorrect comments of the Opposition Leader, the member for Inala and their candidate in Mount Ommaney regarding police stations and policing over recent weeks. I think we should go over some of the history of the last couple of years. It was the Labor Party when in Government which downgraded the Oxley Police Station from a 24-hour police station. It downgraded it. It is also worth recalling the figures, which I have commented on previously. In February 1996 when we came into Government, the Oxley district had 172 actual officers; as at September, it has 201. That is the record and it shows what Labor did not do and what we have done.

The Opposition Leader needs a history lesson. Perhaps he should grab hold of a Refidex and have a real look at the Mount Ommaney electorate. If he did that, he would know that the Sherwood Police Station, which is actually in the electorate of my colleague the Attorney-General, services a good part of Corinda and Sherwood. Of course, it will service that Corinda area no matter what happens to the Oxley Police Station. The Attorney-General is continuing with my support to push for extra resources there. If the Opposition Leader had a look at that Refidex, he would know that, because of the highway changes, the Oxley police now have to travel at least two kilometres from where they are to reach the first house in Oxley. They have to go four and half kilometres to Lynne Grove Avenue, the border with the Sherwood station, and three and a half kilometres up to the Oxley Shopping Centre. Perhaps he should look at that. The new Centenary Police Station will be a 24-hour police station. We will restore that. It will have modern facilities and the cars will be on the road.

Perhaps the members opposite and their candidates should stop their scaremongering and stop worrying people. Once again they have been negative and once again they have been wrong. Under this Government and this Police Minister, policing in general in the Mount Ommaney area and the neighbouring areas will be much better than they ever thought, remembering the downgrading and the poor numbers for my area that they had when they were in power.

Kuraby Community Support Group

Mr ROBERTSON (Sunnybank) (10.23 a.m.): The failure of this Government through the Minister for Families, Youth and Community Care to allocate funds for part-time community workers should be condemned by all members in this House. This short-sighted decision will have a significant impact on communities such as Kuraby where the Brisbane City Council has made a significant investment in the community and, in particular, the Kuraby Community Support Group. This support has included the purchase of land for the community and the construction of a community centre in Svoboda Park, which will commence shortly.

The city council will also provide funding so that the Kuraby Community Support Group could employ a part-time community worker for 20 hours per week for a six-month period. The funding for this community worker will cease at the end of this month. The community worker has been responsible for coordinating play group activities for children up to four years of age and their parents, craft work activity for people over 60, the development of community networks to provide mutual assistance and support within the community, community environmental projects and executive support for the community support group.

Without ongoing funding from the State Government, these much needed activities will have to be scaled back and even wound up. The Kuraby Community Support Group will not be able to provide the full range of services which are needed in this fast-growing community. The Brisbane City Council cannot be expected to continue to expend funds on projects and services which are clearly the responsibility of the State Government. That is why I am calling on the Minister to reconsider his decision not to provide funding for this important community resource. The significant investment in Kuraby by the city council initiated by local councillor Gail MacPherson will be wasted unless this State Government faces up to its responsibilities to provide funding for the ongoing employment of a part-time community resource worker.

Kuraby needs and deserves support from the State Government so that the range of services provided by the Kuraby Community Support Group is not just retained but is expanded to meet the fast-growing needs of this community.

Palm Beach Community Health Centre

Mrs GAMIN (Burleigh) (10.25 a.m.): I rise today to report on the coalition Government's progress of the $4.8m Palm Beach Community Health Centre. In September this year Covecorp Constructions was awarded the tender for the construction of the community health centre, with an additional $400,000 being announced at the same time. Last week the Minister for Health progressed this development even further with the turning of the sod and the announcement of a further $900,000 to provide integrated mental health services within the new centre. The coalition has now added a massive $1.3m to the community health centre budget, with the centre expected to be operational in May of next year. This extra funding will provide for the addition of a third storey and ensure the availability of a comprehensive range of first-class health centres.

The centre will contain a community and child health service with a day stay centre to educate and support parents experiencing difficulties, a baby clinic, a hearing and development screening program for older children and a day therapy centre offering rehabilitation and transitional care for the chronic disabled and frail aged. The centre will also contain health services including adolescent and youth health, health promotion, four dental chairs and a dental laboratory, home care and visiting specialists, community nursing and allied health services including: social workers, community psychologists, physiotherapists and occupational therapists. There will be no methadone program and no needle exchange at the new Palm Beach Community Health Centre.

The construction of the Palm Beach Community Health Centre is evidence of the coalition Government's commitment to the residents of the southern Gold Coast. With the new Robina Hospital and the redevelopment of the Gold Coast Hospital, residents of the Gold Coast are assured of receiving the highest level of health care available.

Naming of Caboolture River Bridge

Mr J. H. SULLIVAN (Caboolture) (10.27 a.m.): I recently made my second attempt to have the dual bridge on Morayfield Road crossing the Caboolture River named in recognition of service to the Caboolture community by an outstanding individual. During the term of the previous council, I made a suggestion through the Department of Transport that the bridge be named in honour of the late shire chairman, Alex Barr. The council showed no enthusiasm for that move. During the term of this council and, in fact, in recent weeks I have made a further suggestion that the name of Des Frawley be added to the list of people after whom the bridge should be named. Honourable members will be aware that Des Frawley was a National Party member of this Parliament who sadly passed away earlier this year.

Mr Foley: A great contributor to athletics.

Mr J. H. SULLIVAN: I take the interjection from the member. Again, the council showed no enthusiasm for the naming of the bridge after either of those gentlemen and has come up with the imaginative suggestion that the bridge be named the Caboolture River Bridge.

This is the second slight by the Caboolture Shire Council to the memory or Alex Barr; it is the first slight to the memory of Des Frawley.

This bridge is built on a declared road using State Government funds; it is State Government property. We built it and we maintain it. I am most unhappy that a Caboolture Shire Council or any council in this State would be able to exercise the right of veto over the naming of a State Government structure. This Parliament certainly does not exercise such a right over the naming of council structures. I call on the Minister for Transport and Main Roads to address this issue and to speak to the Caboolture Shire Council about its refusal to name this bridge after—

A Government member interjected.

Mr J. H. SULLIVAN: Wait till I am dead—either of these gentlemen who have contributed greatly to the community.

QUESTIONS WITHOUT NOTICE

Red Tape Advertising Supplement, Sunday Mail

Mr BEATTIE (10.30 a.m.): I refer the Minister for Tourism to the four-page Government advertising supplement on red tape that he authorised to appear in the Sunday Mail on Sunday and to comments in yesterday's Courier-Mail that the Premier was not impressed that the supplement featured photographs of himself, the Deputy Premier, the Tourism Minister and the Industrial Relations Minister. I ask: did the Minister authorise the appearance of the Premier's photograph in the supplement that has embarrassed him? What action has the Premier taken to stop this blatant political self-promotion of Ministers happening again?

Mr DAVIDSON: I did not authorise the supplement in the Sunday Mail on Sunday, as the Leader of the Opposition has stated. Matters pertaining to whole-of-Government advertising are the responsibility of the Premier, and I suggest the Leader of the Opposition directs his question to the Premier.

Mr BEATTIE: The Minister can bet I will!

Mr Nuttall interjected.

Mr SPEAKER: Order! I warn the member for Sandgate under the provisions of Standing Order 123A for persistent interjecting.

Ambulance Service Funding

Mr BEATTIE: I refer the Treasurer to today's planned march on Parliament House by ambulance officers in protest at the $32m funding crisis the Government has created in the Queensland Ambulance Service. I refer also to her boast in Parliament yesterday that Queensland has a large Budget surplus. I ask: if the Government has such an excess of funds, what is stopping the Treasurer from giving the Ambulance Service some of the $32m it needs to maintain services and save lives?

Mrs SHELDON: I think the House should be apprised of a few facts. The Staib evaluation identified underfunding of $32m, and that underfunding existed at the time when Labor was in power. It showed Labor's mismanagement for a total of six years in which it did absolutely nothing for the Ambulance Service. In fact——

Mr Livingstone interjected.

Mr SPEAKER: Order! I now warn the member for Ipswich West under Standing Order 123A. Let me advise the House that today any warning is a first and final warning.

Mrs SHELDON: I think honourable members should be reminded that, when it was in power, Labor robbed $41m from the Queensland ambulance committees when they formed part of the Queensland Ambulance Service. The people out there still remember that. That money was raised by the local communities and it was snatched by the Labor Government, and there is no way that members opposite can deny that.

I think a few positive facts should be stated about the current situation with the Ambulance Service. Enterprise bargaining agreements that have recently been negotiated with ambulance officers show a base increase of 12% over three years for some individual ambulance officers. Others will receive a significant benefit—in the order of 18% over three years. These are significant pay increases. By way of comparison, under Labor we heard nothing at all about genuine pay increases, even though red lights should have been flashing about the lack of pay increases and the fact that the then Government was knowingly underfunding the Ambulance Service to the tune of $32m. Under the coalition, funds to the Ambulance Service have been increased. We are still looking at how we can provide better services——

Mr Hamill: They're not out there to bring you bouquets.

Mrs SHELDON: I am amazed that the Opposition would ask this question when it

knows that it ignored the Ambulance Service for six years.

Mr SPEAKER: Order! I warn the member for Ipswich under Standing Order 123A for persistent interjecting. That warning is not just for today; the member is at it all the time.

Mrs SHELDON: Finally, a very salient fact needs to be pointed out. This is Labor playing politics. Let us get a few facts straight. After all, the union's State secretary is none other than Don Brown, the State President of the ALP.

Spending on Infrastructure and Services

Mr SPRINGBORG: I refer the Honourable Deputy Premier, Treasurer and Minister for The Arts to newspaper claims that the Queensland coalition Government could do more to boost physical infrastructure and growth by spending its GFS surplus, thus leaving our superannuation and other liabilities unfunded, and Labor wanting us to borrow for social infrastructure. I ask the Treasurer: could the Queensland coalition Government possibly do any more than it is to provide vital infrastructure and services for Queenslanders?

Mrs SHELDON: The short answer is: no. I read with interest the Courier-Mail's somewhat confused editorial today about how the Queensland Government could still do more, despite having the best growth, the lowest taxes and the best debt position of all States, as well as a massive growth in spending in key service areas. This is the same Courier-Mail that had banner headlines saying "Big-spending Budget", so I do not know quite how they reconcile that with today's editorial. But it seemed the editorial was suggesting, without coming out of the closet, that using borrowing to fund even more capital works and infrastructure, as the Leader of the Opposition has recommended, would be a good thing. Either that or it is suggesting we leave our superannuation and our other liabilities unfunded, and that certainly is extremely short-sighted. I would like to detail some of the facts as were revealed in the Financial Outcomes Report for 1996-97.

The Courier-Mail's editorial criticised the current account surplus of $3.9 billion without understanding that this surplus provides the funding for our massive capital infrastructure program. The GFS surplus, with which the Courier-Mail takes issue, is actually used to fund fully our superannuation and our other liabilities. Is it suggesting that we should not fund our superannuation liabilities? The Consolidated Fund Budget surplus for 1996-97 is only $13m, which is minuscule in a $14 billion Budget. So where is the so-called windfall? Where is the so-called conservatism in our spending that they mention? In other words, the Queensland coalition Government spends every cent available to it on making Queensland better for Queenslanders.

The Financial Outcomes Report detailed just how the Queensland coalition Government has boosted vital infrastructure for the State. Expenditure on general Government capital outlays has jumped from $1.4 billion in 1994-95 under Labor to $2.3 billion in 1996-97 under the coalition. That is a boost of almost $1 billion in two years. Queensland spent $425 per person in real terms on general Government capital infrastructure in 1996-97 compared with only $303 in other States. On average, Queensland spent 36% more on schools, hospitals and roads than other States, and the Courier-Mail still wants more. Well, there is more. Another $350 per person in real terms was spent by Queensland on capital infrastructure by our public trading enterprises compared with only $249 in other States.

Let us look at where this money has gone. In 1994-95 under Labor, capital outlays for Public Order and Safety were $105m; under the coalition in 1996-97 that figure had jumped to $165m. In 1994-95 capital outlays for Education were $268m; under the coalition in 1996-97 they had jumped to $382m. In 1994-95 capital outlays for Health were $188m, while in 1996-97 under the coalition they had jumped to $310m. Finally, in 1994-95 under Labor capital outlays for Social Security and Welfare—which Labor trumpets madly—were $11m; under us in 1996-97 they have grown to $18m.

The same story for capital spending has been repeated in recurrent spending. Recurrent spending for Public Order and Safety jumped from $793m in 1994-95 to $1,019m in 1996-97 under the coalition. Recurrent spending for Education has jumped from $2,538m to $2,918m over the same period. Health jumped from $1,949m to $2,227m, while in Social Security and Welfare recurrent spending has jumped from $375m to $527m. These are the real facts—not the political hogwash we see trundled out by the Opposition, nor the misguided and confused comments of today's Courier-Mail editorial.

At the 1995 State election, the coalition promised to redirect funding back into essential services. I believe that the figures I have just quoted prove that we have honoured our promise. Education, Health and

law and order have all received major boosts in both recurrent and capital spending. As stated in the Financial Outcomes Report, 48% of all recurrent outlays were spent in Education and Health.

The Queensland coalition Government's Financial Outcomes Report for 1996-97 is a good news document. It proves what we have been saying all along: under the coalition, Queensland is really booming, and we are providing infrastructure and services for our people. We have also gone back to basics, which people wanted but never got from the Labor Party. We have also honoured our pledge to create more jobs. We have honoured our pledge to boost economic growth. That has occurred. We have also honoured our pledge to bring international companies to Queensland. This has boosted our status as a regional headquarters in the Pacific Rim. We have done all this without weakening the fundamental strength of the Queensland Government's financial position. The fact is that it would seem that the Courier-Mail is suggesting that we borrow for social infrastructure—as the member has suggested. I know that people are out there doing his work at the moment, but Queensland does not really believe that it should be done.

Our debt position is not just some fancy footwork or a series of numbers that look good. It is a positive debt position. It means more police, more nurses and more teachers for Queensland. It should be said that Victoria's debt-servicing costs are $1,922m, which would translate into 37,000 teachers, 38,500 nurses or 29,500 police. New South Wales' debt-servicing costs are $1,531m, which translates into 29,500 teachers, 30,500 nurses or 23,500 police. This is the real impact of running up Government debt for social infrastructure—the real impact, not more services but, in the end, fewer services. Queensland is well ahead of the rest of the States, and we will stay that way while the coalition is in Government.

Queensland Rescue; Ambulance Service Funding

Mr ELDER: I refer the Minister for Emergency Services to the $30,000 he has just spent changing the name of Queensland Emergency Services to Queensland Rescue and to the $100,000 he spent giving the helicopter rescue fleet based at Brisbane, Townsville and Cairns new signage and a paint job, and I ask: how does the Minister justify this shocking waste and mismanagement when the Ambulance Service is being crippled by a $32m funding crisis that is putting lives at risk?

Mr VEIVERS: I am advised that the upgrading and painting of those helicopters was due. It would have been done anyway. The new logo was put on them, but it really cost nothing extra. That cost would have been incurred anyway.

Sir David Longland Correctional Centre, Escape

Mr CARROLL: I ask the Minister for Police and Corrective Services: in light of the hollow criticisms of the Labor Opposition recently about the unfortunate jailbreak in Brisbane, can he give us some facts about the revolving door policy that existed under Labor and its unfortunate youth detention policies?

Mr COOPER: I can. I thank the honourable member for the question.

Mr Beattie interjected.

Mr COOPER: What is the member talking about?

Mr SPEAKER: Order! The Minister will answer the question.

Mr COOPER: I would love to answer the question.

Mr SPEAKER: Then answer it.

Mr COOPER: I was subjected to undue provocation.

Let me talk about the policies of members opposite. They did have certain policies, but they were not very positive. They were mainly that revolving door policy, about which members have heard before. That is where that expression came from. Labor did have a revolving door policy. It even had a zebra crossing near the Arthur Gorrie Correctional Centre at Wacol. Traffic in that vicinity had to slow down because there was a sign there saying "Prisoners Cross Here". It was because of those constant escapes that we had such an enormous outsourcing from the prisons system.

The member for Waterford really tipped me off to this savage attack upon us. Yesterday, I believe it was, he had circulated in the press gallery figures relating to escapes from secure custody during Labor's time in Government. The figures mention the escape of four prisoners from secure custody in 1994-95 and six in 1995-96. However, the figures did not tell us about the four years before.

Mr Barton: That's when we were fixing up the prisons you left behind.

Mr COOPER: No. The first two figures were right: four and six. But in the year before that the figure was 16; it was 17 in the year before that, 34 in the year before that and 45 in the year before that. Those were all escapes from secure custody, making a total of 112. Until recently there had been no escapes during this financial year, and only one in the year before. Our record is the envy of the other States. Whereas the national escape rate is around 1.5, the Queensland rate is about 0.5. That is a very good record when compared to that of the other States. Any escape is unacceptable, but let us compare the records of the States. Also, there were 109 escapes of juveniles from secure custody during Labor's time in office.

Let us have a look at some of the other figures. Escapes can occur at any time. Members opposite ought to know that. The member for Kedron would know that because what was known as the Boggo Road sheet-out-the-window escape occurred on 11 January 1991, when the then member for Everton was the relevant Minister. That was the old-fashioned type of escape, when prisoners tied sheets in knots, threw them out the window and climbed down. Five prisoners escaped from Brisbane jail during that time. The list goes on. Then we had the garbage truck mass escape, when another four prisoners escaped from Boggo Road by using a garbage truck to ram the gates. There was a police shoot-out and detectives were shot. Those things happen, don't they? But let us not forget how they can happen and under whom they can happen. On 9 July 1991, we had the great escape, when eight prisoners got out of Moreton jail. I am referring to the main escapes—the mass escapes—as opposed to other escapes that were occurring all the time.

We recognise that there is a major need to manage and govern the jails. That is what we are doing. We are taking back control of the prisons system and making sure who actually runs the jails. We are going to persist with that. Members opposite will hear about it. We recognise that pressures will be applied when we do that, but it has to be done. We have to take back that control. It is always the few who ruin it for the rest. We want to make sure that the vast majority of prisoners can get on with their lives and do their time, as many of them want to do. Many prisoners want to get a trade or a job through TAFE or whatever, and we want to be able to provide that so that, when they are released, they will be better than they were when they went to prison. That should be the bottom line. But it must be remembered—as we all know—that it is those few who want to wreck it for the rest whom we have to control. That is why we say that while prison numbers are increasing, or even if they start to plateau, it is those people on the inside for whom we must have programs in place so that they can be released as better trained people. That is what we want. It is bottom line stuff. But as I said, it is those few who wreck it for the rest whom we have to control.

Ambulance Service Resources

Mr WELLS: I refer the Minister for Emergency Services to his failure to secure adequate funding and resources for the Queensland Ambulance Service despite his constant promises to fix the problem, and I ask: how is he going to justify to ambulance officers the massive $16,420 salary increase for the Ambulance Commissioner—taking his package from $114,961 to $131,381—and the $15,357 pay rise for each of the six assistant commissioners—taking their salaries from $76,617 to $91,974, and I table the schedule—when the money for these executive pay increases is enough to employ at least five additional first-year ambulance officers?

Mr VEIVERS: It is quite obvious that the shadow Minister does not know too much about figures. Included in those figures is a superannuation component.

Mr Fouras interjected.

Mr VEIVERS: Yes, I am advised of that.

This morning the Deputy Premier pointed out quite adequately what has happened. We inherited what Labor left to us: a deficit of $32m. What about the $40m-odd? Where did the members opposite put that? We are steadily going ahead. We were negotiating with the unions. Mr Steve Crow, who is the ambulance section secretary, met with me in my Gold Coast office approximately two and a half weeks ago. We shook hands on the deal. I said to him, "Give me four weeks and I'll be back to you." Obviously, Crow cannot count; it is not four weeks yet. I was quietly negotiating and preparing to negotiate with Cabinet when he went around Queensland and, with the help of the member for Murrumba, stirred up the poor officers, who are being used as political pawns.

Don Brown is the State President of the ALP. He prepared a petition to the Honourable the Speaker and members of the Legislative Assembly of Queensland that the petitioners, residents of the State of Queensland, draw

the attention of the House to the serious underfunding of the Queensland Ambulance Service. We already knew about that. We were the ones who submitted the review. Do honourable members remember the evaluation that discovered that members opposite had dodged $32m and run the service right down?

We are in the process of negotiating. We will continue to do so. It will be very difficult to deal with Mr Crow. As my late father used to say, one has to be very careful of two people. One can lock one's things away from people who pinch things; but he said to be very wary of liars, because one can never trust them. Mr Crow is a liar. He did not go with the four weeks. After two and a half weeks, he got out there, and away he went.

Mr Elder interjected.

Mr VEIVERS: I will still negotiate and work for the honourable ambulance officers throughout Queensland. They are being led up the garden path by Mr Crow.

Prison System Reform

Mr HEALY: I ask the Minister for Police and Corrective Services: as the Minister who has built a reputation as a prisons reformer——

Mr Mackenroth: Kev, this is a dorothy dixer.

Mr SPEAKER: Order! And this is a warning under Standing Order 123A for the honourable member for Chatsworth.

Mr HEALY:—could he inform the House of the vast difference between infrastructure planning by the coalition Government and the planning—or, rather, the disgraceful lack of it—by the former Labor Government?

Mr COOPER: I think it is timely to reiterate what is being done in the capital works program for the Queensland prison system. I know of the interest of the member for Toowoomba North. In 1988-89, my last year as the prisons Minister, we left the prison system in a strong position.

Mr Braddy: Ha, ha.

Mr COOPER: Honourable members opposite can be thankful for that, particularly the member for Kedron.

I remember the situation at Boggo Road in 1987. I could see what a disgrace that system was. Back then we moved to change dramatically the face of the prison system. We said we would close Boggo Road eventually, as well as move on to the construction of other prisons. In 1989, we opened three new prisons: Sir David Longland, Borallon, and Lotus Glen in the north near Mareeba. That resulted in a much invigorated prison system. We bequeathed that to the incoming Government.

At that time we said to the new Minister that if Labor was able to follow the Kennedy recommendations for a dramatically improved prison system, we would support it. To a large extent, he was able to do that. However, the system slowly started to turn around when Labor slashed the budget. Of course, that will always make it difficult to run any system. That is exactly what it did. By slashing the budget, by running it down, by closing the old Woodford prison, Labor made the job extremely difficult. In 1989, we left the system with all single cell accommodation; when we got it back, 900 cells were doubled up. That made our job enormously difficult. We have had to start rebuilding. That is why we have commissioned SEQ1, the 600-bed male prison.

Mr Palaszczuk: They don't want it.

Mr COOPER: A lot of people do want it.

We know the system needs that prison, as well as the 200-bed women's prison. That is a total of 800 beds. The money has already been allocated for the reconstruction of the Etna Creek prison at Rockhampton. We have already expanded Lotus Glen in the north, with a lot of Aboriginal and Islander input into the design of that prison. We are already considering the next expansion into the cape. We know only too well of the need for a system for our Aboriginal and Islander people on the cape, where it is closer to the communities. They can assist in its management. Labor neglected the system badly. It did no planning at all. That is the unfortunate part. That is why we are left to do the catch-up work. We recognise that that is costing a lot of money. We would prefer to be putting that money into hospitals, roads and schools. However, owing to a lack of planning and the need to make provision for the future, we are committed to making those improvements to the capital works. That is absolutely vital.

None of us should lose sight of the fact that we have to look very much to the front end of crime prevention. We have introduced Community Policing Partnerships. Seven trials are under way around the State. We must look at all those crime prevention measures, because when they start to bite—hopefully in the next five or ten years—we will be able to reverse this trend of having to build jails, police

stations and watch-houses. Right now we have to do both. Members on both sides of the Chamber should recognise that.

Red Tape Advertising Supplement, Sunday Mail

Mr HAMILL: I refer the Treasurer to the four-page Queensland Government advertisement that appeared in last Sunday's Sunday Mail newspaper, featuring photographs of herself, the Premier, the Minister for Tourism, Small Business and Industry and the Minister for Training and Industrial Relations. I ask: was she aware that her photograph would appear in that advertisement? Did she approve of the use of her photograph in that way, or was it included at the behest of the Premier and authorised by him, as her Minister for Tourism and Small Business has told us this morning?

Mrs SHELDON: I think a few facts about advertising need to be given to the House. When it comes to politically motivated advertising, the Labor Party had no peer in this State. We have its budgeted figures for spending on political advertising. We are far below those figures. We have slashed the Government advertising budget. Who in politics can ever forget Labor's performance going into the 1992 election campaign, with television ads for South Bank, featuring the then Premier, the member for Logan, with the most blatant piece of electioneering spending from the public purse seen in this State for a very long time? Who can forget that, going into that campaign, we had no fewer than seven television campaigns on the go? In case members opposite do not remember, I will go through those seven. We had the $1.2 billion disaster, the HOME Scheme. Do honourable members remember that? That was a good one, for which we and all Queenslanders are still paying. Many poor people were caught up in Labor's net. We had TV ads running for the new TE score system. We had TV ads running about women's safety. We had TV ads running for the Sunlander. We had TV ads running for the licensing of building contractors. We had TV ads running about recycling. We had TV ads running about Q-Link. They were running simultaneously on the edge of an election. They were paid for by the Labor Government. We saw exactly the same sort of scheduling——

Mr Hamill interjected.

Mr SPEAKER: Order! The honourable member for Ipswich! The member has asked the question. The Deputy Premier and Treasurer is answering. We will hear her answer. I call the Deputy Premier and Treasurer.

Mrs SHELDON: Again in 1995, we saw the same sort of scheduling and the same sort of expenditure. However, my favourite, after the television campaign featuring the Premier when it was Labor's intention to use the South Bank opening as a major election plank, was the blatant political advertising campaign from the Labor Party that we never got.

The fact of the matter is that the Labor Party is playing cheap politics. Labor knows that, during its term in Government, it spent considerably more money on its advertising campaigns than this Government has ever spent in informing the people of Queensland. The figures are there, and we can prove that. In fact, I have been advised that over the past 12 months our Government has spent $2m less in advertising than the Labor Party spent in advertising in its last year of Government. I think that is the real answer to the very poor question that was asked.

Corrective Services for Women

Mr GRICE: I refer the Minister for Police and Corrective Services to the appalling record in corrective services of the former Labor Government, and I ask: what is the coalition Government doing to cater for women and to advance correctional issues for women?

Mr COOPER: I thank the honourable member for the question. He knows as I do, and as I am sure that the members opposite know, that the former Government's record for females in the correctional system was abysmal. I remember back in 1988-89 the former National Party Government made the decision to close Boggo Road, and the high security women's prison was to go as well. However, under the former Government, six long years later nothing had changed and the women's prison remained the same.

In the very first Budget of this Government, we made the decision to close the women's section and to move it out to Wacol. The sod has been turned and construction is under way. It will not be much longer before we are able to close what has been a disgrace at Boggo Road. We have to move with the times and we have to construct more jails. The National Party Government did that, but of course the former Government left behind the facilities for women. We know only too well that there are incorrigible, difficult female prisoners and that they have to be

dealt with just like the male prisoners. However, that does not mean that we have to throw the baby out with the bathwater. There are female prisoners who want to do their time and make sure that they come out of jail a little bit better than they were when they went in. We have put in those programs to make sure that they can do that. Unfortunately, the former Government left behind the facilities for women.

This Government has been able to go ahead and immediately put in a 25-bed low/open security facility at Numinbah. That opened just recently. Admittedly, the former Government started the Warwick WORC camp, which indicates just what can be done, especially if the community can agree. The way that that camp is working out there is a credit to them. As members know, it is often difficult moving such facilities into an area. Often people will object. The women went into Warwick and people started to see actual, real work being done and the showground being done up. They became quite impressed with that work. Those prisoners have gone on to do many, many community service jobs in that area, and they are now in demand. Wherever we possibly can, we must have low and open security prisoners doing useful work under useful programs and at least training them so that they can take part in the work force when they get out of jail. There is no greater waste than to ignore that particular issue.

We also have the Townsville centre for female prisoners. That facility has to be expanded and improved, and that is being done along the way. As I have said, there are a few in the correctional services system who make it difficult for the rest, but we want to make sure that if we are going to spend so much money—and it does cost an enormous amount of money to run the prison system—that we get the best value that we can for that money and that we focus heavily on making sure that we have the programs and the job training skills. If we have to change the focus and the priorities of those programs to make sure that we achieve value for money, then that is exactly what we will do. It is our role to make the correctional services system more productive. That is our task, and that is exactly what we intend to do.

Minister for Families, Youth and Community Care

Ms BLIGH: I refer the Minister for Families, Youth and Community Care to his recent public promises that, firstly, he would start building new respite centres across Queensland by Christmas, despite there being no budget allocation for this; secondly, that there will be a new high school built at Jimboomba, despite the Education Minister knowing nothing about it; and thirdly, that he could reconcile the trust accounts of Basil Stafford residents in a week when the Auditor-General had been unable to do so for two years, and I ask: why should anyone believe these statements are any more truthful than his extraordinary comments that he has never told a lie and that he does not know what a Dorothy Dix question is, despite his 14 years in Parliament, including two stints as Speaker?

Mr LINGARD: And one does not usually get stupid, silly questions like that from across the Chamber!

Let me refer to the dorothy dixer. Obviously, over the past two days Dan O'Gorman and I had many differences of opinion. Many times he asked me a question, which I answered. Nine times later he was asking the same question and I was giving the same answer, especially when he asked me about a Dorothy Dix question from Mr Radke, to which I said, "You mean a question from the member for Greenslopes?", to which he replied, "I mean a dorothy dixer from Mr Radke." I said, "You mean a question from the member for Greenslopes?" By about the ninth time, even a few of those bodies there for the last two days who find it very hard to move were starting to squirm a little bit. I was asked, "Well, what do you mean by a dorothy dixer?" As far as I am concerned, if the first part about a dorothy dixer is not that it is a question, then I certainly do not know what a dorothy dixer is. That is certainly the first part. The thing about a dorothy dixer is that it is a question. Clearly, that is what I was saying. So I said, "Well, if you are not going to accept that, then certainly I do not know what a dorothy dixer is."

Let me reply to some of the things to which the member referred. Very conveniently, the member did not mention anything about the Tamborine State high school, which I said would certainly be on the agenda. Certainly, it was part of a question from the member for Cook, and certainly Mount Tamborine high school has now been announced. I certainly never said that the Jimboomba State high school would be built.

Mr BREDHAUER: I rise to a point of order. The Minister announced $12m for a high school for Jimboomba in February. He is misleading the House.

Mr SPEAKER: Order! There is no point of order. The member will resume his seat.

Mr LINGARD: I said that the Jimboomba high school would be brought back to Jimboomba from Flagstone Creek, which is where the former Government put it. It took it right away from Jimboomba and placed it out at Flagstone Creek.

Mr Bredhauer interjected.

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

Mr LINGARD: When the member went to Jimboomba, he tried to tell the people of Jimboomba that it was not quite true that the former Government took it away from Jimboomba and put it in another area. This Government has now purchased land at Jimboomba ready for a high school. Certainly, investigations will be done about where it will be placed, whether it will be at Flagstone Creek or whether it will be at Jimboomba. There were absolutely no untruths about that particular point.

As to any reports about any lies or lying over the past two days—quite obviously, I did not answer the question the way Mr O'Gorman wanted me to answer it. There is no way in the wide world that I have to answer a question the way that Mr O'Gorman wants me to answer it. If he believes that, therefore, I was lying, then it is up to him to say it. Obviously, he was just grabbing headlines.

Woolcock Street, Townsville

Mr TANTI: I ask the Minister for Transport and Main Roads: in light of claims made by the Deputy Opposition Leader in the Townsville Bulletin in September questioning the Government's ability to finalise the Woolcock Street extension, could he give the House an update on the progress of the project?

Mr JOHNSON: I thank the honourable member for Mundingburra for the question. I also thank the honourable member for Mundingburra for his guts and tenacity in representing the people of not only Mundingburra but also the whole of Townsville. I might say that, since he has been the member for Mundingburra, he has displayed that very openly. The man will be the member for Mundingburra for as long as he wants the job. Our friend opposite is leaving the Chamber because he cannot cop it. However, I want to tell the House about a few things in relation to Mundingburra and road funding.

I am pleased to report to the House today that, weather permitting, the Woolcock Street project, extending from Duckworth Street to the Bohle River, will be completed by February 1998. The four-laning of Duckworth Street from Dalrymple Road to Ingham Road will, weather permitting, be completed in February 1998. The total cost of those two projects will be $23.3m. Despite this, in recent months the honourable member for Capalaba, the Deputy Leader of the Opposition, has done nothing but travel up and down the coast scaremongering that Government projects will not be finalised or completed because of Federal funding cutbacks. However, when we came to Government we delivered, and we continue to deliver, on all of the projects under the previous Government's RIP program. As I have just told the member for Mundingburra, we will be delivering on the projects for Townsville.

On Friday, 19 September, a headline in the Townsville Bulletin read " 'Scare' claim on roads funds". The article quoted Mr Elder as saying, "The ability to finalise major projects like the Woolcock Street extension on time is clearly threatened ..." The only thing that is clearly threatened is the deputy leadership of the Labor Party. The lady from South Brisbane in the black frock with the red coat——

Mr Hobbs: Sounds like a red-back spider.

Mr JOHNSON: Opposition members ought to remember that the female variety of the red-back spider is the most venomous.

Mr BEATTIE: I rise to a very serious point of order. I believe that the comments of the Honourable Minister about the honourable member for South Brisbane are unparliamentary and unacceptable to this Chamber.

Mr SPEAKER: Order! There is no point of order. The honourable member will resume his seat.

Ms BLIGH: I rise to a point of order. I find the comments of the Minister offensive and I ask for them to be withdrawn.

Mr SPEAKER: Order! The honourable member has found the remarks offensive.

Mr JOHNSON: I withdraw.

I can see that you want me to conclude, Mr Speaker, so I will. I am happy to further inform the House that tenders for the four-laning of Woolcock Street, which will extend from Hughes Street to Duckworth Street, have been called. Tenders will close on 3 December. The estimated cost of the project is $8m. Construction is set to commence in March 1998. In addition, tenders for the Shaw Road project, extending from the Bruce

Highway to Hind Road, will be called early in December of this year. I assure the honourable member for Mundingburra that he can tell the residents of Townsville and the people at the Townsville workshops that we will not forget them. The Government is getting on with the job.

Brisbane Dating Agencies

Ms SPENCE: I refer the Attorney-General to the 26 June raids by Consumer Affairs investigators on the Brisbane dating agencies Right Choice Introductions and Secret Affairs, which allegedly ripped off married clients seeking secret dates, and I ask: why were investigators inexplicably ordered to drop their inquiries? Why was the case file removed from the Consumer Affairs Division and locked away in a safe in the Justice Department's executive offices on the 18th floor? Is the real reason that senior Justice Department officials have tried to cover up this matter that investigators found receipts and credit card vouchers during the raids that proved that one of the Attorney-General's own senior departmental managers was a client of one of the dating agencies?

Mr BEANLAND: I am unaware of the issues raised by the member. The Department of Justice's Office of Consumer Affairs has carried out a number of raids on a number of groups around town. It is following up those matters to ensure that, where evidence is available, the proper and appropriate prosecutions are followed through. That will certainly be the case in relation to all of those issues, including the matter that the member refers to, if there is relevant evidence available. Because the member has raised the issue, I will follow the matter up in more detail.

Listing of Juvenile Criminal Trials

Mr RADKE: I refer the Attorney-General and Minister for Justice to remarks that the time taken to list for trial criminal matters involving juveniles stands at 12 weeks and that there are a large number of other criminal cases not proceeding to trial on the allocated date. I ask: what steps is the Government taking to ensure that trials are commenced as quickly as possible?

Mr BEANLAND: Since entering this place, the member for Greenslopes has shown a great deal of interest in the issue of speedy access to justice.

Juveniles do not have to wait 12 weeks to go to court, although delays do occur from time to time. I am advised by the Director of Public Prosecutions that when dealing with children delays occur for a range of reasons. For example, after a matter is set down for trial, the prosecution and the defence may become aware that the accused juvenile committed further offences while waiting for the original matter to be heard. When that occurs, obviously the alleged offender and the prosecution would prefer to have all of the issues heard at once. Therefore, delays can occur so that additional matters can be dealt with at the same time as the original charge. The Director of Public Prosecutions informs me that delays occur not infrequently because of those sorts of issues.

Since coming to office, the Government has appointed two additional District Court judges. No real delays exist within the District Court anywhere in the State. The system operates very efficiently and effectively indeed.

Mr Foley: That's not what the annual report of the Chief Judge said.

Mr BEANLAND: The member for Yeronga would like to mislead people. The annual report of the Chief Judge pointed out some of the problems that I am enunciating. However, he did not say that there were untold delays around Queensland. A check of the record will show that the member's comment is untrue, because generally, whether in the civil or criminal area, matters are handled very expeditiously and are usually finalised within 12 months. Of course, on occasions delays occur through no fault of the court, the defence or the prosecution. I have just outlined a possible cause of delays in relation to juveniles who may reoffend.

Unquestionably, some matters do not proceed to trial on the appointed trial date because of the late notification of the unavailability of prosecution witnesses. The Director of Public Prosecutions advises me that the cause of that arises from the system of running lists. Only the first case that is listed for a given week has a fixed starting date and the start and finish times of all other cases depend on the case preceding them. Cases are deferred to the running lists of a later week if they are not reached and cases can be put off more than once. In those circumstances, adjustment needs to be made for the witnesses who are required to appear and the times scheduled. As members opposite would know, that makes it very difficult. One cannot force witnesses to appear if the time does not suit them. Cases are then deferred to ensure that the appropriate witnesses are available.

The Director of Public Prosecutions also raised the issue of an accused's last-minute

plea to a charge or charges. A last-minute plea will often be forthcoming only because the trial date has been set and the accused is faced with the knowledge that all the Crown witnesses are in court. In addition to that, accused persons may be faced with the strength of the case against them and are often confronted by their own counsel's advice as to the futility of persevering with a plea of not guilty which would only lead to the inevitable. Those are a handful of reasons for delays.

The Government has provided funding to the Office of the Director of Public Prosecutions. A new information technology system has been put in place to improve case management. An additional $3.5m has been made available in this year's budget. In 1995-96 funding was approximately $15.4m and it has been increased to $18.9m. That is an increase of $3.5m. A sum of $1.2m has been provided to establish the matters management system, a project that had been aborted when we came to office. The former Government pumped $1.2m into the matters management system, but it fell over because it did not measure up.

In addition, $2.4m was wasted in relation to the Queensland Legal Information Retrieval System. Also, between 1995-96 and 1997-98, additional funding of $4.3m has been made available to the Legal Aid Office by this State Government. All in all, that is a very credible record and it shows that the Government is keeping on top of the civil and criminal lists for the District Court.

Member for Mansfield

Mr ROBERTSON: I refer the Minister for Emergency Services to his assurances to the Parliament on 8 July and again on 9 July that, as the Minister responsible, he would order his department to investigate allegations that the member for Mansfield breached sections of the Mount Gravatt Showgrounds Act in the granting of contracts worth tens of thousands of dollars to members of his family, and I ask: as this investigation was completed by Emergency Services Department internal auditor Dennis Bray and handed to his director-general in early August, why has the Minister been sitting on this report for the past three months if the member for Mansfield has done nothing wrong? Will the Minister now inform the House of the outcome of this investigation and table a copy of the report?

Mr VEIVERS: I am advised that that report was done by my director-general. I do believe also that it went to the CJC. I do believe—and I am not sure of this; I will give the member a copy of that report—that there was a clean bill of health regarding the Mount Gravatt Showgrounds Trust.

Connect-Ed Project

Mr MITCHELL: This is an opportune time to direct a question to the Minister for Education, as I acknowledge the presence in the gallery of students and staff from the Moranbah State School. I ask: can the Minister please inform the House of what is being done to ensure that rural and remote schools do not miss out on the benefits of global communication and information technology?

Mr QUINN: I thank the honourable member for his question and acknowledge his interest in this area. Last month the Premier and I launched what I think is probably the most substantial information and technology project within our schools, that is, our $53m Connect-Ed project. It is impossible to overestimate the impact that this program will have on our schools. It will ensure that every one of our 1,300 State schools is connected to our Education Department Intranet, and also to the Internet, by the end of next year.

In terms of the size of the project, the number of sites to be connected and the area of land covered by the project, it is probably one of the largest contracts ever let anywhere in the world. Being of that magnitude, it poses unique challenges to the system as a whole. One of our challenges was not simply to provide landlines to schools by conventional means as can be done in the cities and major provincial cities around Queensland but also to connect our very remote and isolated schools to our system. That will be done by satellite.

We will have some 60 schools connected by satellite to this very ambitious project. This will ensure that none of the students in our schools will miss out on this project and the many educational benefits that will flow from it. It underlines our commitment to all our students no matter where they live across Queensland. It says that we are delivering more services to students in our schools, not fewer. We are opening up the bush, not shutting it down as has been the case in the past. We are delivering real programs, services, benefits and, in many respects, the possibility of real jobs in some of those isolated areas.

As I said, the benefits of this project will go far beyond Education, because Education

is the lead agency and other departments can piggyback on the infrastructure we are putting in place. It will also allow other community organisations to come in on the project to gain access to the Internet at the cost, in many instances, of a local call. If STD rates still apply, as they may do, there will be significantly reduced rates for new subscribers.

In general, this will be great for our schools, the community in general and, in many cases, businesses in the isolated areas of our State. As I said before, it underlines the commitment of this Government to get on with providing the necessary services right throughout Queensland no matter where our students live.

Juvenile Justice Laws, Government Advertisements

Mr FOLEY: I refer the Attorney-General and Minister for Justice to the Justice Department's advertisement titled "What happens when you're under 17 & under arrest?" which appeared in the Sunday Mail TV guide of 9 November 1997, a copy of which I tabled yesterday, and I ask: is the Minister aware that children, like adults, have a right to silence under police questioning? Is the Minister aware that children have a right to have an independent person present during police questioning? Does not the omission of these two basic rights from the advertisement render it a dangerously misleading waste of taxpayers' money?

Mr BEANLAND: All members of this Parliament know that the member for Yeronga and others opposite are soft on crime. They voted against the juvenile justice laws in this State when they were toughened up.

Mr Foley interjected.

Mr SPEAKER: Order! The member for Yeronga!

Mr T. B. Sullivan interjected.

Mr SPEAKER: Order! I ask the honourable member for Chermside to immediately withdraw that remark. It is unparliamentary. I warn him under Standing Order 123A. If there are any more interjections from the member, he will be out.

Mr T. B. SULLIVAN: I withdraw.

Mr Elder interjected.

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

Mr BEANLAND: As I was saying, the Hansard record speaks for itself. It shows that the Labor Party voted against the toughening up of the juvenile justice laws.

The advertisements are sending a very clear deterrent message to would-be offenders. The ads are not providing legal advice. Some members in this Chamber believe that the advertisements should provide legal advice. They do not do that, and they do not pretend to do that in any shape or form. People who have difficulties with the law, whatever form that may take, are advised to get their own legal advice. These advertisements are sending a very clear message that this Government is very serious about crime. We will not tolerate the soft attitudes of the former Government and the feather-duster treatment that it handed out day in and day out.

Mr Foley interjected.

Mr SPEAKER: Order! I warn the member for Yeronga for persistently interjecting.

Mr BEANLAND: There is no point in members opposite travelling around the State of Queensland, as some of them have been doing, and pretending to be tough on crime or pretending that they would take some stronger action or whatever. They did not do that in six and a half years. That has been left up to this Government. We are sending a clear deterrent message not only to juvenile offenders and would-be offenders but also to parents and guardians. We are also instigating a real crime prevention program.

My colleagues in a number of portfolios and I have taken a whole-of-Government approach. For example, in my portfolio we have instituted community youth conferencing programs. Again, that is part of the crime prevention initiatives by this Government that send a very clear message. This Government has a two-pronged attack on crime within this State which tackles crime prevention, particularly in relation to young people, children in schools and juveniles; secondly, it sends a very strong deterrent message. This Government will not resile from getting on with sending that message to the people of Queensland or from ensuring that the laws of Queensland are upheld.

Small Business Promotion

Mr BAUMANN: I ask the Minister for Training and Industrial Relations: can he inform the House of further initiatives that the Borbidge/Sheldon Government is putting in place to promote small business in the State of Queensland?

Mr SANTORO: I take this brief opportunity to remind the House of the question that the Opposition has been scared to ask, namely, what this Government has done for small business. Perhaps with a bit more time in the near future we will talk about the contents of those advertisements. The Opposition should ask me a question tomorrow about the advertisements and my photograph, because I will be able to talk about small business——

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

POLICE POWERS AND RESPONSIBILITIES BILL

Second Reading

Resumed from 18 November (see p. 4361).

Hon. T. R. COOPER (Crows Nest—Minister for Police and Corrective Services and Minister for Racing) (11.29 a.m.), in reply: I would like to acknowledge all of those people on both sides of the House who took part in the debate on police powers yesterday. In making those acknowledgments, I do not intend to run through what everyone said because there were quite a lot of speakers and we do want to move onto the debate on the clauses. I certainly do recognise the fact that it is very historic legislation. It is milestone stuff for people on both sides of the House. The consolidation of police powers as set out in the Police Powers and Responsibilities Bill and the code has been coming for up to 30 years. It goes right back to Lucas and Sturgess and before them. I know that people in both parties and many Governments have been working on this legislation since at least 1982.

I want to firstly acknowledge Chief Superintendent Doug Smith, who is one of those people who has worked tirelessly on this for the last 18 months and started in about 1982. So it is a culmination of a lot of work over a long period of time. I also acknowledge police officers Greg Thomas and Peter Doyle and retired Assistant Commissioner Frank O'Gorman who, along with my staff, put in an enormous amount of work over that 18 or 19-month period. I also acknowledge the contributions of the civil libertarians. It is not often that we cross-pollinate. It is not often that we actually agree on very many things at all. However, it is important in these circumstances that we have powerful legislation, and it certainly is powerful. This Bill provides not only a consolidation of police powers but also the addition of powers such as the power to move on, the power to detain, the power to simply ask for a person's name and address—which seems to me to be ridiculous, and was one of those difficult ones to get accepted—covert searches, covert surveillance, and so on.

We needed to hear many other points of view—which we did—to see how we could put in place the checks and balances that are so obviously and vitally needed. As has been clearly pointed out by speakers from both sides, it takes only one or two people to abuse powers and wreck it for the rest—and certainly wreck it for the victim. Therefore, we have to try to make sure that we get it right. We have gone to enormous lengths to do just that. For example, we provided for the introduction of a monitor, which has never been done before in Australia. The monitor is the people's representative. I will elaborate on that during the debate on the clauses.

The suggestion regarding the introduction of a monitor came from Mr Terry O'Gorman and others. I commend them for that, because it means that, to as large an extent as possible, we can prevent the abuse of powers in relation to listening devices, telephone intercepts, covert searches and surveillance. Those powers are bones of contention because the police will have the ability to invade privacy and encroach on civil liberties. Those are rights that we must protect at all costs while at the same time giving police the powers to be able to catch the "big crim". We have to try to find that balance. An enormous amount of work has gone into doing just that.

We entered into a consultative process that took us to 10 centres around the State. We received about 120 submissions from people from all walks of life. All of those submissions were consolidated, analysed and considered. Many of the concerns expressed therein were acted upon. Similarly, in regard to the various speaking engagements around the State, some people said that they were a set piece; they were not. Each person from a local community—be it myself with an overview, Terry O'Gorman, Frank O'Gorman, Doug Smith or whomever—was invited to have their say, and they had their say. They dealt with the issues that were of concern to them and they hammered them home to us. That was what we wanted to hear. We were able to consider changes as we went along. If we felt we were going overboard in one way or another, we were able to make corrections along the way and rectify that.

That process has taken some time; there is no doubt about that. However, I believe it has been worth while. If we are going to get good legislation, such as that which we are debating today, I recommend that consultation process across-the-board so that the bugs can be removed beforehand rather than having to come back later and amend it again and again. That does not mean to say that amendments will not be made over the course of time; of course they will.

Clause 134 deals with the review of this Act. That will be done—it has to be done; it is only sensible—so that all of the matters that we have talked about and any issues that we are concerned about can and will be revisited. Once we have put this into play, we will see how it works, especially in those controversial areas. This Bill will not be proclaimed until about March next year because, quite obviously, six and a half thousand police officers have to be educated and trained in relation to the new Police Powers and Responsibilities Bill. Obviously, that training will take place in the intervening period, so the Bill will not be proclaimed until such time as they are ready. That is only a sensible approach.

I have thanked all speakers, so now I will go on to deal with some of the comments that were made. In particular, I commend the Opposition spokesman, the member for Waterford, for the very responsible approach that he took to this Bill all the way along. As I said, if we want to get good legislation, this is not a bad way to go.

I commend the members for Nudgee and Fitzroy—at least I note what they said. An issue that has been of concern is the issue of the move-on power. I always thought that that would be a matter of some contention. It was interesting to hear those members say that they felt the power should have been extended to the private home in the case of, say, a person who has some problems with people at the front gate of a private home, be they drunken hoons or whomever. Some members wanted the powers extended further. That is the sort of thing that we can look at in time. If there is a need to extend the powers in time, we will have another look at it then. There is some support on this side of the House as well for the move-on power to be extended in those circumstances. I suggest that we wait and see how it goes and approach it in that way.

I commend also the members for Broadwater, Toowoomba North and Mundingburra. They have worked closely with us over a long period to bring this legislation into this place. As I said, it is quite a milestone to have done that. I commend also the member for Gladstone, who has expressed concerns about a number of matters which we can deal with further during the debate on the clauses. We have been able to make some accommodation in relation to the amendments of the member for Gladstone and the member for Waterford. I think that is important.

I would like to deal now with some of the specific issues that were raised. The member for Waterford said that these police powers were put on the backburner for political reasons; they were not. The fact is that they were on the backburner for a long, long time—probably, as I said, right back to at least 1982. People had shied away from doing anything about it throughout that time. It is common sense to consolidate the powers. The police were using powers from 90 different Acts. How on earth they could follow that, I do not know; the community certainly did not have much hope when the powers were coming from so many different directions. So we have taken those police powers that they were using from 90 different Acts and consolidated them into one.

Although a dozen or 15 have to remain in use, such as the Domestic Violence Act, the Transport Act, the Drugs Misuse Act and others, in the main they have been consolidated into one Act. It has taken a phenomenal amount of work to bring that about. It is certainly not true that it was not done before now for political reasons; it was a case of us putting in train the necessary process to get it right. I believe it is far better to get legislation right than to rush it. The discussion paper that was circulated was an important tool to enable people to at least get a handle on the issue, and then by talking to people who were interested we were able to explain further what it was all about.

The member for Waterford also mentioned that we cannot be certain that corruption in the Queensland Police Service will ever be totally wiped out. He is right, but this legislation is a statement of confidence in the Queensland Police Service. It has been through the Fitzgerald process. It has come out the other end. In many respects, it is now probably one of the cleanest and most respected police services in the Commonwealth. There is no question that we must maintain that standard. Therefore, no-one is resting on their laurels. These increased powers are a statement of confidence in the Queensland Police Service.

The member for Waterford also mentioned the possibility of the move-on power being misused in its application to young people or other disadvantaged groups. I assure him that the move-on power is not designed to focus on any particular group. It will not be focused on young people; it will not be focused on Aboriginal people; it will be focused on those who want to misbehave and break the law. That is as it should be. The move-on power is not to be used as a general move-on power. The legislation spells out clearly what it is to be used for. We are not singling out any particular group. If there is antisocial behaviour, if there is harassment, if there are people who want to cause anxiety to others who just want to shop or get on a train or go to a nightclub or attend school—and it does not matter if the offenders are black or white—then these laws will apply. Again, that is as it should be. The move-on power is not a detrimental law. In my view it is a tremendously good law because it means that the police are not arresting anyone and they are not charging anyone; they are simply telling someone, before trouble starts, to move on. If the power is not abused, that is an eminently sensible way to go.

The member for Yeronga referred to the electronic recording of confessions. The Government's amendment addresses all of the requirements of Lucas, of Sturgess and of Becker as mentioned in the 1977 Lucas report. This amendment addresses all of those requirements in a very practical way. That is as it has to be. It has to work. It will not work if it is not practical. The member for Yeronga must concede that some confessions may not be recorded due to some impracticality. But in such cases the confession must always be repeated on tape at a later time, and any comments by the suspect must also be recorded on tape later. If that does not occur, then the evidence falls to the ground. Again, those practical safeguards must be in place.

It must be borne in mind that it was the Queensland Police Service which, of its own volition, introduced the electronic recording of interviews. That goes back to about 1989. At that time we provided funding of $4.5m to commence the practice of electronically recording interviews. That practice is working. It works for both the police and the suspect in guaranteeing integrity. There will be further extensions of that practice as time goes by, but in the main it is generally accepted that electronic recording—be it tape or video—is here to stay.

The member for Yeronga said that he supports the notice to appear, but when referring to questioning after arrest—that is, the power to detain—he described it as "novel". Given that jurisdictions such as England, Scotland, the Northern Territory, South Australia, Victoria, Tasmania and the Commonwealth are all using the power to detain, all I can say is that that novelty is certainly very widespread. The member for Yeronga referred also to the arrest warrant. He stressed the need to take great care in the exercise of this power and the need for this and the move-on power to be carefully monitored by the CJC. The CJC does monitor the use of such powers, and that will continue. It will continue to be the watchdog of the Queensland Police Service to ensure that there is as little abuse as possible. That is the core function of the CJC. All I can do is commend it to do that job.

Originally we received 120 submissions. The CJC, the Council for Civil Liberties and the Law Society all presented submissions, right up to the very last moment, and by that I mean last Friday. Each of those submissions has been carefully considered, and the evidence of that will come through in the amendments.

The member for Caboolture stated that providing proper powers to police will help decrease the incidence of crime at a faster rate. Some of his colleagues, the member for Rockhampton being one of them, do not agree with the member for Caboolture, but I agree with him. For a while the statistics may even go up, but that is because with these increased powers police will detect and apprehend more criminals. I am quite prepared to wear that. As long as we are cleaning out crime as we go, that is something we must wear. Too many criminals have had it their own way for too long. As I said, the crime statistics may well show an increase, but the main thing is to try to apprehend more criminals, and that is what we are about. Our having to bring the Police Service into the 21st century by providing these new police powers and responsibilities is recognition that criminals use advanced technology and take a modern approach to crime. We must at least put the police on a level playing field and hopefully put them a step or two in front in order to make them more effective.

The member for Everton made the comment that if someone behaves like a criminal, they are going to be treated like a criminal. I do not know whether he was serious, but that comment is true. That is

where the move-on powers are useful. If people are going to behave in an antisocial way and are going to make it tough for ordinary citizens who are trying to get on with their lives, we will get tough on them. I suggest that the member reads the Bill, because if he thinks that evidence should be produced to indicate that the Government is getting tough on crime, all he has to do is read the Bill to get a clear indication that that is a major step in the fight against crime.

The member for Redcliffe referred to the training of police. This is an extensive consolidation of police powers in Queensland. Obviously, the training of police is vital. Training in any field is vital, whether it be prison officers or whoever. Training is of paramount importance. Of course, that can be improved as we go. It is being improved all the time, and that must continue. The training that police will receive in these new powers goes hand in hand with the legislation. As I said, we will not proclaim the legislation until about March, giving them all of that time in which to become trained in these powers. That training will be ongoing.

The member mentioned the Responsibilities Code. He stated that he has not had a chance to read it and therefore he has not had a chance to understand it. That is understandable. It was tabled only yesterday, but in the full knowledge that the Opposition spokesman and ourselves will be working out the detail of it between now and towards the end of December. The Responsibilities Code simply could not be written until the Parliament passed this Bill and all the amendments were taken into account. That is the reason it was not able to be completed. The idea of a Responsibilities Code is an excellent one, because police will have more powers, but citizens also need to know their rights and police need to know that they have certain responsibilities—and a lot of them—to live up to in order to be given the privilege of these extra powers.

As has been mentioned by speakers on both sides, hopefully this code will lead to an end of the excuses that we sometimes hear from police officers who say, "My hands are tied. There is nothing I can do." They are excuses, because I know that in the main the law can be upheld and can be carried out. Sometimes police try to cop out, but this will put paid to that. I can only suggest to any members that if ever they hear police officers saying that their hands are tied and there is nothing they can do, they can tell those officers that that is a cop-out and that they are not fulfilling their role as police officers. Such officers can be reported to their district officer. We have made that very plain wherever we have been. Quite often that claim is used as an excuse, and it is not acceptable. I do not care who quotes me on that, because the vast majority of police do want to get on with the job; however, there are some who would rather cop out, and that will not be accepted.

The member for Fitzroy mentioned pickets. The right of workers to picket will not be affected by this legislation. In fact, we accepted one of his amendments, which will guarantee that. It was never intended to affect peaceful assembly. It was purely for those instances that I have described, such as at schools, child-care centres, shopping centres and other notified areas. If people want a particular area in Queensland notified because they are having problems, then through local community input they can make a request to the Minister. But it must come from local community groups or people generally, then go through the local authority, the mayor, then to the Minister, with a request for the Minister to go to Cabinet to have an area notified. Consideration would then be given to that request, and this would be done through regulation. Consideration would also be given to the period of notification—whether it be 24 hours, six months, 12 months or indefinitely. Because this will be done through a regulation, it will come to the Parliament, where it can be opposed and debated. So there are ample checks and balances to ensure that it is not abused.

The member for Gladstone mentioned powers to detain and stated that the legislation requires ongoing review. I assure the member that that is the case. Clause 134 provides for an ongoing review of police powers. That is as it should be. It is only sensible, when introducing something that is of such a major nature and which has not really been done before in this State, to keep our eye on it. This Parliament has that responsibility.

I thank all members who have taken part in this debate. Over the years, it will be interesting to see how these police powers function. I do believe that, because of the work that has gone into this, to a very large extent we can have confidence in the powers that we are giving to the police. We commend those powers to the police and to the community and wish them well in their use of those powers.

Motion agreed to.

Committee

Hon T. R. Cooper (Crows Nest—Minister for Police and Corrective Services and Minister for Racing) in charge of the Bill.

Clauses 1 to 8, as read, agreed to.

Clause 9—

Mr J. H. SULLIVAN (11.53 a.m.): Mr Chairman, before I engage myself in this debate, would you indulge me for one brief moment to allow me to say to the Minister that I feel that he may have misrepresented me in his summation? I am sure that I did not say that these increased powers would lead to a reduction in the crime rate. Nevertheless, as the Minister said, we will have to wait and see.

I want to talk about an issue that I raised in my contribution to the debate on the second reading of the Bill, that is, clause 9 and the way in which it purports to bind future Parliaments. I know that, in common with all Ministers, this Minister reads very closely those sections of the Alert Digest that relate to his own legislation. I am sure that the Minister has read every word produced in those 60 or 70 pages in relation to this Bill. However, I suspect that the Minister has missed a vital piece of information, and that vital piece of information is on the cover page to section A of the Scrutiny of Legislation Committee's Alert Digest, which talks about section 14B of the Acts Interpretation Act and extrinsic material.

The Scrutiny of Legislation Committee has reported unfavourably on what the Minister has attempted to do in clause 9 of the Bill in terms of the attempt to bind a future Parliament and what a future Parliament might do. It would seem that, because the committee has supported itself with a great deal of case law in this regard, the committee's view would predominate. A judge having to adjudicate this in the future is going to have to assist him as extrinsic material the sure and certain knowledge that this Parliament passed this clause knowing that it would be of no effect.

I am not sure why the Minister has set out to try to bind future Parliaments. Unless he is able to give us a robust and acceptable defence for having done so, there is nothing more certain than the fact that, on the first occasion that this arises, his legislation will be read down by a court. I would be very much interested to hear, firstly, why the Minister believes that this is necessary and, secondly, how he believes that, in this instance, as distinct from every previous instance when a Legislature in this country has tried to do this, he is going to be successful.

Mr COOPER: My advice is that clause 9 does not bind the Parliament. Parliament can amend and repeal any Act as long as it follows the manner and form requirements of the Constitution. Although there has been no previous agreement with the Opposition, this clause was never intended to bind the Parliament, and it will not.

Mr J. H. SULLIVAN: The language of subsection (2) quite clearly says—

> "To the extent of any inconsistency, this Act prevails over the other Act, whether enacted before or after this Act."

That is an attempt to bind this Parliament, to say that this Parliament cannot in future pass legislation to the extent that it contains police powers that are inconsistent with this. That just will not wash. The Minister cannot do it. That is an attempt, with respect, to bind a future Parliament. There is an old Latin maxim, which I am not even going to try to pronounce, which says that later Acts repeal earlier inconsistent Acts. Subsection (2) of clause 9 tries to evade and avoid that principle.

Mr BARTON: It might help if I raise a question now. My understanding of the intent of that clause is that, where there is an inconsistency with another Act that has a comparable or similar power—not only an existing Act—those other existing Acts may be amended at some subsequent time as well. My understanding was that it is not an attempt to bind this particular Bill to future Parliaments when it becomes an Act; it is simply a question of inconsistency with other Acts. There is a list of them in the Schedule.

It would be helpful if the Minister could clarify that for the future, because that is why we, as an Opposition overall, accepted clause 9 as it was. However, I do note that the Scrutiny of Legislation Committee has had a look at that. It has obviously put in a lot of hard work on the Bill. That is the issue it is concerned about, and I believe that it would be helpful if the Minister could clarify that position of intent.

Mr COOPER: I clarified this issue when the member for Caboolture indicated that we were trying to bind the Parliament. We are not. As has been pointed out, this is not an attempt to entrench; it is an indication to future Parliaments only of our intent. Any Act can be amended or repealed. The Opposition spokesman is correct in that assessment. I am making it clear: there is no attempt to bind the Parliament. That matter was not raised at any time until the Scrutiny of Legislation Committee examined the Bill. We accept that

that committee does a large amount of work. The member raised this issue yesterday in the Parliament. As Minister, I state to this Assembly that there is no intent to bind the Parliament. The provision is an indication only.

Clause 9, as read, agreed to.

Clauses 10 to 15, as read, agreed to.

Clause 16—

Mrs CUNNINGHAM (12 p.m.): I move the following amendment—

"At page 16, lines 24 and 26, 'may be'—

omit, insert—

'the police officer reasonably suspects is'."

The intent of this amendment will reflect what currently occurs in practice, that is, police officers will enter a crime scene only when they have a reasonable suspicion; however, it places in the legislation an objective test on officers. As both of those accesses potentially affect private dwellings and private property, the higher test should be included in the legislation. I commend the amendment to the Committee.

Mr COOPER: We support that amendment. If it clarifies the legislation to the extent that the member wishes, we are happy to accept it.

Amendment agreed to.

Clause 16, as amended, agreed to.

Clause 17, as read, agreed to.

Clause 18—

Mr COOPER (12.01 p.m.): I move the following amendment—

"At page 17, line 24, after 'must'—

insert—

', if reasonably practicable,'."

Amendment agreed to.

Clause 18, as amended, agreed to.

Clauses 19 to 24, as read, agreed to.

Clause 25—

Mr LUCAS (12.02 p.m.): I have a query for the Minister in relation to the roadblock powers. It is very important that police have those powers for public safety and in order to deal with emergent situations. Clause 25 gives the power to police to make certain directions in relation to roads. Of course, "roads" also includes footpaths and similar areas. Is there a power in the Bill for police in, say, a siege situation, to make directions and set up blocks in shopping malls, parks and similar places? I believe that it is important that that power also be in the legislation.

Mr COOPER: Those areas are dealt with in the Public Safety Preservation Act.

Mr LUCAS: Should it not also be in this Act?

Mr COOPER: I do not think there is a need for that.

Clause 25, as read, agreed to.

Clause 26, as read, agreed to.

Clause 27—

Mr COOPER (12.03 p.m.): I move the following amendment—

"At page 25, lines 3 and 4, 'stop, and detain a vehicle, detain the'—

omit, insert—

'stop a vehicle, detain a vehicle and any'."

Amendment agreed to.

Clause 27, as amended, agreed to.

Clause 28, as read, agreed to.

Clause 29—

Mr COOPER (12.04 p.m.): I move the following amendment—

"At page 29, lines 16 to 19—

omit, insert—

'(m) if authorised under the warrant—power to do whichever of the following is authorised—

(i) to search anyone or anything in or on or about to board, or be put in or on, a transport vehicle;

(ii) to take a vehicle to, and search for evidence of the commission of an offence that may be concealed in a vehicle at, a place with appropriate facilities for searching the vehicle.'."

Amendment agreed to.

Clause 29, as amended, agreed to.

Clauses 30 to 32, as read, agreed to.

Clause 33—

Mr COOPER (12.05 p.m.): I move the following amendment—

"At page 32, after line 26—

insert—

'(7A) A document produced under this section is taken to have been seized under this Act.'."

Amendment agreed to.

Clause 33, as amended, agreed to.

Clauses 34 to 51, as read, agreed to.

Clause 52—

Mr BARTON (12.06 p.m.): I move the following amendment—

"At page 44, lines 7 to 12—

omit, insert—

'Example of unforeseen time out—

A police car used to transport a suspect from Burketown to Mount Isa breaks down or can not get through because of impassable roads and the magistrate can not be contacted by phone or radio.'."

This amendment seeks to delete some words that appear in the first example given in the clause of the circumstances in which that provision can be utilised. People who have a civil liberties orientation and others have put that suggestion to us. That was put to us fairly late. Essentially, that is already covered by the time-out provision. I understand that it is an example. Perhaps the example may be showing that fact. However, if it gives comfort to some people when reading the legislation at a later date, we believe that it is appropriate for those words to be deleted. I will wait for the Minister's response. I have had some indication that the Minister may be prepared to accept the amendment; therefore, I will not speak to it any further.

Mr COOPER: We discussed this last night. We can accept the amendment.

Amendment agreed to.

Clause 52, as amended, agreed to.

Clauses 53 to 56, as read, agreed to.

Clause 57—

Mr COOPER (12.08 p.m.): I move the following amendment—

"At page 47, line 26, '(1)(c)'—

omit, insert—

'(1)(b)(ii)'."

Amendment agreed to.

Clause 57, as amended, agreed to.

Clauses 58 to 61, as read, agreed to.

Clause 62—

Mr COOPER (12.08 p.m.): I move the following amendment—

"At page 51, line 30, 'under subsection (2)'—

omit, insert—

'under subsection (3) with another person's help'."

Amendment agreed to.

Clause 62, as amended, agreed to.

Clauses 63 to 67, as read, agreed to.

Clause 68—

Mrs CUNNINGHAM (12.09 p.m.): I move the following amendment—

"At page 56, line 14, after 'In particular'—

insert—

', and being mindful of the highly intrusive nature of a surveillance warrant'."

This amendment merely adds the words "and being mindful of the highly intrusive nature of a surveillance warrant" just to reinforce within the Bill the seriousness of the matter that is being considered by the issuer. It is particularly an issue of concern to me, and I know that it is a concern of others in the community, that it be continually at the forefront of the issuer's mind that there is a public benefit.

Mr COOPER: That is some finetuning and we can accept the amendment.

Amendment agreed to.

Mrs CUNNINGHAM: I move the following amendment—

"At page 56, lines 16 and 17—

omit, insert—

'(b) for a class A device—if the warrant is issued, the likely extent of interference with the privacy of—

(i) the suspect; or

(ii) any other occupant of the place;'."

Again, this amendment is to recognise the intrusiveness of these surveillance powers for police that are being codified. The amendment proposes to recognise that the issuer not only take into account the effect on the privacy of the suspect but also that being given the power to put surveillance devices in premises includes the power to put them in homes, motels and places where people collect and that there are other folk whose privacy will be affected by the installation of those devices, particularly visual surveillance. The amendment includes an additional group of people that the issuer must take into account before the warrant is issued, and that is any other occupants of the place where that device is to be installed.

My discussions with the Minister indicate that he is going to support this amendment, and I thank him for that. It is a matter of ongoing concern that people who are quite distant from the act that is being investigated will be inadvertently affected by these new police powers. Again, the amendment

reinforces to the issuer the necessity to ensure that the public benefit for the surveillance device is taken into account in relation to the seriousness of the offence being investigated and the intrusive nature of the device.

Mr COOPER: As I said, it is some finetuning. We have discussed this at length and we can accept the amendment.

Amendment agreed to.

Mr COOPER: I move the following amendments—

"At page 56, line 31, after 'to be at'—

insert—

'a public place or'.

At page 57, line 1, 'warrant'—

omit, insert—

'application'."

Amendments agreed to.

Mrs CUNNINGHAM: Although I recognise that both the shadow Minister and the Minister have indicated to me that they are not intending to support it, I move the following amendment because it encapsulated more the direction that I had in mind for the legislation—

"At page 57, lines 7 to 9—

omit, insert—

'(13) Also, the issuer must not issue a warrant for the use of—

(a) a class A device in the office of a practising lawyer unless the application for the warrant relates to the lawyer's involvement in a serious indictable offence; or

(b) a class A device that is a visual surveillance device if the issuer reasonably believes using the device will interfere with the privacy of an individual in a dwelling.

'(13A) If an application under subsection (13)(1)(b) is refused and the commissioner reasonably believes the person to whom the application relates is involved in organised crime, the commissioner may ask the Queensland Crime Commission Management Committee to refer the suspected organised crime to the crime commission for investigation.'."

I acknowledge that in discussions with the Minister's representatives—and I thank them for the information—it has become clear that the implications of proposed 13(b) would be that there is a high possibility that no surveillance devices would be allowed to be installed in private dwellings. Proposed clause 13(a) was a saving that was intended that any applications not allowed under proposed 13(b) would then be able to be reconsidered by the Crime Commission. It was an extra level of accountability.

As I said, it has been indicated to me that this amendment will not be supported, so I will not prolong the debate. However, it again reinforces my belief that the surveillance devices are intrusive, that they compromise people advertently and inadvertently and that all care must be taken in their use.

Mr BARTON: I would like to speak to this very briefly. I have certain sympathies with the very real concerns that the member for Gladstone has about this—and I think that we all have concerns—and that the Minister has expressed on a number of occasions both publicly and in this place about what occurred with Matt Heery in Townsville. There certainly does need to be a high test.

The last two amendments moved by the member for Gladstone, which the Opposition indicated that it would support, lift the bar higher. However, the Opposition is concerned that, although this particular amendment may not have that intention, it may in reality mean that no surveillance warrants will be allowed to be issued to the Police Service.

As to the proposed saving clause 13(a) moved by the member for Gladstone, although we will debate the issue of what powers the Crime Commission should have later today, the Opposition has very real concerns about the Crime Commission reaching down in any case to crimes of that nature. The Opposition believes that the Crime Commission should be there for the absolutely most serious of crimes—organised crime, paedophilia. The Opposition has a problem with the major crime issue with the Crime Commission. The Opposition wonders what the Police Service might do if the Crime Commission were to be reaching down that far to other crimes. That would not only trigger a capacity for the Crime Commission to use those intrusive powers but also, if a reference were given to the Crime Commission on that offence, it would trigger the even more intrusive powers of the loss of the right to silence or whatever as well.

The Opposition makes the point that it believes that the bar has to be high; there does have to be a high standard. It believes that the last two amendments moved by the member for Gladstone set the standard at a higher test. However, the Opposition would be worried that, if this amendment were to be

passed, the test could become impossible. Even though the Opposition has those very real concerns about intrusion into the privacy of people, this amendment would then tie the hands of the Police Service. That is why there is a Public Interest Monitor and that is why it is tested before a Supreme Court.

The Opposition would like to see the safeguards tested in terms of the Public Interest Monitor's annual report to the Parliament. I would say that if the reality in the field shows that the warrants are being issued in the wrong manner and we end up with a lot more Matthew Heerys, then I think that we may well be back in this place trying to change that and again put the bar up a little higher.

Mr LUCAS: I would like to echo a number of the comments that were made by my colleague the shadow Minister. It is perhaps unfortunate that the incidents surrounding Mr Heery have coloured the views that many people might have in relation to the nature and the necessity for search warrants. With respect to the proposed amendment of the member for Gladstone, I understand her intentions and motives. They are the highest of motives and the most noble of intentions. However, I believe that it is also important to note that perhaps the member for Gladstone might have lost sight of the fact that the people that these warrants are predominantly used against, or ought exclusively be used against, are the cream of the hardest and most serious potential criminal offenders. They are the Mr Bigs of trafficking and the Mr Bigs of very serious crime. The real concern is that these are people who will take advantage of any loophole in the law. They will do all of their transactions in the bedroom. They will not care less if there are children involved. They will not care less if that is where they attend to their marital conjugal rights as well as doing their drug trade and other things. They will specifically take advantage of it.

In the interests of Queenslanders and families who are destroyed by illicit drug trafficking, it is important that we give the police the necessary tools. That is why the Public Interest Monitor is there and that is why the Public Interest Monitor has the power to extract from material that sensitive, personal and private material. As the shadow Minister says, that is why this Bill is all the more palatable. That is what the Public Interest Monitor ought to do.

Finally, I would like to say—and I ask the member for Gladstone to take this on board—that one of the problems that we have in this State is that we have very little civil privacy protection. The simple fact of the matter is that at present anybody—as long as a person was not on private property; that person could stand either on public property or be in our next door neighbour's house or whatever—can film what we do in the privacy of our house and then publish it on television or wherever and do that with impunity. We should be looking at civil privacy laws to protect the interests of the community. That is what we should be looking at.

I look forward to the member for Burleigh, Mrs Gamin, handing down her committee's report—and I do not know what it is going to say—about State privacy laws. That is what we should be addressing in this place: the rights of people to their own privacy without invasions from others in the street without warrants and totally within the law as it presently stands.

Mr COOPER: As to the review of the Act, I have mentioned already that clause 134 states that there will be a review of the Act. After six months of operation, a committee will be appointed by the Minister to review it. That review must be completed within three years and then the legislation can be amended. We all agree that we need to have that review.

We have all agreed that this issue is very sensitive. There is no doubt that we must be extremely careful, and we are very mindful of that. However, as I said before, we have to balance it in order to nail some of the major criminals such as drug dealers or people who manufacture drugs in their dwellings. They do produce amphetamines in their dwellings and we have to give the police the necessary powers to carry out surveillance, otherwise we would simply defeat the spirit of the law.

As I keep reiterating, members should not forget that, for the first time, we will have a Public Interest Monitor. People will be confident that the Public Interest Monitor will not only put a case adversarially before a Supreme Court judge but will also continue to monitor the surveillance for as long as it goes on. In the Heery case, the surveillance lasted for 600 hours and virtually all he did was pass wind. Quite obviously, in a case such as that the Public Interest Monitor would have every right to step in and see that the surveillance was terminated, as it should have been in that instance. There is no question that we are mindful of those issues. As the Opposition spokesman pointed out, the two earlier amendments that the Government has accepted do up the ante. They set newer and higher standards for the judges to consider when looking at the privacy issue.

I reiterate that we are all pretty close on this; only a fine line divides us. We must move in this direction because, as I say, drug dealers are using private dwellings for dealing in and making drugs.

Amendment negatived.

Clause 68, as amended, agreed to.

Clause 69—

Mrs CUNNINGHAM (12.22 p.m.): I move—

"At page 58, line 24, '7'—

omit, insert—

'2 working'."

This amendment addresses the emergency use of surveillance devices, which, as I have already said ad nauseam, are intrusive. The legislation provides that an inspector may authorise the emergency use of a device. The Bill proposes that within seven days after that authorisation, an application for approval must be made to a Supreme Court judge. Given the nature of the devices, I move that that time be restricted to two working days.

While that recognises the seriousness of the use of surveillance devices, two days allows more than ample time for the paperwork to be done. It ensures that judges will not be called out in emergency situations on weekends or public holidays, but still recognises that accountability procedures must be in place. I believe that given that surveillance devices are being used and that the rank of inspector is involved, shrinking the time from seven days to two working days should be achievable and would add a greater level of protection to the legislation.

Mr COOPER: The Government has discussed this amendment and we find it practical and workable. The Government is prepared to accept the amendment.

Amendment agreed to.

Clause 69, as amended, agreed to.

Clause 70, as read, agreed to.

Clause 71—

Mr COOPER (12.23 p.m.): I move—

"At page 60, lines 6 and 21, '70'—

omit, insert—

'69'."

Amendment agreed to.

Clause 71, as amended, agreed to.

Clauses 72 and 73, as read, agreed to.

Clause 74—

Mrs CUNNINGHAM (12.24 p.m.): I move——

"At page 62, line 22, after 'warrant'—

insert—

', and being mindful of the highly intrusive nature of a covert search warrant'."

This amendment mirrors amendment No. 2 and reinforces to the issuer of covert search warrants that those warrants are intrusive. If people find out that searches have been carried out, they feel as though their space has been invaded. The issue of that intrusiveness should be in the issuer's mind when he or she considers the grounds for issuing a warrant. Again, the Minister has indicated support for this amendment, and I thank him for that.

Mr COOPER: Again, this is a case where we must be mindful of the highly intrusive nature of a covert search warrant. I remind all members that we must be mindful of that. The Government accepts the amendment.

Amendment agreed to.

Mrs CUNNINGHAM: I move——

"At page 64, line 8, after 'orders'—

insert—

'in the interests of justice'."

This amendment, which came from the Queensland Council for Civil Liberties, seeks some addition to the orders that are about to be executed. When I spoke to the Minister's advisers about the implications of this clause, I said that I was concerned to ensure that the legislation does not introduce a legal loophole into the process. Doug Smith assures me that they are comfortable with that. This amendment is an added recognition of the intrusiveness of these powers. I will not say any more than that. It has been indicated that the amendment will be supported. I put on the record my appreciation of the time that the Minister has given to addressing my concerns and I thank him for his support for almost all of my amendments.

Mr COOPER: There is no need to say any more. I accept the comments of the honourable member. We have worked extremely well together throughout the passage of the legislation and the amendments that had to follow. A lot of finetuning had to be done and has been done and it is far better that that be done now rather than later. The fact that we were able to work cooperatively together is in the best interests of good legislation.

Amendment agreed to.

Clause 74, as amended, agreed to.

Clauses 75 to 78, as read, agreed to.

Clause 79—

Mr LUCAS (12.28 p.m.): I will raise three points about the clauses concerning the Public Interest Monitor—clause 79, clause 80 and clause 82. With the indulgence of the Committee, I shall make all of those comments in relation to clause 79, to save the Committee some time.

My first point relates to the appointment of the Public Interest Monitor. I would have a concern if, for example, a practising lawyer, particularly a practising criminal lawyer, was appointed as the Public Interest Monitor. There would be a grave danger that, in his or her role as the Public Interest Monitor, a practising criminal lawyer may inadvertently come across information concerning a client, even if it was only that an application in relation to John Smith was to be heard next week. As a legal practitioner, one has very strict ethical obligations, and one is placed in a very invidious position when it comes to what should be done. That needs to be taken into account. An appropriate person to be the Public Interest Monitor would probably be a retired judge—someone who would no longer have a concern about potentially coming across information concerning a client. That is the first point that I wish to make.

The second point relates to the functions of the monitor. I am putting this to the Minister for his consideration. One of the roles of the monitor in the hearing is that of a public interest advocate—"a devil's advocate" for want of a better word—against the warrant. That is a good idea, because it ensures that the issues are agitated fully. One of the bases of our legal system is that we have an adversarial system and it is important in a court to have what we call a "contradictor". The Public Interest Monitor will perform an important role.

I am a little confused as to how that ties in with the role of the monitor to monitor the warrant once it has been secured. The monitor will wear one hat in fighting against the warrant. The monitor will also wear another hat in the role of monitoring the warrant. I am a little concerned that the monitor may have some difficulties coming to grips with that. I hope that does not present too great a problem.

My third point concerns the secrecy provisions. The Bill states that a person who is or was a monitor must not record, use or disclose information. That is very important. If very sensitive material were disclosed, people could be killed as a result. Clause 82 does not mention servants and/or agents of the monitor. In relation to the secrecy provisions, does clause 82 also bind servants and agents of the monitor? That would be very important. For example, a secretary or someone doing typing for the monitor should be subject to the same very serious sanctions.

Mr COOPER: The member made very interesting comments in relation to the Public Interest Monitor. This office has never been created previously. As such, we want to get it right. This will be in everyone's interests. People will be interested in how that person will be appointed. The position will be appointed by the Governor in Council. That is not a first. I have worried and we have spoken a lot about how far we should define the qualifications for that position. If we say that that person must have legal qualifications, a lot of other people will be excluded even though they might be willing to undertake and have the skills for that public interest role.

However, it could well be that the monitor will have legal skills, because that person will have to perform before a Supreme Court judge. We do not want a too detailed definition of who the monitor should be, because people outside any proposed definition may possess the necessary skills. Offices appointed in a similar way include the DPP, which goes through the Governor in Council and the Minister. That applies also to Supreme Court judges, directors-general and so on. The main thing is that they will have to have those skills. Obviously, their previous experience will have to show that.

Mr Lucas: You would want to be careful about a potential conflict of interest if you have someone who is a current legal practitioner.

Mr COOPER: Again, if we are appointing a DPP or a director-general, all of that will be taken into account in the selection process. We believe that is the best way to go with respect to the appointment of the Public Interest Monitor. The member mentioned the monitor's secretary. The person in that position will be bound by the secrecy provisions of the Queensland Crime Commission legislation.

The member mentioned that the monitor will be there to fight against, let us say, the issuing of a listening device, surveillance order or whatever. That is the monitor's role. But it often happens that a person in that role is overruled by a judge. That person then has to adopt the role of being a monitor. I do not believe there is any conflict there. For example, if the judge overrules the monitor, I

think the monitor would be even more zealous in making sure that the tapes, videos or whatever were monitored. I do not see that that is a problem.

Clause 79, as read, agreed to.

Clauses 80 to 86, as read, agreed to.

Clause 87—

Mr J. H. SULLIVAN (12.34 p.m.): As I indicated in my speech in the second-reading debate, I have some concerns about the declaration of notified areas by way of subordinate legislation. I indicated that I had some experience in this area in reviewing the South Bank Corporation Amendment By-law No. 1 1994.

There are some similarities and differences between the South Bank case and what is being established in the police powers Bill. The major difference is that the police powers Bill anticipates the police having a general move-on power subject to the areas where that power applies being declared by regulation. However, in the South Bank regulation, a power was implemented that had been anticipated by the legislation and not put in place by it.

However, we have to accept the fact that a move-on power diminishes the existing rights of individuals. When we look at the issue of rights we also have to consider competing rights. I think a case can be made that move-on powers are a matter of the competing rights of two groups of people and which group gets primacy. However, what concerns me particularly is that the areas where these move-on powers will be able to be used will be declared by subordinate legislation.

One of the problems with that is that it leaves it open to being not a well-considered matter of competing rights, as the South Bank issue was. Members will be aware that the powers introduced in that case were introduced because a number of elderly and young people had been harassed and bashed by other people in the South Bank area. The competing interests between the rights of those two groups were being considered.

In my view, this leaves us open to having move-on areas declared for convenience to assist the police, without there being an issue of the competing rights between, say, shopkeepers in a mall or wherever there are competing rights that need to be addressed; that this is done simply because the police find it convenient to have an area declared so that they can exercise power for their own purposes.

As I said in my speech in the second-reading debate, I believe the areas that are declared ought to be declared by way of principal legislation rather than by way of regulation. I acknowledge that that is a much more difficult means to achieve the end. Because of that difficulty, I think greater care will be taken in choosing and declaring areas. I think we would overcome a lot of problems. Emergency situations will always arise. Obviously, a regulation can handle an emergency situation, whereas principal legislation cannot do so unless the Parliament happens to be sitting at the relevant time. At this point, I propose not that the Minister agree or disagree with me, but that he does agree——

Mr FitzGerald interjected.

Mr J. H. SULLIVAN: I propose not that the Minister disagrees with my point but that he agrees to make this matter one of the issues that the people undertaking the review of the legislation, as set out in clause 134, treat as a matter of priority. I am quite happy to talk to them about it. I am sure that people with a similar interest to mine would similarly be happy to talk to them about it. We need to include this matter so that we are very careful about abridging people's rights and that we do so only when necessary. We must ensure that that is done via a mechanism that makes certain that any abridgments undertaken are necessary. That is something that I would very much like the Minister to include in that review.

Mr COOPER: I thank the member for those comments. Again, a move-on power was obviously going to be one of the items of interest. The Public Interest Monitor is a real innovation. Honourable members opposite were probably not sure whether the move-on power was going to be enacted or not. It has been interesting to hear the discussion on it. Not providing for a general move on is I believe the right way for us to have gone. We have declared notified zones already, that is, schools, child-care centres, shopping centres, nightclubs and railway stations. There have to be reasons for the people in the community to want to have a notified zone. That would come to the Minister, as the member said, and be declared by regulation. The regulations can be disallowed and can be debated in the Parliament, apart from the fact that they first have to get through Executive Council. There are plenty of checks and balances.

Mr J. H. Sullivan interjected.

Mr COOPER: Those things still have to be ticked off. A pretty serious process has to be gone through before a minute is signed off

by Executive Council. The main thing is that a regulation can be debated in Parliament—and why not? I think that is a good way to go. Obviously, there may be times when we have to move quickly but, in the main, I believe it provides a mechanism for dealing with items that come up.

I am mindful of the detriment to privacy that can occur, but I am also mindful of the anxiety and the harassment that some groups cause decent, ordinary citizens. Those ordinary citizens have rights and that is why we try to protect them. We need that balance in the legislation. Incidentally, police cannot ask for a notified zone; it has to come from the community and through the local authority by way of public discussion to ensure that it is the people who are making up their minds as to whether they want a notified zone declared. That is the way it should be. We are mindful of the balances.

The situation in relation to South Bank is a bit different. It was not a matter of the declarations being formulated by firstly having a local council deciding to do it, so the issue of consultation in relation to South Bank did not arise. Apart from that, it is still handled in a similar way. South Bank has been a useful experiment. It was Labor who brought that legislation in at that time. There were great problems at South Bank just as there were in the Queen Street Mall and in the Valley Mall. Those are classic examples of where these problems can occur. I think it has worked at South Bank. People are far happier and able to move freely there without being harassed. Members of Parliament and the public generally have given stacks of examples of harassment of people who just want to do some shopping. I know Mackay is one classic case in point, as was West End.

The issue has been raised in relation to many other areas and here we have what we hope will be a solution. Nothing is perfect but I do believe this is a good way to go. I think we have handled it in a fairly balanced way. As I said, some people on the other side of the Chamber and on this side would have liked to have seen a move-on power apply to individual dwellings. We have not gone that far. The member for Caboolture asked if we can ensure that we look at this move-on power in particular in the review that will take place after six months of operation. We are all going to be part of that, so he can have his input as well. If people want to up the ante or they want to rationalise it in any way, the opportunity is certainly going to be there.

Mr J. H. SULLIVAN: I think I should come clean. I find move-on powers abhorrent, but I recognise that I am in the minority in that position. The issue that I am really interested in is that declared areas be declared by way of the principal Act. Just to correct an impression, I think the South Bank Corporation Act of 1989 was an Act of the former National Party Government—it might have been before 1989. I think it was an Act brought in by the then Premier, Mike Ahern. That Act clearly anticipated that a move-on power could be introduced by way of regulation.

When we looked at the debate to see what Parliament might have said about it at the time, to our chagrin we found that the then Opposition concerned itself more with trying to find out how much money Expo had lost at South Bank than debating the provisions of the Act. It is a major problem with the level of debate in this Chamber that we tend to not cut to the chase terribly often.

I am really trying to say that, whilst I accept that move-on powers are going to be deemed beneficial and desirable to some people, because we are abridging people's rights and because of our legislative standards and the fundamental legislative principles that exist, we really need to do that by way of the principal Act. This principal Act abridges the right by providing for a general move-on power. The regulation is only indicating where that should be applied. I would like to see those applications in the principal Act.

The Minister spoke about local councils and local groups being the people who are going to ask for these move-on powers. I do not want to be derogatory of a number of people out in the community who are working very hard, but I do not know of too many Neighbourhood Watches, for example, which do not regard the police officer assigned to them very highly and are anxious to do what they can to assist that police officer. If the police officer came in and told them they would have a lot better chance of achieving something in their area if they just had the move-on power in such-and-such a place, I am sure that the Neighbourhood Watch would be only too anxious to assist. In that way, while the police may not be the principals behind moves to have an area declared, I think they would certainly be very useful advocates amongst the community groups to have it done. I think we really need to ensure that we have some fetter on doing that.

The Minister has said—and I take his point and that of a number of my colleagues—that the move-on power is about

providing rights to the people who are being harassed. The move-on power for police is not necessarily about giving the police another weapon to make their job easier without there being a good reason. I would just like to see that extra protection come about by way of those declared areas ultimately finding their way into principal legislation rather than existing forever in regulation.

Interruption.

DISTINGUISHED VISITORS

The CHAIRMAN: Order! Before I call the member for Archerfield, I would like to draw the Committee's attention to guests in the Speaker's Gallery: the bus drivers Mr Bob Hawkins and Mr Wayne Peters and their wives, Daphne and Joy. The bus drivers recently averted what could have been a horrific accident on the Landsborough/Maleny range through their presence of mind and quick actions.

Honourable members: Hear, Hear!

POLICE POWERS AND RESPONSIBILITIES BILL

Committee

Resumed.

Mr ARDILL: I may have got the wrong impression, but from what the Minister has said I have the impression that the declared areas will be areas other than streets. The biggest problem throughout the City of Brisbane is occurring in the streets—on the dedicated roadway and footpaths.

Mr FitzGerald: All public areas.

Mr ARDILL: I hear the honourable member. We are talking here about declared areas. Is it necessary for a street to be declared before the police can exercise this power? While there are problems on railway stations, in shopping malls and other similar places, they can be dealt with right now—particularly railway stations. Nobody has the right to congregate on a railway station unless they are there for the purpose of meeting a train, getting on a train or getting off a train and unless they have the appropriate ticket. The police can move them on right now.

It is outside the railway stations where problems occur. It used to be on the trains; that has now been solved. Now people get off the train and it is outside the railway station in the street where the problem occurs. I spoke of an incident last night that occurred in the street when people were walking home at night through a dark patch and suddenly they were confronted by a number of louts. It is not in specified areas; the real problem occurs in the streets. For years when I represented a larger area—the particular area is no longer part of my electorate—there used to be riots on a Friday night. Again, they occurred in the street. They certainly also occurred in parks, but mainly the problem is a street problem. I would like the Minister's answer on that.

Mrs BIRD: I want to raise an issue that is of concern to me. The member for Archerfield touched on it very briefly. When police move people on, where do they move them to? The problem involving trains has been corrected. People are now moved from stations into the street. They then become a nuisance in the street, so where do we move them to? Quite clearly, the options are that they disperse or they move into residential areas. It concerns me that we are not really solving the problem; we are just moving them away from the crowds and into the community.

Mr COOPER: I thank the members for those two questions. What the member for Archerfield wants—and I am not being critical of him for it, but this is what we wanted to avoid right from the start—is a general move-on power. In order to do what he wants us to do—that is, cover all darkened streets and places like that—we would have to have a general move-on power. If there was one particular street or area that was of major concern to the community and it voiced that concern, then we could declare it a notified area. But if the member wants all the streets leading from every railway station to be declared a notified area, we would have to introduce a general move-on power. We have not moved to that point.

Mr Ardill: Well, you haven't achieved anything.

Mr COOPER: We have. I will remember that. When this matter is reviewed, the member can seek an increase in the move-on power. The member for Caboolture is totally opposed to it, so there are differing opinions on the other side of the Chamber and also outside this place. It is a case of: try to please all, you please none. We have gone for a move-on power for notified areas, and that is the way it is to be for the foreseeable future. After six months, if the member for Archerfield wants to move for a general move-on power, he can go through the Labor caucus and see how he goes. I have no doubt that he will run into the member for Caboolture.

The point raised by the member for Whitsunday is a very valid one. People have

pointed out that the nuisances will just move on to another place. Let us take a school as an example. If there are hoodlums—people who are causing trouble—harassing other kids going to school, those areas will be declared a notified place and police can therefore move people on from that school area. They can get them right away from the area, indicate where they are to go and direct them that they are not to come back for at least for 24 hours. There is no arrest, there is no notice to appear—there is nothing like that. It is simply a tool that can be used prior to trouble occurring in order to nip it in the bud. I think that is a good move. The troublemakers cannot just move on a metre and claim to have moved on; they must move on to where the police direct them to go. They could direct them to go home, which might not be a bad idea in certain circumstances, if the parents are around and if they care. But that is what it is about: move on, indicate an area, indicate not to come back. If it involves a strip shopping centre and people who are wanting to shop are being harassed and prevented from doing so—as occurred in Mackay for about six or eight months—the police can move troublemakers on from that area for a period. Yes, they can come back to shop if they want to. This is aimed only at those people who want to break the law and cause trouble for others.

Mr Ardill: Move them into a dark spot down the street.

Mr COOPER: In six months' time we will be back. The member can argue for a general move-on power and see how he goes.

Clause 87, as read, agreed to.

Clause 88—

Mr BARTON (12.54 p.m.): I move the following amendment—

"At page 70, after line 3—

insert—

'(1A) However, a police officer must not give a direction under subsection (1) that interferes with a person's right of peaceful assembly unless it is reasonably necessary in the interests of—

(a) public safety; or

(b) public order; or

(c) the protection of the rights and freedoms of other persons.'."

I understand that the Minister will accept this amendment. It relates to the move-on powers. Some of the issues that have been raised by some of my colleagues today were of great concern to us. We have a very strong commitment to the Peaceful Assembly Act. Of course, that was a piece of legislation enacted by our party when we were in Government, largely as a response to the horrific sets of circumstances that we saw at times during the seventies and particularly during the mid 1980s when there were large protests and people were unable to protest peacefully. We accept that the Bill as it was presented to the Parliament covers the sets of circumstances under the Peaceful Assembly Act of authorised peaceful assemblies—and that is where prior notice has been given and permission has been obtained—but many protests are on the basis of spontaneous activity. We believe that such spontaneous activity needs to be a little better protected. Clearly, if such an assembly is getting out of hand, we accept that there needs to be a capacity for police to move people on, but not unless there is a problem.

The words that we have included in this amendment give the police that discretion. If there is a problem with public safety or public order or the freedoms and rights of other citizens are being affected by that demonstration, people can still be moved on. However, the amendment provides a slightly higher test for the police, because we were concerned that, in trying to fix the other problems that some of my colleagues have mentioned, we may have inadvertently run the risk of returning to the days when the right to peaceful protest was impinged on. We did not want to do that, because that just leads to further problems and further dislocation—usually more protests, more involvement by police and the potential for much more division within our society. That is the principal reason that we sought this amendment.

During my speech I thanked the Minister and his staff but I did not thank the police officers who have been involved. They too have recognised that our intentions were genuine. I thank Greg and Doug. I thank also the parliamentary draftsman, Ray Siebuhr, for being so helpful and understanding. This is one area in which all concerned have been very cooperative. I thank the Minister for his acceptance of this amendment, because I think we will have a better piece of legislation as a result of it.

Mr ROBERTS: I want to raise a general issue to follow on in support of the shadow Minister. I also have grave concerns about people who are peacefully assembling under the Peaceful Assembly Act. To follow on from

some of the points that were raised in the previous clause, I do not think it is necessary for us to have a general move-on power, and the Minister has referred to that on a number of occasions, but during my contribution to the second-reading debate I did raise the point that the Bill currently provides that police, on the complaint of a shopkeeper, can exercise the move-on power. I share some of the views expressed by the member for Archerfield that those people will simply move on into a residential street.

The question I have is: if we are going to have a move-on power triggered by the complaint of a shopkeeper that they or their customers feel intimidated or whatever by certain behaviour, why would we not have a similar power based on the complaint of a householder in a private residence near where those people might be moved on to? That is the issue that I raised in my contribution to the second-reading debate. Again, I do not seek a general move-on power but a power which is triggered by the complaint and the legitimate fears of a householder. The question therefore would be: what current powers can the police exercise in those circumstances where a private resident feels threatened by the behaviour of people who may not necessarily be committing a criminal offence?

Sitting suspended from 1 p.m. to 2.30 p.m.

Mr COOPER: Correct me if I am wrong, but I believe that the member for Nudgee was talking about private homes and that sort of thing.

Mr Roberts: Yes.

Mr COOPER: There are already laws, which I can outline, whereby that situation can be handled right now. We did not include private homes as such within the notified areas, because then a general move-on provision would apply. But there are ways and means. I have said before that there is some support for it amongst members on that side of the Chamber and some support for it amongst members on this side of the Chamber. There is also some dead opposition to it amongst some members opposite. We have to sort that out. I believe that we can do that through the notified areas, making sure, though, that under the Criminal Code, in relation to the actions to which the member and the spokesman have referred, people can be handled and directed by the police. Clause 89 of this Bill can take care of that to a certain extent, as well as the Criminal Code.

I can table the relevant parts of the Criminal Code, but I just mention section 277, which relates to the defence of premises against trespassers and the removal of disorderly persons. In a sense, I am saying that, in the meantime, there are other ways and means of police handling those sorts of situations that the member has described. We recognise that those things can occur. If we are talking about making an entire street a notified area then, under this move-on law, an application can be made through the community, through the local authority, the Minister and so on. But in relation to an individual private home, certain actions can be taken under the current Criminal Code and under clause 89. I will table those parts of the Criminal Code for the member's interest.

Mr ARDILL: I wish to speak to clause 88 and express support for this amendment. It is absolutely vital that this amendment is accepted, and apparently it is going to be. I would like to repeat what I said last night when speaking to the second reading of the Bill. It is essential that the extent of this power should be clearly defined. The power to move on should be used only to prevent criminal activity and terrorising or harassment of other people. The rights of peaceful protest should be clearly excluded from any attention under this procedure, and that should be clearly spelt out.

I hope that no attempt will be made by some police to use the powers granted to them to disrupt peaceful assembly—not just assembly that has already been given a permit. Anyone has the right to assemble to voice his or her objection to certain action being taken in the community and also to set out clearly his or her objection to political activity that goes on, as long as that assembly is peaceful.

For example, take the case of picketing, not just for political purposes but picketing against something like the Hinchinbrook Channel fiasco that is going on at the moment. Sometimes the police are not terribly sympathetic to people who want to protest. It is essential that the parameters of police powers to move on should be clearly defined not only in the words of the Bill but also in instructions that are given to the police. It should be made quite clear that the right to peaceful assembly is not to be abrogated by anything contained in this Bill. I believe, and I accept at face value, that that is not what is intended. It is to prevent harassment of people who are going about their legitimate business. It is to prevent assaults and things

that do take place in the community. That is why I spoke in support of the power to move on. I was thinking particularly about the groups of people who gather in the streets in suburban areas outside railway stations and even in some of the strip shopping centres on defined roadways. Those people can be moved on under this Bill, I hope, because it is better to take action to move them on rather than to allow a situation to escalate into violence and disorder. That is what has happened in recent years and, of course, way back in history.

As I pointed out in my speech last night, this is not something new. Violence in the streets is not new. It was taking place 80 years ago in the suburb of Coorparoo, in many other suburbs of Brisbane and in other cities around Australia. We hear how violent crime is escalating. I believe that today it is being brought to the notice of people more often than it was in the past, but it certainly should not be allowed to escalate. The people who indulge in that sort of activity should not be allowed to think that it is acceptable.

As to the practice of the power to move on, which I have seen in streets in my area—I believe that the police do take action to move people on before they become criminals and before they assault ordinary people who are going about their business—mostly young people. Most of the victims of that sort of activity are young people, not the elderly. The elderly fear it more than the young people do, but a lot of young people have been attacked like that and put in hospital. Some of them have been at death's door because of attacks outside railway stations in my electorate and in surrounding electorates.

Any move that can be made to reduce that sort of option to some of those louts is a good thing. Many of them are migrants to this country, and once they are convicted of a criminal offence I believe that they should be sent back from whence they came. If the police are able to take that action before the violence occurs, that will be great, but it needs to be action in the streets outside those railway stations, shopping centres, places of entertainment and so forth. As I said, the parameters of the actions that the police can take must be defined, and these powers should never be used against peaceful assembly—and very obvious peaceful assembly—as was the case in the past.

Mr FOLEY: I rise to support the amendment moved by the member for Waterford. I welcome the Government's indication that it will support the amendment. I remain gravely concerned about the possible impact of these move-on powers on peaceful assembly. As the Bill originally came before the Parliament, there were indeed grounds for grave concern. I take the Committee to the submission of the Criminal Justice Commission in response to the Police Powers and Responsibilities Bill. At page 12, it stated—

> "These powers contravene the spirit and the intention of the Peaceful Assemblies Act 1992. Clause 85 provides that the move-on powers will not apply to public assemblies that have been authorised under that Act. However, the Peaceful Assemblies Act 1992 not only allows authorised public assemblies but preserves the right of public assembly generally. That right could be seriously infringed by the move-on powers."

Mr FitzGerald: Doesn't that group look after corruption and official corruption?

Mr FOLEY: They do. They also look after the monitoring of the conduct of the Queensland Police Service to ensure that it does its duty according to law. One of the problems associated with the Police Service the last time that the National Party ran the show in this State was that it used the police force as a political tool. Twenty years ago, under National Party and Liberal Party rule, the police force, instead of being used to combat crime, was used as a political tool to arrest hundreds and hundreds of people in the streets of Brisbane. Twenty years ago, in 1977, the Queensland Police Service, instead of being involved in the fight against crime, was involved in Bjelke-Petersen's tactics while those members of the National Party who purported to stand for some principle turned a blind eye and while the Liberal Party hid from public scrutiny. It is as a result of the corrupt and disgraceful conduct of National Party and Liberal Party Governments that there is a very good reason to be vigilant about the exercise of police powers. The honourable member for Lockyer might well flee the Chamber after having made such a frivolous and perhaps provocative remark. I thank him, because it gives me the opportunity to remind honourable members that the issue of peaceful assembly is one that requires constant vigilance.

The last time this crowd ran the show in Queensland, under the admission of Premier Bjelke-Petersen in the Fitzgerald inquiry, they deliberately provoked a law and order conflict in the streets in the belief that it would gain them electoral advantage. As a result, hundreds and hundreds of citizens were

arrested and put in the watch-house, not for breaking and entering, not for arson, not for assault but for taking part in assemblies and for taking part in marches. One of the great achievements of the Goss Labor Government was to pass the Peaceful Assembly Act. That gives ordinary Queenslanders a statutory right of peaceful assembly. It was necessary in order to combat the evil that had been brought into this State by National Party and Liberal Party regimes.

Mr Chairman, you can bet your boots that the Labor Party in this State will be monitoring very carefully the use of these move-on powers. I strongly support the amendment moved by the member for Waterford. The last thing we want to see is a return to those Bjelke-Petersen days.

Mr Stoneman: Oh!

Mr FOLEY: I hear the member for Burdekin. Where was he when it came time to speak out against those abuses in 1977? Did he raise his voice and criticise Bjelke-Petersen then?

Mr Stoneman: The people voted.

Mr FOLEY: The people voted. They have not learnt a thing; they are still trying to condone the disgraceful conduct of 20 years ago. They are still trying to turn back the clock.

Mr Stoneman: You are living in a time warp. You ought to get on with the future.

Mr FOLEY: I thank the honourable member.

Mr T. B. Sullivan: This is about the future.

Mr FOLEY: Indeed, as the member for Chermside very rightly says, this political party, which represents working people and ordinary people, will stand up for freedom in this place, even if the Liberal Party and the National Party try to crush it. We want to see the opportunity for people to exercise peaceful assembly. We want people to be able to express their peaceful protest, even if we happen to disagree with the issue on which they are exercising their right to protest. That is why it is important that we ensure that police officers who are cloaked with these very broad move-on powers should not exercise them willy-nilly in such a way as to strike down the ordinary citizens' right of peaceful assembly. That was a right that was won hard in this State. That was not a right that fell off the back of a truck. That was a right that came about through years, and indeed decades, of political struggle in this State. That is why the Australian Labor Party in this Chamber has moved this amendment to try to ensure that the exercise of broad powers is not done in a way that is likely to strike down the right of peaceful assembly. It is not simply the authorised assembly under the Peaceful Assembly Act that we need to be concerned about; it is the basic statutory right of peaceful assembly that arises when people exercise their rights to peaceful assembly without having given the relevant notice provisions.

I have been very concerned during the term of this Government that the Government has not displayed care with respect to the Peaceful Assembly Act. The Minister in charge of this legislation is not the one who administers it. The Minister who administers the Peaceful Assembly Act is the Attorney-General and Minister for Justice. In response to a recent question on notice in relation to the administration of that Act and to the rights under that act of the people who were subject to very disturbing treatment in Hinchinbrook, the Honourable the Attorney-General failed to take any pro-active action to ensure that that Act was administered properly and people's statutory rights of peaceful assembly were observed. It was good enough for the Attorney-General simply to say, "Well, they can make a complaint to the Criminal Justice Commission." That is not good enough. The cause of liberty requires eternal vigilance. That is why the Opposition is moving this amendment to ensure that, when that time comes and a police officer wishes to use his or her power to give a direction and in so doing interfere with another person's right of peaceful assembly, that police power should be exercised only when it is reasonably necessary in the interests of public safety, public order or the protection of the rights and freedoms of other persons. It should not be exercised for the sake of political gain, as it was exercised under Premier Bjelke-Petersen.

Mr COOPER: I do not know what all the fuss is about; we are accepting the amendment.

Amendment agreed to.

Clause 88, as amended, agreed to.

Clauses 89 to 94, as read, agreed to.

Clause 95—

Mr COOPER (2.48 p.m.): I move the following amendment—

"At page 73, lines 22 and 23—

omit, insert—

'(7) Subsections (4) to (6) do not apply to a person to whom section 96 or 97 applies.'."

Amendment agreed to.

Clause 95, as amended, agreed to.

Clause 96—

Mr COOPER (2.49 p.m.): I move the following amendment—

"At page 73, line 28, after '95(1)'—

insert—

', (2) and (3)'."

Amendment agreed to.

Clause 96, as amended, agreed to.

Clause 97—

Mr COOPER (2.49 p.m.): I move the following amendment—

"At page 74, line 25, after '95(1)'—

insert—

', (2) and (3)'."

Amendment agreed to.

Clause 97, as amended, agreed to.

Clauses 98 and 99, as read, agreed to.

Clause 100—

Mr COOPER (2.50 p.m.) I move the following amendment—

"At page 76, line 4, from 'if', to line 7, 'the police officer'—

omit, insert—

'if—

(a) the person in custody refuses, in writing, to agree to giving the information; or

(b) the police officer'."

Amendment agreed to.

Clause 100, as amended, agreed to.

Clauses 101 and 102, as read, agreed to.

Clause 103—

Mr COOPER (2.51 p.m.): I move the following amendment—

"At page 77, line 7, 'part'—

omit, insert—

'division'."

Amendment agreed to.

Mr BARTON: I move the following amendment—

"At page 77, line 8, ', if practicable,'—

omit."

This amendment is one of the more important amendments that the Opposition has moved. I must say that, after discussions with the Minister and his people, they find themselves not able to support the Opposition on this particular amendment. The basis of this amendment is that the Opposition believes that it is absolutely essential that where persons who are in custody are given information, and particularly if that information is formal cautions, that taping those cautions should be made mandatory and that it should not be a question of whether it is practicable or not.

In talking to the Minister's advisers, I know that there is a concern that there may be some very minimal sets of circumstances where the police may not have a tape-recorder to record something that is given spontaneously, or that there could be some argument about what the giving of information is. However, we are talking primarily about when a caution is given and not when trivial information is given. The Opposition believes that it could easily be made mandatory for police officers to tape-record those cautions that are given. This also applies to the next amendment that I will be moving in relation to clause 104.

I know that tape-recorders are not provided as standard issue to police officers. Although it has been some years since I managed to pick up a speeding ticket, it has been my own experience that every officer who has ever pulled me over and had a chat to me on the side of the road about why my vehicle was exceeding certain posted speed limits always seemed to have a tape-recorder in his pocket. That is a safeguard. I know that many police officers purchase their own tape-recorders for their own protection if people start to complain that they have been treated badly or mishandled. These days, I think a fairly good quality pocket tape-recorder is about 50 bucks a throw. Queensland has about 6,500 police officers. The cost of providing tape-recorders to those police officers would be $325,000 which, in terms of the police budget, is petty cash.

I must say that, to me, in terms of ensuring that citizens' rights are protected, the argument that police officers do not have tape-recorders and that they are not standard issue is not acceptable. If the Parliament were to carry this amendment, it would not be a question of a huge cost. Even if the department has to provide for the odd one that gets lost or breaks, or for a small number of spares around most police stations, from a practical point of view that is something that could be managed easily. The Opposition does not believe that the carrying of tape-recorders should be discretionary because that may, in fact, lead some officers to give the

cautions in the wrong way, considering that it is simply not practicable for them to be near a tape-recorder.

The Opposition will persist with its view on this amendment. It had hoped that we might have been able to reach some understanding. I also understand that, at this time, the police have a point, particularly when those tape-recorders are not provided, but my view is that they should be provided in any case. They are a necessary tool for police officers in the field today. The use of tape-recorders would also head off a lot of the complaints that come in about police officers supposedly abusing people, or not giving people the right advice, or other circumstances. I hope that the Government reconsiders this matter at the last minute and accepts the Opposition's amendment.

Mr FOLEY: I rise to support the member for Waterford. The amendment makes it plain that where police officers have a person in custody, they must electronically record the giving of information to that person, including a caution and the person's response. This has to be seen in the context of quite a radical change in the law governing persons in custody. Up until now, the law has said that police may not question persons in custody. If they do, the answers that they give them will not be admitted into evidence. The law has said that because there is a presumption that, when a person is in custody, there is a real risk that that person will be overborne and that his or her confession or admission will not be truly voluntary and, indeed, that the confession may be obtained simply in order for that person to avoid remaining in custody for a longer period or to avoid the pressure of questioning. That has been the policy of the law for centuries.

The Government, on the recommendation of the various bodies that have examined that law, wants to change it. The Government wants to set up a regime which enables that questioning to take place. That can be tolerated only if there are strict and proper safeguards. One of those strict and proper safeguards is that the giving of the information to the person in custody is to be electronically recorded. There is no good reason why the person in custody cannot have that information electronically recorded.

I remind the Chamber of the recommendations 20 years ago of the Lucas committee of inquiry into the enforcement of criminal law, which stressed the central importance of electronic recording. Things are a lot easier now than they were 20 years ago. It is particularly important that this safeguard be a strict one because, in some ways, these safeguards set out in this part of the Bill actually water down safeguards that were established as a result of the Lucas inquiry. For example, consider the safeguard of requiring the police to contact an independent person when interviewing Aboriginal persons. That safeguard has been watered down in clause 96(4), as it does not apply if the police officer reasonably suspects—not reasonably believes, but reasonable suspects—that the person is not at a disadvantage in comparison with members of the Australian community generally. The whole requirement has been dispensed with.

The Government is urging upon the Parliament an abandonment of a number of traditional safeguards. Some, like the one I have just mentioned, have been in place for the past 20 years and others, such as the presumption against admissibility of confessions from persons in custody, have been in place for centuries. It is not unreasonable to demand that if such a radical new regime is put in place, proper steps are taken to ensure that when the rights of the person in custody are communicated to them, it is electronically recorded.

In an age of information technology, when the capacity to record and transmit information is becoming easier every day, it is a pretty funny state of affairs that the Government still wishes to retain an out by saying that the police officer must, if practicable, electronically record the giving of the information. There are no acceptable circumstances in which it would not be practicable. We are dealing with persons who are in the custody of the Police Service and who are subject to questioning in circumstances hitherto uncontemplated by the common law. Therefore, the amendment moved by the member for Waterford on behalf of the Opposition is a very reasonable one.

One thing that used to characterise the trials that occurred year in and year out in this State was the disputes of fact between police officers and suspects. Many times I have appeared in the criminal courts acting on behalf of persons who disputed the police version of events. I assure all honourable members that between 1987 and 1989, particularly during the time of the Fitzgerald inquiry, juries were acquitting left, west and crooked because the public lacked confidence in the word of the police because of the repeated scandals that had been demonstrated.

Mr Schwarten: Barry Mannix.

Mr FOLEY: Quite so. That is why it is important that the framework of law is strong and clear. That is why if there is to be a dramatic extension of the circumstances in which people can be detained for questioning and in which can be permitted the questioning of persons in respect of whom otherwise there would be a presumption that would be overborne, one has to go about it in the right and proper way. What the Government is urging is not the right and proper way. The Government is urging the doctrine that near enough is good enough. It is not good enough if we want to have confidence in the administration of justice.

I rebut the proposition that this is somehow of particular interest and importance to civil libertarians and defence counsel. It is of great importance to prosecutors. One need only ask prosecutors who prosecuted during the 1980s, particularly during the days of the Fitzgerald inquiry, to be informed that juries were acquitting in circumstances where there was a dispute of fact over what was said in police stations. In this day and age, there is no excuse for not having proper electronic recording.

Mr Schwarten: Very few households do not have that capacity.

Mr FOLEY: Quite so. We are talking about a structured situation where people are in custody and are having their formal rights communicated to them.

One must always approach the topic of safeguards with great care, because there is no easier way to sell people down the river than by describing something as a safeguard when in fact it is a phoney safeguard. The provision in the Government's Bill that a police officer must, if practicable, electronically record is a phoney safeguard. It will rebound not only to the detriment of the liberty of citizens; it will rebound on the effectiveness of the Police Service and on the effectiveness of prosecution officers when presenting the Crown case to the courts. I urge the Government to reconsider and accept the amendment moved by the member for Waterford.

Mrs CUNNINGHAM: I have a couple of questions for the Minister. Firstly, is there an interrelationship between clauses 103 and 104? I presume that the definition of "custody", as outlined on page 72 of the Bill, applies. The previous speaker said that the provision applies only in a formal situation. Would people have information, including cautions, communicated to them in a field situation? In what circumstances would the electronic recording of information be considered not to be practicable?

Mr COOPER: Firstly, I shall rebut some of the arguments of the member for Yeronga, because they are red herrings that have been drawn across the trail of what has otherwise been an extremely well presented and debated piece of legislation. The point is that right now the police simply cannot tape every conversation that is had with people in custody.

Mr Dollin: Why not?

Mr COOPER: Because they simply do not all have tape-recorders. We want to move in that direction. If the Opposition amendment was accepted, the Police Service simply could not implement it. While I accept that there would be a cost involved of $325,000, a whole bank of people have to transcribe those tapes as they are recorded. This is a major consideration. The Government wants to move towards electronic taping in every circumstance, because it protects both sides. However, we cannot do that right now. That is why the Bill states that taping will occur "if practicable". That is a commonsense term and the Opposition should show some commonsense, because situations arise——

An Opposition member interjected.

Mr COOPER: That is exactly right and I will come to that. There are practical people on the Opposition side. Earlier the member for Archerfield said that people can find themselves in wild circumstances, such as drunken fights or riots. In the middle of doing battle, so to speak, with someone slapping him about the ears and gouging at his eyes, how on earth could a police officer be expected to pull out a tape-recorder and say, "Hang on, do you mind if I get this on tape? Do you mind if I read you your rights on tape?" How can that possibly be done? There has been a case where a police officer had to dive into a river and swim after a person who was trying to get away from police custody. How on earth could that officer have taken a tape-recorder with him and electronically recorded the giving of rights? It is simply not practicable.

Mr Palaszczuk: It does happen.

Mr COOPER: The honourable member is so right: it does happen. Therefore, it is completely impracticable to ask a police officer to carry a tape-recorder at all times.

However, let me say this: the moment there is an opportunity for that person to be taken back into custody where an electronic

taping device is available, that is when it will be taped. The tape-recording of that process can then be transcribed. If the suspect does not agree, that will not happen. It is as simple as that. Therefore, electronic taping and recording will take place as soon as practicable. Let us not tie the hands of the police when they are trying to do the right thing by the victim. It is the victim who will be penalised if the police officer is not able to record electronically a confession or the reading of that person's rights, because that person will walk free. I do not think that is very fair on the victims. That will be an absolutely impossible situation to live with. That is why we have to reject the amendment at this time.

At the moment, that electronic recording can be made at a more sensible and practical time. When the police are doing battle, would they be able to record things electronically? When we think it through, we see that that is ridiculous. The police often have to try to defend and help the public and do battle with hoods and thugs. Asking them to switch on a tape-recorder and to advise them electronically of their rights in the midst of battle is a bit much. It really is getting ridiculous.

Clause 103 relates to all information to be given, such as a caution, the right to have a solicitor present and so on. Again, trying to do all of that in the heat of the moment would often be very difficult or impossible. But that has to be done later, otherwise that evidence falls to the ground. We have to reject this amendment at this time. I have given the member for Gladstone some practical examples of how in the course of their duty police officers have to try to help the public and victims. By tying one hand behind their back, suspects might get away with something just because, in the circumstance, the police were not able to tape-record something. Let me repeat: it has to be done at some later time, otherwise it falls to the ground.

Mr Palaszczuk: What do you mean by "at this time"?

Mr COOPER: If the person is doing battle——

Mr Barton interjected.

Mr COOPER: Yes. If members opposite are requiring that the reading of rights to suspects be electronically recorded and a confession taken, that simply cannot be done. "Custody" is fairly broad. "Custody" is not "taken into custody"; "custody" is taken to mean when people are in the company of a police officer. As I said, that could be taken to apply in a heated moment or in the circumstances I have already described. That would make their job impossible. That is why we have to reject the amendment.

Mr J. H. SULLIVAN: I wonder whether the Minister knows his own legislation. Clause 103 states, "A police officer who is required under this part". The words "this part" do not include being in a brawl in front of one's local hotel and trying to take people into custody. Part 12 is headed "Standard safeguards". Division 1 addresses the application of the part and speaks of getting rid of covert operations. Division 2 states that the right to remain silent is not affected. Division 3 is headed "Safeguards ensuring rights of and fairness to persons questioned for indictable offences". That does not address cases when a few skulls are being smacked in a brawl outside a pub; that concerns instances when people are at the police station and are being questioned about indictable offences.

These are not the issues that the Minister is putting forward as arguments to avoid taking up this amendment. With the greatest of respect, the Minister has talked about red herrings, but he has trawled a whole herring fleet across this division. We are talking simply about this part. Division 4 is headed "Safeguards for things seized during searches". These do not require police to record information given to persons in the event of their being arrested. These concern when people are being questioned at the station after everything has quietened down. As my friend the member for Maryborough was saying by way of interjection during the Minister's——

Mr Fouras interjected.

Mr J. H. SULLIVAN: I am not sure that the Minister was referring to the member for Maryborough. The Minister is leaving this open to verballing. I do not believe and I do not accept that these tape-recordings necessarily need to be transcribed, but they need to be there so that if there is ever any debate about whether or not these cautions were given the police officer can show that he did give the caution. Therefore, a number of prosecutions would not fall over because that was not done.

The Minister needs to come down to earth a bit. These are not the issues that he raised as being impracticable for the police. I believe it is more than practicable for the police to record advices given to people in various circumstances under Part 12 of this Bill—and not anything more extensive than under those circumstances that arise in Part 12 of this Bill. That is the wording of the clause. That is the intention of the clause, and

that is the intention of the amendment moved by the Opposition spokesman, Mr Barton.

Mrs CUNNINGHAM: I still seek a clarification, because there is a significant divergence of opinion. On page 72, under clause 94 within Division 3, "custody" is defined as being time when a person is in the company of a police officer. That means that this could include the tackle situation that the Minister was talking about.

Members on this side of the Chamber have said, "No, it relates to formal custody when things have quietened down and when people are back at the station and there is an opportunity to switch on the tape-recorder." To me that is a fairly important point. Nobody would want to have a policeman's arrest compromised because he could not switch on a tape-recorder in the middle of an arrest, particularly if it is in an aggressive situation. But if the circumstances in clause 103 are the more formal circumstances, there should be no preclusion to recording.

Mr COOPER: I thank the member for Gladstone for that question, because it is not just the formal aspect of custody; it is a very broad definition. That is why, if we go down the path of accepting the Opposition's amendment, we will require confessions in all circumstances, including those that are not necessarily as formal as those in a police station. If we are saying that a person can still be in custody in the heat of the moment, that means that the police officer will be hamstrung by having to take an electronic statement or in giving electronic advice. That will be done in a more formal sense later. That is a very broad definition of "custody". There are no red herrings in this at all. This is something that has been worked and talked through for years. Some people are trying to make out that there are red herrings in this. There are not. We are talking about a very broad definition of "custody". That is why this amendment would see many police hamstrung in the course of their duty. The victims of crime and the public will be the losers.

Mr FOLEY: Let me deal with two mistakes that the Minister has made in his argument. The first is that the Minister is mistaken in his understanding of the clause that we are dealing with, that is, clause 103. The second point concerns the definition of "custody" in clause 94 raised by the member for Gladstone. It is simply false for the Minister to claim that the requirement is a requirement to tape everything. It is not. Clause 103 states, "A police officer who is required under this part", that is, Part 12, dealing with certain specific standard safeguards.

In relation to the safeguards conferred by Part 12, clause 103 states—

> "A police officer who is required under this part to give to a person in custody information ..."

We are talking about the standard safeguards under this part.

Mr FitzGerald: That has been amended, hasn't it? There is an amendment that has already gone through changing those words. An amendment just went through on this clause changing the words of this part. It has already been carried by this Committee. You look at the amendment that the Minister moved and correct the Bill with the amendment that the Minister put in. Please do that.

Mr FOLEY: The word "Part" is removed and the word "Division" is now inserted. I am grateful for the honourable member's assistance because it makes it even clearer. If he goes to the relevant part of the Bill, he will see that what we are dealing with in clause 103 is Part 12, to which I referred, and Division 2, "Right to remain silent not affected". It goes on there to Division 3, which is the relevant one. It starts at clause 93, "Safeguards ensuring rights of and fairness to persons questioned for indictable offences". I thank the member for Lockyer.

It is clear that the rights that are conferred by clause 103 is a requirement to give to a person in custody information that is required under this division. Division 3 is "Safeguards ensuring rights of and fairness to persons questioned for indictable offences". What are they? They are things like clause 95, Right to communicate with friend, relative or lawyer; clause 96, Questioning of Aboriginal people and Torres Strait Islanders; clause 97, Questioning of children; clause 98, Questioning of person after proceeding started; clause 99, Cautioning of persons in custody; clause 101, Right to interpreter; clause 102, Right of foreign national to communicate with embassy etc. They are the rights we are talking about; they are the safeguards we are talking about. It is not a communication of everything, it is a communication of those rights.

The second point is this: the term "custody" is defined in clause 94(1) as being—

> "A person is 'in custody' ... if the person is in the company of a police officer"—

but it goes on to say—

> "for the purpose of being questioned as a suspect about his or her involvement in the commission of an offence."

So we are dealing with people in custody for the purposes of questioning and where the police officer is communicating to that person the rights conferred by this Parliament pursuant to Division 3 of Part 2. In other words, all we are asking for is that these so-called statutory safeguards should be fair dinkum safeguards—electronically recorded. We are not talking about the sun, the earth and the moon; we are talking about specific safeguards. There is no reason why they cannot be electronically recorded.

Time expired.

The TEMPORARY CHAIRMAN (Mr J. N. Goss): Order! I call the honourable——

Mr J. H. SULLIVAN: Again I apologise to my colleague.

Mr Welford: Well, sit down.

Mr J. H. SULLIVAN: I accept the honourable member's good natured interjection. Let us narrow this down quite succinctly. The Minister's amendment has brought this requirement to tape-record, if practicable, back to those matters dealt with in Division 3 of Part 12. As the member for Yeronga said, let us have a look and see what they are. Clause 95(1), Right to communicate with friend, relative or lawyer, states that the police officer must inform the person. If we go to clause 96, Questioning of Aboriginal people and Torres Strait Islanders, subsection (2) picks up clause 95(1). Again, the police officer must inform the person that he or she may telephone or speak to a friend, a relative or a lawyer.

Clause 97, Questioning of children, requires the police officer to comply with 95(1), that is, to tell the child that he or she may telephone or speak to a friend or relative to inform the person present of his or her whereabouts, ask the person to be present during questioning and to telephone or speak to a lawyer of the person's choice to arrange or attempt to arrange a lawyer being present. The next thing that a police officer is required to advise somebody under this division is that, before starting questioning, the police officer must caution the person in a way required under the Responsibilities Code. So a tape recording of the cautioning of the person would be required in the way required under the Responsibilities Code.

Clause 100, Provision of information relating to a person in custody, provides that if a person inquires about the whereabouts of the person in custody the police officer must, if practicable, inform the person in custody of the request and they would need to tape-record that. Clause 102, Right of foreign national to communicate with embassy, requires that, before the police officer starts questioning, he has to inform the foreign national of certain things and that would need to be tape-recorded.

Then there are some issues under which clauses 95 to 97, 100 and 102 do not apply. Those are set out in clause 106. I am not sure that we need to debate those because they say that, despite what has been said before, a caution need not be given. There are very few instances when a caution needs to be handed out under the division. The Minister brought the amendment in under this division. There are very few instances—five, in fact—when that needs to be done. None of these is going to be required to be done in the heat of battle. These are all matters that are going to be dealt with back in the police station and in which a recording could be done.

I ask the Minister to deal with each of the clauses in Part 12 of Division 4 and to tell us why it would not be possible for the police officer to advise people under each of the requirements. His example of an affray occurring somewhere is just not going to hold water. These are very limited requirements under this division and are certainly not requirements that could not be recorded.

Mr BARTON: This issue is fundamental. It is also very simple. It is not a red herring. In fact, as the member for Yeronga said, the amendment that the Minister moved immediately before this one ties it down even tighter to being in the very specific circumstances in which a person is in custody for reason of being questioned. We are not talking about the circumstances in which a police officer has a baton in one hand and has hold of the offender in the other hand by the collar, trying to get them to the paddy wagon. It is not where they are pulling someone out of the river who is trying to swim away; it is not where they are in the middle of a brawl outside a pub.

This is very simple and very straightforward because there is no way in the world that the Opposition would want to move amendments that fundamentally stop police from doing their job. This is very fundamental to ensuring that people are being cautioned properly and that that is required so that we do

not have a whole lot of arguments further down the road, many of which will result in criminals getting off if juries do not accept that they have been cautioned properly. So this is not an amendment designed to help defendants; this is an amendment designed to help police officers in the field. I spoke about it and people said, "No, it is not just $300,000-odd." It might be a little bit more than that but, quite frankly, considering the price that the Police Service can buy them at, I reckon they should buy 6,500 or 7,000 of them at once and get them at an even cheaper price.

I make this point: if I am the Police Minister in the near future, that is something that I will be talking to the Police Service about doing posthaste, because police officers should have that protection for themselves as well. I will not accept the argument that they do not all have tape recorders and the ones that they do have essentially are their own. If we are talking about this division—not this part, this division; tie it down a little tighter—we are essentially talking about the cautions that have to be given to people before questioning starts, which will be done in police stations. If the Police Service is so far behind the times that it cannot have tape recorders in those police stations—and I know that many of the small ones do not have facsimile machines, and they ought to have them, too—there is something wrong. This is a fundamental issue of ensuring that the rights that people have to be told about, those cautions in those circumstances, are electronically recorded, not just for the protection of the defendant but primarily for the protection of the police officer.

I reiterate that this is not a red herring by us. This amendment is not designed to interfere with police officers in the field; it will help police officers in the field. I urge the Police Service advisers and the Minister to reconsider our position.

Mr COOPER: I want to respond to those points, even though I will be repeating a lot of what I have said. What the Opposition spokesman has said sounds plausible. I wish it were true. In the practical, commonsense application out in the field, what he is saying will not wash and will not work. We want to get to that point eventually. I have already said that we want to move in that direction. We will get there one day, but right now we are not there. This amendment will mean that when police are in the field, if they have to either read a person their rights or take their confession, it has to be electronically recorded. It will not work practically, and that is what we are trying to say. We are saying that eventually—when the police can get the suspect back to the station to do it in a formal situation—that must happen, otherwise the evidence falls to the ground. So we are not far apart, but we simply cannot agree to this amendment.

Mr ARDILL: Will the Minister please explain to us under what circumstances he expects police to be questioning somebody about an indictable offence out in the field and not back in the police station? The whole of Division 3 refers very clearly to a person in custody being questioned under normal circumstances—within a police station.

Mr J. H. Sullivan: For an indictable offence.

Mr ARDILL: That is right—for an indictable offence. Clause 93 states that the division applies only to indictable offences. Is a policeman going to be questioning a suspect at length about an indictable offence out in the field? Under what circumstances does the Minister expect that to happen? I believe that a simple mistake has been made here, and I believe that the Minister should be seeking further advice on it. There is nothing from the words "Division 3—Safeguards" through to clause 103 which could give any reasonable person any indication that this relates to anything other than a suspect being questioned in a police station. Clause 95 refers to the right to communicate with a friend. Is it suggested that there will be communication with a friend out in the field at the point when an officer is arresting somebody who is fighting mad? Clause 96 refers to the questioning of Aboriginal people and Torres Strait Islanders and it sets out the arrangements for proper questioning—again, in a police station. Very clearly, the Minister or some of his advisers have made a simple mistake. Clause 97 refers to the questioning of children. Again, that will not be done out in the street or down in a paddock or in a pub. The whole point is that they are in custody and they are being properly questioned in a police station. Clause 98 is headed "Questioning of person after proceeding started"; clause 99 is headed "Cautioning of persons in custody"; clause 100 is headed "Provision of information relating to a person in custody". Is such information provided out in the field?

Mr J. H. Sullivan: In the back of a paddy wagon?

Mr ARDILL: Or in the back of a paddy wagon? Quite clearly, in all logic, a mistake has been made. This Division clearly refers to questioning in a police station. There is no

reason why a tape recorder cannot be available to protect the police from the claim that a proper caution was not given. I ask the Minister to consider these matters before he goes any further.

Mr FOLEY: I am an optimist. I think that it is possible that the mind of the Minister could be amenable to evidence and argument. Let me try to explain it. What is being proposed is an amendment to clause 103. All that is being proposed is to change the requirement for electronic recording to a strict rule from a rule which simply requires this action to be taken if practicable. The Opposition says that it is always practicable to do this. Secondly, if you wish to question a person who is in custody and to reverse the longstanding presumption of the common law, then you should have a strict regime in place.

The scheme of this Bill that the Minister has introduced includes a power under clause 50 to detain for eight hours a person who has been lawfully arrested for an indictable offence. So we are not talking about somebody who has just been pinched outside a pub. There is a power to detain the person for eight hours before any of the other things come into operation, and as the Minister said across the Chamber, in the eight hours mentioned, clause 50(3) provides that the person may be questioned for not more than four hours and that the time-out period may be more than four hours. The detention period starts, pursuant to clause 50(4), when the person is arrested or taken into police custody or taken from a watch-house or otherwise in the company of a police officer for the purpose of questioning the person as a suspect. This is not something which is of its nature rushed. It is a new state of affairs which allows a person who up until this moment has been forbidden by the common law to be questioned to be exposed to questioning and to have those answers admitted in evidence against that person. What the safeguard requires is that they be informed of their right to communicate with a friend, relative or lawyer under clause 95, that there be certain safeguards taken under clause 96 with respect to the questioning of Aborigines and Torres Strait Islanders, that there be certain safeguards under clause 97 regarding the questioning of children, and that there be certain safeguards taken in respect of those clauses 93 to 106 that go to make up Division 3.

The original argument of the Minister was that one cannot tape everything, and that may be so—although, significantly, Sir Max Bingham, in a report to the Government just recently, said one should tape everything. But just putting that argument to one side for the moment, we are simply talking about the communication of very basic rights. I appeal to the member for Gladstone to apply her mind to the second line of clause 94(1), which states—

> "A person is 'in custody' for this part if the person is in the company of a police officer for the purpose of being questioned as a suspect ..."

That is not in company at large; it is in company for that specific purpose, a purpose in respect of which this Bill introduces a whole new apparatus which permits questioning in custody. It is a novel arrangement. It is an arrangement which has been forbidden to date. That is why it is elementary that there should be basic, clear safeguards. Having a provision which simply says "if practicable" is a phoney safeguard. I urge the honourable member to support the amendment.

Question—That the words proposed to be omitted stand part of the clause—put; and the Committee divided—

AYES, 43—Baumann, Beanland, Borbidge, Connor, Cooper, Cunningham, Davidson, Elliott, FitzGerald, Gamin, Gilmore, Grice, Harper, Healy, Hegarty, Hobbs, Horan, Johnson, Laming, Lester, Lingard, Littleproud, McCauley, Malone, Mitchell, Perrett, Quinn, Rowell, Santoro, Sheldon, Simpson, Slack, Stephan, Stoneman, Tanti, Turner, Veivers, Warwick, Watson, Wilson, Woolmer. Tellers: Springborg, Carroll

NOES, 42—Ardill, Barton, Beattie, Bird, Bligh, Braddy, Bredhauer, Briskey, Campbell, D'Arcy, De Lacy, Dollin, Edmond, Elder, Foley, Fouras, Hamill, Hayward, Hollis, Lavarch, Lucas, McElligott, McGrady, Mackenroth, Milliner, Mulherin, Nunn, Nuttall, Palaszczuk, Pearce, Purcell, Roberts, Robertson, Rose, Schwarten, Smith, Spence, Sullivan J. H., Welford, Wells. Tellers: Livingstone, Sullivan T. B.

Pair: Radke, Goss, W. K.

Resolved in the **affirmative**.

Clause 103, as amended, agreed to.

Clause 104—

Mr COOPER (3.46 p.m.): I move the following amendment—

> "At page 77, lines 11 to 31 and page 78, lines 1 to 29—
>
> omit, insert—
>
> 'Recording of questioning etc.
>
> '104.(1) This section applies to the questioning of a person in custody.
>
> '(2) The questioning must, if practicable, be electronically recorded.

Examples for subsection (2)—

1. It may be impracticable to electronically record a confession or admission of a murderer who telephones police about the murder and immediately confesses to it when a police officer arrives at the scene of the murder.

2. It may be impracticable to electronically record a confession or admission of someone who has committed an armed hold-up, is apprehended after pursuit, and makes a confession or admission immediately after being apprehended.

3. Electronically recording a confession or admission may be impracticable because the confession or admission is made to a police officer when it is not reasonably practicable to use recording facilities.

'(3) If the person makes a confession or admission to a police officer during the questioning, the confession or admission is admissible as evidence against the person in a proceeding only if it is recorded as required by this section.

'(4) If the confession or admission is electronically recorded, the confession or admission must be part of a recording of the questioning of the person and anything said by the person during questioning of the person.

'(5) If the confession or admission is written, the way the written record of the confession or admission is made must comply with subsections (6) to (10).

'(6) While questioning the person, or as soon as reasonably practicable afterwards, a police officer must make a written record in English, or cause to be made a written record in the language the person used during questioning, of the things said by or to the person during questioning.

'(7) As soon as practicable after making the record—

(a) it must be read to the person in English or, if the record is not in English, in the language the person used during questioning; and

(b) the person must be given a copy of the record.

'(8) Before reading the record to the person, an explanation, complying with the responsibilities code, must be given to the person of the procedure to be followed to comply with this section.

'(9) The person must be given the opportunity, during and after the reading, to draw attention to any error in or omission from the record he or she claims were made in the written record.

'(10) An electronic recording must be made of the reading mentioned in subsection (7) and everything said by or to the person during the reading, and anything else done to comply with this section.

'(11) In relation to the questioning, confession or admission, or confirmation of a confession or admission, of a person that is recorded under this section, a police officer must, without charge—

(a) if the recording is—

(i) an audio recording only—make a copy of the recording available to the person or the person's lawyer within 7 days after making the recording; or

(ii) a video recording only—make a copy of the recording available to the person or the person's lawyer within 14 days after making the recording; or

(b) if both audio and video recordings were made—

(i) make a copy of the audio recording available to the person or the person's lawyer within 7 days after making the recording; and

(ii) notify the person or the person's lawyer that, if the person asks, an opportunity will be provided to view the video recording; and

(c) if a transcript of an audio recording is made—on request, give to the person or the person's lawyer a copy of the transcript.

'(12) Subsection (11) applies subject to any other Act.

'(13) If a court considers this section has not been complied with or there is not enough evidence of compliance, the court may, despite the noncompliance, admit evidence to which this section applies if, having regard to the nature of and the reasons for the noncompliance and any other relevant matters, the court is satisfied, in the special circumstances of the case, admission of the evidence would be in the interests of justice.'."

Mr BARTON: I want to speak in opposition to the Minister's amendment and foreshadow that, should his amendment be

defeated, certainly I will be moving my amendment No. 3. The issues are fundamentally the same as they were in relation to the previous clause. However, I have some concerns. I must say that, during the consultation process and the debate until now, we have at least been able to agree on what the facts are and then make decisions based on the facts. I am not trying to revisit the previous clause, but the issues are the same with this clause. Fundamentally, we have a disagreement not on the merits of the issue but on the facts. I have not changed my mind one degree. I believe that the facts speak for themselves. However, on this occasion, whereas the issue is fundamentally the same, it is a bit more important because we are talking about confessions and making sure that confessions are electronically taped. I acknowledge that the proposed clause contained within the Minister's amendment is possibly a little better than the one in the original Bill. In fact, it does provide that electronic recording of a written confession must happen to confirm it as soon as possible afterwards. But we still do not believe that is adequate. We believe that it is mandatory that there be electronic recording of people who are being detained for questioning.

The history of recent years is that our courts system has thrown out a lot of written confessions. A case is a lot stronger if a conversation is recorded electronically from the very beginning. Again, particularly when we are talking about confessions, the argument about what might happen out in the field will not wash on this occasion because, when it gets to the point of recording a conversation—whether in writing or electronically—this should take place in a police station. I do not agree with the argument that was put forward last time, namely, that someone might be trying to swim away with a policeman hanging off the back of his swimming trunks. The police would hardly be writing down confessions in those circumstances, or taking written confessions while they are brawling in the street, with a police officer having a defendant by the collar and trying to throw him into a paddy wagon. The police will not be sitting there typing or writing confessions in those circumstances; it will be essentially when they get back to a police station.

I still do not accept the argument that was put forward last time, because I still believe that it is absolutely essential that police officers have high-quality pocket tape-recorders for circumstances out in the field. I give this House one commitment: if I become the Police Minister, an instruction will be given to the Police Commissioner to buy those tape-recorders, and I will proudly march into this Chamber and table the written instruction that I give the Police Commissioner. I do not want to be put in a position where I ever have to give a Police Commissioner written instructions, but I will proudly give the Police Commissioner that one, because this is about fundamental rights and fundamental protections for the police officers who are out there doing the tough jobs, too. And I will not get one skerrick of flak for doing that and directly intervening in an operational matter such as that, because I will proudly give the Police Commissioner those instructions. Then I know that when I go to the very next meeting of the Cabinet Budget Review Committee to get the lousy $300,000, $350,000 or a bit more—whatever it is—I know that my colleagues on the Cabinet Budget Review Committee will back me and give me that petty cash to put that fundamental reform in place.

As my colleague the member for Yeronga said earlier in the debate, this is about a fundamental change from common law rights that have been sacrosanct ever since we have had the justice system that we inherited from the British. In circumstances in which we are infringing on rights that people have taken for granted ever since we have had a democratic system and a system of justice, the safeguards have to be just that much tighter. I understand that the member for Gladstone was faced with a set of circumstances in which we were not having a merit argument over an agreed set of facts; we were trying to have a merit argument when we could not agree what the facts were.

I point out to the member for Gladstone that the facts are clear this time. We are not talking about a police officer draped over a defendant who is trying to fight him or her off outside a pub, at a site of a break and enter, in the mall or at wherever people get arrested. We are now talking about facts that are clear. We are talking about people who have been arrested, who are in custody and who will be in police stations. If there are police stations without a tape-recorder or a video recorder, instructions will be given when we win Government to ensure that that equipment is available. People in custody—under tougher provisions than have existed in our justice system for centuries—will be at police stations. If they are going to fess up, it ought to be electronically recorded while they are fessing up; otherwise, the detention for questioning provision should not be introduced. Police

officers must be given the fundamental support of existing technology while they have people in detention for questioning, which is something they are not entitled to do currently. This provision is a major reform. It is one that the Opposition agrees is necessary. It is a reform that is being introduced without the protections of the PACE legislation in the UK, which provides for custody officers and mandatory legal representation. Even the protections in the Australian Federal Police provisions are tougher than those for this reform. It is a major reform being introduced without the protections that the CJC said were necessary. The CJC also said that a custody officer should be present and there should be the provision of free legal aid.

I must admit that the PCJC that I was a member of did not quite go along with that. We said that it would not work in Queensland, because the safeguards cannot be provided in Queensland. We are introducing this reform without the safeguards that exist in the UK and without the safeguards that the CJC said should be made mandatory. Notwithstanding that, Opposition members have said that they believe that the safeguards that are being provided are nearly tough enough. Our requirement for the safeguards to be tightened is found in this amendment and in the one that preceded it. This amendment states that if someone is being questioned after arrest and while in detention, that questioning must be electronically recorded. That must be made mandatory.

To some degree I can understand why people could not accept the last amendment, because of the red herrings that were run, namely, that police officers in the field might have someone by the shirt who is struggling against them and they would have difficulty manipulating a tape-recorder or they may not have tape-recorders. I do not accept any of those red herrings. This legislation does not come into effect tomorrow; it comes into effect next March. The equipment that is necessary should be purchased and be in order and the police officers should be trained before this legislation comes into force.

I would like to see the Minister accept our amendment on this occasion. If he genuinely believes that police officers cannot do it in the field in the circumstances of warnings, he should be able to accept on this occasion that they can do it in police stations. If they cannot do that, he should give them the equipment to do so. For the benefit of the member for Gladstone, I point out that we are fair dinkum about this. Many people are watching this fundamental issue closely. Yesterday it was the subject of an editorial in the Courier-Mail. Civil liberties groups and many ordinary citizens have expressed the view that the electronic recording of confessions as they are given is absolutely necessary. It is a lot easier to do that than it is to two-finger type on a computer terminal or a typewriter. I urge the Minister to support our amendment.

Mrs CUNNINGHAM: I have a question about the Minister's amendment. I echo the concerns expressed by the previous speaker about protecting people in custody. I admit that, because this is a new regime, I do not profess to be able to project all the scenarios that may occur. In his proposed amendment to clause 104, the Minister has given three examples with which all of us could identify. Is it right to understand the Minister's amendment as saying that, if a confession is made under one of those circumstances or in circumstances similar to those portrayed in the examples, as soon as the police officers return to a place where a recording can be made that confession must then be placed on an electronic record: there is no choice; it is mandatory?

Mr Cooper interjected.

Mrs CUNNINGHAM: I would like that question answered on the Hansard record.

Mr COOPER: Yes, I answered that immediately. I have said it before and I will say it again: in most circumstances, the evidence that can be recorded on tape will be recorded on tape. In situations in which it is not practicable, as soon as it becomes practicable, that is, back at the station, it must go on the record; it must be taped. If the suspect does not agree that the record is correct, then he or she says so and the evidence falls to the ground. In the final analysis, it will be taped always. It will be electronically recorded always. Cases where it is not practicable to do so were referred to in the first amendment and that provision still applies in this amendment. Where it is not possible to do it, we must give consideration to the victim and to the public.

Mr FOLEY: I rise to speak against the Government's amendment and in favour of the foreshadowed amendment of the member for Waterford on behalf of the Opposition. Let me deal with the basic principle and then deal with matters of detail. The basic principle is that where a police officer is questioning a person in custody, then that questioning should be electronically recorded. That is important for public confidence in the administration of justice.

Let me turn to the Minister's amendment. The Minister's amendment is actually substantially more satisfactory than the current Bill. The Minister's amendment provides in subclause (2) that the questioning must, if practicable, be electronically recorded. That is what was provided for in the Explanatory Notes regarding clause 104 in the Bill, but it is not what was provided for in clause 104 of the Bill.

Clause 104 was rightly condemned by the Queensland Council for Civil Liberties as failing to give the protection that the Explanatory Notes said that it gave. The Minister, in a mistaken press release of 9 November, accused the Council of Civil Liberties of engaging in a disappointing scare tactics campaign and stooping to voicing sensationalist inaccuracies in its claim that clause 104 of the original Bill would allow a police officer to write out rather than tape-record the entirety of an interview and that that would, therefore, lead to the verbals and other excesses of the 1970s and 1980s.

Let me commend the Minister for moving that amendment. However, let me say to the Minister that he should withdraw and apologise to the Council of Civil Liberties in respect of his false press release of 9 November. The amendment that the Minister has moved brings the clause into line with the Explanatory Notes but corrects what was in the original Bill. If the Minister wants the benefit of giving credit where it is due—and I give that to him in moving the amendment—I also expect the Minister to acknowledge that he fell into error in criticising the council which, quite rightly, pointed out that the original terms of clause 104 in the Bill did allow for a police officer to write out rather than tape-record the entirety of the interview.

Let me deal with the foreshadowed amendment by the member for Waterford, because this really goes to the heart of the matter: whether or not we are to have a system where people who are in the custody of the police for the purposes of questioning within the meaning of clause 94 of the Bill are to have their alleged confessions tape-recorded. I want to take the Chamber back to the recommendation of the last royal commission that investigated this area, the committee of inquiry into the enforcement of criminal law chaired by the Honourable Mr Justice Lucas of the Supreme Court. In the forward to his report, he made this statement—

> "The recommendation which we regard as most important is that which we make as to the mechanical recording of interrogations by the police. The adoption of this, we hope, will eliminate or greatly reduce the protracted inquiries which take place in so many trials and which are designed to establish the authenticity or otherwise of confessional material adduced in evidence by the prosecution.
>
> We think that adoption of any of the recommendations which we make concerning increasing the powers of the police or reducing the privileges of suspects or accused persons should be contingent upon the adoption also of our recommendation that interrogations should be mechanically recorded whenever that is possible. Such a procedure should present no difficulties to an honest and competent officer, although it would be anathema to one who prefers the reprehensible but perhaps easy course of fabricating confessions."

The simple fact of the matter is that the original Bill wound back the current state of the law because the courts of this land, as a result of their experience, have indicated that they regard the evidence of written confessions as so unsatisfactory as to require the judge to give a warning to the jury of the dangers of convicting upon such written confessions. Where is that in the provisions of the original clause 104 or, indeed, in terms of the new clause 104 that the Minister would have?

Again, one of the most dangerous things that one can do in the law is to purport to have a safeguard when one is, in effect, watering down the safeguards. That is what we are seeing here. What we need in the law is to ensure that we have a system that is in line with that which has been recommended many times, and as recently as a couple of months ago by Sir Max Bingham, that there is the electronic recording of conversations with persons in custody for the purposes of the police questioning them as suspects about their involvement in the commission of an offence.

At the end of the day, it is a matter for the jury to determine the guilt or innocence of a person. We have a duty to ensure that the jury gets the best possible evidence, and the best possible evidence is that which is electronically recorded then and there so that the jury can hear for themselves exactly what was said.

It is important to remember that the practice of police verballing was a practice which led inexorably to corruption. The practice of relying upon written confessions, the

practice of relying upon written unsigned notes in a police officer's notebook, gave rise to a practice of verballing found by the Lucas committee of inquiry to be pervasive in the Queensland Police Force, as it then was. That sort of systematic widespread perjury poisons any honest police force. That is why in the review of police powers, right at the centre is the question of how police gather evidence. Their function is to assist in bringing the alleged offender before the court for the court to determine the guilt or innocence. In this day and age, why should not juries be entitled to the best possible evidence? There is no good reason.

For decades, there has been resistance among certain police to reform in this area. It is very disappointing that after each time—so much effort, so many reviews and so much input from the community—the Government is holding back from taking the one step that would ensure that the administration of criminal justice by the Police Service is undertaken properly, that is, requiring that the questioning of persons in custody for the purpose of being questioned as suspects about their involvement in the commission of an offence be electronically recorded.

It is basic to ensuring that the criminal justice system works effectively, it is something that the courts, through the rules of evidence, have sought to impose as best they can, and it is something that a Parliament charged with the responsibility of reviewing police powers and responsibilities should get right. That is why the motion foreshadowed by the member for Waterford is so important and that is why the amendment of the Minister is an unsatisfactory resolution to a very long, detailed and complex process. Juries are entitled to better and those citizens in the community who want to see effective administration are entitled to better.

Question—That the words proposed to be omitted stand part of the clause—put; and the Committee divided—

AYES, 42—Ardill, Barton, Beattie, Bird, Bligh, Braddy, Bredhauer, Briskey, Campbell, D'Arcy, De Lacy, Dollin, Edmond, Elder, Foley, Fouras, Hamill, Hayward, Hollis, Lavarch, Lucas, McElligott, McGrady, Mackenroth, Milliner, Mulherin, Nunn, Nuttall, Palaszczuk, Pearce, Purcell, Roberts, Robertson, Rose, Schwarten, Smith, Spence, Sullivan J. H., Welford, Wells. Tellers: Livingstone, Sullivan T. B.

NOES, 43—Baumann, Beanland, Borbidge, Connor, Cooper, Cunningham, Davidson, Elliott, FitzGerald, Gamin, Gilmore, Grice, Harper, Healy, Hegarty, Hobbs, Horan, Johnson, Laming, Lester, Lingard, Littleproud, McCauley, Malone, Mitchell, Perrett, Quinn, Rowell, Santoro, Sheldon, Simpson, Slack, Stephan, Stoneman, Tanti, Turner, Veivers, Warwick, Watson, Wilson, Woolmer. Tellers: Springborg, Carroll

Pair: Radke, Goss W. K.

Resolved in the **negative**.

Amendment agreed to.

Clause 104, as amended, agreed to.

Mr BARTON: I seek to move amendment No. 3 to clause 104. I seek the ruling of the Temporary Chairman. I ask for clarity on whether I can move my amendment No. 3. If you rule that I cannot, Mr Chairman, I make it very clear that I would have moved it had you not ruled otherwise.

The TEMPORARY CHAIRMAN: Clause 104 was put and agreed to. It has been amended.

Clause 105—

Mr BARTON (4.16 p.m.): I apologise, Mr Chairman. We are unintentionally at cross-purposes. I wanted to be sure that the record shows that I wanted to move an amendment to clause 104. I move—

> "At page 78, line 31, ', so far as is reasonably practicable,'—
>
> omit."

Once again, I will not belabour the reasons that the Opposition has moved this amendment because I understand that the Minister has agreed to accept it. The clause states that the commissioner must keep a list of interview friends and interpreters for use by police and to assist people who are being questioned. Again, the Bill qualifies the provision with the words "so far as is reasonably practicable". In the Opposition's view, either there is a list or there is not, and we believe that there should be. For that reason, we seek to delete the words "so far as is reasonably practicable", to remove that qualification. We do not believe that it is an onerous requirement for the Police Service, because it is appropriate that such a list exists. We appreciate that lists can sometimes get out of date, but we would hope that it would not be far behind. It is essential that there be a list of that nature.

Amendment agreed to.

Mr BARTON: I move—

> "At page 79, line 3, ', so far as is reasonably practicable,'—
>
> omit."

This amendment covers essentially the same principle. The amendment removes a qualification related to the same list, except

that it relates to the provision which ensures that the language that each person on the list is able to speak is added to the list where the person's name appears.

Ours is essentially a multicultural society. In my electorate, approximately 85 different nationalities are represented. Therefore, I know how important it is for the police officers in my electorate and the neighbouring region to have that capacity when dealing with people whose first language is not English. Many people do not speak good English—certainly not good enough to go through a rigorous period of questioning, confident that they understand everything. I understand that the Minister has agreed to this amendment, which simply removes a qualification from the legislation without making it absolutely mandatory.

Amendment agreed to.

Clause 105, as amended, agreed to.

Clauses 106 and 107, as read, agreed to.

Clause 108—

Mr COOPER (4.18 p.m.): I move—

"At page 80, lines 13 to 15—

omit, insert—

'(c) it is destroyed because it has no intrinsic value; or

(d) it is disposed of because it is perishable; or

(e) it is destroyed because it is a dangerous drug or a thing used in or for manufacturing a dangerous drug; or'.

At page 81, lines 12 and 13—

omit, insert—

'(5) However, if no application is to be made because subsection (1)(a), (b), (c), (d) or (e) applies to the thing, a police officer must deal with the thing in the way specified in the responsibilities code.'."

Amendments agreed to.

Clause 108, as amended, agreed to.

Clauses 109 and 110, as read, agreed to.

Clause 111—

Mr BARTON (4.22 p.m.): I move the following amendment—

"At page 82, line 6, ', if practicable,'—

omit."

This amendment removes a qualification in respect of whether it is practicable to provide reasonable privacy to someone who has been involved in a strip search or who has had to remove some items of clothing. There is already a qualification in as much as the provision is "reasonable" privacy. It is not "absolute" privacy. Certainly, this amendment will ensure that the qualification in respect of whether police officers have to provide reasonable privacy is removed. This is an amendment that the Minister has indicated he will accept.

Again, the experience that I and others on the second PCJC had when we were putting together the reports of the PCJC on the CJC's five volumes of police powers was that, all over Australia, we were told horror stories—and I am not suggesting it was happening all the time or that it involved most police officers—about strip searches being conducted in most inappropriate places, particularly in respect of young women. I want to make sure that the provision is a bit tighter. It is not so tight a provision that it makes it onerous on police, because they still have the qualification of what is "reasonable" privacy, even though I might like to see that a little tighter. However, I will not belabour that point, either. For those reasons, the amendment removes the words "if practicable".

Amendment agreed to.

Clause 111, as amended, agreed to.

Clause 112—

Mr COOPER (4.24 p.m.): I move the following amendments—

"At page 83, lines 9 and 10, 'after exercising the relevant power'—

omit.

At page 83, after line 26—

insert—

'(6A) Subsection (5) does not apply to a search of a vehicle under part 3.'."

Mr LUCAS: I wish to make a brief observation. I think these amendments clarify some of the concerns that I had about the clause. In relation to situations in which uniformed police were exercising the move-on power, I understand it is a requirement that any uniformed police officers have their name on the lapel of their jacket or shirt so that their name is already known. Sometimes it may not be practicable immediately to identify their name, rank and station when they are first exercising that power. I note that this would appear to be somewhat of an improvement on that.

Amendments agreed to.

Clause 112, as amended, agreed to.

Clause 113, as read, agreed to.

Clause 114—

Mr BARTON (4.26 p.m.): I move the following amendment—

"At page 84, line 12, 'promptly'—

omit, insert—

', without unreasonable delay,'."

This amendment relates to where children have been arrested and are going to be detained. The current provision in the Bill uses the word "promptly" in terms of when parents or appropriate departmental people are advised in the absence of parents. From the Opposition's perspective, we felt that the word "promptly" was a bit too loose in its overall and generally accepted meaning, because it could allow police officers to do other things after they had arrested a child that might not be necessary before advising the parents or before advising relevant departmental people. We initially drafted an amendment containing the word "immediately". In discussions with the Minister's advisers and through them with the Minister, it also became clear to us that "immediately" may also be a little too tight, similar to the way that, in our view, "promptly" was a bit too flexible.

It has been agreed between the Minister and I that the words that I would seek to insert would be "without unreasonable delay", because that gives a bit of discretion to the police involved, but not the amount of discretion that the word "promptly" may have allowed. As I indicated in my speech in the second-reading debate, there are some tough kids out there. When I have been out with police late at night not just in Brisbane—and I will not name the cities where I have seen this—I have seen kids as young as seven or eight roaming the streets in the middle of the night and early hours of the morning. In some cases, those youngsters do get involved in crime. I think the first thing the police would want to do would be to ring their parents, if they are capable of being found. In respect of other protections, if they cannot find the parents, which is probably why the kids are out on the streets roaming around indulging in some activities that they should not be, the relevant departmental people should be advised. Again, I repeat that that form of words has been agreed, and I will not belabour the point.

Amendment agreed to.

Clause 114, as amended, agreed to.

Clauses 115 to 117, as read, agreed to.

Clause 118—

Mr BARTON (4.29 p.m.): I move the following amendment—

"At page 85, lines 25 and 26, ', if reasonably practicable,'—

omit."

This amendment removes the qualification that, in the view of the Opposition, makes it non-mandatory for a police officer to take certain actions. We believe that when police are executing warrants, orders or a form of warrant or order, they should sign the document and put on it the following information: the date and time of execution; the name of the person on whom it was executed; if supplied, the name of the occupier of the place; and the name, rank, registered number, if any, and station of the police officer. Our view is that police officers either do this or they do not. This would appear to me to be another area in which it would be in the interests of the Police Service to have the police officer involved put that information on the back of the warrants or orders. I know in the discussions that we have had on this particular amendment—and this is one on which we have not been able to reach agreement—that the Police Service and the Minister had some concerns that there may be some circumstances in which those four provisions simply cannot be realistically achieved.

My view is that police officers must know the date and time. I would hope that police officers know the date and time when they are at work. I am sure that they do. The clause requires the name of the person on whom it was executed to be noted. The Police Service says that sometimes people will not give their name, so it cannot guarantee that the name will always be noted. I would suggest that that is not right; that is my view of life. I do not think police officers should be leaving warrants and orders with people if they do not know who they are. Frankly, there might be circumstances in which the person is known to them but the person still refuses to give their name. I cannot imagine a set of circumstances in which police would serve a warrant or order on someone who is not known to them and they do not know their name; they could be literally giving it to the milk carter who dropped in at that particular address for a cup of coffee on the way past. The warrant or order could end up in a bin on the way down the street.

Clause 118(c) states—

"if supplied—the name of the occupier of the place".

There is a qualification to that—"if supplied". That is easy for the police officers involved because if the person does not give them a name, they are not required to put it down. Clause 118(d) states—

> "the name, rank, registered number, if any, and station of the police officer."

It is reasonable for people who have warrants served on them to know who served the warrant or order on them, and the police officer certainly does know his or her own name, rank, registered number and the station that he or she works from.

I think it is a question of providing very basic information. I know that a counter point of view has been put to me, but it is one that I have a little bit of difficulty accepting because I simply do not believe that police should be leaving warrants or orders with people if they do not know their name—if the people are not known to them—and if they cannot identify with some degree of surety that they are serving the warrant or order in the right place.

Mr COOPER: In the interests of getting it right and being reasonable and practicable, we have tried to accept amendments wherever we possibly can. However, on this occasion we believe that the words "if reasonably practicable" are going to be necessary. Again, this is one of those things. In most instances, yes, the police officer will be able to write in the time and date of execution and the name of the person on whom it was executed. However, if the person will not give their name, of course the police will not able be able to write it in.

Similarly, if the occupier takes and destroys the warrant, quite obviously, the police officer cannot write on it. It is just in those practical circumstances that the police officer is not able to do it. As the honourable member said, it is true that it is in the interests of the police officer to do just that; we agree with that. But we are saying that we have to retain the words "where practicable" because there will be circumstances in which it simply cannot be done. That is the point we are trying to cover. Unfortunately, we cannot accommodate the Opposition on this occasion.

Mr BARTON: I have a few final comments to make, but maybe they are more in the form of a question. I accept that the Minister cannot accommodate us; we have done our best. On most occasions we have been able to reach some understanding on proposed amendments, but if we cannot, we cannot. I would like to know from the Minister's perspective what are the circumstances under which a police officer serving a warrant or order would leave that warrant or order with someone whom they do not know and when they cannot be sure as to whom they are serving it on. It just seems a strange arrangement to me. What is the Minister's understanding of that?

Mr COOPER: It is a case of where they simply will not provide their name. That is one instance where the police cannot—as is required here—write the name of the person on whom it was executed. If the person will not give their name, they simply cannot put their name on it. If they cannot put their name on it, there is nothing more that they can do. Similarly, if the occupier takes the warrant and destroys it, quite obviously, the police officer cannot write on it. It is those circumstances—the minority of cases—that we have to prepare for and allow for, and that is what we are doing.

Mr ARDILL: I cannot understand why a police officer would leave the warrant there if he did not know who he was leaving it with. He could be leaving it with somebody who has nothing whatsoever to do with the person and who will have no future contact with him. There is no way of establishing who took the warrant from the policeman. Is the person who is named in the warrant then held responsible for warrants being left with somebody whom they do not know or somebody who may have no contact with them? Does that mean that the person is then held responsible for that warrant? Where is the justice in that? I ask the Minister to please explain.

Mr COOPER: It is not so much a question of justice as such; it is a question of practicalities. That is what it is. That is why we have it there; that is why it has to be allowed for. Again, we have been through this on many occasions, and it comes to down to this: if we could agree to that, we would, but there will be occasional circumstances in which the police officer simply will not be able to comply. If that is the case, we have to leave the words "where practicable" in the legislation, so that the police will provide that information in every circumstance except where they cannot. That is why we are saying "where practicable".

Mr ARDILL: Put it this way: the alleged offender then does not appear in court; the magistrate issues a further warrant to have him arrested and brought in. The police officer is then asked, "Who did you leave it with? How do you know that this person was to get the warrant?" What justification can the police officer have for leaving it there if he does not

know who it is or whether there is any connection between the two people—the person receiving it and the person named?

Mr COOPER: I just reiterate one last time that quite obviously——

Mr Ardill: Reiterate? Answer the question.

Mr COOPER: The member is going to get the same answer.

Mr Ardill: That's not an answer.

Mr COOPER: Then we will just have to agree to disagree or we will be here all night. As far as that is concerned, clearly the information is required on the warrant—the name, the date and the time of execution. We are talking about a warrant on a place, be it a dwelling, a house or whatever.

Mr Lucas: A search warrant.

Mr COOPER: A search warrant. Therefore, if the person is not around and the police officer does not know who the person is, how on earth can he write the name on the warrant? They cannot do it. They are searching the place—the house. As I was saying, unless the police officer knows the name of the person, how on earth can he put their name on the warrant? I rest my case.

Amendment negatived.

Clause 118, as read, agreed to.

Clause 119—

Mr BARTON (4.39 p.m.): I move the following amendment—

"At page 86, line 10, after 'arrange'—

insert—

'suitable'."

This is a fairly straightforward matter. During discussions, the Minister has indicated that he is prepared to accept this amendment. This is not the biggest issue on earth. The clause provides that, when someone's home is declared to be a crime scene and they are unable to stay there because of that fact, or when a home is structurally damaged during a search, the Police Service has a responsibility to arrange alternative accommodation. I made the point during my contribution to the second-reading debate that at some stage all of us have had the experience of turning up for a holiday only to be told, "The accommodation you had booked is gone, but we have an alternative for you", and sometimes the alternative is a little bit rude and nowhere near suitable. The amendment adds the word "suitable" to the clause. It provides a slight tightening of the standard so that if the Police Service provides alternative accommodation, it has to be suitable. I dare say there would be some circumstances, particularly when a property is declared to be a crime scene, in which the person who occupies it may well have alternative accommodation at a watch-house. They already have their suitable alternative accommodation if that is the case.

This is a very straightforward amendment. It has been agreed to. It is designed to ensure that we do not end up with families of six jammed in single motel rooms while their home is declared to be a crime scene.

Amendment agreed to.

Clause 119, as amended, agreed to.

Clauses 120 to 123, as read, agreed to.

Clause 124—

Mr LUCAS (4.41 p.m.): This clause provides protection from liability for people who assist the police. It is very important that someone who is civic-minded enough to assist the police has some protection from liability. However, on my reading of the clause, it protects such people from civil liability only in a situation where they are not negligent. Someone in good faith could assist the police in apprehending someone or doing some action and they may in fact be negligent, but they are acting in good faith. The police officer has called upon them to do something but they are left in a position where they are not protected. That is my understanding of the clause. I think that is very unfortunate. To cite an example, the police might say, "Can you put this hold on this person until we can get some more police officers here?" That hold might do some injury to the apprehended person. In retrospect, that may have been negligent. Such assistants do not have immunity from civil liability even though they were civic-minded enough to assist the police. If that became publicly known, fewer people might want to assist the police, and I do not think that is in the interests of the community.

Mr COOPER: I know what the member is saying: it does not seem fair if the public are asked to assist the police and in doing so they cause damage which leaves them open to a law suit. That can be dealt with, as it has been in other circumstances, by making ex gratia payments so that people are covered if they happen to be sued.

Clause 124, as read, agreed to.

Clauses 125 and 126, as read, agreed to.

Clause 127—

Mr J. H. SULLIVAN (4.43 p.m.): This clause gives me cause for disquiet. The important aspect of this clause is that it

appears to extend the circumstances in which a police officer may seek to take an action which could take the life of another person. I am not aware of any statistical data relating to the number of such cases that have occurred in Queensland. I do know, however, that in Victoria the police force is coming under increased scrutiny over the number of Victorian citizens who have met their end at the hands of police officers in the course of their duty. I understand that by including this provision in this Bill and by codifying, if you like, police powers, as far as it goes here, we are essentially providing police officers with a manual. The danger is that this will be seen as a weapon that is available to them.

Every one of us would be aware that police do not like attending domestic situations in their area, because they quite often come into contact with people who are in very angry states and who are apt to use violence to strike out against police officers. I note that back in 1996 the Queensland police had an ambitious project—it was code-named Lighthouse—which aimed to deal with these matters. A couple of interesting comments came out in some of the newspaper articles in relation to that project. The police in Victoria had a similar operation named Beacon—"Beacon" and "Lighthouse", one would presume, are close relatives—and we were told by the Victorians that the success of an operation will be judged by the extent to which the use of force is avoided or minimised. It would seem to me that the philosophy behind this clause is not consistent with that philosophy.

I note that there have been instances of shootings by police in New South Wales and in Victoria. In New South Wales there was the case of a French national who, armed with a carving knife, managed to hold four New South Wales police officers at bay. When the event was reconstructed in the aftermath of that French national's death, having been shot by one of those four policemen, the person playing that part was adequately disabled with a handful of sand thrown in the face. There was plenty of sand on Bondi Beach on the first occasion.

Mr Lucas: It's always easy ex post facto.

Mr J. H. SULLIVAN: It is always easy ex post facto. However, one would hope that four police officers, properly trained by the Government of the day, would be well enough equipped to make it easy before the fact rather than after the fact. I had my eye drawn to a comment by Mr Terry O'Gorman, the well-known civil libertarian in this State, in dealing with the issue in July this year of the use of capsicum sprays. Mr O'Gorman made this point in the Courier-Mail of 15 July—

> "It's highly questionable whether the police, if faced with a split-second decision to use a gun or use a spray, are not, and quite justifiably, going to go for the gun—if they think their lives are immediately at risk."

I believe that what Mr O'Gorman is saying is quite right. I believe that police officers—who do not have a lot of time in these circumstances to make those decisions that I hope they have been trained well enough to make—are going to make that decision that much more rapidly knowing that they have the backup of this particular provision.

The AMA Queensland President, Bob Brown, when discussing capsicum sprays, said that using a spray has to be better than shooting someone. I could not agree more with that comment. However, I have some disquiet about this. I sincerely hope that I am wrong and that this does not lead to a greater incidence of Queensland citizens being killed by police than has occurred in the past. I cannot offer the Minister any evidence other than a belief—a gut feeling, if you like—that it will and that this will be to the detriment of Queensland citizens.

Having said that, I know that there is probably not any real response that the Minister can make to that. However, I do ask for one piece of information from the Minister, if he is able to give it to us at this time. In July, the Minister approved a six-month trial of OC sprays. I know that the six months is not up, but if the Minister is in a position to do so, could he perhaps give us a brief on how that trial is proceeding?

Mr COOPER: I cannot give a detailed brief, but I will say that I believe that we are of one mind in relation to capsicum sprays, OC sprays or derivatives thereof. The first phase of that trial was to ascertain what products were available and to assess each one to see which one would be the most appropriate, safest to use and that sort of thing. Then there was to be a trial of more practical purposes utilising very experienced officers. I will report back on that when the trial is completed.

As to police officers using force, as indicated in clause 127, about which the member is concerned—firstly, I will defend the record of the Queensland Police Service as far as its use of firearms and the actual taking of life, if you like, when upholding the law. Its record is pretty good, particularly when

compared with that of Victoria, which is perhaps a little different. The provisions of this clause take from the Criminal Code what is provided for under the law in the Criminal Code, but they do not extend it. That is why we feel safe with it in that form.

Clause 127, as read, agreed to.

Clauses 128 and 129, as read, agreed to.

Clause 130—

Mr LUCAS (4.52 p.m.): This clause deals with protection of police methodologies. This is the clause on which police can rely in court to refuse to divulge the name of an informant or certain other methodologies. That is obviously very, very important. If the police did not have that provision, informants would be targeted and their sensitive operational matters would be subject to access by very much the wrong sort of people. However, I do have one concern.

The proviso is that the information is not to be divulged except with the order of a court. That is appropriate. However, we know that there are many different courts in Queensland of variable stature and quality. I would be very concerned about a situation in which, for example, a magistrate who may not be fully cognisant with the law may make an order that certain police information be released. That information would be released and, bang, it would be out in the public domain. I think it would have been more appropriate to consider a situation allowing the prosecution in those situations to urgently go off to a higher court to seek a review of that decision so that they could say, "Your Worship, I note your ruling that you want this thing answered. We would like to go off to a higher court to have that tested." If the magistrate gets it wrong, the name of the informant gets out and the informant gets killed; it is a little too late to correct that on appeal for a sense of self-satisfaction. So I think it would have been better to clarify that in the clause itself.

Mr COOPER: I am advised that, in the public interest, the discretion—as the member would appreciate—is always with the judge. Nothing has changed.

Clause 130, as read, agreed to.

Clauses 131 to 134, as read, agreed to.

Clause 135—

Mr J. H. SULLIVAN (4.55 p.m.): This is the regulation-making power clause. I am particularly interested in subsections (3) and (4) of the regulation-making power, which state that a regulation for subsection (2) may include operational guidelines for police officers. Those regulations are the Responsibilities Codes for police officers. But those guidelines are not part of the regulation.

I am concerned that we are creating a document that is partially disallowable by the Parliament under the subordinate legislation matters that members are discussing. A partially disallowable document is a whole new ball game for this Parliament to consider. That is my first concern. It is possible, I suppose, for an operational guideline to be attached to a Responsibilities Code, but I believe that operational guidelines ought to have their own place where the whole lot of them are kept so that there is a central repository of operational guidelines and that these things are not willy-nilly all over the place in various regulations. Of course, not being disallowable by the House makes it interesting. I am concerned about the mechanics, I suppose, in two ways. This does not make it clear that there will be operational guidelines as a stand-alone document. It does not really seem to me to be terribly practicable that, if there is not, a new class of document is being created under the statutory instruments criteria that says that it is partially disallowable by this Parliament.

In terms of those two issues, I would be interested in the Minister's views. Firstly, will there or will there not be a stand-alone collection of documents that are the operational guidelines to exist solely in regulations under these provisions? And if they are in the regulations only, how does the Minister propose to introduce into Queensland a new instrument that is partially disallowable by the Parliament only?

Mr COOPER: These are not enforceable regulations as such. They are, in one language, helpful hints or guidelines. Apparently they have worked very well in the United Kingdom since 1984 in relation to the English Police and Criminal Evidence Act. The member asked: will there be a set of guidelines as such, did he not?

Mr J. H. Sullivan: Yes.

Mr COOPER: The answer is: yes.

Clause 135, as read, agreed to.

Clauses 136 to 139, as read, agreed to.

Schedule 1—

Mr COOPER (4.59 p.m.): I move the following amendments—

"At page 95, line 3, '7'—

omit, insert—

'8'.

At page 95, after line 7—

insert—

'Environmental Protection Act 1994'.

At page 95, line 11—

omit."

Amendments agreed to.

Schedule 1, as amended, agreed to.

Schedule 2, as read, agreed to.

Schedule 3—

Mr COOPER (4.59 p.m.): I move the following amendments—

"At page 99, after line 23—

insert—

' "electronically recorded" means audio recorded or video recorded.'.

At page 102, line 7—

omit, insert—

' "photograph" includes photocopy and videotape.'.

At page 106, line 11—

omit."

Amendments agreed to.

Schedule 3, as amended, agreed to.

Bill reported, with amendments.

Third Reading

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

EAGLE FARM RACECOURSE BILL

Hon. T. R. COOPER (Crows Nest—Minister for Police and Corrective Services and Minister for Racing) (5.01 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill for an Act to transfer the Eagle Farm racecourse lands to the Queensland Turf Club Ltd and for other purposes."

Motion agreed to.

First Reading

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

Second Reading

Hon. T. R. COOPER (Crows Nest—Minister for Police and Corrective Services and Minister for Racing) (5.02 p.m.): I move—

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

This Bill will enable the freehold land currently held in the name of the trustees under the Eagle Farm Racecourse Act 1993 to be transferred to the Queensland Turf Club (QTC) Ltd subject to specific restrictions regarding the sale and use of the land. The QTC has become an incorporated entity and this Eagle Farm Racecourse Bill 1997 will provide a more modern commercially focused structure in a dynamic marketplace. It combines club and venue management responsibilities in keeping with contemporary business management practices. This legislation acknowledges the key role played by the QTC in the historical development of the racecourse during its 133 year history.

The historical background of the QTC indicates that the club has in effect been the de facto owner of the land on which Eagle Farm Racecourse is located since its inception. The control of all developmental works and the operation of all racing activities at Eagle Farm Racecourse has historically rested with the QTC. The Bill will abolish the clumsy two-tier system of managing the Eagle Farm racing venue introduced by the previous Government and established under the Eagle Farm Racecourse Act 1993. The QTC has had to endure this two-tier form of tenure which is unique in that no other racing venue in Queensland still has such specific legislation relating to it. Under that 1993 Act, responsibility for the land was awkwardly split between the trustees who had control of development of the whole of the land, while the QTC was given the right to use, occupy and manage the racing venue portion of the land. The QTC was required to have the written approval of the trustees before developing any part of the racing venue portion of the land creating an administrative system which is clumsy and unwieldy and does not reflect commercial reality.

With the racing industry having to operate in an increasingly dynamic marketplace, such venue tenure and management arrangements are no longer appropriate or tolerable. Not only are the current requirements of the existing Act an unnecessary legislative burden, there is a significant and unnecessary administrative duplication in requiring trustees of Eagle Farm Racecourse to be maintained and yet effective ownership and control of the venue being exercised by the QTC. The Bill will streamline those administrative arrangements. The QTC has recently incorporated under Federal corporations law—a system which requires a

higher standard of fiduciary responsibility and accountability than has previously existed. This in turn has allowed the option of vesting of land in the incorporated body to be adopted.

The State Government recognises the importance of protecting the interests of the wider racing industry and although the freehold will be transferred from the trustees to the QTC Ltd, the incorporated club will not be able to sell the land without the prior written consent of the Minister of the day. Any sale without such consent will be of no effect. Further, should the QTC Ltd ever be wound up, its remaining assets would be distributed to the racing industry in accordance with its memorandum of association and the provisions of the Racing and Betting Act 1980. The Racing and Betting Act 1980 provides that a club shall not dispose of or in any way relinquish possession of an asset otherwise than for the promotion or advancement of racing in Queensland and requires the approval in writing of the Minister. As an additional safeguard, the QTC Ltd's memorandum of association provides protection against the disposal of the club's assets in a manner or purpose detrimental to the interests of other thoroughbred race clubs in Queensland.

The Bill also requires that the land must continue to be used as a racecourse or other purpose approved by the Minister. This will allow the existing use of parts of the land as a bowls club and by the boy scouts to continue, while ensuring that the primary purpose of the venue remains as a racecourse. Responsibility for leases for the bowls club and the boy scouts' venue will be passed to the QTC.

The Queensland Principal Club and the trustees of the Eagle Farm Racecourse have no objection to the proposed amendment. The 1996-97 annual report of the trustees further records the trustees' support for the land vesting in the QTC. In conclusion, this Bill, by passing the land to the QTC Ltd will allow for more efficient and effective development and management of the venue while ensuring sufficient security against the land being managed or disposed of in a way detrimental to the wider racing industry. I commend the Bill to the House.

Debate, on motion of Mr Barton, adjourned.

OFFSHORE MINERALS BILL

Hon. T. J. G. GILMORE (Tablelands—Minister for Mines and Energy) (5.07 p.m.), by leave, without notice: I move—

> "That leave be granted to bring in a Bill for an Act relating to exploration for, and the recovery of, minerals (other than petroleum) in the first 3 nautical miles of the territorial sea in relation to Queensland, and for related purposes."

Motion agreed to.

First Reading

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

Second Reading

Hon. T. J. G. GILMORE (Tablelands—Minister for Mines and Energy) (5.08 p.m.): I move—

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

I am pleased to introduce this Bill to the House. This Bill seeks to establish a legislative regime to govern mineral exploration and mining in Queensland's coastal waters and mirror Commonwealth legislation applying in adjacent Commonwealth waters. Under the Offshore Constitutional Settlement of 1979, the Commonwealth and States agreed that as far as practicable, a common offshore mining regime should apply in Commonwealth and State waters. State coastal waters extend three nautical miles from Australia's territorial sea baseline and Commonwealth waters lie beyond the three nautical mile limit. Commonwealth waters are administered under its Offshore Minerals Act 1994.

The administration of the minerals regime applying in Commonwealth waters adjacent to Queensland is shared between the Commonwealth and Queensland Governments. This joint administration operates through two institutions, the Joint Authority and the Designated Authority.

The Joint Authority consists of the Commonwealth Minister for Primary Industries and Energy and the Queensland Minister for Mines and Energy, and administers all offshore minerals activity in Commonwealth waters adjacent to Queensland. The Joint Authority is responsible for major decisions relating to titles, such as grants, refusals and the like, and in the event of a disagreement, the views of the Commonwealth Minister prevails.

In the role of Designated Authority, the Queensland Minister for Mines and Energy is also responsible for the normal day-to-day administration of the Commonwealth

legislation. Under the auspices of the Australian and New Zealand Minerals and Energy Council, a model Bill to apply in State coastal waters was developed by the Western Australian Government in consultation with Parliamentary Counsels in other States, including Queensland. The model Bill has provided the basis for the development of Queensland's Offshore Minerals Bill 1997.

In accordance with the Offshore Constitutional Settlement, the Bill closely mirrors the Commonwealth's Offshore Minerals Act 1994. This will ensure that exploration and mining proposals in Commonwealth and State waters receive consistent treatment, which is particularly important if projects straddle both jurisdictions. The intention is for the Offshore Minerals Bill 1997 to replace the Mineral Resources Act 1989, which currently applies to Queensland coastal waters. The Mineral Resources Act 1989 will continue to apply onshore and in waters landward of the territorial sea baseline.

The Bill provides a legislative framework for the administration of various types of mining tenure in Queensland coastal waters and has regulation-making power to detail relevant royalty, safety, and health and environmental management regimes. In the interim, the respective onshore regulatory regimes will continue to apply in State coastal waters. It is expected that the safety and health and environmental management regimes to apply in State coastal waters will be consistent with the arrangements applying onshore.

The Bill also details State functions in Commonwealth waters under Part 5.1 of the Commonwealth's Offshore Minerals Act 1994. In effect, relevant Queensland laws can be applied to Commonwealth waters when a corresponding Commonwealth law does not exist. This means, for example, that Queensland's environmental management and safety and health regimes can be applied to Commonwealth waters in the absence of corresponding Commonwealth regimes. For instance, the impending environmental protection policy from mining currently being developed by Queensland's Department of Environment will reshape the environmental management regime for onshore mining activities and also provide the basis for the establishment of a complementary environmental management regime in Queensland coastal and adjacent Commonwealth waters. This greater consistency of legislation between jurisdictions will create a more efficient and effective regime for the administration of exploration and mining in Queensland's offshore waters.

There has been a significant increase in interest in offshore minerals extraction in Australian waters in recent years. Nevertheless, the only significant exploration permits currently in force relate to exploration for diamonds in the Joseph Bonaparte Gulf off northern Australia. My department currently holds six applications for mineral exploration permits in waters offshore from Queensland. Two of these are in Commonwealth waters and four are in State waters. There have been no mineral exploration permits granted at this stage in either Queensland coastal or adjacent Commonwealth waters. The six mineral exploration permit applications relating to offshore Queensland waters are currently being assessed by my department in consultation with relevant State and Commonwealth Government departments.

Mineral exploration and mining is prohibited in the Great Barrier Reef Marine Park and certain preservation zones within other Queensland marine parks and my department, in consultation with other State and Commonwealth departments, will continue to rate tourism, recreational and environmental interests as a priority when considering mineral exploration permit applications in Queensland's offshore waters.

This Bill complements Queensland's offshore petroleum legislative regime which was established 15 years ago. Since the establishment of a complementary Commonwealth/State offshore petroleum regime, there has been limited petroleum exploration activity undertaken in Queensland's offshore waters. A small number of exploration permits has been granted in the Gulf of Carpentaria with the last of these expiring in October 1995. Passage of this Bill will fulfil Queensland's obligations under the Offshore Constitutional Settlement. I commend the Bill to the House.

Debate, on motion of Mr Barton, adjourned.

CRIME COMMISSION BILL

Second Reading

Resumed from 30 October (see p. 4113).

Mr BARTON (Waterford) (5.14 p.m.): The Opposition will oppose this Bill. Queensland citizens want and deserve an increased crime-fighting capacity, and the Opposition believes that the Police Powers and Responsibilities Bill that has just been passed by this Parliament is

what was necessary for that, not this further sham. Although the Opposition gave the maximum amount of cooperation to Police Minister Cooper on the Police Powers and Responsibilities Bill, I must say that the Opposition cannot demonstrate that same level of cooperation with this Bill.

Quite frankly, the Crime Commission will not assist in achieving that aim of improving the crime-fighting capacity in this State, at least in the manner that it is being put forward by this Government and for the reasons that it is being put forward. The Crime Commission will effectively be another standing royal commission. It will disrupt efficient police responses, it will waste large amounts of public funds, it will lead to confusion between law enforcement agencies and the lines between them about whose responsibility it is to respond to particular crimes or issues, and it will be a vehicle to weaken the CJC. Genuine public support for this legislation does not exist. The public consultation process was a sham. It was conducted over a period of only 15 days. That consultation was based on a document that provided hardly any detail, there was virtually no notice of forums and no time was given for interested parties to consult and respond.

The Crime Commission provided for in this Bill is not the New South Wales model. This is not the lean, mean fighting machine that it is claimed to be, and which the New South Wales Crime Commission certainly is. This is a wasteful, bloated model that has no hope of being run with 60 or 70 employees with a projected budget of $6m or $7m. Mostly, the proposed Bill is nothing more than a coalition stunt, the latest Cooper blooper. It is part of the continuing program of vengeance by the Liberals and Nationals against the CJC. It is nothing more than a political stunt. It is nothing more than part of their long-term program to discredit and destroy the CJC. It is part of that agenda. It is part of the Government's knee-jerk reaction to the loss of its vehicle to destroy the CJC, the disgraced and politically biased Connolly/Ryan inquiry. It is also part of a way out of the disastrous public debate on paedophilia that was triggered by the premature release of the Children's Commissioner's report and the outlandish and wild allegations of the man appointed by Police Minister Cooper as his special adviser, Bob Bottom—a man quickly dismissed by Minister Cooper and the Children's Commissioner in very controversial circumstances when he became a public liability.

Making public policy on the run on the basis of vengeance with virtually no consultation with the public and interest groups is no substitute for good government, particularly when it involves an issue as basic as addressing crime and also an issue as basic as needing a major expenditure of public funds. In claiming a mandate for this Bill, the Minister ignores the fact that public consultation on this Bill was shameful. The discussion paper was released on 18 September, with written submissions to be in on 30 October—a total of 15 days. Fifteen days for what is claimed to be one of the most significant pieces of legislation in this State for decades! It is a piece of legislation that will impact on the people of Queensland in a very powerful and, the Opposition believes, negative way. In comparison, the police powers and responsibilities discussion paper was open for public discussion for 43 days, and even then some extra time was allowed for some organisations to send in their written submissions when they needed that extra time.

The other big difference between this Bill and the Police Powers and Responsibilities Bill is that the idea for a Crime Commission came about as a result of a knee-jerk reaction by the coalition only several weeks before. The police powers issue had been considered by the public and interest groups for a period of over seven years. That involved a huge amount of direct consultation, including public hearings and forums by the Labor Government. The CJC released five reports on police powers and a further report on telephone interception, and the second PCJC tabled corresponding reports in the Parliament.

Mr Lingard: And nothing was done.

Mr BARTON: I thought I heard a murmur from the other side.

Mr Lingard: Nothing was done.

Mr BARTON: I will take that interjection because this man, who claims to be the Deputy Leader of the National Party, fails to understand the Fitzgerald process which required the CJC to undertake that study. The Minister says that nothing was done. I suggest that he read my speech on the Police Powers and Responsibilities Bill because, for once in his miserable life, he might learn something.

This period of consultation covered the period from 1990 to mid 1995. The Goss Labor Government then consulted further on the basis of having all of the CJC and PCJC reports, and finalised a package of measures in January 1996 just before the change of

Government. The coalition then reconsidered its position on police powers over the next 18 months before the public forums and a period of consultation on the discussion paper held between 1 July and 8 August.

The coalition claims that both Bills are crucial measures in addressing crime in Queensland. Here is the difference: there were seven years of open consultation on police powers and 15 miserable days of consultation on the Crime Commission. The volume of material considered in both exercises also demonstrates just how little consideration was given to the Crime Commission. Even if we put aside the six reports each of the CJC and PCJC and the accompanying many thousands of pages of written submissions and transcripts of evidence from public hearings, and only compare the coalition's discussion papers, that shows a startling contrast. The discussion paper on police powers has 116 pages of hard information. The discussion paper on the Crime Commission has 11 miserable pages, only nine of which contain information about the proposal. One of the remaining pages outlines where written submissions are to be sent and the last page contains a list of hastily called public forums. The public forums were so hastily called that two of them were over before I, as the shadow Minister, found out that they were on. That is how quickly the information came out.

We are not talking about two Bills that are totally dissimilar in size and content. The Police Powers and Responsibilities Bill, which the House has just passed, has 107 pages and the Crime Commission Bill has 100 pages. When one compares 116 pages of information in the discussion paper on police powers to the nine skinny, miserable, double-spaced pages that are bereft of information on the Crime Commission one can see how lacking was the reality of consultation on the Crime Commission. Many interest groups and members of the public had no chance of attending public forums at such short notice. Most community and interest groups meet monthly and they were effectively disfranchised from putting in a written submission.

It is also interesting to note that, compared to the centres visited for the police powers forum, Gladstone was missing from the Crime Commission forum. That excluded the people of Gladstone from having any chance of a direct say on what should be included in the Crime Commission. I hope that that does not demonstrate that the Minister thinks that the member for Gladstone is so firmly in his pocket on this issue that he does not have to bother consulting with her constituents, as he most properly did with the police powers Bill by holding a forum there.

There is no better example of just how rushed this Bill was than the almost nonexistent public consultation—an absolutely pathetic effort. We know that the Minister can do better, because he did better on the police powers Bill. We will give credit where credit is due. That action led to the good cooperation that we have seen in relation to the police powers legislation. However, in relation to the Crime Commission Bill, the Minister should stop pretending that he engaged in meaningful public consultation and admit that what is before the Parliament today is a hastily cobbled together Bill which is not in the best interests of Queenslanders or improved law and order.

We cannot ignore Queensland's history, which affects the structures and attitudes that we have. Our history also impacts on why the coalition wants a Crime Commission. The Fitzgerald inquiry of the 1980s finally exposed police corruption at the highest level, political corruption which included a number of Cabinet Ministers, and corruption within the Public Service. It exposed a high level of organised crime, involving particularly prostitution, drugs and gambling, and it demonstrated a clear link between organised crime, corrupt police, corrupt public servants—a minority of very corrupt people—and corrupt politicians in the National Party, many of whom went to jail as they should have.

Most importantly, it was understood that a body was needed to be independent of the Executive Government, due both to the powers of the organisation and the risk of politicians, particularly Ministers in the Executive, being corrupted at some time in the future. It was understood that a body with such powers and independence would need to be made responsible directly to the Parliament of the day through an all-party parliamentary committee elected by and from the Parliament. That body is the PCJC. The Premier who understood all of those factors and introduced the legislation to create the CJC and its parliamentary watchdog, the PCJC, was the current Minister for Police and Corrective Services, Russell Cooper—the Minister who is now responsible for this Crime Commission Bill.

Mr Lingard: It says, "Sit down and keep quiet."

Mr BARTON: I say the same to Minister Lingard.

Mr Lingard: You are not much good when you get interrupted, are you?

Mr BARTON: I was interrupted by one of my own. At least I am not a foul-mouthed individual like the Minister is. If I am going to be shot at by the clown on the other side of the Chamber, I will shoot back.

It was demonstrated that a strong independent body was needed to oversee the police and the Public Service, and to prevent political corruption. Strong intrusive powers that interfere with individual's civil rights were needed to address organised crime and official corruption. It was understood that it was not appropriate to give those intrusive powers directly to the Police Service. It was understood that the body with those intrusive powers needed to be able to investigate both organised crime and official corruption because of the well-demonstrated links between organised crime and official corruption. They coexist and depend on each other. Those factors, which were present in the late 1980s, are still present. They have not changed. There is still a direct link between organised crime and official corruption. They need to be investigated by the one body or opportunities to interrupt their activities will be missed. There is still a need for a body that has the intrusive powers of the CJC and that can interfere with individual rights, such as the right to remain silent and the right not to incriminate oneself, to be answerable directly to this Parliament through a parliamentary committee.

I like to think that in 1989 Police Minister Cooper genuinely understood those factors and was strongly committed to them when he introduced the legislation. I am sure that at that stage he was. It is not too late for the Minister to withdraw this legislation. If the Minister does not do that, the public is entitled to believe that in 1989 he introduced the Criminal Justice Act for political expediency as his last chance of holding Government because that is clearly what the public wanted.

Mr Cooper: That was eight years ago.

Mr BARTON: The Minister made the correct decision then, but he is undoing it now. It is the Opposition's strong view that the public still supports those values.

Mr Cooper: It was never to stay that way. Its core function, as you know, is to be a watchdog over the police and police misconduct.

Mr BARTON: That is a key part of its role, but a key is also the link between organised crime and corruption, particularly police corruption.

There is no doubt that the public wants a stronger stance taken on crime. They want stronger police powers, which the Police Powers and Responsibilities Bill will provide. That Bill was passed by the House tonight with the cooperation of the Opposition. The public wants the Government to get back to basics on police and crime. The public want more police on the beat, greater police visibility, more crime prevention measures and faster response times to calls for assistance. The public knows that this must be matched with greater accountability, and a strong CJC is part of this. The public does not want a new body that will dilute available resources even further.

Clear accountability is just as important, and is strongly supported by the public. The same intrusive powers that in 1989 it was accepted should only be available to an organisation that was independent of the Executive Government and that reported directly to the Parliament via a parliamentary committee are now to be placed in the hands of a body which reports to the Executive via the Police Minister.

The Police Minister is accountable to the Parliament during question time. However, he does not answer questions that he does not like, whether they be without notice or even on notice, for which he has 30 days in which to respond; on most occasions he simply responds with personal abuse or weak excuses. The public deserves better than that. This demonstrates that this Minister should not be trusted with an organisation with such powers. Once the public realise what this means, I am sure that it will want to see the powers returned to a body that is responsible directly to the Parliament, not through a Minister.

The proposed Crime Commission is a real mixture of concepts—a real hybrid and a real Heinz 57. It has the awesome intrusive powers of the CJC without the checks and balances that exist over the CJC. It has the mandate of a standing royal commission and the capacity to initiate new mini-royal commissions without appropriate checks and balances. It has members of Parliament on its management committee, which exercises executive functions. Those members are there by virtue of their being members of a parliamentary committee, but they cannot and do not report to that committee or the Parliament because of the confidentiality provisions in this Bill. The commission is designed to perform a role that

is already the primary role of the Police Service.

The history of what occurred in the 1980s as well as more recent events may also be tied to why this Bill is before us. Many in the National Party believe that they were robbed of Government in 1989 by the Fitzgerald process and have been biding their time to get even or to get square. They see the CJC as the child of Fitzgerald and believe that it disadvantaged them in Opposition. While they were in Opposition, they committed to a review of the CJC if they won Government. They had not all been sworn in when another issue caused a renewed vendetta against the CJC.

Details of the secret inappropriate MOU between the Premier, the Police Minister and the Police Union leaked out. The CJC investigated this issue. We should not forget also that it was the Police Minister who forwarded the MOU to the CJC and asked it to investigate it. This was not a vendetta initiated by the CJC. It was there because the MOU was sent to the CJC by the Police Minister, who asked it to look at that document. The CJC, via Commissioner Ken Carruthers, was getting too close for comfort so this Government nobbled Carruthers by setting up the now discredited politically biased Connolly/Ryan inquiry under the hands of the Attorney-General, who now lacks the confidence of this Parliament due to his actions of improper interference. Also, politically biased former judge Peter Connolly provided advice to Police Minister Cooper over the Carruthers inquiry.

They used the member for Broadwater, "Buckets" Allan Grice, to spread misinformation from Chris Nicholls, who after holding back for several months for political reasons perjured himself either at the Hanson inquiry or before Connolly/Ryan. I will make that point again, because I was one of the people who had to appear before the Hanson inquiry, even though I had not seen the Operation Wallah material—something that was well known. Chris Nicholls either committed perjury at the Hanson inquiry when he said he did not give the information to Mark Le Grand or committed perjury before Connolly/Ryan, where he said that he did. It is pretty fundamental that he is a crook one way or the other.

Mr Lingard: Have you ever said this outside?

Mr BARTON: That is quite fundamental, is it not? The member is not game to go outside and say most of the rubbish that he speaks in here. I have had enough of the member.

Mr Lingard: Are you just seeking the protection of the House?

Mr BARTON: If the member wants to keep throwing personal abuse, he can keep doing so; I am the one on my feet.

In the interim, Attorney-General Denver Beanland had stripped the CJC budget, forcing severe cutbacks to its organised crime operations. That was a nasty trick: cut the CJC's budget so that it has to wind back organised crime operations and then justify taking organised crime away from its jurisdiction and giving it to a new Crime Commission because the CJC is not being effective. How can it be effective when there was a plot to strip away its assets and its capacity to perform that function? What the coalition did not bargain for was the Supreme Court finding by Mr Justice Thomas that Connolly/Ryan was politically biased. But with no apologies, it has pushed on, further gutting the CJC via the Criminal Justice Act amendments and this Crime Commission Bill. There was another sideshow on the way, and that needs a little attention.

When the Supreme Court stopped the Connolly/Ryan inquiry on the basis of political bias, the coalition staged a stunt to try to distract public attention. Members opposite were bleeding badly over the Supreme Court's knocking out of Connolly/Ryan. They prematurely released the report of the Children's Commissioner. It was a draft report at that point, and it was not scheduled to come down until about now. But they wrapped it up in nice paper and they prematurely released it as a sideshow. I am glad they did that, because by doing so they made an enormous rod for their own backs. That report was nothing more than unsubstantiated allegations, and it was followed by the outlandish and wild allegations of the adviser to the Children's Commissioner, the man then appointed by Police Minister Cooper as a special adviser on organised crime and drugs—the man who claims it was his decision to set up the Queensland Crime Commission, despite strong Opposition from Attorney-General Denver Beanland.

Bob Bottom started the debate that the Government could not control. The Minister put him on, gave him credibility and let him write the report of the Children's Commissioner. The Minister let him run riot with his wild and unsubstantiated allegations, and he started a public debate that the Government did not know what to do with, that

is, the paedophilia question. The deliberately orchestrated distraction to the public political problem of the Thomas decision in the Supreme Court was the release of that report into paedophilia by the Children's Commissioner. Connolly/Ryan's political bias became a new problem only to be superseded by a bigger problem, namely, what to do about paedophilia.

The Government further added to that problem by not having a clear direction on how to handle the attacks on police performance over paedophilia and attacks by Bob Bottom and others on the CJC for supposedly failing to address paedophilia. We saw the high farce of the Children's Commissioner and Bob Bottom wanting to hide files on paedophilia from the CJC. The Government joined the attack on the CJC while knowing full well that the CJC's jurisdiction was limited to misconduct, or official corruption related to paedophilia, and that the CJC had no live jurisdiction directly to investigate paedophilia. Yet they all got on the bandwagon and attacked the CJC for failing to address paedophilia in society. It was a cynical action designed to further discredit the CJC.

Mr Lingard: And how did the CJC go?

Mr BARTON: The CJC is an organisation of which the member should be proud, but I would not expect that from someone with his lack of integrity.

Mr Lingard: How did they go?

Mr BARTON: It went really well. It supported the police action on paedophilia strongly. The Government supported the police action on paedophilia strongly, which now flies in the face of the decision to establish the Crime Commission with jurisdiction over paedophilia. The Government then ensured that Bob Bottom was pushed from his job with the Children's Commissioner, and Police Minister Cooper decided not to hire him as a special adviser after all, despite his public and parliamentary announcements that he had put him on. Surprise, surprise—the Minister did not really want to talk about it or answer questions. Bob Bottom had become a public liability for this Government.

At about the same time, the Government dismissed Chris Nicholls—the man who tries to have it both ways. He cannot be correct at one of the tribunals at which he gave evidence; he has perjured himself at one of them. At about the same time, the Government pushed him out because he had also become a public liability. The coalition Government's way out of the maze was yet another distraction—it had problems with the other distractions that it set loose—and that was to establish a Crime Commission and rush it in here. So here we are this evening.

This Bill is part of a broader process to weaken, discredit and ultimately destroy the CJC. If anybody has any final doubts, they should read Police Minister Russell Cooper's comments in the Sunday Mail of 22 December 1996. Under the heading "Vengeance vow by angry Cooper" appeared comments and reports on his comments that stated that the "Criminal Justice Commission was riddled with Labor lawyers" and "it was us or them—a political thing". Most telling of all was the comment, "It wasn't a question of justice or getting a fair result from Carruthers. It was a question that the Government was at stake."

That is what this is all about: vengeance and Government at any price by the National Party supported by the weakling Liberals. In other words, anything goes. That is what this Bill is about: vengeance and Government at any price, the same values of the corrupt National Party Government of the 1980s—exactly the same set of values. It is of great concern to the Opposition that the proposed Crime Commission will be effectively an additional standing royal commission. Queensland does not need what will effectively be an additional standing royal commission, because we already have one in the CJC. There can be little doubt that they will compete with each other for resources and influence. This is likely to ratchet up the costs to the public of maintaining these organisations.

The Crime Commission's proposed structures and powers will allow it to initiate its own inquiries on issues which will become mini-royal commissions in themselves. The holding of public hearings is one of the main reasons that the CJC is frequently engaged in public controversy. This is not the case with the New South Wales Crime Commission, which holds all hearings behind closed doors and shuns media coverage. This Bill should not be structured in such a way that would allow the Queensland Crime Commission to hold public hearings and to effectively set up further mini-royal commissions.

The creation of a new crime body can create major problems, so we should not do that lightly. We will have two bodies which have responsibility for major crime, organised crime and paedophilia. This runs a number of risks. Those two bodies will be the Police Service, which has the primary function, and the Crime Commission. We run the risk of

duplicating work on individual crimes, not addressing some crimes as each body may think that the other is doing it and some criminals escaping detection due to action by another agency inadvertently tipping them off while they are being investigated—not deliberately, but the bodies could trip over each other.

This Bill provides for coordination between the bodies, but we all know that it frequently fails between existing agencies now, particularly in the smoky world of intelligence, which is based on information as opposed to facts. The more agencies that we have, the greater the risk. The Queensland Police Service has primary responsibility now for major crime, paedophilia and organised crime. The CJC has some responsibility for organised crime, particularly where the use of the intrusive powers is necessary. Creating a new body is not the answer. The Queensland Police Service has been addressing paedophilia. The Minister has told the Parliament that it is very effective.

On intelligence, the problems of duplication of work and lack of communication may be even worse. Frankly, under this proposal there will be three intelligence services in this State under State control: the Queensland Police intelligence service, the Criminal Justice Commission's intelligence service and now a new one to be part of the Queensland Crime Commission. It is unnecessary duplication. Issues will fall through the cracks and be missed, and there will be less chance of cooperation between intelligence services and greater chance of crucial information not being exchanged. Some of it will be boxed up into individual segments.

I am not being alarmist; this is the history of intelligence services in Australia up till now. The mentality of them all is based on finding out secrets for themselves and keeping the secrets to themselves. They do not like telling anybody what they have got. On a visit to the Australian Federal Police some three or four years ago, a previous commissioner told me that he would not give up any of his high level intelligence information to anybody. His reason was that the only body that he trusted not to leak was his own. He just simply would not swap the high-value, high-level intelligence information that the AFP had collected.

If this Bill goes through, in Queensland we will have three of our own intelligence agencies instead of two. That is in addition to other intelligence services that operate around this State. There is the ABCI in Canberra that our intelligence service is linked to for information, the Australian Federal Police in Queensland, the National Crime Authority here in Queensland and Customs. I have no doubt that ASIO and ASIS are still roaming around here somewhere, too. After speaking tonight, my file at ASIO will probably get a little bigger.

The Bill says that the bodies must cooperate fully. The reality is that they will not. So we are effectively weakening our crime intelligence capacity in Queensland by further breaking it up. More is not better; small and efficient is better. Because we have a problem now—and it is a political problem for the men and women on the other side of the House—we are going to have more of them. Believe me, it will come home to haunt them and all of us.

Major crime should not be under the jurisdiction of the proposed Crime Commission. This is currently a police responsibility. If the Queensland Crime Commission is to——

Mr Grice: The CJC can't find paedophiles in its own boardroom.

Mr BARTON: I am amazed that the honourable member can find his way home at night. I am very reliably told by some of his colleagues that he has to be taken from the bar to the toilet because he cannot find it by himself. If the QCC is to investigate major crime, it will not have much time——

Madam DEPUTY SPEAKER (Miss Simpson): Order! I remind the member to please keep his speech in the parliamentary fashion.

Mr BARTON: I do not think I used any unparliamentary words, but if I am going to be attacked, I am going to give it back.

If the QCC is to investigate major crime, it will not have much time for organised crime or paedophilia; it will have to be a massive organisation to do both. The Bill describes major crime as that which involves an indictable offence punishable on conviction by a term of imprisonment of not less than 14 years. I had the library have a look of what sorts of offences that involves. There are over 60 offences and they include: grievous bodily harm, dangerous operation of a vehicle, stealing of a vehicle, concealing wills, robbery, attempted robbery, burglary and receiving stolen property. That is not an exhaustive list, but I ask: what is the Police Service going to do if the Crime Commission has responsibility for all of these crimes when the Police Service looks after the majority of those crimes out there in society right now?

This is either a nonsense or it is a subterfuge. It is not intended to have the Crime Commission performing a large slice of the work of the Police Service. The Government cannot have it both ways. If it is not intended that the commission will do that, this can only be a backdoor method to enable the use of the intrusive powers in particular cases. Either way, the Opposition opposes the establishment of a Crime Commission, and oppose it vigorously we will. If major crimes are committed in conjunction with organised crime activity, the jurisdiction is there and that is what is necessary.

This Bill flies in the face of much of what has been said on paedophilia by Police Minister Cooper, other Government members and his most senior police. Minister Cooper's Ministerial Program Statements for the 1997-98 Budget were very high in their praise of the current standards of the Queensland Police Service with regard to Task Force Argos and Project Horizon, which were running at that point. They were very highly praised and were supportive of the efficiency and effectiveness of the Queensland Police Service on paedophilia. Again, I would like to quote a few of the Minister's comments from a ministerial statement made as recently as 20 August this year, in which he said, in part—

> "I wish today to outline to this House steps I have taken last week and yesterday which I believe will indicate the seriousness of this Government's intention to act decisively to allay community concern about the recent controversy surrounding allegations of widespread paedophile activity culminating in the important report by Children's Commissioner Alford tabled in this House yesterday."

He went on—

> "Yesterday, following the tabling of Mr Alford's report, I met with the Commissioner of the Police Service, Mr O'Sullivan, and two of his most senior assistants to formulate a decisive response which will involve close cooperation between both the Police Service and the Children's Commissioner in dealing decisively ... with this ... problem.
>
> ...
>
> I wish to state squarely on the record"—

and I think this is an important one from the Minister—

> "that I believe that the Queensland Police Service, reformed and re-energised, is the appropriate and qualified authority to handle these matters ..."

Further—

> "The Queensland community should take considerable comfort and have some of their faith restored by the Project Horizon operation currently nearing completion by the Queensland Police Service. This was an initiative stemming from the commissioner himself and his inspectorate in the wake of similar allegations of widespread paedophile activity emanating from the Wood royal commission into the New South Wales police. Acting with admirable initiative, Mr O'Sullivan directed that Project Horizon, a full and thorough review of the Queensland Police Service response to investigations in this area, be conducted in consultation with the Criminal Justice Commission ...
>
> Our Police Service has always been committed to best practice in this area, as was evidenced by the introduction in 1980 of the multi-disciplinary response to child sexual abuse, now known as the SCAN team approach. Queensland was the first in Australia to initiate use of this response, which is now replicated in other States.
>
> Earlier this year, with my full support and backing, Commissioner O'Sullivan established the specialist Task Force Argos which is staffed by 20 officers. Since its inception in February, it has succeeded in laying 700 charges against 22 people ... Task Force Argos remains the appropriate mechanism for the investigation of allegations of this kind."

They are hardly the words of a Police Minister who believes that his Police Service is not up to the task and that it requires the formation of a Crime Commission to investigate paedophilia. Either he meant those words when he said them or he did not. If he meant them, and if the Queensland Police Service is as effective on paedophilia as he told this Parliament it was several months ago, then there is no need for a crime commission to take that role from the service.

His colleague and Government Deputy Whip, Frank Carroll, had some interesting things to say in the Australian on 9 September this year. The relevant article states—

> "The CJC won unexpected support yesterday from a member of the State

> Government, Liberal Frank Carroll, who said he believed 98 per cent of indecent dealing cases were committed by relatives or family friends.
>
> He doubted the existence of organised paedophilia rings in Queensland.
>
> Mr Carroll and three Labor members of the Parliamentary Criminal Justice Committee believed the police service and the CJC had acted properly and effectively in paedophilia investigations.
>
> They did not see a role for a State Crime Commission to investigate paedophilia ...
>
> 'I'm pretty confident that they've ... done their job effectively in regard to allegations about paedophilia because the vast majority of cases isn't organised crime,' Mr Carroll said.
>
> 'I am satisfied that the law enforcement agencies are doing everything possible and a very good job of cleaning up crimes involving sexual indecent dealing.'"

Good sense from the Labor members and good sense from the member for Mansfield. But how is the member for Mansfield going to vote on this Bill? That is what I would like to know.

Graham Williams, the Assistant Commissioner of the State Crime Operations Command, then chimed in with a spirited letter to the editor of the Courier-Mail on 24 September 1997, printed in the paper under the heading "Bottom underestimates police". The letter followed attacks by Bob Bottom that the Queensland Police Service response to combating paedophilia was inadequate. Some of Assistant Commissioner Graham Williams' words were these—

> "Bob Bottom fails to acknowledge the good work already undertaken ... Taskforce Argos is abreast of all issues raised in the National Crime Authority's report on Operation Bodega and continues to investigate offenders, including some of the 275 child sex offenders in Queensland jails.
>
> Bottom said Argos never reached its advertised staffing levels of 20 officers ... At the time of his article, 23 detectives were working in that taskforce ... At any given time, police use resources well in excess of those quoted by Bottom.
>
> ...
>
> The community interest is not served by inaccurate commentary or emotive reporting. Investigators have to ensure that corroborative evidence is methodically and lawfully collected. This ensures prosecutions are successful and reduces trauma for the children involved. Investigations should not be used to score political points. The real issue is the protection of all children in the state."

Great confidence was shown in the capacity of the police force to carry out that role by the officer in charge of the division investigating paedophilia. He does not really demonstrate a need for a Crime Commission to take over this work from the police force.

Splitting organised crime away from the CJC will not strengthen the ability to address organised crime; it will weaken it. There might be some chance if what was being put forward was genuinely an equivalent to the New South Wales Crime Commission, but it is not. I will not pretend that some adjustments to the CJC were not necessary, because they were and are. As a member of the PCJC for three years, I have a fairly good knowledge of the strengths and weaknesses of the CJC. I also accept that Commissioner Fitzgerald never intended organised crime to remain with the CJC forever. He intended it to be returned to the Police Service. The return of as much as possible of the organised crime role to the State Crime Operations Command of the Queensland Police Service is certainly desirable. This is what we were told was happening in the Budget papers this year.

The Police Minister's Ministerial Program Statements on pages 1-3 and 1-22 refer to the implementation of multidisciplinary teams for the investigation of major and organised crime. They were initiated in the last financial year. They appeared to be picking up the slack left when the CJC had to close down several of its multidisciplinary teams following the coalition's cutting of its budget for 1996-97. This was desirable, in my view, in the circumstances. It would mean that the Police Service would be increasing its capacity while still using the CJC in those circumstances where the intrusive powers were needed and justified. Now we will retain the CJC but it will lose its skills base on organised crime and have two new kids on the block doing their best to come up to speed fast. This is very much second best.

Much comment has been made by this Minister and by the Government that the proposed Crime Commission is modelled on the New South Wales Crime Commission. This

is not the case. The New South Wales Crime Commission is a lean, mean fighting machine that virtually pays for itself by recovering proceeds of crime that virtually meet its annual budget of $6m to $7m a year. I have visited the New South Wales Crime Commission on two occasions for briefings and inspections: three years ago as part of the PCJC review of the CJC's reports on police powers, and most recently on Friday, 26 September. The briefings conducted by New South Wales Crime Commissioner Phillip Bradley and his deputy, Michael Lulan—who is responsible for the recovery of the proceeds of crime operations—as well as the inspections and the documents provided have given me a good overview of the New South Wales Crime Commission's operations. I have also met with the Chairman of the National Crime Authority, John Broom, on the Crime Commission issue in the past few months.

The New South Wales Crime Commission is effective in the context of New South Wales, but we are not New South Wales. In New South Wales, the Police Service has just gone through what Queensland went through in the 1980s, with major corruption having been found. ICAC has no organised crime role and is generally accepted by everybody to be a complete and utter waste of space. If they did not have one, they certainly would need it. We are going to get one and we do not need it. New South Wales has a Crime Commissioner and one Deputy Crime Commissioner. This Bill proposes more than one Deputy Crime Commissioner. New South Wales had multiples of deputies but gave that system away as a failure. It is ridiculous that we in Queensland would not follow the lesson already learned in New South Wales and burden ourselves with additional cost.

The Bill proposes a management committee of nine. Three may appoint a deputy in their absence. This means that a total of a minimum of 12 people at times will have access to sensitive information. As the Bill does not specify that it must be a defined deputy, each of these members may send different deputies from time to time. This could mean as many as, say, 15 different people having access to the meetings and the sensitive information. New South Wales has a tight committee of five members. The expansion is to allow for representation by civil libertarians, women, the Children's Commissioner, the PCJC Chair and the PCJC Deputy Chair, and this is to address concerns about civil liberties and give the Children's Commissioner an input on paedophilia. In some ways this is desirable, but it runs the risk of a loss of security or the management committee not being provided with all of the facts that it needs due to concerns about possible security problems. This means that the committee may not have the information that it needs to make proper decisions.

Debate, on motion of Mr Barton, adjourned.

GOVERNMENT MISMANAGEMENT OF PUBLIC FUNDS

Mr BEATTIE (Brisbane Central—Leader of the Opposition) (6 p.m.): I move—

"That this House—

Condemns the Premier and the Treasurer for ignoring the findings of the Fitzgerald Inquiry by once again wasting and mismanaging the public's money on political propaganda in newspapers and on television in a desperate bid to try to stop the plummeting ratings of the Liberals and Nationals;

Reminds the Government and the public that, having examined the way in which the National Party Government of the 1980s misused the public's money on political advertising, The Fitzgerald Report said, 'There is no legitimate justification for taxpayers' money to be spent on politically-motivated propaganda';

And further—

Requires the Government to change its wrong priorities, stop wasting millions of dollars in this way and ensure that no Government advertising contains photographs or references to its Ministers;

And calls on the Government to spend these millions of dollars on basic services for Queenslanders."

Queensland has the No. 1 male golfer in the world. We have the No. 1 female golfer in the world. We have the No. 1 motorcyclist in the world and the No. 2 tennis player in the world. We have a great State, a great climate and great people, and the only loser is the Queensland Government. Frankly, Queensland deserves better than this rabble on the other side of the House.

Queenslanders are suffering under a Government which can find $6m to spend on trying to convince people it is worth re-electing, but it refuses to find $5m for the unmet needs of people with a disability. This Government can find $6m on glorifying itself, but it refuses to find the few hundred thousand dollars which are desperately needed to keep open a

palliative care centre on the Sunshine Coast to look after the dying. It can find $6m for the sort of advertising which puts Premier Borbidge and Treasurer Joan Sheldon's photos in newspapers, but it will not cough up the same amount to look after children with special needs in our education system. It can find $6m for television advertisements, such as the one which shows a prisoner waiting for his turn to escape, but it refuses to find the money needed to put more police back on the beat. I will come back to that later in my speech.

This Government can find $6m for advertising, when the only purpose is to prop up the Liberals and Nationals, because Premier Borbidge has been ripping it out of departments such as Attorney-General and Justice, which has now told a rape victim that she can have only half the amount awarded to her by a judge. She will be given $30,000, when the court awarded $60,000. It can find $6m to try to save the endangered life of the Borbidge/Sheldon coalition Government, but it cannot find any money at all to try to save the endangered Queensland northern hairy-nosed wombat with a captive breeding program.

If the Government was doing its job and providing these services, then it could legitimately go to its supporters and argue that it was at least trying to do something right after the debacle of the $14.5m Connolly/Ryan inquiry. But it is not. This despicable Government has its priorities all wrong. The key in this debate is that the Government has its priorities all wrong. It is a case of mismanagement.

Mr Bredhauer: Waste.

Mr BEATTIE: It is a case of waste. It is a case of waste and mismanagement and having its priorities all wrong.

This is a Government that does not care at all about the plight of ordinary Queenslanders. It has never cared about the people it is charged with governing. Right from the start, all this coalition has cared about is its own wellbeing. Premier Borbidge and Police Minister Cooper used the secret memorandum of understanding in order to gain power. It meant emasculating the public's watchdog, the CJC, sacking assistant police commissioners who had done no wrong, and getting rid of the Police Commissioner. Of course, the Government has welshed on all these agreements, but it did gain power. A series of Police Union advertisements helped it win the Mundingburra by-election, and it hopes that these advertisements will help it win again. I can tell members that this Government has got it wrong.

Let us not forget that scripts for the advertisements for the Police Union that were used in the Mundingburra campaign were faxed to Mr Borbidge's office as soon as the secret deal had been signed. Shonky advertising helped get this shonky Government into power, and this shonky Government is hoping that shonky advertisements will keep it in power. That is the only thing that interests this Government. It is a Government of waste and mismanagement. It gives the people an opportunity to have a clear choice at the next election.

The coalition Government has turned back the clock to the corrupt practices identified by the Fitzgerald inquiry and which led Fitzgerald to report—

> "There is no legitimate justification for taxpayers' money to be spent on politically-motivated propaganda."

Labor has already released a discussion paper—A Return to Honest Government in Queensland—containing clear and detailed commitments on honesty and accountability. Labor will introduce a five-point code to guarantee that any Government advertising is carried out only for the benefit of the public and not the Government.

I am not prepared to stand in this House tonight and simply attack the Government. I will now outline my plan to ensure that this never happens again in Queensland. It certainly will not happen under my Government. I table for the information of the House a disgusting article that appeared in last weekend's Sunday Mail, so that there is an understanding that my guidelines will make certain that this never happens again. Let us look at this publicly funded advertisement headed "SmartLicence Slashes Red Tape For Small Business". It contains a photo of the Deputy Premier, a photo of the Premier, two photos—not just one, two photos—of the Minister for Tourism, who has an ego bigger than the Great Australian Bight, and a photo of the million dollar man, Santo Santoro, the Minister for Training and Industrial Relations. $1m was spent on television advertisements, splashing his face across every television screen in the State. Santo Santoro is the million dollar man. The Government spent $1m of taxpayers' funds simply to fund his leadership aspirations. I table that advertisement for the information of the House and give a clear indication that it will never happen under my Government.

Here are my guidelines. Firstly, there must be a direct and obvious benefit to the people of Queensland. Secondly, advertising must be directed at, and focused on, the sections of the community to which it is relevant. It must have an educative or informative role dealing with something that is new or about which the community is unaware. Thirdly, the clear benefit from any Government advertising must be in its informative or educative role so that there can be no perception of any party political benefit. Fourthly, there should be no advertising within nine months of the scheduled date for an election unless there is an urgent emerging issue. Fifthly, money designated for service delivery in a State Budget must not be diverted to the cost of advertising.

The next Labor Government will spend the money saved on the coalition's disgraceful advertising campaign on essential services. That is the difference. For instance, we will spend $2m of the money saved on more beat police. Labor is committed to making our streets safer with a new approach against aggressive public behaviour. We will increase police beats, particularly around well-known trouble spots, using money now being wasted on Government advertising and self-promotion. People are concerned about street crime and threatening behaviour. Queenslanders want to see more police on the street instead of behind desks. We know that a visible police presence deters crime. Labor will reintroduce the community police beat, which involves a police officer living, working and walking the beat in a specifically defined local area.

Let me finish with a warning to all Queenslanders who were horrified by the latest misuse of their money on the four-page advertisement in last weekend's Sunday Mail, to which I just referred, which featured photographs—and I stress again—of the Premier, the Treasurer, the Training Minister, and two photographs of great white rhino hunter Bruce Davidson, who told Parliament today that he did not authorise the advertisement. What did Mr Davidson, the Minister, say? He said that he did not authorise the advertisement. He said that it was the Premier's idea. He dropped him right in it. If Mr Davidson, the Minister, is right, let us think about this. He said that it was the Premier's responsibility. But this is the same Premier who told the Courier-Mail on 24 September that the Government's advertising did not promote individual Ministers. I say to the Premier: you have been dropped in it by the Minister for Tourism. If those photos—scattered for all Queenslanders to see—do not simply promote individual Ministers, then I do not know what does.

If the Premier cannot be relied on to tell the truth about something as simple as his advertising policy, how can Queenslanders know when he is telling the truth about anything else? My warning is that the Borbidge/Sheldon Government is planning another $400,000, 40-page advertising booklet in the Sunday Mail to mark its second anniversary in power at the end of February—like this one. Thousands of people will remember the last $400,000 booklet, which contained dozens of errors and false claims about achievements. I urge Queenslanders to demand that the Premier think again and that he spends the $400,000 on services for Queenslanders, such as more nurses, teachers or police, instead of on 40 pages of lies. I am told that this Government has an intention to try to buy its way to re-election and to try to steal taxpayers' money to achieve its end. Queenslanders will not wear it.

Time expired.

Hon. J. P. ELDER (Capalaba—Deputy Leader of the Opposition) (6.09 p.m.): I second the motion moved by the Leader of the Opposition. It is quite obvious that Queensland is led by a weak Premier, a Premier who regularly makes empty promises, a Premier who never follows through on those promises, a Premier with no authority over his ramshackle coalition—"Basil" Borbidge and "Sybil" Sheldon. The only one missing today is Manuel from Mundingburra, which is a disappointment. The Premier is presiding over an unprecedented waste of taxpayers' funds to prop up an increasingly stumblebum, Fawlty Towers Government. He is a Premier treating Queensland taxpayers like mugs, a Premier with no authority whatsoever over any of his Ministers. When the Premier says "jump", the Ministers in this Government do not ask, "How high?"; they tell him to go jump.

When the Premier promises the people of Queensland that he will leave the Ministers out of Government advertising, that advertising will contain statements of fact and not statements of political propaganda, what do the Ministers do? They ignore him completely. They do exactly what they did when he told them there would be no more overseas travel. They crank up more advertising with their faces splashed all over it—more so than ever before.

One has to look only to the business Minister and the way that he gave up the Premier this morning. They do not care any more. They contradict the Premier time and

time again. They do not care that the Government seems to be an unholy rabble. The answer from the business Minister this morning was typical of Butch Cassidy and the Sundance Kid. When the posse rolled into town and put the gun at his head, he said, "He is up there." When the posse rolled into town here and said to the business Minister, "Who's responsible?" the answer was straight: it was the Premier.

Mr Bredhauer: Hospital pass on the inside.

Mr ELDER: It was great. The Minister was running down the wing, he saw the cover defence and whipped the ball straight inside. That was the best hospital pass I have seen in some time.

What does the Premier do in response? He does what he always does: he wrings his hands, jumps to his feet, places a judicious leak or two into the Courier-Mail, says something terrible about it and then does nothing. He simply does nothing of any substance beyond that. When one looks at the Premier, one sees the grey man. Wrestling with the Premier is like wrestling with a puff of smoke. He is too weak to discipline his Ministers. Even if he tried, he knows—as we have seen time and time again—they will just ignore him, as the Police Minister, for instance, has done time and time again. The Premier is too weak to do anything. He was too weak to do anything about the business Minister's answer this morning. Whether it has been cruise ships, rhino parks, African trips or whatever stuff-up has landed the business Minister in trouble, the Premier has done little to discipline him or to deal with him. Rather than attempt to remove funds from any of those mismanaged attempts by the business Minister to deliver services, the Premier has walked away from it. He has wrong priorities for service delivery and for using money for something practical.

As to the point made by the Leader of the Opposition—was the Minister for Tourism, Small Business and Industry telling the truth this morning? If he was telling the truth, the person who knows all about this $6m advertising blitz is the Premier. The person who is coordinating this $6m blitz is the Premier. He knows exactly what it costs and exactly the number of ads. Whether the ads are for Health, Transport, Corrective Services or Justice and whether they are in the Courier-Mail, Sunday Mail or the BRW, he knows exactly what they are costing. The business Minister this morning gave the game away. Regardless of the little judicious leaks to the Courier-Mail, the Premier has been responsible for some time. As Joh did in the Queensland Unlimited days, the Premier is trying to buy Government. He is putting his hand in the taxpayers' pockets in order to buy their votes with their own money. That is the same way that Joh worked with Queensland Unlimited when the Nationals were previously in power. Nothing has changed. They target the National marginal seats, such as Albert. They target them, place the ads and spend the money for that purpose. Every day they check with National Party headquarters to ensure that Ken Crooke agrees with the targeted seat for the day. There will be more of that occurring next year. They might have got cold feet because of the recent ads in the Sunday Mail, but there will be more of that next year.

Time expired.

Mr FITZGERALD (Lockyer—Leader of Government Business) (6.14 p.m.): I move the following amendment—

"Delete all words after 'This House'

insert—

'Notes the need for all Governments to keep the public informed of significant projects and initiatives and calls on the Government to ensure that no advertising contains photographs and references to its Ministers except when it is deemed necessary to promote Queensland interstate and overseas.' "

I believe that this is an important debate. The cost of Government advertising should be explained in this House, should be defended in this House and should be questioned. I believe that that is very proper. Let us consider the Opposition claim that, in 1996, the coalition Government spent some $6m on advertising for the year. Our figures show that to be $5.9m. That is close enough. When we investigated the whole of Government spending in the year before, we found that it was $1m more. The year before that, it was $1m more.

Mrs Edmond: It didn't have Ministers' mug shots in it.

Mr FITZGERALD: Talking about Minister's mug shots, I ask honourable members to consider some of the mug shots that appear in some of the papers that I have here. To use the words of the former Minister, I would have to say that this is a very fetching photograph. Such photos are throughout this publication. Who is the Minister? It is the now Deputy Leader of the Opposition. In a letter in response to a question, he stated—

> "The 'Industry' magazine to which you refer is not checked at all by myself or members of my office and is compiled solely by officers of the Department of Business, Industry and Regional Development. As such, they choose photographs according to editorial merit. I have not consulted them about how they choose photographs for the publication, and I do not intend to. I can assure you there was no direction given to them to either take the photograph or to include it in the magazine."

Those were the words of Jim Elder, who was the Minister responsible for the department in question.

Mr Elder: Put up the documents. It is the ORD newsletter, isn't it?

Mr FITZGERALD: No, it is the Queensland Small Business Newsletter. I have a stack of them here. He said that that was compiled solely by the Department of Business, Industry and Regional Development. He was the Minister and he said that he would not ask them to remove it. That letter was dated 24 May 1993. I will not dwell any more on the issue of Ministers doing it in the past. That does not make it right now; however, that Minister did that.

I turn now to the issue of buying the electorate. We will go back to 1995 and talk about the school uniform advertising campaign around the time of the Mundingburra by-election when the balance of power in the House was very close. A memo from a Rob Whiddon states that the Government was very keen to spend "$700,000 to reach appropriate coverage around the State and in every region of the State, together with the fairly large costs inherent in production costs for a 'quality' ad." That memo commences—

> "One week ago Glynn Davis, Craig Emerson and I met ..."

I have heard those names before. I am not talking about public servants who happen to have connections with political parties. That would probably be improper; however, that is acceptable. Those three people worked out that they needed a big advertising campaign. Objections were raised about whether that would be legal. What was the Crown Solicitor's advice? The Crown Solicitor said, "No way in the world. If you want to run that ad in the election campaign, you have to tag it as a political campaign." Yet they still wanted to go ahead and do it.

An Opposition member: What ad?

Mr FITZGERALD: This is the ad for the back-to-school campaign. The Crown Solicitor responded in a letter dated 12 January 1996. If honourable members want to see a copy, I can show it to them later. The letter stated—

> "I appreciate that whilst it would be very easy to comply with the requirements of the Electoral Act"—

the ad must be tagged. During the time that Mundingburra was being contested, the members opposite were trying to pour money into every corner of the State so it would flood into Mundingburra as well. Talk about Governments in the past and those who wear blinkers! In the calendar year 1996, we spent $1m less than they did in the previous two years, and they are still complaining.

Time expired.

Mr SPRINGBORG (Warwick) (6.20 p.m.): I rise to second the amendment moved by the honourable member for Lockyer. During the course of my contribution, I wish to expose some of the hypocrisy of the members opposite in the statements that they have made, particularly the honourable member for Brisbane Central. He is the man who decries what he alleges is political advertising. Yet he is the man whose own Government's advertising budget peaked in July 1992 at expenditure of some $800,000. That is just the expenditure—not including creative, consultancy and production costs. At that time, hundreds of thousands of dollars of public funds were spent on ads that were timed deliberately to dovetail with the Labor Party's election ads.

I refer to the EARC report on a review of Government media and information services, which makes for very, very interesting reading. I certainly commend it to members on both sides of this Parliament. It contains this very interesting graph, which I am sure that members will be able to see, which peaks in July 1992. Of course, we had an election on 19 September 1992. That graph indicates an interesting trend. Two months before that election in 1992, the Government of the day spent about $800,000, which was the peak expenditure for that particular year, on what was blatant political advertising. It is interesting to note that the members opposite now come into this Parliament and decry all of that. It is amazing that, five years down the track, they are so pure. However, that graph is on the public record.

At the time, the members opposite blatantly and unashamedly used the public purse, yet today they turn around and

hypocritically condemn this Government for using money to inform—which is what our amendment says—people of what are reasonable initiatives of this Government. As was pointed out by the honourable member for Lockyer, this Government's expenditure is far less than what the members opposite spent when they were in Government.

During the lead-up to the 1992 election, the party of which the honourable the Leader of the Opposition is a member ran television ads that depicted the former Premier, the member for Logan. At that time, they were blatant political advertisements.

Mr Horan interjected.

Mr SPRINGBORG: There is no doubt about that. These are the same people who, as was pointed out by the honourable member for Lockyer, even after receiving legal advice from the Crown Solicitor, continued with their planned $700,000 advertising campaign. That directive was issued on 1 February 1996 and, thankfully, the Labor Party Government was history by 3 February 1996 and the coalition was able to act on that advice.

Why would anyone believe the member for Brisbane Central now? He keeps coming out with pieties that just get thrown out the window whenever he gets near to being in Government. For example, did the Government of which he was a part from 1989 to 1996 heed the EARC report on its review of Government media and information services? That is the report that contained the graph to which I referred earlier. It is very interesting to hear what the member for Brisbane Central says five years down the track from the comfort of Opposition. That report came out with a host of recommendations for controlling Government advertising, particularly in relation to advertising that might be regarded as political. Were those recommendations implemented? No, they were not! They were ignored by the members who now sit in Opposition and say that those sorts of things should be implemented. The members opposite had their opportunity a number of years ago to act on all of those great things that they say they believe in now.

In the context of this motion, that just makes the reference by the member for Brisbane Central to the Fitzgerald report all the more mealy-mouthed. After all, the EARC inquiry was in response to the Fitzgerald report. The member for Brisbane Central is happy to refer to the Fitzgerald report—and we hear that ad nauseam—but he manages to ignore the EARC report that the Fitzgerald report spawned.

Not only did Labor in Government totally ignore the recommendations of that EARC report; it also adopted the tactic of non-cooperation in relation to the compilation of that particular report. I think that also speaks volumes for Labor's commitment and the sorts of things that the members opposite are referring to in this motion. When EARC went to the then Government to obtain data on advertising expenditure, that data was not forthcoming. Labor wanted to hide what it was spending and it did not want to be accountable for what it was spending. Now the member for Brisbane Central is extremely pious. Currently, he can be pious because he does not have to deliver; he can just mouth the rhetoric.

Time expired.

Mr BREDHAUER (Cook) (6.24 p.m.): Today in this Parliament a couple of startling admissions have been made by members of the Government. Firstly, in answer to a question this morning the Treasurer referred to the Government's political advertising. She actually admitted that the advertising program that the Government is currently in the middle of was political advertising. That is in direct contradiction to the amendment to the motion that was moved by the member for Lockyer this evening, which was that advertising should be on the basis of being informative and not political. So the Leader of Government Business and the Treasurer are at odds over the intention of the Government's advertising program.

The other interesting contradiction that has occurred in this Parliament also arises out of this amendment to the motion that was moved by the Leader of Government Business. The amendment calls on the Government to ensure that no advertising contains photographs and references to its Ministers, except where it is deemed necessary to promote Queensland interstate and overseas. For the life of me, I cannot see how a four-page insert in the Sunday Mail is promoting Queensland interstate or overseas. It is a domestic——

Mr Horan: They can buy it in New South Wales just like people here buy the Sydney Morning Herald.

Mr BREDHAUER: I suppose there are 20 people sitting at Tweeds Heads reading it! Listen to that dunce opposite, the Minister for Health! He says that those people buy the Sunday Mail. That is the criteria that the Government is going to use: if it can sell one Sunday Mail in London, that will justify having the Ministers' photographs plastered all over

the advertising; if the Government can sell one Sunday Mail in Sydney, then it can justify putting the Ministers' photos in it. I am glad that the Minister for Health interjected. Clearly, that was not the intention of the amendment to the motion that was moved by the Leader of Government Business. The intention of the amendment moved by the Leader of Government Business was to own up that the Government is wrong, that it is embarking on a political advertising campaign and that having the photos of four or five Ministers plastered over ads that cost tens of thousands of taxpayers' dollars—tens of thousands of dollars that would be better spent on services—is wrong.

What did we have today from the Minister for Tourism and Small Business? He said that the person who authorises those ads is the Premier. So the Leader of Government Business has come into this House and moved this amendment to the motion and said, "Our Premier, our Government and our Treasurer are wrong. They have been corrupting the processes by using taxpayers' money on advertising which they themselves say should not be used." Tonight, the members opposite have given themselves up. They have said that the Premier has authorised a four-page insert in the Sunday Mail with four or five photos of Ministers which they believe is morally wrong. By moving this amendment to this motion, the members opposite have admitted that advertising of that nature is not informative, that the stuff that was in the Sunday Mail is not designed to influence people who are interstate or overseas and that those Ministers' photos—the Premier's photo, the Treasurer's photo, the Minister for Industrial Relations' photo and the two photos of the Minister for Tourism—should not have appeared in the Sunday Mail article. That is what the amendment to the motion that was moved by the Leader of Government Business tells us.

This Government is spending $6m on advertising. The member for Warwick said that, prior to the 1992 election when the Labor Government was in power, it spent $800,000.

Mr Springborg: One month.

Mr BREDHAUER: The Government has spent $2.25m in this quarter—in the lead-up to the next election, whenever that happens to be. That is $2.25m that could have been spent a lot better. It could have been spent paying the teachers a bit more money. We have "Monty Burns", the Minister for Education, who for 10 months this year starved the teachers of a pay rise because he could not find the money. He could not agree to pay the teachers a few extra dollars. The Minister could give the principals of Leading Schools an extra 5% to buy them off, but he could not give the teachers a wage rise. The Government had enough money to letterbox the marginal electorates of Barron River, Mulgrave, Gladstone and Mundingburra, but it could not pay the teachers a few dollars. The Government now has a claim in the Industrial Commission to take money out of the pockets of thousands of supply teachers, most of them single income earners or near retirement age. The Government has made a submission to the Industrial Commission to pinch the money out of the pockets of supply teachers, but it can find $6m to waste on Government advertising. It is political advertising, not informative advertising. It is not stuff that is designed to promote Queensland's position overseas or interstate. It is not stuff that is in accordance with the amendment to the motion that has been moved by the Leader of Government Business. It is blatant political advertising.

Time expired.

Hon. M. J. HORAN (Toowoomba South—Minister for Health) (6.30 p.m.): What absolute tongue-in-cheek hypocrisy we have heard tonight! I will start by exposing the Leader of the Opposition, who spent $1,650 a day on personal promotion in the very short time that he was the Minister for Health. During his 100 days of consultation, he spent $64,400 on glossy booklets and such things as an outlook for staff and newspapers. They all went hand in hand. What a disgraceful example of absolute self promotion that was. He knew that the Labor Government was on the slippery dip and he wanted to secure his position as Opposition Leader through self promotion.

Spending $64,400 was just the start; the Leader of the Opposition then moved up a gear. When his 100 days of consultation was finished, he contracted, at a cost of $280,000, a PR company to consult on various projects throughout the State such as the Cairns Hospital and communication and consultation services for the Royal Brisbane Hospital. That exercise was designed to do nothing else but promote the Leader of the Opposition, yet Opposition members can talk the rubbish that they talked tonight.

The Government has an obligation to tell Queenslanders what it is doing, particularly those Queenslanders who live near the more than 50 project sites throughout Queensland. They see concrete trucks coming and going

and demolition taking place. They want to know what is happening and we will tell them why they must suffer a bit of inconvenience as a result of all the construction work that is going on. It is important that they know exactly what is happening.

When the coalition came to Government, we put a stop to the PR and saved about $130,000. The Leader of the Opposition and former Health Minister spent $64,400 plus $280,000 on the PR contract. He spent approximately $1,650 per day on self-promotion.

What about the Deputy Leader of the Opposition? When in Opposition, I asked him a question on notice about the cost of the signs that he was having erected prior to the 1995 State election. Twenty-one signs cost $124,843. Some of those signs cost $8,000 and $9,000 each. They were blank signs—there was nothing there. The sign at Toowoomba cost about $9,000, which is almost the same as the miserly sum that Labor allocated to the Toowoomba job. That was nothing but a political stunt to try to convince the people that the Labor Party was going to do something, yet everybody knew that it would not. When the Opposition Leader was the Health Minister for a brief time, he spent $1,650 a day and the Deputy Leader of the Opposition spent approximately $124,000 in two or three nights. Fellows in white overalls went around in the dark of the night to erect signs wherever they could, at a cost of $124,000. Why were those blank signs erected? A bit at the top mentioned the hospital and the Government logo appeared at the bottom. That exercise was a pre-election attempt to convince the people that the Labor Party was going to do something. Talk about blatant and absolute hypocrisy!

Mrs Edmond interjected.

Mr SPEAKER: Order! I warn the member for Mount Coot-tha under Standing Order 123A.

Mr HORAN: The Health Department is proud of its advertising campaigns on issues such as immunisation. We give the public important information about the massive array of projects that Queensland Health is undertaking throughout the State, so that people know what is happening within their towns. We inform people about things like where they should go when construction closes certain access gates.

I do not think that I have ever heard more hypocrisy than has been spouted by the Opposition tonight. The absolute hypocrisy of the Opposition Leader and the Deputy Opposition Leader is obvious when one recalls the hundreds of thousands of dollars that they spent on self-promotion and propaganda prior to the last election. They did not care that that money could have been used to fund positions for hundreds of nurses or hundreds of dialysis machines. They went ahead with that blatant propaganda. To see the Opposition Leader stand up trying to make out that he is some sort of saint really smacks of the hypocrisy that is so typical of the Opposition Leader and the falseness that he always displays. The people of Queensland will never forget that he spent $1,650 a day on promoting himself.

Mrs EDMOND (Mount Coot-tha) (6.35 p.m.): Never before has the Health portfolio had such a prima donna and attention seeker as the incumbent Minister, who is known around the traps as "Media Mad Mike". Members must not expect him to undergo 100 days of consultation with health workers or patients, because if the media is not involved Mike will not be there. Time and time again, frustrated organisations tell me that they cannot get a meeting with the Minister because they cannot get the media there. If they want to talk about the nitty-gritty of health care, they can forget it if they do not want to have their photo taken. But, boy, is the Minister ready to roll out for the cameras! He has been known to reannounce things half a dozen or 10 times just to get his photo in the paper, and they are not even his initiatives. Whose initiatives are they that the Minister is re-announcing? They are Labor initiatives! I do not know how anybody could have the gall to put their name to those things.

We will all remember this Minister for the wasteful four-page colour supplement that appeared in the Sunday Mail recently. The advertising feature was full of glossy artists' impressions, maps and big headlines telling the Queensland taxpayer absolutely nothing new about the coalition's 10-year building program—not even the fact that it was Labor's 10-year building program. The public already know that. They are not so easily conned. My understanding is that that little number cost at least $13,000. A sum of $13,000 might not seem a lot to Mike but, by gum, it is a lot of money to those patients who could have benefited from it. For example, $13,000 would allow 30 patients an extra day in hospital. Instead, they are pushed out into the community within hours of their operations or the birth of their children. Perhaps that money could have kept open the nursery at the Mater Hospital so that mothers did not go home

exhausted. It could have been an important benefit. A sum of $13,000 would have allowed our community nurses to support more than 100 patients, many of whom were sent home early. Perhaps that $13,000 could have provided another shower bed for a spinal injury patient.

Instead of those important services, we get a fairy floss version of the hospital and health services rebuilding plan, recycled for the umpteenth time. I know that patients would have preferred services, and not glossy pictures. The Minister's advertisement did not even apologise for the fact that almost every capital works program is now running seriously late, nor did it explain the capital charge that is going to rip $144m in interest repayments out of recurrent hospital budgets over the next three years. That did not even get a mention. I wonder why?

Then we have the string of pretty but wasted health ads that are cute but say absolutely nothing about immunisation. The Minister used to dine out on the story that one Aboriginal health worker told him that Labor only gave him health posters. At least those health posters told him something useful. They were informative. Aboriginal health workers in Cape York are still trying to explain what a beehive full of cute black babies in bumblebee suits has to do with immunisation. That poster does not mention any details of immunisation, which vaccinations should be had at which time or where the information can be found. It is stuck on the wall in health centres in Cape York. People think it is a cute picture, but they have not got a clue what it has to do with immunisation.

At a time when breast screening and cervical cancer tests are underspent by $7m, Queensland Health announced today that its officers will telephone 1,000 people to see how effective the program had been. It was so effective that I personally wrote to the target women in my electorate, as did many other Labor members, because those glossy ads on TV told people nothing. Perhaps the Minister has an image of himself as Bogie, in which case it should be an anti-smoking ad as that would have more relevance. These are just self-promotion ads for the National Party. If those ads had been directed towards making women aware of the tests, their availability, where they can get them and how they can save lives through early detection, there would not be an underspending problem with the program.

Instead of the hopeless posters that the Minister currently uses, a carefully targeted campaign would have been a better way to go. Instead, the Minister is trying to set himself up as a Bogie alternative. We have an overblown, self-promoting, stumblebum Health Minister whose only achievement in capital works so far has been to complete or begin five multistorey car parks. He is not building hospitals; just car parks. A stop-work rally is being held in Toowoomba to oppose the building of a car park. They are so impressed they did not even want the car park.

Time expired.

Mr ELLIOTT (Cunningham) (6.39 p.m.): Tonight it is interesting to watch members on the opposite side of the House. I find this quite amazing. I have sat here for many years and watched this sort of debate come and go from both sides of the House. Members opposite are basking in utter hypocrisy. The motion was moved by the Leader of the Opposition is interesting. As the Minister for Health has just outlined, the $1,650-odd that the Leader of the Opposition was spending——

Mr Beattie interjected.

Mr ELLIOTT: I am afraid that the Minister has the figures to back up the argument.

Mr Springborg: He has got the runs on the board.

Mr ELLIOTT: That is right; he has the runs on the board.

The member for Mount Coot-tha had the temerity to say that the Minister for Health is doing all sorts of things. What he is doing is fixing the mess that members opposite left us. Members opposite should have a look at what is happening. They issued press releases; this Minister is building hospitals—bricks and mortar.

Mr Elder: Where?

Mr ELLIOTT: The member should look at what is going on in Toowoomba. $27m is in the process of being spent in Toowoomba alone. What did members opposite do outside of the south-eastern corner? They did not do much here, either.

Mr Springborg: Community health centres.

Mr ELLIOTT: That is right; they were pretty good at providing community health centres.

Let us have a look at some of the figures. In the first four months of the 1994-95 financial year, they spent $635,623. I am sorry to have to say this, but we are seeing utter hypocrisy from members opposite tonight. I cannot believe that they can move a motion

such as this and think that they will be credible or that anyone outside the House will believe a word they say. When they came to Government, members opposite set new levels in respect of advertising.

Let us have a look at the SEQ 2001 television campaign. The former Premier would go anywhere and do anything other than answer a question in respect of how much money was spent on the SEQ 2001 television campaign. I have found out that it cost $234,400 to 31 December 1994, and the estimate for the total budget for that year was half a million dollars. That is for just one television campaign. Members opposite are the biggest hypocrites I have ever run across.

Given all of the exercises that the Leader of the Opposition in particular has been involved in since coming into his leadership role, I think he has a hide to come into this House tonight to try to make out that this Government is spending the public's money unwisely, particularly given what members opposite have done before. Let us look at some more figures. Interestingly, the member for Cook was waxing lyrical earlier. He of all people should be ashamed of himself, because the Teachers Union condemned what members opposite did. I wish to quote from a letter I have, which states—

> "The teachers are offended by a State Government funded television advertisement that claims nothing has been done about literacy and numeracy skills for 20 years. Queensland Teachers Union president Ian Mackie said teachers resented the suggestion they had done nothing for two decades. They are also concerned the department is pandering to the perception that literacy and numeracy standards are low. Education Minister Pat Comben said teachers had no reason to be upset and any suggestion that the 250,000 campaign was political propaganda in an election year was also wrong."

That is someone from the member's own side of politics saying that they were wasting money and were not promoting education at all. They were engaging in blatant political advertising. Running up to an election, they were spending taxpayers' dollars in respect of an advertising campaign which was designed for one purpose and one purpose alone, and that was to try to ensure that they salvaged their scalps—something that in the end they did not do.

Time expired.

Hon. M. J. FOLEY (Yeronga) (6.44 p.m.): Hundreds of thousands of taxpayers' dollars are being spent by the Justice Department on a series of advertisements designed to communicate to young people and to the community at large the proposition that tough new laws have been introduced in respect of juvenile offending. The interesting aspect of this was revealed in the answer by the Attorney-General to my question this morning, when I drew to his attention the defects, errors and omissions in the advertisements titled "What happens when you're under 17 & under arrest" that have appeared in the TV guide to the Sunday Mail, to which the Attorney replied—

> "The ads are not providing legal advice. Some members in this Chamber believe that the advertisements should provide legal advice. They do not do that, and they do not pretend to do that in any shape or form."

One might ask: why then does it appear over the heading of the Department of Justice? Let me turn to the advertisement, because the question is: is this proper legal advice that one would expect from the Department of Justice, or is this mere political advertising? The advertisement itself states this—

> "If you are under 17, you should be aware that tough new laws have been introduced. Commit a crime and you will be regarded as a criminal. This is the legal process you will face."

Keep in mind that this morning the Attorney-General told the Parliament the ads are not providing legal advice, and yet the advertisement on its very face says, "This is the legal process you will face." This Attorney-General who lacks the confidence of this Parliament has misled the Parliament today. He has misled the Parliament in respect of a very important matter, namely, whether or not these advertisements purport to give legal advice. They go on to state—

> "The arresting officer will advise you that you are under arrest. You will be taken to a police station. If you fail to comply with the officer's request, you may be handcuffed."

Is that not the giving of legal advice to young people? It goes on to state at a later part—

> "You are read your rights. You are then questioned at length by the police."

Let me say this: not only does that purport to be legal advice; it is wrong legal advice; it is bad legal advice. It is simply wrong to say, "You are then questioned at length by the

police." Let me remind the Honourable Attorney-General that children, like adults, in this society have a right to remain silent under police questioning.

They may well try to turn back the clock on a number of fundamental human rights, but they have not turned back the clock on the right to silence, and the Attorney cannot turn it back by press release and advertisement. It goes on to say at a later part—

> "If you are found guilty, the judge will sentence you. The judge may place you on probation."

This is from the Attorney-General who says that the ads are not providing legal advice. He is right in that respect, because it is providing the greatest mishmash of political propaganda. His admission amounts to this: they are not proper legal advice; they are political advertising. This coming from the Minister who cannot find the public moneys to pay proper compensation to victims of crime and who reduces the orders made by the court! This coming from the Attorney-General who cannot find the money to pay prosecutors and Legal Aid and is the subject of criticism in the annual report of the District Court from Chief Judge Shanahan, who points out that delays in the court and increased waiting times have occurred because of the failure to provide resources to Legal Aid and the Director of Public Prosecutions.

He cannot find resources to give the Anti-Discrimination Commission an independent location. He cannot find the resources to provide proper training for Aboriginal justices of the peace, but he can find the money to waste on political advertising—not to give proper legal advice, but in a callous and cynical attempt to convince the public at large that somehow this crew is tough on crime and that it should somehow be supported in its endeavours. This is an Attorney-General in whom the House has no confidence, in whom the children of Queensland, if they have the misfortune to read this advertisement, should have no confidence. If ever they have the benefit of seeking legal advice, they should reject this roundly.

Time expired.

Hon. R. J. QUINN (Merrimac—Minister for Education) (6.49 p.m.): What a load of hypocrisy, humbug, distortions and misrepresentations that we have heard here tonight from the Opposition! We have an Opposition Leader who comes in here and says that he will reduce the cost of Government advertising, save a lot of money and increase the services to the people of Queensland. That is in defiance of the facts, because this Government has actually reduced the amount of money spent on public media relations in this calendar year.

Let us look at the facts. In 1996 under this Government we spent $6m; in 1995 under the previous Government, $7m; in 1994 under the previous Government, another $7m. If the Opposition was so concerned about providing more services to children in schools, more hospitals, more teachers, more doctors and more nurses, why was it not reducing the cost of Government advertising in those years? Why did it spend $7m instead of trying to implement some savings in its own Budgets? It was not really concerned about providing more services; it was more concerned about self-promotion when it was in Government, and the facts clearly indicate that.

For instance, we have heard here tonight about the school uniform allowance promoted in the Mundingburra by-election campaign. Was the Opposition concerned that it was going to spend more than half a million dollars in that particular campaign? Was it concerned that it could have spent that money better by providing more resources for schools? No, it went all the way down the track and was only stopped by legal advice right at the gate before the advertisements went to air. What about during the lead-up to the 1992 election campaign? $1m was spent in the months leading up to it. Was the Opposition concerned about providing more resources then? No, more Government advertising!

What about during the lead-up to the 1995 election campaign? Almost a quarter of a million dollars went from the Education budget alone. Again, there was no concern about providing more resources. That is why we have heard nothing but humbug, hypocrisy, distortions and misrepresentations here tonight. For the Opposition to come in here and accuse us of spending more money and saying it could save money when its record speaks exactly the opposite is a load of humbug and hypocrisy of the first order.

Let us look at the Education budget in particular. Under Labor the amount spent on public media relations was almost $1.2m; under us, it is not even $1m—a straight-out saving of almost a quarter of a million dollars. That is how we put the money back into services. We were the ones who cut the advertising budgets. We are the ones who are providing that extra money into services—not the humbug and hypocrisy merchants from the Opposition.

Of course, in order for the Opposition to paint its rosy pictures, it goes out and misrepresents the truth. There was nothing more dramatic than the way it misrepresented the public and media relations budget within the Education Department. To try to portray us as spending more than the Labor Party, it has said on its web site that the Education Department spends over $800,000 a year on advertising. That is not true. That is $800,000 to date on public and media relations! The advertising budget is only a very small fraction of that, but that did not stop the purveyors of mistruth and misrepresentation. They carried on. When the Labor Party was found out, it reduced that figure on its web site. It has not had a very good guess. The Labor Party now has the figure of $600,000 on its web site. That is not even close to the mark.

For Opposition members to come in here and say that they will be the ones who will reduce Government advertising and that they will turn it back into providing more resources to schools for special needs kids and so on is just hypocrisy. They had their chance; they had six years of chances, but they got no runs on the board. We are the Government which increased resources for kids with special needs, and we got it out of savings within the department. We got it out of reducing Government advertising. For the Opposition to now say that it is going to do the same is absolute humbug. As I said, all we have heard here tonight is hypocrisy, humbug, distortions and misrepresentations. There is no truth in the motion before the House and, of course, it deserves to be rejected.

Time expired.

Question—That the words proposed to be omitted stand part of the question—put; and the House divided—

AYES, 43—Ardill, Barton, Beattie, Bird, Bligh, Braddy, Bredhauer, Briskey, Campbell, D'Arcy, De Lacy, Dollin, Edmond, Elder, Foley, Fouras, Gibbs, Hamill, Hayward, Hollis, Lavarch, Lucas, McElligott, McGrady, Mackenroth, Milliner, Mulherin, Nunn, Nuttall, Palaszczuk, Pearce, Purcell, Roberts, Robertson, Rose, Schwarten, Smith, Spence, Sullivan J. H., Welford, Wells. Tellers: Livingstone, Sullivan T. B.

NOES, 43—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, Rowell, Santoro, Sheldon, Simpson, Slack, Stephan, Stoneman, Tanti, Veivers, Warwick, Watson, Wilson, Woolmer. Tellers: Springborg, Carroll

Pair: Radke, Goss W. K.

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

Resolved in the **negative**.

Mr SPEAKER: Order! For all further divisions, the bells will be rung for two minutes.

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

AYES, 43—Baumann, Beanland, Borbidge, Connor, Cooper, Cunningham, Davidson, Elliott, FitzGerald, Gamin, Gilmore, Goss J. N., Grice, Harper, Healy, Hegarty, Hobbs, Horan, Johnson, Laming, Lester, Lingard, Littleproud, McCauley, Malone, Mitchell, Perrett, Quinn, 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, Lavarch, Lucas, McElligott, McGrady, Mackenroth, Milliner, Mulherin, Nunn, Nuttall, Palaszczuk, Pearce, Purcell, Roberts, Robertson, Rose, Schwarten, Smith, Spence, Sullivan J. H., Welford, Wells. Tellers: Livingstone, Sullivan T. B.

Pair: Radke, Goss W. K.

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

Resolved in the **affirmative**.

Motion, as amended, agreed to.

Sitting suspended from 7.05 p.m. to 8.30 p.m.

CRIME COMMISSION BILL

Second Reading

Resumed from p. 4439.

Mr BARTON (Waterford) (8.30 p.m.), continuing: The New South Wales Crime Commission has no politicians other than the Police Minister on its management committee. With the Queensland proposal, one of the changes—and one that we applauded—was the decision by the Police Minister not to participate as a direct member of the management committee. Our concern when that was first mooted was due to our belief that politicians should not play a direct role on the management committee of a crime commission. We appreciate the fact that the Police Minister accepted the inappropriateness of being a member of the management committee, given that it will be involved in directing operational issues. Of course, Police Ministers do not become directly involved in operational issues at that level, but——

Mr Cooper: In New South Wales they do.

Mr BARTON: In New South Wales they do. The Minister or I might have a bit of fun down there!

Mr Cooper interjected.

Mr BARTON: I think it is better to stay away from direct involvement in operational issues. I accept that. That was very much our philosophical view when it was initially mooted that the Police Minister would be a member of the management committee. That did not apply just to this Police Minister; it was a philosophical question of keeping politicians away from direct involvement in operational issues related to crime.

We have a similar view about other politicians—namely, the Chairman of the PCJC and the Deputy Chairman of the PCJC—being members of the management committee. That is not meant to be a reflection on the current chairman, Vince Lester, the member for Keppel, or the current deputy chairman, Gordon Nuttall, the member for Sandgate; rather, it is the same philosophical position that we adopted regarding the Police Minister, whoever held that position, being a member of the management committee. We also have some concerns about whether the Children's Commissioner should be a member of the management committee. My understanding when the Children's Commission Bill was passed was that whoever filled that position would also not be directly involved in any operational issues. In fact, my understanding of that legislation is that all issues that require policing are required to be directed by the Children's Commissioner to the Queensland Police Service.

I understand that the position reached with regard to the chair and deputy chair of the PCJC being members of the management committee was essentially a compromise due to the organised crime function coming over from the CJC. When the CJC carried out that function, it was monitored by the PCJC as part of the responsibilities of that committee. We believe that it is inappropriate to have politicians involved in what is an Executive Government role, because members of this Parliament who are not in the Ministry or who are not Parliamentary Secretaries do not have a role in Executive Government. So that is one reason we believe that it is inappropriate for those two politicians to serve on that body. Another reason is that they are there only because they hold those positions, but in holding those positions on the Crime Commission management committee, they are not representing their committee. They are there because they are the chair and deputy chair of the PCJC, but they cannot report back to that committee in the way that the committee reports back to this Parliament. So they do not report back to the Parliament on their role on the management committee as chair and deputy chair of the PCJC, which means that they are not performing the role that they are elected to perform in those positions by this Parliament.

We think that that has a potential downside. It is part of the reason I said at the beginning that this model of the Crime Commission really is a hybrid, and we think that it has a potential downside for the people who hold those positions without them having any real say, because they will be two of nine members. Our view as an Opposition is that it is a very dangerous concept to have politicians as members of the management committee, because as members of the management committee they participate in decisions that may direct the Crime Commission or the Crime Commissioner in his or her functions. We would prefer that they not be there, and we will seek to amend the legislation in that regard.

Another area of concern is the quorum rule. In effect, a quorum is half of the committee plus one. There are nine members, meaning that five members make a quorum. This means that a meeting could take place without the Crime Commissioner being present, without the Police Commissioner being present, without the chairman of the CJC being present, and without one other member of the committee being present. When one considers the role of the management committee, in terms of the skills and knowledge base, the Crime Commissioner, the Police Commissioner and the chairman of the CJC should be there if meetings are being held. The management committee not only determines the references for the Crime Commission but also it can give directions and it can set guidelines. The nature of the directions that it can give include ordering the Crime Commission to cease a particular investigation. What if one of those investigations involved a politician, or there was a public perception that it involved a politician, and the management committee issued a direction to cease that investigation? If there are politicians on the committee, we have a ready-made public furore, even if those politicians were not in favour of ceasing the particular investigation. We think it is a dangerous concept and one that could embroil the Crime Commission, presuming it is established, in public controversy that it could do without, that all of us as politicians could do

without and that the two politicians who hold those positions could certainly do without.

As I said, five members could constitute a quorum. The three most important members who have day-to-day major responsibility on issues such as this need not be present at a meeting, and I refer to the Crime Commissioner, the Police Commissioner and the Chairman of the CJC. Under this Bill, the five members in attendance could determine who will chair the meeting. They could elect someone from within their number to chair the meeting. Then they could determine references for the Crime Commissioner, give directions or stop investigations. It is our view that that is not good public policy in terms of a Crime Commission which is going to be handling the most sensitive of issues.

If this body is to be established, it is very strongly our view that politicians should not serve on the management committee. Although we will not seek to have the Children's Commissioner removed from the committee, we believe that it is against the spirit of the legislation that established that position for him to be on the committee. We believe that he should be kept distant from this body. However, as I said, we will not seek to amend that provision, because we are also very conscious of the current public perception that stronger measures need to be taken to combat paedophilia. We do not necessarily accept that view; we believe that the Police Service is the best body to handle such matters. Nevertheless, it is quite inappropriate to have politicians on that management body, particularly when the rules regarding what constitutes a quorum and the rules regarding who can chair a meeting in the absence of the Crime Commissioner are just a little bit too loose.

One other factor is the hearings provided for in section 100 of the Bill. In the New South Wales Crime Commission, all hearings—and I stress "all hearings"—are conducted by the Crime Commissioner, Phillip Bradley. This Bill allows for persons other than the Crime Commissioner and multiples of people to conduct hearings. One of the New South Wales Crime Commission's real strengths is the fact that one person does the lot. I will make no bones about the fact that I am very impressed with what I have seen of Phillip Bradley, the New South Wales Crime Commissioner. I do not know how he keeps up the pace or carries the responsibility by himself. But because of that factor, the New South Wales Crime Commission is effective, and that is why it is not embroiled in the public controversy in which the CJC has got itself involved, or even ICAC in New South Wales.

Another factor is that all hearings of the New South Wales Crime Commission are closed hearings. They do not have public hearings. They do not put out press releases. If they are involved in a major operation and there are arrests or a lot of money is recovered from the proceeds of crime, it may well be that the people who get the kudos are the members of the New South Wales Police Service who are involved in the operation.

When I was last there—and I am sure that Phillip Bradley would not mind my saying this—he said that sometimes some of his own team feel a little disappointed that there are major headlines about a big bust or some major criminals being rounded up. It is the Police Service that puts out the press releases. It is the Police Service that gets the kudos, when his own team members know that it was predominantly their work that did it. But he said, "That is our culture, and we do not want to be a public organisation. It is much better not to be that way."

I and other Opposition members are concerned in two ways. If we have a variety of people conducting hearings, we do not have that level of tight control. If we have public hearings then, inevitably, something that happens in those public hearings will become controversial in the media and controversial publicly and, before we know it, we could end up with some of the drama that the CJC has been through in some years when controversy has erupted because of things that happen out in the public. If there are operational issues, it is our view that all those hearings should be closed. That is the way the New South Wales Crime Commission works, and that is the way we will seek to amend this Bill to ensure that hearings are held that way. Quite frankly, we believe that unless we do that, we will have problems, and this Crime Commission will have problems and it will not be as effective as it potentially could be—that is if it is going to come into place, and it is still strongly our view that it should not; that it is better to leave certain factors, such as organised crime, with the CJC for now, but that the other matters should be dealt with by the Queensland Police Service.

The role of the Police Service needs to be strengthened, and it will be weakened if other things keep going back to the Crime Commission, because then it will not be its role. It will say, "No, it is not our problem. That is the Crime Commission's jurisdiction." I believe that we need to strengthen the Police

Service's role and responsibility, support it and give it the necessary standing, and then we will get a better Police Service and better results on crime, including organised crime and paedophilia, in this State.

Frankly, we cannot understand why, when there is such a successful model that does not get involved in public controversy in New South Wales—and on which this is supposed to have been modelled, and which does not get into trouble—the Government would depart from that model if it decides that it must have a crime commission. In New South Wales there are no public hearings, no press and no drama, only good results.

It is our view that this Bill is ill advised. We still have a strong view that it is based on vengeance and political expediency rather than for good public policy reasons. We believe that it will put into place an organisation that is not needed and not wanted, and a body that has been designed to weaken and, ultimately, destroy the CJC. This Bill represents another nail in the coffin of the Fitzgerald process, and we oppose this Bill.

Hon. M. J. FOLEY (Yeronga) (8.44 p.m.): The idea of a crime commission for Queensland is deeply misconceived. By creating yet another standing royal commission, it will further erode the rights and liberties of Queenslanders. In adding to the complexity of the law enforcement process, it will weaken the fight against crime with too many cooks spoiling the broth. By setting up another expensive bureaucracy, it will divert resources from the crucial tasks of attacking the causes of crime and providing proper support to your youth and children. Through the related savaging of the Criminal Justice Commission, it will prejudice the Fitzgerald reform process designed to ensure an honest Police Service and an effective bulwark against corruption. Through the involvement of politicians on the management committee of the Crime Commission, it will spin the doctrine of the separation of powers into moral vertigo.

The politics of this proposal are brazen. This is a face-saving attempt by the Government of the day, which found itself on a descent into hell along the path from Mundingburra, through Carruthers, via Connolly/Ryan and, finally, being struck down in the Supreme Court for conducting a politically biased royal commission into the Criminal Justice Commission.

The Government was faced with a desperate need to cobble something together out of the wreckage of its review of the Criminal Justice Commission. This came forward as a device to save face, to be seen to be doing something, and to justify the warfare with the Criminal Justice Commission in which the Government engaged following the commission's audacity to undertake an investigation of Police Minister Cooper and Premier Borbidge in respect of their sleazy memorandum of understanding with the Police Union in the lead-up to the Mundingburra by-election. The Criminal Justice Commission is being made to pay a very high price for its courage in investigating that secret memorandum of understanding, and this is part of the get-square with the Criminal Justice Commission at enormous cost to the proper administration of justice.

The Government sought assistance in two quarters. It found assistance in the Courier-Mail, engaged in an investigative journalism exercise regarding problems of paedophilia, and sought to make political capital by quoting out of context the thesis of the Opposition Leader, Peter Beattie. It is a remarkable thing that this Government should come forward in such a brazen manner with this proposal, for it was the policy of this Government to await the outcome of the Connolly/Ryan commission in order to see what the structure might be to reform the Criminal Justice Commission.

In short, the Government has waxed loud and long about the problems arising from the Criminal Justice Commission and, in particular, about the problems of having a standing royal commission with all of the consequences that flow in respect of the operation of democracy and the liberty of citizens. What is its solution to the problems of having a standing royal commission in the form of the Criminal Justice Commission? It is to set up yet another standing royal commission. Not content with that, the Government has set up a third standing royal commission in the form of the Parliamentary Commissioner. If this Bill goes through, Queensland will have one of the most top heavy, cumbersome machineries of law enforcement and administration of justice known to the Western World. One wonders at the layer upon layer of process in which this Government engages, because, in so doing, resources are diverted from the critical task of fighting crime and from the equally critical task of fighting the causes of crime.

In the aftermath of the decision of the Honourable Justice Thomas, we saw the spectre of the Premier calling upon the disgraced Attorney-General to come forward with a review of the Criminal Justice Act. It was

rather like putting Bluebeard in charge of a maritime safety review. That Bill came forward and was debated in this Parliament a little while ago. This current Bill must be seen in the same light: as part of the process of cobbling something together out of the wreckage of Connolly/Ryan. That wreckage casts a long shadow over this Bill.

It is my belief that the Government is taking Queensland down a very wrong path in introducing yet another standing royal commission into the administration of justice in Queensland. One asks oneself: where is the Attorney-General in the course of this debate? This Bill has a profound impact upon the Criminal Justice Act administered by the Attorney-General. It shifts major functions of the Criminal Justice Commission. In my view, it is disturbing that there has been so little apparent input from the Attorney-General in respect of this. One notes the comments of Bob Bottom on ABC TV recently that the Attorney-General fought tooth and nail against this Crime Commission Bill. If that be the case, that may explain the absence from the speaking list of the Attorney-General. It may explain why it is that the machinery of establishment of this commission is so cumbersome and likely to produce so many problems.

One should always approach with great caution the establishment of a royal commission. One should do so because royal commissions are cloaked in extraordinary powers to override the normal rights and liberties of citizens. They are normally brought into existence when there is a threat to the body politic of such a profound and serious nature that the normal rules governing a free society must be suspended to ensure the survival of the society and the legal system. That is why there is caution to be adopted in establishing any royal commission. But when one establishes a standing royal commission, a permanent body cloaked with those powers, there should be the very greatest scrutiny. One well remembers the caution with which many approached the establishment of the Criminal Justice Commission in the wake of the Fitzgerald report. It was a very radical concept to cloak a permanent body with those powers. Both sides of politics have had cause to see the many impacts that having a standing royal commission in the form of the Criminal Justice Commission can have.

The Government has sought to make much of the problems of accountability with regard to the Criminal Justice Commission, but where is the logic in addressing those problems by setting up yet another standing royal commission and a third standing royal commission in the form of the Parliamentary Commissioner, who operates in a very complex set of functions on the one hand to assist the Parliamentary Criminal Justice Committee in its work of monitoring the CJC, yet, on the other hand, becomes effectively the reincarnation of the Connolly/Ryan inquiry in order to carry on the work of that politically biased commission and to seek to use the tainted evidence from that commission of inquiry to pursue the Government's vendetta against the CJC? Ordinary folk could be forgiven for thinking that this Government puts its energies not into fighting crime but into fighting the CJC.

The argument raised by the Government is that this is to be distinguished from a standing royal commission in that it has a sunset clause and a management committee. Let us deal with each of those in turn. The provision of a sunset clause is cold comfort, because the political pressures upon the Government of the day will be significant if this body is allowed to exist for five years, which I certainly hope it is not. The task of any Government in restructuring any bureaucracy is a formidable one. That applies with particular force when the body has a statutory independence and a statutory independent role. It is therefore really a token gesture to insert the sunset clause. For illogicality at its summit, I refer honourable members to this strange beast, the management committee, which is to preside over the Crime Commission. It consists of the Crime Commissioner, the Police Commissioner, the Chairperson of the Criminal Justice Commission, the Chairperson of the National Crime Authority, the chairperson of the parliamentary committee, the deputy chairperson of the parliamentary committee, the Queensland Children's Commissioner and two persons appointed by the Governor in Council as community members. It is said by the Government that this assists in accountability; but, frankly, this adding of yet another layer of process with persons from diverse backgrounds raises a deep complexity.

There has already been criticism by students of public administration in the wake of the Fitzgerald report that the size of our community in Queensland is not sufficient to support the elaborate superstructure of a Criminal Justice Commission with a Parliamentary Criminal Justice Committee reviewing it in addition to the normal departments of Government. That concern was aired some years ago. In this apparatus

we have built a very, very complex beast indeed. The interaction between the Crime Commission, the Criminal Justice Commission, the Police Service, the National Crime Authority and the Parliamentary Commissioner is likely to result in a dog's breakfast, and one that will operate to the detriment of fighting crime, and, in particular, to the detriment of fighting the causes of crime.

I refer to the background debate in relation to paedophilia, which is advanced by the Government in order to defend its course of action. One looks to the Wood royal commission in New South Wales and one sees there very serious cause for concern in this area. One sees there a royal commission that gathered a great deal of evidence and put forward a serious analysis and a wide-ranging set of recommendations. Let us be clear about it: there is absolutely no room for complacency in this area. It would be idle to think that the problems identified in New South Wales stop simply at the Tweed River.

One looks also to the report of the Children's Commissioner. I note the criticism by the Queensland Law Society in its submission of the depth of evidence gathered in that report and what it describes as the shallowness of the public debate that followed it including, I might add in the words of the Law Society, what it saw as the shallowness of the parliamentary debate. That is something I suppose upon which we all might well reflect. However, it is important that, in this area, we proceed on the evidence and receive such assistance as we can. There is no room for complacency in this area, but when one analyses the evidence and the argument compiled in the Children's Commissioner's report, one simply does not see the case made out for the establishment of a radical, new standing royal commission such as this Crime Commission. What one sees is a series of well-meaning expressions of concern. However, where is the evidence, where is the analysis that can provide assistance for the development of detailed social policy and detailed public administrative actions that can be taken in this area? It is an area where there is considerable work to be done and the depth and quality of assistance that can be derived from that report is far from clearly demonstrated.

We have a significant shift of functions from the Criminal Justice Commission to the Crime Commission. We have a desperate attempt by the Government to save face in the wake of a humiliation in the Supreme Court. One needs to keep in mind that in a free society it is important to encourage in the community respect for the rule of law. That respect for the rule of law is vital in the combat against organised crime and it is vital in the combat against paedophilia. Instead, we have seen from this Government a disdain for the rule of law, a series of systematic attacks by the Premier, the Police Minister and the Attorney-General upon the Criminal Justice Commission—which is a most important legal institution in this State with an important function to carry out—and we have seen the appointment of a politically biased royal commission or commission of inquiry which made legal history as being the first royal commission in the common law world to be struck down for political bias by a Supreme Court. It is out of the wreckage of that destruction that this proposal for a Crime Commission was conceived with indecent haste. It has many adverse consequences for the proper administration of justice in Queensland and should be opposed by all honourable members.

Mr SPRINGBORG (Warwick) (9.04 p.m.): Certainly, this Bill is one of the most contentious pieces of legislation that this Parliament has had to debate for some time. That is a little bit bizarre because only a couple of months ago there at least appeared to be bipartisan support for it. At that stage, I would have thought that there would have been very little that would have divided the Government and the Opposition on this legislation.

It has also been somewhat bizarre to see some of the strange political machinations that have unfolded in this State over the past couple of months as the Leader of the Opposition in particular has tried to recant his position from absolute support for a crime commission to all sorts of reasons why a Crime commission was not necessarily a good idea and then why the Crime Commission model, which has been brought to this Parliament and which seemed to have his support until quite recently, definitely was not a good idea. I will go into that in some detail later on in my contribution.

I wonder if that stance of the Leader of the Opposition could be the reason for his absence from the speaking list for this Bill. I believe that he would probably have some difficulty reconciling his position in his own mind, and certainly he would have some difficulty coming into this Parliament and arguing such a change in position. However, I believe that the people of Queensland would very much like to find out the stance of the Leader of the Opposition on this Bill tonight

because, over the past couple of months, they have seen him adopt a number of positions in relation to it. I think that it is a little bit unfortunate—maybe it is a protective mechanism on the part of the Leader of the Opposition—that he is not speaking to this Bill.

One of the most brazen hypocritical statements that has ever come from a politician's mouth in Queensland has to be that which came from the Leader of the Opposition, Mr Beattie. Last week on ABC radio, he stated—

> "Nowhere can Bob or Russell ever find me supporting a body like this, nor would I."

I find those comments to be a joke when the Leader of the Opposition has been a longstanding advocate of a crime commission. I barely need to argue for a crime commission; all I have to do is quote the statements of the Leader of the Opposition who advocated a crime commission. I will say more about that later.

Recently, the Opposition breached its bipartisanship approach to a crime commission. Obviously, a political opportunity arose. On 19 September on ABC radio, the Leader of the Opposition, the member for Brisbane Central, and Frank Clair, did a very touching double act calling for bipartisanship on a crime commission. Mr Beattie stated—

> "I think it's important now that we put behind us a lot of the nonsense and do get some bipartisanship."

Mr Foley: You don't call this bipartisan, do you?

Mr SPRINGBORG: The option was open, but maybe the political opportunities have opened up only recently and the Opposition has decided to withdraw its support for it. If the Government said that something was black, the Opposition would say that it was white just for the sake of saying that it was white. Basically, it is opposition for opposition's sake. Obviously, the Crime Commission Bill does not have the same political implications and connotations as the Police Powers and Responsibilities Bill. I certainly acknowledge that the Opposition's support for the Police Powers and Responsibilities Bill was appreciated. However, in relation to the Crime Commission Bill, obviously there has been some heat put on the Leader of the Opposition and the Opposition from some strange quarters—maybe from within the party; I do not know—over the past couple of months and it has caused them to withdraw their support for it.

Mr Foley: We supported the police powers Bill.

Mr SPRINGBORG: The Opposition certainly did. I believe that there is a great deal in this Bill to commend. I believe that it goes a long way towards meeting the expectations of the general community who want to see something effectively done about organised crime in this State. They want to see something effectively done about paedophilia in this State—something that they believe has not necessarily been handled very well over the past few years and something that they believe certainly has not been handled very well by the Criminal Justice Commission. I believe that the structure that we will have after this Bill passes through the Parliament will certainly be a structure that will serve this Parliament very well.

It is apparent to me that the Opposition wants to talk about highbrow principles that look and sound good in the public arena, but in reality they are shameful political spoilers. Unfortunately, that seems to be the way that they will continue to go.

Mr Foley: You can say that after what your lot have done to the Criminal Justice Commission—spoilers?

Mr SPRINGBORG: I will come to that issue. As I will point out later, when the Labor Party was in Government, it did all sorts of secret reviews of the Criminal Justice Commission. At least we are attempting to do something up front, so that people can actually see what we are doing. I believe that this issue is absolutely fundamental to good criminal justice in this State, but unfortunately we lack the bipartisanship that until recently we thought we had.

The Opposition pursues the fallacious political argument, which is nothing more than politically expedient nonsense, that the Crime Commission was a diversionary tactic from the Thomas decision. Alternatively, depending on the day or the hour of the day, it paints the Crime Commission as a move to get square with the CJC. This hypocritical get-square argument comes from a party that conducted a secret review of the Criminal Justice Commission which was basically designed to rip the guts out of the commission. That review was conducted behind closed doors and away from public scrutiny, and without consultation with the PCJC, let alone the CJC. The member for Gladstone succinctly summed up the approach of the Opposition in the debate on paedophilia and the creation of a crime commission when she talked about the feigned indignation of some members who

had reduced the debate to a mere political exercise.

The Opposition's rejection of the Crime Commission is no more than political posturing from a party engaged in opposition for opposition's sake, as I outlined previously. The Opposition has no commitment to bipartisanship. After all, at one stage the concept of a crime commission had enthusiastic bipartisan support. The Opposition is not committed—or should I say, is no longer committed—to supporting a crime commission. The Opposition no longer has a commitment to a stronger and more focused response to organised crime. The community expects far more. They want more to be done.

Mr Barton interjected.

Mr SPRINGBORG: If the Opposition had supported this, it would have gone a long way towards achieving what I believe is a great goal. In conjunction with police powers and the review of the CJC, the Crime Commission will go a long way towards ensuring that we provide a greater mantle of safety for the people of Queensland. They expect more to be done. As I move around my electorate, I hear a great deal of enthusiastic support for the Crime Commission.

To demonstrate the unparalleled political hypocrisy of members opposite, I shall track the Opposition Leader's vocal and enthusiastic support for a crime commission. Of course the concept was not the Opposition's original idea—it would appear that the Opposition does not have two original ideas.

The current Police Minister first floated the concept of a crime commission in 1994. That fact was admitted by the Opposition Leader in his university thesis, which makes entertaining reading. I recommend that Opposition backbenchers get hold of it. I am sure that we can supply them with copies if they cannot get any. I am happy to point out the key extracts from that thesis.

On page 110, the Leader of the Opposition states—

> "There is a powerful argument to support the position of Opposition police spokesman and former Premier Russell Cooper, who publicly called in 1994 for a splitting of the CJC's organised crime role into a separate crime commission, leaving the Official Misconduct Division to investigate complaints against police. This was one area of the CJC's structure where Fitzgerald went too far and got it wrong."

On page 176 he states—

> "There is no doubt that the CJC has played a useful role in fighting organised crime jointly with the Queensland Police Service and other agencies. But a different institutional approach would have advantages. There is no reason why that useful role could not be carried out by a separate crime commission, outside the CJC, which would not have the possible conflict of having to investigate police involved in a joint operation."

Those extraordinary statements seem to show some degree of double standards within a party that secretly tried to neuter the CJC with its clandestine review. Those statements also show the scandalous double standards and hypocrisy of the Leader of the Opposition who, as inaugural Chair of the PCJC, was more aware than most of the issues surrounding Fitzgerald and the CJC, yet was still a forceful advocate of a crime commission. Is it not interesting what things happen as a little time goes by! This Government is now setting up the Crime Commission and I am yet to have demonstrated to me how what we are doing differs greatly from what Mr Beattie advocated in his thesis.

Let us fast track to 23 March 1997. On that date, the Opposition Leader announced with great fanfare that the Opposition spokesman for Justice, the honourable member for Yeronga, and the Opposition spokesman for Police, the honourable member for Waterford, would draft a detailed proposal for a crime commission. He said that a new crime commission would underline Labor's commitment to fighting organised crime. There is no doubt that that is a very noble concept. Mr Beattie stated—

> "It's generally accepted that returning the role to the Police Service is not the answer. Leaving it with the CJC isn't either."

By 9 April, shadow Cabinet had obviously considered a detailed proposal from the Opposition Leader and the Opposition spokesmen for Police and Justice, because the member for Brisbane Central boldly trumpeted to the Courier-Mail—

> "Power to investigate organised crime should be removed from the Criminal Justice Commission and handed to a separate crime commission."

But wait, there is more! He even went so far as to say—

> "... funding from the CJC should be diverted to establish and maintain an independent state crime commission

which would focus solely on organised crime".

On 18 April, the Leader of the Opposition is on record, again both on radio and in the Courier-Mail, stating that the CJC should lose its organised crime powers to a separate Crime Commission. On 19 April, he stated—

> "... that if the power was to be taken away from the CJC, it should not be given to police, but to a crime commission, with CJC involvement".

That is fair enough. If nothing else, I admire his persistence.

I fast forward again to 14 August 1997. On the ABC the Leader of the Opposition stated—

> "One of the options we need to consider is the State Crime Commission, where that responsibility is transferred from the Police to the CJC, so we have a clear focus."

The Courier Mail of the same date states—

> "... the CJC should undergo radical surgery with some of its powers being handed over to a proposed state crime commission. He"—

Mr Beattie—

> "said such a crime commission could concentrate on organised crime, the drugs fight and paedophilia and leave the CJC to act as a real corruption watchdog. A State Crime Commission might be the proper body to deliver the thorough and comprehensive investigation into paedophilia. I will push for the establishment of a such a body with my colleagues in Caucus."

Mr FitzGerald: He got rolled.

Mr SPRINGBORG: Obviously something happened. Far be it from me to say what happened.

The Leader of the Opposition pops up again on 17 and 20 August advocating a crime commission. We watched the backflip unfold and saw the Opposition's full swing in the political wind. On 23 August, just days later, the Leader of the Opposition was backing away from his own very vocal support for a crime commission, saying—

> "... duplication and tripping over each other would be the precise result of a crime commission."

True to form and on the very next day, he swung back again, saying—

> "The Opposition supported the establishment of a state crime commission."

On 25 August he was interviewed on ABC radio, and he said that he "didn't have a problem with a crime commission." By 28 August, the Opposition Leader had changed his mind again, saying—

> "I rule out any support for a crime commission."

It is quite apparent to me that the position of the Opposition and the Leader of the Opposition changes a little bit more rapidly than the weather has done of late. I could not blame the people of Queensland for thinking that the Opposition is acting like a yoyo. On 24 September 1997, the Northside Chronicle quoted Gordon Nuttall as saying—

> "In NSW, they've had a crime commission and it took the Woods Royal Inquiry to find there was still paedophilia."

In conclusion, what is really being tested today with this Bill is the Opposition's credibility and integrity. We have stated from the outset our support for a State Crime Commission. We are now seeing that come to fruition in the State Parliament. It is a great pity that what are seen to be very noble comments and intentions on the part of the Opposition Leader, at least up until recently, cannot now see a situation such that this legislation will pass through the House with the bipartisanship which this Parliament deserves and certainly which the people of Queensland would like to see.

Mr J. H. SULLIVAN (Caboolture) (9.19 p.m.): I am not sure where the "outset" is that the member for Warwick spoke about as being the point from which his colleagues have supported a Crime Commission. I have always acknowledged the Government's right to review the CJC. I have said that in this House previously. Mind you, Mr Deputy Speaker, the Attorney-General has chosen to misrepresent my words on the odd occasion, but I acknowledge that the Opposition, as it was in 1995, went to the 1995 election telling the people of Queensland that it would review the CJC. When via various circumstances they came to Government in early 1996——

Mr FitzGerald: The voters voted them in.

Mr J. H. SULLIVAN: I do not think that even Mr FitzGerald would believe that. I ask the member to allow me to give my general "good bloke" speech without assistance.

When the members opposite came to power in 1996, I acknowledged that they had

gone to the 1995 election with that policy. I acknowledged that they had the right to undertake a review of the CJC. Let us have a look at the chronology of what has occurred. Step No. 1 was to reduce the CJC's budget. That is always a good first step when reviewing an organisation. Despite what the Government does not know yet, the CJC obviously does not need any more money! Step No. 2 was to set up the Connolly/Ryan inquiry. That was the Government's inquiry of review. As we know, that was ultimately tainted. The Government would disagree but we would say that that happened in an almighty rush and for other purposes. Nevertheless, the Connolly/Ryan inquiry was the review that this Government when in Opposition said it would engage in. I had grave reservations about that, as we all did on this side of the House. Nevertheless, that is still part of what it said it would do. After all, the coalition is the Government.

To date, this review of the CJC has consisted of a reduction in its budget, the establishment of an inquiry to review the CJC that has not reported, and an amendment to the Criminal Justice Act to create what we might like to call the "son of Connolly/Ryan"—a Parliamentary Commissioner who is to take over the Connolly/Ryan material and report. He still has not been appointed, let alone reported. Here we are further changing the landscape. Let us look at what members opposite said in 1995 when they went to the election compared with what they have done. The only thing we see is that they had an intention to do something honourable. They have done nothing honourable, but they have done an awful lot nevertheless. We do not know what the outcomes of the Connolly/Ryan inquiry might have been. We have not heard what the Parliamentary Commissioner, whoever that might be, has to say. Yet here we are again making another change. I have some problems with that.

As I said at the outset, members will acknowledge that I have always stood in this place and acknowledged the right of the present Government to undertake a review of the CJC. It was their election policy and, Lord help us, they are in charge of the Government benches for the moment. But I do have another view. I believe that the people of this State want nothing more from our criminal justice system than effective and efficient policing. I do not believe that the people of this State want, as the member for Yeronga pointed out, the world's most extravagant law enforcement regime supported by very few people indeed. I am not sure what the official number of people in this State is, but it is less than four million people. We have a more extravagant and extensive law enforcement set-up than the City of Los Angeles, which has four times our State's population in that one city. I am not sure that that is what the people want.

I have another concern. I have also stood in this place and said that I do not believe that successive Criminal Justice Commission commissioners have treated the parliamentary committee appropriately. I believe that successive Criminal Justice Commission commissioners have been quite improper in the way they have treated the parliamentary committee. For goodness' sake, if we are concerned about the way in which the Criminal Justice Commission is behaving, the silliest response we can have is to set up another commission.

Mr Ardill: But who's going to supervise it?

Mr J. H. SULLIVAN: We have supervision on supervision on supervision. I will come to the point that the member is making, because I think it is an important one. What we have is the Police Service, albeit with enhanced powers as a consequence of legislation that passed through this House earlier today, we have the Criminal Justice Commission and the Parliamentary Committee for Criminal Justice, we have the Parliamentary Commissioner, we have the Crime Commissioner and we have the Public Interest Monitor.

Mr Woolmer: Which commissioners weren't you happy with?

Mr J. H. SULLIVAN: Mr Deputy Speaker, I beseech you to ask the member for Springwood to put a sock in it. What he is saying is insulting not only to me but also to the member for Whitsunday. I would ask your assistance in having him desist. Mr Deputy Speaker, I note your response.

Mr DEPUTY SPEAKER (Mr J. N. Goss): Order! I cannot hear the honourable member for Springwood from here.

Mr J. H. SULLIVAN: Mr Deputy Speaker, that is to your distinct advantage. We can hear him down here. He is a boofhead.

Mr WOOLMER: I rise to a point of order. I find that remark insulting and unparliamentary, and I ask the member to withdraw.

Mr J. H. SULLIVAN: Mr Deputy Speaker, you know that I will abide by the procedures of the House and withdraw accordingly. I do so not out of any respect for the member but out of respect for you.

Mr WOOLMER: I rise to a point of order. Mr Deputy Speaker, I find that reference to be

along the same lines. I ask the member to withdraw unreservedly.

Mr DEPUTY SPEAKER: Order! I ask the member for Caboolture to withdraw the remark.

Mr J. H. SULLIVAN: Mr Deputy Speaker, I withdraw.

Mr FitzGerald: You're a bit sensitive, the lot of you, I think.

Mr J. H. SULLIVAN: I am on the honourable member's side.

We will have the best model in the world. No matter what we say, it will cost money. Where will the money come from to pay for the Crime Commission? Is this new money? Will we throw an estimated $7m in new money into the fight for law and order? I should think not. I think this money will be taken from other agencies. For example, I wonder what the police could do with an additional $7m in their budget. I have no idea as to whether $7m will be the final figure.

The commission that we are setting up has some fairly interesting aspects in terms of control. For example, the management committee of this commission causes me enormous concern. I believe this is not an appropriate place for members of Parliament to serve, yet the management committee as envisaged has the chairman and the deputy chairman of the Parliamentary Criminal Justice Committee as part of its membership. The chair and the deputy chair of the parliamentary committee have no responsibility to report to Parliament in relation to the Queensland Crime Commission. In fact, if honourable members look at the secrecy provisions they will see that it is quite possible that they would be prevented from reporting to Parliament. Confidentiality would apply. What are we doing here? Are we setting up a new set of secret police? Why do we not make the Parliamentary Criminal Justice Committee responsible for overseeing the Crime Commission as well as the CJC? We would be told on the one hand that the Crime Commission, apart from its standing reference in relation to paedophilia, is to undertake functions that have previously been undertaken by the CJC.

So for eight and a half years or so it has been sufficient for the parliamentary committee, on behalf of the people of Queensland, to oversee the functions of the CJC in relation to those matters. However, now those matters are being hived off from the CJC the Parliament, through the parliamentary committee, is to be excluded—apart from the fact that two members of this Parliament are to serve on that committee. It is obvious that they will be involved in making operational decisions for a crime-fighting or investigatory force in this State. I think that that is most inappropriate. I urge the Minister to reconsider having some form of pretence that Parliament is going to oversee the Queensland Crime Commission by the inclusion of two of our number on the management committee and to simply insert into this legislation a role for the Criminal Justice Committee using exactly the same wording as exists already in the Criminal Justice Act.

We must understand that in some kind of utopian lovey-dovey world all of these organisations are supposed to get along wonderfully, to not cross over lines and to have a wonderful life together. So I wonder why there are clauses in this legislation that we are looking at tonight that provide for access reviews and intelligence data provisions. For example, if we were to look at the provision relating to the CJC access review, we would see that a part of it indicates that the Parliamentary Commissioner is to make a determination where the Queensland Crime Commission determines that the CJC—or the police, I guess—should not have access to a document in its possession. This is the CJC access review, of course; that is when the CJC wants access to something that the Crime Commission has got and the Crime Commission refuses. How cooperative does that sound? We have to legislate to say that, if the Crime Commission says that the CJC cannot have something, somebody will come along and adjudicate. The base proposition is that the two organisations are cooperating, and to have to get a mediator in——

Mr Woolmer: Your shadow Minister tonight said he had experiences where they said they would never give information away.

Mr J. H. SULLIVAN: The honourable member has helped me make my point, because law enforcement agencies do not cooperate. So to say that setting up another agency in Queensland——

Mr Woolmer: That is presupposing that they should not.

Mr J. H. SULLIVAN: No.

Mr Woolmer: They should.

Mr J. H. SULLIVAN: Of course they should.

Mr Woolmer: Thank you. You just contradicted yourself.

Mr J. H. SULLIVAN: No, I have not. The honourable member has his brain in reverse. I am saying that the proposition has been put to us that they would be cooperative. The experience is that they never are. The proof of that is in this legislation. We are creating mechanisms to try to ensure that they do cooperate, that is, the Parliamentary Commissioner has to adjudicate on issues when between the QCC and the CJC there is an argument. I am not quite sure what happens if the QCC has a document that the police want; there does not seem to be a similar provision. However, it really brings to the fore the fact that we are not creating a cohesive system, we are creating a disjointed system and we are actually losing something by splitting up the CJC.

The Minister in the House now is the Minister for Police and Corrective Services. I remember when those two portfolios were joined in the term of the former Government. The reason they were joined I would hazard a guess was that at the time of their joining there was an unholy row between two Ministers—the Minister responsible for Corrective Services and the Minister responsible for Police. The argument was over the housing of prisoners in watch-houses. Two Ministers were being fed by two bureaucracies who were blueing with each other. When they were put together there were two bureaucracies feeding the one Minister and a decision had to be reached, and it was done.

Mr Cooper: Who won?

Mr J. H. SULLIVAN: The Minister for Police and Correctives Services won out in the end, I think. Obviously, the people of Queensland won because they did not have to read about the interminably long arguments between two Ministers on the front page of the Courier-Mail. There is a lot of sense in not establishing a situation in which we are going to have those conflicts. This particular legislation anticipates a situation in which there is going to be conflict between the agencies, and I am not sure that that is a good thing for efficiency and effectiveness.

Mr Woolmer: We are talking about two different agencies.

Mr J. H. SULLIVAN: We are only talking about two different agencies once this legislation is passed, because at this instant these functions belong to one agency. We are splitting it in half. We are going to set up two different agencies and there is going to be conflict between them, and this legislation anticipates that and sets up a mediation process. Clause 62 sets up a mediation process between the two agencies.

Mr Woolmer: But you still have the same Minister.

Mr J. H. SULLIVAN: The Minister has removed himself from the picture. Honourable members have to understand that. One of his earlier comments was that he did not see a problem sitting on the management committee.

Mr Cooper: That is what New South Wales do.

Mr J. H. SULLIVAN: Yes, but the Minister said that he did not see a problem. We saw a problem.

Mr Cooper: Your party.

Mr J. H. SULLIVAN: The New South Wales party might have different ideas from us, but the Minister removed himself from the picture and replaced himself with two other members of this Parliament who are not Executive members.

The final thing I want to say—and I guess it is just repeating information that has been given before—relates to the Parliamentary Commissioner. I cannot but repeat what we said when we established the Parliamentary Commissioner through the Criminal Justice Act amendments that went through a few weeks ago: that the protection of the Parliamentary Commissioner is beyond comprehension in my mind. We have established a very powerful position—the Parliamentary Commissioner. That is a position established by this Parliament and it contains great powers. Yet we say that this person will not be at fault if he or she acts beyond those powers. If honourable members look to page 37 of the Bill in relation to the protection of the Parliamentary Commissioner, they will see that it says—

> "The parliamentary commissioner is not liable, whether on the ground of want of jurisdiction or on another ground ..."

"Want of jurisdiction" means acting beyond his or her power. We are not going to make the holders of that office liable for acting beyond their power provided it is done or purported to be done in good faith. "Purported to be done in good faith" is a very low test indeed. These provisions occurred in new section 118ZA of the Criminal Justice Act. They were most onerous then and they remain so today.

I want to support what the Opposition spokesman, Tom Barton, had to say about this legislation. I do not think that there is a necessity for us to be splitting the CJC apart. I

think it is vendetta time. I believe that we are creating an expensive and inefficient——

Time expired.

Mrs LAVARCH (Kurwongbah) (9.40 p.m.): I do not know whether anyone in the Chamber tuned in to the Australian Film Industry awards last Friday night. If they did, they will recall that during the presentation of the awards they had some very interesting little skits called Better Living. These little skits called Better Living were based on the plethora of lifestyle shows that now bombard us from our television screens. One of these little skits was called "How to write a screenplay". The female presenter, armed with a whiteboard and a number of coloured whiteboard Texta pens, set about trying to spell out the steps to writing a screenplay. I do not recall the exact way it went, but it started with an idea or concept, which was then broken up into four categories. These categories were, say, the style to be adopted for the screenplay, the characters, the message being sent and the audience at whom this message is aimed. Each of these four categories was then broken up into further subsets. For instance, the style of the play could be a comedy, a drama, a satire and so on. Each of these subsets was then broken down into further subsets. For example, the drama could be an action, a romance or a psychological drama. This went on and on until the whiteboard was completely covered in illegible squiggles in a multitude of colours. In other words, it was one big mess.

The analogies between this skit and what is unfolding in this Parliament are numerous. Any budding screenwriters or playwrights do not need to come up with the original thought or concept; it is all here laid out for them. The genre is already set for them. It is a psychological drama, the likes of which a Queensland or Australian audience has never before encountered. The characters do not need beefing up. In fact, if anyone is to believe the script they will need toning down! The message being sent is set out loud and clear. It is malicious political payback. There is absolutely no doubt to whom this message is directed. It is directed to the Criminal Justice Commission. For our budding artist, the only thing that is left in doubt is the ending. To truly predict an ending for this long-running saga, the writer will have to don a mantle of cold, sinister and calculated revenge. I doubt, however, as long as the Nationals and Liberals are in Government in this State, that there will ever be an ending. I forgot the most important thing: our budding artist does not have to worry about a title; it already has one. It is "Get square with Mr Clair".

Of course, the Minister refutes any suggestion that the setting up of the Crime Commission is a payback. In fact, he refutes it so much that he mentioned it in his second-reading speech, and he went to great length to deny what is in fact the case. It is curious that he puts it this way in the second-reading speech—

> "Predictably, there will be those with short-sighted and plainly political agendas who will try to paint this Crime Commission initiative as an alleged get square ..."

The Minister goes on to strongly reject such notions and then launches into a rationalisation of why the Crime Commission is being set up. It begs the question: who is the Minister trying to convince? The fact that he saw it necessary to raise this issue in his second-reading speech speaks volumes for itself. Any first-year psychology student would immediately recognise his actions as a defence mechanism, in particular, the defence mechanism of rationalisation to conceal the true motivations of his actions.

This brings me to the next analogy with the Australian Film Industry skit, that is, having a starting point—one concept—and then tracing it through or, in other words, not viewing one subset in isolation. The true picture can be seen only if one takes into consideration the whole. You cannot freeze-frame at one scene. The audience is entitled to know the essence of the full-length feature film. The plot here does have a start, but tracing through all of its twists and turns and subplots is an exercise too big for even the most super-sized whiteboard. But I will attempt to put the concept of the Crime Commission, at this point in Queensland's criminal justice history, into perspective—a perspective which accounts for the chronology of events to date.

Like the Criminal Justice Legislation Amendment Bill, passed through this House at the last sitting, the catalyst for this Bill to set up the Crime Commission was the extraordinary repudiation by the Supreme Court of the Government's commission of inquiry into the CJC. As I have said before in this House, it is important to remember and understand where this process began. It began by the shocking revelations of Commissioner Tony Fitzgerald and his report into the Government of Queensland and the corruption of our public institutions. These revelations were of such magnitude that the National Party was swept out of power by an absolutely massive landslide in 1989. In February 1996 it came back to power following the Mundingburra by-

election. The Borbidge/Sheldon Government was formed on the back of an underhand and shabby deal—a deal between its most senior Ministers and the Police Union; a deal which, if implemented, would have seen the Police Union obtain a right of veto over the selection of the next Police Commissioner; a deal ceding Executive power to the Police Union.

The revelation of the existence of this now infamous memorandum of understanding led to the Minister for Police himself requesting the CJC to look into the MOU. It seemed a good idea at the time, no doubt. Following receipt of the complaint, the CJC established the Carruthers inquiry to investigate the memorandum of understanding. Ever since that time, the attacks on the CJC have been unprecedented—quite extraordinary, in fact. The political strategy, of course, was that by doing this, any report that flowed from the inquiry into the deal and any report on the probity of the Premier and the Police Minister would be damaged in the eyes of the Queensland public.

Then, as things started to look bad for the Government, the member for Broadwater made allegations in this House concerning Mr Mark Le Grand, the Director of the Official Misconduct Division of the CJC. This gave the Premier the leverage to establish the Government's own commission of inquiry into the CJC, an action steeped in malice and based on bias, but rationalised by the Premier as meeting an election promise to conduct a comprehensive review into the CJC. Appointing Peter Connolly to co-chair this inquiry raised serious ethical issues, leaving no doubt that the clear intent of setting up the inquiry was, firstly, to derail the Carruthers inquiry and, secondly, to provide a mechanism to destroy the CJC.

The first intent was satisfied on 29 October last year, when Mr Carruthers resigned, citing interference in his operations by the Connolly/Ryan inquiry. The second intent was thwarted by the order of His Honour Justice Thomas of the Queensland Supreme Court on 5 August 1997. He ordered that the inquiry be discontinued, finding that Mr Connolly was ostensibly biased and therefore disqualified from sitting and that Mr Ryan lacked the power and authority to complete the work of the inquiry. This halted the Government's agenda to destroy the CJC for only a short time. The political agenda is now that, piece by piece, the CJC will be dismantled and all opportunities seized upon to attack and weaken the CJC. The Children's Commissioner's expedited report into paedophilia was seized upon as another opportunity. The editorial of the Courier-Mail on 27 August 1997 made this observation—

> "The present Coalition Government is faced with a crisis of a different kind. Its attempt to subject the CJC to a microscopic examination with a view to sizing down and reducing its powers was torpedoed by the finding of the Supreme Court that a chosen commissioner was biased. But the Children's Commissioner's report on paedophilia has given the Government the opportunity to achieve its ends in a different way ..."

The Government has used the Criminal Justice Legislation Amendment Act, the Misconduct Tribunals Act and now this Bill as vehicles to implement its policy of revenge. The Crime Commission Bill before us is to establish the Queensland Crime Commission as a permanent crime commission. It has a five-year sunset clause, yet I share the same grave concerns as those expressed earlier in the debate by the member for Yeronga, namely, that there will be political considerations and probably political games going on by the time that five years comes around. It is proposed that the functions of this commission are to investigate criminal paedophilia, organised crime and major crime. It will also maintain an effective intelligence service in respect of those areas and liaise with other law enforcement agencies.

This Bill directly takes the responsibility for investigation in respect of organised crime and major crime away from the CJC. It also directly removes the CJC's authority to overview the intelligence function of the Police Service. This leads to the third analogy which can be drawn from the whiteboard exercise. If we applied that whiteboard exercise described earlier to the administration of criminal justice in this State, and if this Bill was passed, then we would end up with the same result: a big mess. For an outsider looking in, to know and understand which body has what function will require a doctoral thesis. I do not know that even the Government will know and understand who has responsibility for what and how it is administered. The fragmentation and duplication in investigating and keeping of intelligence into organised crime and paedophilia are outweighed only by the cost of maintaining all the agencies.

If we take the example of paedophilia, there will be at least four agencies that have become or will become involved: the Children's Commissioner, the Criminal Justice Commission, the Queensland Police Service

and now the proposed Crime Commission. The Children's Commissioner, which was created as a direct response to concerns about paedophilia and sex abuse, will continue to have responsibilities in respect of alleged offences committed against children. Whereas these responsibilities are more assessments than investigations, there is still no doubt in the public's mind that the Children's Commissioner has a significant role to play where paedophilia or sexual abuse of children is concerned.

We also have the situation at the moment where the Criminal Justice Commission has set up its own inquiry into official misconduct. It also concerns paedophilia. After a false start, the Criminal Justice Commission has now appointed a former District Court judge, Jack Kimmins, as head of that inquiry. Of course, this inquiry will be limited to official misconduct as it relates to organised paedophilia.

In recent weeks we have become acquainted through the media with the Queensland Police Service's own investigations which led to the raid on the home of an officer of the CJC. The Leader of the Opposition got it absolutely right when he said—

> "My fear is that where you have three bodies, there will be confusion about where people go, and it may well happen that investigations simply fall between the cracks."

It was pointed out that experience elsewhere showed that law enforcement agencies were reluctant to share intelligence, and there is no evidence that the proposed agency will, in fact, be successful in stamping out organised paedophilia.

This commission is said to be modelled on the New South Wales Crime Commission, but we must remember that the New South Wales commission was established in 1985, and it was not until the Wood royal commission into paedophilia almost 10 years later that it in any way addressed this, the most despicable crime of all.

I note that, in an article in the Sunday Mail last Sunday, 16 November 1997, titled "Cooper up but can he cop it?", journalist Sid Maher reports that the Cabinet argument against the Queensland Crime Commission was based around the cost of the new body and the fear that "Cooper would be creating another super body that would get out of control". The new super body is mooted to cost around $6m and employ between 50 and 70 staff. I find it very interesting that the Minister does not blink an eyelid at finding 50 to 70 staff and $6m for the Queensland Crime Commission when all that is standing in the way of Strathpine finally getting a Police Beat shopfront is that there is no money to staff it. All that it takes to staff a Police Beat shopfront is one police officer and an administrative assistant. That is not much to ask to enhance police and community relations and make the Strathpine community a safer community.

I do not believe that adding another layer of bureaucracy is the answer to the perceived inadequacies of the current system. If the Government was truly interested in doing something meaningful to tackle paedophilia or organised crime in this State, then it would adopt a whole-of-Government approach to address why the present system is not working. To simply wipe the board clean and set up a whole new agency does not instil confidence in me or in the public of Queensland, nor does it provide what is required, namely, convictions. I oppose this Bill.

Mr STEPHAN (Gympie) (9.56 p.m.): It gives me a great deal of pleasure to take part in the debate on this Crime Commission Bill. However, I cannot help commenting on the statements made by the Opposition spokesman. He has foreshadowed amendments to 59 clauses. In one instance the Opposition spokesman wants to amend the legislation by omitting "each" and inserting the word "the". In other instances he is proposing to do much the same sort of thing. For example, at page 12, line 11, he proposes to omit the words "major crime". Again, in relation to clause 6, at page 13, line 15 he proposes to omit "commissioners" and insert "commissioner". I believe that the member is just playing with words; that he is just trying to be as disruptive as possible.

This legislation represents a step forward in reeling in those who indulge in paedophilia. It will also ensure that we create better situations for future generations of children. For example, one of the functions of the proposed management committee is to refer criminal paedophilia, organised crime and major crime for investigation by the QCC. Other functions include: arranging for and coordinating joint investigations by the QCC and a police task force or another entity; receiving complaints against or concerns about the QCC or a QCC officer; and reviewing and monitoring generally the work of the QCC. In the light of the functions I have just spelt

out, we have to be realistic and ask: what is wrong with that?

I turn now to referrals. I draw the attention of the House to the fact that the management committee may refer paedophilia and organised crime for investigation by the QCC on its own initiative or at the request of the Police Commissioner or the Crime Commissioner. On its own initiative, the management committee may refer criminal paedophilia and organised crime to the QCC for investigation only if satisfied that an investigation is unlikely to be effective using ordinary police powers. These are the nuts and bolts of what the Government is considering and what it is trying to do.

The creation of a Queensland Crime Commission will inject a renewed vigour and focus into the investigation of organised crime in Queensland. The new initiative will usher in a new era in criminal justice administration in this State. There has been widespread public concern that existing law enforcement structures have not been vigilant or effective in addressing paedophilia and organised crime in this State. The new body will launch a major attack on organised crime, particularly drug-related crime and child sex offenders right across Queensland. We need to examine those issues very closely, bearing in mind the current extent of drug-related crime.

If one visits country areas, one will discover how many organised drug operations there are outside the Brisbane area. I do not know whether honourable members have travelled outside the Brisbane area, but it is very important to travel in those areas to see what is going on. If members do so, they will discover that there is quite substantial activity in drug operations. In those circumstances, one begins to wonder what needs to be done to reel in those criminals and organisations. More and more we are able to utilise satellite operations to assist in that purpose. I am not sure how much satellite spotting is being used currently. We can and should be using satellites to spot drug operations and to determine where drugs are grown, how they are grown and when they are to be harvested.

There is a need to establish a crime commission because of the increasing sophistication, adaptability and wealth of criminals, which make it very difficult to bring into play what is required. If one does not take any notice of what is going on in the rest of the State or the rest of the country, how will one reel in some of those operations?

Mr Robertson: But the CJC actually does that. It has a specialist unit that keeps up with that.

Mr STEPHAN: I am talking about satellite tracking and the possibility of using available technology to spot the growing of drugs and to know what stage those drugs are at.

I note the earlier comments about New South Wales. We can learn a lot from the New South Wales model. The New South Wales commission's charter is to combat illegal drug trafficking and organised crime in that State with a view to having offenders dealt with according to law; to deter and suppress the distribution of illicit drugs in the community; and to minimise the harmful effects of those illicit drugs on the community. The principal functions of the New South Wales commission are to assemble admissible evidence and refer it to the Director of Public Prosecutions for use in the prosecution of persons allegedly engaged in the relevant criminal activities, and to make applications for the restraint and confiscation of property suspected of being the proceeds of criminal activity.

We need to take note of what is going on. We need to consider our focus. One of the problems in the investigation of major and organised crime is that police do not have a power to compel suspects to produce documents or other material, and they cannot demand answers to their questions. In the normal course of general policing activities that is appropriate, because it clearly is not in the public interest for the rights of individuals to be subordinate to law enforcement. There is a need for focused powers and functions. We need to reel in some of those powers that have been utilised not necessarily for the benefit of the community. The commission will be able to conduct an investigation only if authorised to do so by the management committee. Through that safeguard, the commission will have significant powers which will allow it to thoroughly investigate those allegations of criminal activity that have been appropriately referred to it by the management committee.

Those are some of the matters that we have to consider. We also have to ensure accountability so that we receive the support of the community. If we do not have the support of the community, we will not be very successful in fighting crime. I think it is quite important to note that the Crime Commission will investigate only matters that are referred to it by the management committee and that it will not be allowed to go off on a tangent. The management committee will have the

authority to give the Crime Commission directions regarding investigations. That management committee will include persons who have a demonstrated commitment to civil liberties and who will act as a foil against the potential overzealous use of compulsive and extraordinary powers.

Further accountability will be provided by the Criminal Justice Commission. A new office will be created through amendments to the Criminal Justice Act and that office will have a number of significant functions, including the receiving of complaints about the Crime Commission. Under those sorts of conditions, we can only be assured that this legislation will see us into the next century. It is going to be of great benefit to the whole of Queensland, and I wish it well.

Mr NUTTALL (Sandgate) (10.14 p.m.): The last thing that the State of Queensland needs is another law enforcement agency. Already we have the CJC, which was set up to look at matters that the Queensland Crime Commission is being set up to look at. This side of politics believes that the Crime Commission is being set up simply as a result of the activities of the CJC and that the Government is deliberately trying to reduce the power of the CJC.

The Explanatory Notes state that the role of the Queensland Crime Commission will be to investigate organised crime and paedophilia. They state further that the way in which those objectives can be achieved is—

> "... by creating a law enforcement body with greater powers than would normally be available to law enforcement, and placing strict accountability mechanisms to control the use of those powers."

In my contribution to this debate, I will point out the role that both the Queensland Police Service and the CJC have played in controlling crime in this State, the good job that they have done, and why we do not need a Crime Commission to take on the work that is being done already by those two law enforcement bodies. Quite simply, all that is needed is for the Queensland Police Service to be given sufficient funds to enable it to establish a separate organised crime task force and a separate task force devoted exclusively to investigating paedophilia. If we have a look at what the police and the CJC have been doing in relation to paedophilia and organised crime, particularly in light of the limited budget of the Queensland Police Service, we realise the important role that they have played and the work that they have done.

This Crime Commission Bill is ill-conceived and has been put together too hastily. I urge the Minister to defer this Bill because this side of politics has indicated clearly to this House and to the people of Queensland that if it is elected at the next election, it will abolish the Crime Commission. The reason the Opposition will abolish the Crime Commission if it is returned to Government is that it is not needed. I refer to the work undertaken over the past couple of years by the Queensland Police Service, particularly by Task Force Argus. Over that time, the Police Service has preferred 36 charges against 17 people who have been arrested in relation to this hideous crime. That shows that we do not need a specialised unit to investigate paedophilia.

I ask members: from where will the Crime Commission obtain its personnel to undertake the work that it is being set up to undertake under the terms of this Bill? From the Queensland Police Service! That means that one group of law enforcement officers will be simply transferred to a separate law enforcement agency. All we are doing is duplicating a law enforcement agency, which just amounts to a greater cost to the people of Queensland.

Over the last two years, the Child Abuse Unit of the Police Service has arrested 261 people and 1,029 charges of child abuse have been laid. That gives a clear indication that the Queensland Police Service has a structure in place to address the issues that are of great concern to our community. I do not believe, by any stretch of the imagination, that we live in a sick society where paedophiles run rampant and where great networks of paedophiles abuse all the children of the State. I acknowledge that this crime is a sad part of our lives, but it is a crime that is being addressed. This crime is not out of control and paedophiles do not run rampant within our community. As I have already stated, the simple fact is that the issue is being addressed by the Queensland Police Service in a proper manner. People are being charged, convicted and jailed.

Over the past two years, the Sexual Offences Investigation Squad arrested 103 people and laid 298 charges. That is another clear indication that the Queensland Police Service is doing its job. That begs the question: why does the Government say that Queensland needs a crime commission when quite clearly, according to the statistics that I have outlined so far in the debate, the work is being done by the Queensland Police Service?

I turn now from the issues of paedophilia, child abuse and sexual offences and move to the issue of organised crime, which the Crime Commission is also being established to address. In the cold, hard light of day without any hysteria, let us look at what the CJC has done and its success rate against organised and major crime. In this area, the CJC works in conjunction with other major law enforcement agencies throughout the country.

Since the inception of the CJC, 253 people have been charged with 1,127 charges related to organised and major crime in the State of Queensland. Those statistics quite clearly show that the CJC is doing its job. Again I ask the Minister and the Government: why is there a need a establish a crime commission when the stark facts and figures show that both the CJC and the Police Service are doing the work that they were established to do?

As a member of the PCJC ,I am obviously privy to sensitive information about the work of both the CJC and the Queensland Police Service. The sad reality is that the good work that both of those bodies do is rarely reported in the media. All that the media reports on are sensationalist stories and the mistakes that they make.

Mr Robertson: And that is not acknowledged by this Government.

Mr NUTTALL: Indeed, the good work that is done by the CJC is rarely acknowledged by the Government of this State. Certainly the Police Minister sings the praises of the Police Service, as he should, but he is very silent, as are the Attorney-General and the Premier, on the good work that the CJC does.

I wish to outline some of the good work done by the CJC, although I have to be careful not to divulge too much. People have been arrested for large-scale cannabis production in north Queensland. With the assistance of the NCA, intensive investigations have been conducted into Italian organised crime syndicates that are involved in drug cultivation and distribution.

Outlaw motorcycle gangs have been identified as the main participants in illegal drug production and trafficking throughout Australia. A number of those gangs have been carefully monitored and investigated, and charges have been laid against some gang members. The Joint Organised Crime Task Force has worked with the National Crime Authority and the Queensland Police Service to target members of a Victorian chapter of a certain motorcycle gang that is involved in amphetamine production, and people have been arrested as a result of that joint operation.

The CJC has investigated claims of extortion and fraud involving the payment of substantial amounts of money by a Japanese family in Japan. Another case involved the alleged attempted extortion of two Chinese students at the Bond University by Triad members. A joint operation was conducted with the Queensland Police Service to target drug trafficking and prostitution in Cairns. The list goes on and on.

As a member of the PCJC, I regularly see reports that show that the CJC and the Queensland Police Service are doing the jobs that they are required to do. The biggest complaint we receive is about resources. I will later come to how I believe the problem of resources can be dealt with without greater imposition on the taxpayers of this State.

I have given examples relating to Operation Argus and the Child Abuse Unit and the role of the Queensland Police Service in dealing with sexual offences. I return to the bigger issue of paedophilia and the hysteria that the media has generated in relation to this hideous crime over the last few months. Unfortunately, this matter does need to be addressed and it is of concern to people within the community. However, people in the community need to know that the Police Service is doing the job that it is charged with.

In the last two years, the Queensland Police Service has arrested 935 people and laid 2,159 charges of paedophilia. Do those statistics tell the Minister and the Government that the Queensland Police Service is not doing its job in relation to this crime? The clear answer is: no. If one looks at the cold hard facts and the charges that have been laid, the Queensland Police Service is doing a remarkable job in relation to paedophilia, given the limited resources that it has. It is wrong of the Minister and the Government to mislead the people of Queensland by saying that the issue is not being addressed.

Earlier in the debate I indicated my views about the ways in which we could look at assisting both the Queensland Police Service and the CJC in relation to the issue not only of funds but also of resources. Let us look at the Queensland Crimes (Confiscation) Act 1989. I am asking the Minister and his department to have a look at this area. If we look at the comparable body in New South Wales, the New South Wales Crime Commission, we see that the State of New South Wales has an Act titled the Drugs Trafficking (Civil Proceedings)

Act 1990. As far as I can detect, that Act is the equivalent of the Queensland Crimes (Confiscation) Act 1989, which is presently administered by the Office of the Director of Public Prosecutions.

In 1995-96, under the New South Wales legislation the New South Wales Crime Commission confiscated some $5.1m in forfeited property payable to the Crown in relation to crime and the activities of the New South Wales Crime Commission. By comparison, if we look at the Queensland legislation with which I am comparing the New South Wales legislation, we see that in 1995-96, under our Act, we picked up $1.44m. I know that is not the same. We really cannot compare apples with pears. New South Wales is a bigger State and there is more activity there. I acknowledge and accept that.

I ask the Minister to take particular note of what I am about to say. The New South Wales legislation provides for confiscation orders to be made without the requirement of a conviction. That is the clear difference. They do not need a conviction to be able to confiscate funds. I acknowledge that they have to make an application to the Supreme Court and that the court has to be satisfied that it is more than probable that the person is engaged in drug-related activities and there is a good chance that the person may be convicted of that crime. However, the New South Wales scheme is based on a civil and not a criminal standard of proof. That is an issue that the Minister and his department need to look at very closely.

In Queensland, the scheme requires conviction for a serious offence before application can be made for the confiscation of property. The difficulty is that in Queensland we have to get a conviction to be able to confiscate the funds. In New South Wales, they do not need a conviction to be able to confiscate funds. In looking at the Crime Commission Bill before the House today, I have not been able to find any amendments whatsoever that will allow for the confiscation of profits, nor have I heard of any other proposed amendments. I would be pleased to hear the Minister's views on that in his reply this evening.

I hope that the Minister will consider the matter that I have raised in the debate this evening. I point out that I do not believe that that legislation or any amendments to any legislation should be brought before the House until there has been a lot of research and consultation with civil liberties groups, law societies and any other interested members of the community. Obviously, having looked at what has happened in New South Wales, I acknowledge that they have had their difficulties. However, this is an issue that should be looked at.

If we are going to go down that path—and that will give both the CJC and the Police Service the extra resources and funds they are asking for—I ask that any money that is confiscated does not go back into consolidated revenue but goes to the law enforcement agencies so that they can be more vigilant than ever in relation to law enforcement in respect of drugs and organised and major crime in particular. I ask the Minister to take on board the matters that I have raised.

I had wished to raise a number of other issues in the debate this evening. Obviously, time has precluded me from doing so. I understand that the CJC has put forward a number of concerns to the Minister in relation to the Bill. Again, I hope that the Minister will address those in his reply. In relation to the role of the chair and deputy chair on the management committee of the Crime Commission, as the deputy chair of the PCJC I will take that spot on the management committee. I do not for one minute think that they are giving that position to me because I am a nice fellow. I simply believe that is an ill-conceived idea.

Time expired.

Mr ROBERTSON (Sunnybank) (10.34 p.m.): I rise to oppose the Crime Commission Bill. I oppose the Bill not just as a member of the Labor Opposition but as a member of the Parliamentary Criminal Justice Committee—a committee that has been treated appallingly and with contempt by this Government and an all-party parliamentary committee which this Government has overridden or ignored on a variety of vitally important issues over the past 18 months but whose reports are used and reinterpreted to suit the political agenda of the Government, which, as we all know, is to neuter, if not to destroy, the Criminal Justice Commission.

In the time available to me, I wish to concentrate on one particular part of this Bill, because it is this provision that demonstrates as much as any other in the proposed Act this Government's blind obsession to dilute the powers of the CJC and bring them into a body which is subject to greater political control. I intend to concentrate on the consequences of Part 11, headed "Transitional provisions", which outlines the procedure for the transfer of

a range of matters principally from the CJC to the proposed Queensland Crime Commission.

When proposed section 132 of this Bill is enacted, the CJC will effectively lose all bases to conduct investigations relating to criminal activity or major crime. The CJC will retain responsibility for investigating official misconduct. The power to conduct investigations into criminal activity or major crime is transferred to the Queensland Crime Commission or the Police Service or other law enforcement agencies upon the enactment of this Bill. However, the fundamental and vitally important question that arises is whether the Queensland Crime Commission will be in a state of preparedness to accept the transfer of these significant powers from the CJC at the time this Bill is enacted without prejudicially affecting current investigations by the CJC. This concern is echoed by the CJC, which states in its public submission in response to the Crime Commission Bill—

> "It seems likely that there will be a hiatus in that it will take some time for the QCC to be established, staffed, housed and resourced, and for the management committee to make its assessment of all such investigations. Yet in the meantime the CJC will have lost its jurisdiction to continue investigations. Some such investigations could be seriously jeopardised, if not fatally compromised by such a delay."

This is clearly unacceptable and demonstrates the undue haste in the preparation and introduction of this Bill. So manic is this Government in its determination to get the CJC that it is prepared to jeopardise current investigations—current investigations into serious crime such as organised crime involving overseas crime syndicates or motorcycle gangs. The Government is prepared to disrupt ongoing intelligence gathering into major crime figures involved with Yakuza or Triad societies just to get this Bill passed to strip away the existing powers and responsibilities of the CJC.

I have been a member of the PCJC for approximately 20 months. Those 20 months have been a steep learning curve for me in coming to an appreciation and some understanding of the nature of investigative techniques that are employed by agencies such as the CJC and the challenges they face, particularly in relation to organised and major crime. Whilst I profess to be no expert in this field, I do believe I now have some appreciation of the vital importance of constant monitoring and intelligence gathering by highly trained specialist staff in the fight against corruption and major crime. Yet what this Government is prepared to do with this Bill—unless, of course, the Minister can assure me otherwise and in some detail—is to bring all the work that goes on day and night to a screaming and sudden halt by stripping away the investigative and coercive powers of the CJC in relation to investigating major and organised crime.

Will the Queensland Crime Commission be in place and ready to assume all the powers and functions ascribed to it by this Bill on the date this Bill is enacted? Of course it will not! Will existing long-term investigations into organised crime not be disrupted during the transitional period between the CJC to the QCC? Of course they will not! It will be Queensland that will be the loser in this blatantly political agenda.

What will result is a vigilance-free Christmas present for the corrupt and major crime figures in this State. They will be free to go about their grubby business for maybe months on end safe in the knowledge that no-one is watching them, because the CJC will have been stripped of its powers, including its coercive powers, and the QCC will not be in a position to assume its coercive powers and other powers of intelligence gathering and investigation. The QCC will not be able to assume those powers until the Crime Commissioner is in place, and that is the fundamental problem, because the Bill does not actually envisage a detailed transitional period whereby the proposed Crime Commissioner, who is the officer from whom powers are delegated down to QCC staff, is actually in place at the time of the actual transition of powers from the CJC. There is no provision for that in this Bill.

This is not a unique situation; it happens from time to time in a whole range of legislation. What disturbs me as a member of the PCJC is that nothing that the Minister has said during the course of this debate, which has now gone on for some months, gives me any great faith that that planning has been put in place. As a member of the PCJC, I thought I would be better informed than the average punter and would know that current investigations into serious, major or organised crime will be jeopardised during this transitional period.

What will happen to the existing staff of the CJC who are currently engaged in this specialised type of work? What assurances have they been given that, as the responsibility for intelligence gathering is

transferred from the CJC to the QCC, they will be given the opportunity to continue in their specialist roles albeit under a different employer? What strategic planning—and this is what I would like the Minister to respond to in some detail—has taken place to ensure a smooth transition of power, roles and, importantly, current investigations from the CJC to the QCC? What will be the costs to the taxpayers of Queensland for the transfer of these responsibilities from the CJC to the QCC?

Madam Deputy Speaker, as you have no doubt read in the Explanatory Notes to this Bill, this Government admits quite openly that an accurate cost to Government of implementing this proposal has not yet been calculated. To me—and I am sure to your good self—that would seem to indicate that the strategic planning to effect the transfer of powers, roles and responsibilities from the CJC to the QCC has not taken place.

This is yet another demonstration of the Government's obsessive behaviour in dismantling the CJC and the overanxious introduction of this Bill before proper and accountable planning have taken place to provide accurate costings to this Parliament and the taxpayers of Queensland to assure us all that we are getting value for money from the creation of the Queensland Crime Commission. I would argue that the Government still cannot provide accurate costings to this Parliament or the taxpayers of Queensland for the creation of the QCC and, in particular, the transitional period. I suspect that the Government still has not initiated or engaged in meaningful discussions with the CJC as to what funding will continue and, therefore, what staff will be retained in the CJC; what staff will have the opportunity for transfer to the QCC and other agencies; and what staff will possibly be made redundant as a result of the brutal implementation of this incompetent Government's overtly political agenda.

Even if existing CJC intelligence gathering specialists and operatives are transferred from the CJC to the QCC, what will happen to their extensive array of on-the-ground informants—informants whom they have taken years to cultivate? What risk assessment—and I will continue to pursue the Minister on this in Committee—has the Government carried out to determine whether the existing network of intelligence contacts developed by the CJC will be unaffected by its transfer to the QCC? I will perhaps have to return to that point. I appreciate the fact that the Minister is consulting with his advisers, but that is a matter on which I will be seeking further information. I would suspect that the Government has done no such risk assessment and cannot honestly give any assurances to the people of Queensland that there will not be any diminution in the short, medium or long term of the intelligence gathering or investigative capabilities of the QCC in comparison with the CJC.

What if existing CJC officers engaged in organised crime intelligence gathering are not offered positions or transferred to the QCC? What happens to their personal array of contacts—contacts which have taken years to foster and are personally loyal to that particular officer? In such cases their organised crime intelligence gathering and investigative capabilities will obviously be affected and, yet again, Queensland will be the loser as a result of this Government's demented obsession with destroying the CJC.

What assurance have we received from the Government that the CJC's specialists who are part of the Joint Operational Task Force's Japanese organised crime team will be transferred and retained by the QCC? What assurance has Queensland received that the CJC's specialists who are part of the JOCTF's Chinese organised crime team, the Italian organised crime team or the outlaw motorcycle gangs team, will be transferred to and retained by the QCC?

This Bill demonstrates this Government's absolute ignorance of the needs of agencies such as the CJC or even the QCC with respect to developing and encouraging an holistic approach to intelligence gathering. Honourable members should consider the following extract from the CJC's 1996-97 annual report—

> "The underlying strategies of the CJC's organised crime investigations all centre on long term intelligence collection plans. The plans are specially designed to collect information that will assist our analysts to assess threats posed by particular organised crime groups.
>
> (During the year) we completed the first phase of a report examining the nexus between organised crime and corruption/official misconduct. This is an ongoing project that has been delayed because of budget restrictions and other priorities. However, even in its preliminary stage, the report has been of value to the CJC's Carter Inquiry."

Is it any wonder, therefore, that the CJC should express its serious concerns about the transfer of intelligence division functions, such as organised and major crime, to the QCC whilst the CJC retains its responsibilities only in relation to intelligence gathering concerning official misconduct? As the CJC correctly notes in its recently released public submission—

> "Much information on public sector and police corruption derives from intelligence collected about criminal activities. It is the public official's contact with such criminals and their activities which very frequently raises the first concerns of the possible corruption or misconduct of that official. Thus information about an organised crime figure that reveals repeated contacts with a particular police officer, prompts further investigation of that officer."

It makes little sense to me that in such instances a division of responsibility is drawn between the CJC, which retains responsibility for the investigation of the police officer or public servant, and the QCC, which will become responsible for the investigation of the organised crime figure. In the future, investigations in such cases involving an officer of the Crown and organised crime will, as a result of the division drawn between the agencies' respective roles, inevitably result in significant duplication and, therefore, a waste of valuable resources.

It is because of these concerns that I intend to pursue the Minister during the Committee stage to try to extract information on what work has been undertaken to ensure that the transition of powers between the CJC and the QCC does not result in an investigative black hole opening up during the transitional period. I will also be seeking further information on how the Minister is to ensure that the potential for duplication between the CJC and QCC will not occur in terms of those information and investigation gathering roles.

I think I saw the Minister return to the Chamber, but at least his advisers will hear me on this occasion. Earlier I spoke about the strategic planning issue being relevant during the transition stage. I also sought information from the Minister as to what risk assessment has been undertaken by the Government to ensure that the intelligence gathering network that the CJC has established and the investigations that are current at this time will not be affected in any way during the transition period from the CJC to the QCC. I think it is quite proper for this Parliament to be informed as to what risk assessment has been done, because if during that transition period that black hole opens up between the closing off of the CJC's powers and the start-up of the QCC, then, as I have said, we will be giving organised crime figures in this State a very early Christmas present.

In summary—Queensland deserves to be assured that the necessary strategic planning and risk assessments are in place so that there will be no reduction in the current high standards set by the CJC. We need to be assured that the creation of the QCC has been a carefully planned exercise which will raise the standard of the fight against organised and major crime and that it is not just a politically motivated get square against an organisation that has served Queensland well over the past eight or nine years. I oppose the coalition's Crime Commission Bill for the reasons outlined by me tonight and for the vast array of very sound reasons advanced by my colleagues during the course of this debate.

Mr GRICE (Broadwater) (10.51 p.m.): This new Crime Commission is a landmark achievement and is striking testimony of the Government's deep and abiding commitment to a serious, concerted and dedicated attack on the evils of organised crime and paedophilia. As such, it should be welcomed in a generous spirit of bipartisanship. I say "should", but regrettably—although not altogether surprisingly—honourable members opposite have sought to denigrate this long-overdue initiative at every opportunity.

The Leader of the Opposition, who has been an advocate of the Crime Commission in the past, has put a narrow and self-serving political agenda ahead of what is proper and right. His contradictions and about-face on this matter have been breathtakingly cynical, and he will be condemned by the whole electorate for that. However, if the Labor Opposition and its leaders have been cynically critical, their petty, trivial moanings have paled into minute insignificance when compared with the brutal, ugly and disgraceful attacks that have been mounted by the Chairman of the Criminal Justice Commission, Mr Frank Clair.

Before honourable members opposite become too ruffled, let me remind them of their experience with the CJC while they enjoyed their happily shortened term in office. The honourable member for Kedron, when he was Minister for Police and Corrective Services, said in this House on 28 April 1994—

> "First of all, the CJC does not run this State."

He attacked them for saying that the Corrective Services Commission should be subject to the purview of the CJC, and when he and the CJC had a God-almighty brawl about just how to define the term "operational police", he said on 13 June 1995—

> "Although it is a little sensitive about this, the CJC will have to get its house in order."

The Leader of the Opposition, who was Chairman of the Parliamentary Criminal Justice Committee at the time, will hardly need reminding how utterly contemptuous his then Cabinet colleagues were of the CJC recommendations for new so-called prostitution control laws. However, let me remind him and his front bench—many of whom were Ministers at the time when that particular CJC report was thrown aside as irrelevant, contrary to Government policy and, fundamentally, an attempt by the CJC to stick its nose into an area where it was not welcome and not wanted—that it is a shabby and cynical ploy now to regard CJC reports and recommendations as having the status of holy writ. We all know now that the CJC did not get its own house in order, and this Government is making sure that it does.

On 18 October last, journalist Dennis Watt wrote in the Courier-Mail—

> "On April 27 last year, an angry Le Grand told me the Nationals had 'cooked the election'. He said they had learned nothing while in Opposition."

This is an extraordinary and very disturbing report. Mr Le Grand, who is Mr Clair's senior right-hand man and chief hatchet merchant, is quoted as making an allegation which clearly implies that this Government, which won a majority of the votes in the 1995 general election and then won a majority of the votes in the 1996 Mundingburra by-election, had somehow been guilty of massive electoral fraud. The claim may not be surprising coming from a bitter and frustrated Labor Party hack angry at losing the lurks and perks of office, but coming as it did from the very top level of the CJC, it was a huge revelation of the political agenda of that body.

Three days after that report, I wrote to Mr Clair inviting him to provide some explanation for this report or, failing that, Mr Clair's categoric assurance that Mr Watt was a liar who had fabricated the conversation with Mr Le Grand. I do not believe that Mr Watt is a liar. I believe that he reported the conversation truthfully and would not have exposed the Courier-Mail to the serious repercussions of an invented conversation. On 3 November, Mr Clair replied saying—

> "I am informed that Mr Le Grand is taking private legal advice in relation to this matter, and I do not think that it is appropriate for me to comment further on it at this time."

It is plainly obvious that Mr Clair is not backing away from his trusted sidekick because, if Mr Le Grand does take legal action, it can only be on the basis that the story in the Courier-Mail was a fabrication. Mr Clair has shown an extraordinary degree of loyalty to his senior staff, and I wish to make further mention of that later. His failure to repudiate Le Grand's statement and to discipline his feral offsider implicates him in the intent of Le Grand's outburst. It was Le Grand, now exposed as a bitter and unforgiving enemy of this Government, who was given virtual carriage of the Carruthers inquiry by his compliant and admiring boss, Clair.

We should not forget that this outburst by Le Grand to a journalist came only a matter of weeks after the CJC had received its own secret legal advice from its own counsel, Mr Cedric Hampson, QC, that Premier Borbidge and Police Minister Cooper had no case to answer on the charge of electoral bribery. The CJC—that is, Clair and Le Grand—chose to ignore that secret advice, which ultimately turned out to be correct, and now we know why. Frankly, this outburst by Le Grand demolishes any last claim he might have to any shred of impartiality, of decency and of responsibility, and his protective boss, Mr Clair, who has taken upon himself the mantle of saintliness, has forfeited any last right to make judgments or pronouncements about this Government.

It is not the role of the senior operatives of a supposed crime fighting body established by this Parliament and responsible to this Parliament to make untrue, partisan and biased cracks about the duly and properly elected Government. Le Grand should be sacked and "Saint" Clair should resign unless he condemns Le Grand and shows him the door. It is one thing for the CJC to have in its senior ranks a former top office-holder in the Labor Lawyers Association as the chief officer of the complaints section of the Official Misconduct Division, but it is quite a different thing to have another person who is so consumed with hatred for this Government that he would make such an outrageous comment to a journalist knowing that this statement would one day make the light of day.

These were the operatives who went about establishing the Carruthers inquiry and who went to the Supreme Court asking for approval to bug a minor National Party operative in Townsville, Matthew Heery, in a futile and failed attempt to bring down this Government. Thank God for the jury system, which treated the bugging and those charges with all of the contempt and derision they deserved.

Mr Stoneman: It was a disgrace.

Mr GRICE: In retrospect, the Carruthers inquiry was a desperate and vindictive attempt at a pre-emptive strike by the CJC against the Government. It was both shameful and shameless and, indeed, a disgrace. Yet the CJC chair, "Saint" Clair, who likes to portray himself as the angel of reform, as the holder of the holy chalice of accountability and as the sole inheritor and interpreter of the Fitzgerald reforms, has, with a deliberate and fully intentioned malice, done his best to act as some sort of de facto Opposition and berated the Government at every opportunity. We are expected to accept that his press releases are holy tablets carved in stone and that his increasingly contradictory and hysterical statements are the result of some divine inspiration. Frankly, I do not.

His flip-flopping on the critical matter of paedophilia has been born of a desperation to save his precious empire. As the Courier-Mail observed in its editorial on 16 September last, the CJC has failed the test on this matter. As the Courier-Mail observed at that time, the CJC only showed a belated interest in this most serious matter when its own current existence was seen to be under threat. On 23 August last, "Saint" Clair was reported in the Courier-Mail as saying—

> "There has been a lot of rumour, hearsay, speculation but no evidence of police inaction or cover-ups of paedophile activity."

Yet I am aware of at least one case where the CJC has now decided to refer to its belatedly established task force a matter involving what was an undoubted police cover-up of an investigation. This matter was previously investigated by the CJC but no action was taken, which was an incredible decision. Make no mistake about it: there would have been no revisiting of these matters by the CJC if it had not been reduced to fighting for what it has always and arrogantly believed to be its own turf. But it has been too little and too late, and for the worst of motives. Of course, the CJC, which has had a lot to say about bias and the perception of bias, went ahead and appointed Bob Mulholland, QC, to head its task force, despite the fact that Mr Mulholland faced a very considerable accusation of perceived bias.

The CJC, which had bitterly resisted the Connolly/Ryan inquiry for that very reason, was so arrogant that it actually thought that it could get away with this appointment and that nobody would notice. In the end, Mr Mulholland resigned, and I do commend him for that, although it would have reflected better on him if he had not accepted the appointment in the first place. So far, this overblown bungle has made the damp squib of the Carter inquiry look like a masterpiece of detection.

"Saint" Clair also had the extraordinary gall to inform the Courier-Mail on 25 August last that—

> "To this point there has been no evidence that existing agencies are not dealing effectively with paedophilia allegations in Queensland."

That demonstrably wrong statement had nothing to do with giving the existing system a clean bill of health—which plainly it did not deserve—and everything to do with attacking the Crime Commission proposal. What made this statement so extraordinary was the fact that it was made to the Courier-Mail only three short days after the establishment of the joint CJC operation called Project Triton, which was set up to investigate serious concerns that allegations about suspected paedophile activity were not being investigated and, indeed, were being covered up. Talk about prejudging the outcome! If "Saint" Clair really believed there was no such evidence, why would he set up a major inquiry task force with the Police Service to investigate such allegations?

Recently, the CJC wrote to the Attorney-General outlining its criticisms of the Crime Commission proposal, and what a self-serving load of rubbish it typically is. I was particularly amused by the criticism that the Government's reform proposals would give "unwarranted control over the CJC'S budget and internal staff and remuneration arrangements" to the Attorney-General. That single criticism throws into stark relief the pure and undiluted arrogance of the CJC, which is saying that its preferred view is that the Government should just hand over great wads of cash for any purpose whatsoever, including secret great whacking pay increases. That is the CJC's view of how it should be accountable.

Do I have to remind honourable members that the CJC bosses who make it their business to lecture everybody else about accountability resisted bitterly attempts to discover exactly what they paid themselves? Repeated requests by the Attorney-General and Minister for Justice were fobbed off until the Connolly/Ryan inquiry learned that "Saint" Clair enjoyed an annual salary of $216,000, while Le Grand was not too far behind on $181,757. The chairman and his little mate did not want the Government, the Parliament and the people to know these not insignificant details or that several senior CJC officers had enjoyed pay hikes of 30% to 40% in the past two years. Just where do these people get off? What would "Saint" Clair and his little mate have to say if, for example, any Government tried to cover up the salaries of Ministers and public servants? Is it not reasonable, just and democratic for the taxpayers to know how the CJC spends its $20m plus? Apparently not, according to its management.

One recent face-saving foray—the Carter inquiry into police and drugs—has been exposed as a dismal flop, and an expensive dismal flop, especially when the meagre results are measured against all of the hoopla generated by "Saint" Clair. Do we not all remember, before several million dollars were spent on this exercise, that "Saint" Clair said there were "relatively high levels" of corruption in the Police Service? Predictably, another result of this damp squib is the demand for yet more money from the taxpayer, this time for a separate anti-corruption body. Is that not what the CJC is supposed to be already? Is "Saint" Clair now saying that his marvellous, wonderful and efficient organisation has not been up to the job for seven years? Obviously, the answer is: yes. The Carter inquiry and its recommendations serve as little more than a very expensive suicide note for the CJC. "Saint" Clair shares with the Pope a belief in his own infallibility, but then goes one further, because I understand even the Pope has to get the okay from the College of Cardinals before his workplace terms and conditions are changed.

The CJC's failure to act responsibly in the matter of paedophilia has been a gross betrayal of every concerned Queenslander, and we can only wonder at the motives. It is now a matter of public record that the home of a very senior CJC officer, Mr Bob Hailstone, was raided by police. Mr Hailstone is Director of the Corruption Prevention Division, and his principal task is to go about Queensland telling everybody else in the public sector how to behave honourably, decently and, above all, legally.

The Courier-Mail of 11 November, which reported this raid, quoted "Saint" Clair as saying that he had been aware of the investigation of this senior officer for some time. Yet it seems that Mr Hailstone was not sent on leave after "Saint" Clair became aware of this investigation and, presumably, Mr Hailstone continued to attend the regular prayer and strategy meetings of the CJC directorate. Even more remarkably, the Courier-Mail reported the following day that, after Mr Hailstone had been raided and questioned, he blithely trotted along to his office in the allegedly impregnable CJC bunker and started shredding documents.

On 13 November, the Courier-Mail reported "Saint" Clair as saying that Mr Hailstone had "provided an explanation for his actions". That just beggars the imagination. Can any reasonable person believe that a person who holds a very senior and very sensitive position at the very heart of our chief crime fighting body and who has, only hours before, been raided by police and questioned about paedophile activity went back to his office to do a little bit of tidying up? Are we all supposed to now accept that since "Saint" Clair has said an explanation was provided to him by Hailstone that the matter should rest?

"Saint" Clair has tried to convey the impression that Hailstone did not have access to or input into CJC major strategic and policy decisions, and that again is an outrageous bit of deceit. I repeat: Mr Hailstone, as a divisional director, was and is a member of the CJC executive, which discusses current and proposed activity every day. What is "Saint" Clair trying to imply—that Hailstone was there at those meetings just making the tea?

Every Queenslander, and especially every member of the Police Service, should reflect on what the CJC would have done to a police officer suspected of similar activities. That hypothetical police officer would have been promptly stood down without pay—not just sent on leave—and would have had his access to his office immediately denied so that he could not pop in the morning after and shred a few documents. Can anybody imagine "Saint" Clair saying, "Fair enough, no worries" if the Police Commissioner made a statement about this hypothetical officer which said he had provided an explanation for this sudden desire to tidy up his desk?

One interesting question yet to be answered is whether there is any link between the notorious activities of the serial paedophile

and former ABC announcer Bill Hurrey and Mr Hailstone, who just happened to be an ABC manager at the time Hurrey was parading boys through their Toowong studios to impress them as part of his sickening seduction technique.

I am reminded that "Saint" Clair was quoted in the Courier-Mail of 27 April last as saying, when he was asked if he believed that paedophilia ran right to the top of the CJC—

> "I've got no basis at this stage on which to experience those concerns, but this at least is one area where the Commission should take steps."

The obvious question now is: what so-called steps were taken? Was the CJC aware in April that serious allegations about one of its most senior officers being involved in suspected paedophilia were being made? Certainly it seems that it took four months after this statement before any task force was established, and that only happened after the report by the Children's Commissioner.

Perhaps the most astounding and disgraceful claim that "Saint" Clair has made on the matter of this Government's wholehearted and concentrated attack on paedophilia came in a submission to the Government in which the CJC has said that the planned Crime Commission could actually hinder the fight against paedophilia. This incredible claim stated that the proposal for the Crime Commission was based on "false and unsubstantiated assertions" about the extent of organised crime and paedophilia in Queensland. That, incidentally, is one in the eye for the Children's Commission.

As to the CJC submission to the Government on the Crime Commission proposal—"Saint" Clair is reported to have objected to it because of—wait for this—"its likely dominance by lawyers and police". Just what the hell he thinks his own cosy empire consists of I do not know. "Saint" Clair has said some truly bizarre things in his frantic attempt to deflect criticism and protect his private empire, but with this rubbish he has really plumbed the depths and has descended to the gutter. He has now gone far beyond the pale and tried to instil a sense of fear and concern amongst ordinary, decent people about the Government's intentions. What else can he say? I would not be surprised if the next frantic claim was that the Government had some secret agenda to protect paedophiles by establishing the Crime Commission. How can "Saint" Clair have any real knowledge about the extent of paedophilia in this State when his own organisation has admitted publicly that, because this crime does not fit its definition of "organised crime", the CJC has no direct role in its detection and eradication?

The CJC's Crime Commission response did graciously concede no objection in principle to the creation of a parliamentary commissioner to monitor its activities, although it seemed to them that the proposal had serious problems because of a lack of safeguards. Surely it is about time that the CJC actually conceded that it is a creation of Parliament, that it is ultimately responsible to the Parliament and that it does not have any special God-given right to avoid scrutiny or oversight.

Again, in its submission to the Attorney-General, the CJC has said that some of the Government's proposed reforms will "dramatically reduce the efficiency and effectiveness of the CJC". What efficiency? What effectiveness? It has failed to tackle in any concerted or coherent way the evils of paedophilia, and it has been spectacularly underachieving in the matter of organised crime, and now it wants a separate anti-corruption body to check police. It seems to me that the CJC is more concerned about setting up wasteful and vindictive inquiries contrary to its own independent legal advice, is more obsessed with pursuing endless inquiries about minor police misdemeanours and is more focused on issuing endless reports and recommendations which all Governments, irrespective of political colour, are expected to embrace with tears of gratitude.

The Government's reforms will ensure that, for the first time, crime fighting in this State is given a proper focus and clear direction and, equally importantly, a long overdue accountability process. I must confess that I thought the Government was remarkably generous and forgiving by including the Chairman of the CJC on the management committee of the new Crime Commission, given that "Saint" Clair has continued his arrogant and inappropriate comments. While I do agree that such an inclusion is certainly right in principle, we will all have to be extremely careful that the current CJC chair incumbent does not take his spiteful and vindictive hatred of the planned new body and this Government to such an extent that he becomes a baleful and destructive influence, seething with impotent rage and lashing out at every opportunity.

If he wants to go off in a huff of righteous indignation, then I am sure that the Crime Commission can get about its job of doing

what the CJC should have been doing in many areas for seven years. I want to make a number of comments about the CJC response to the proposed management committee of the Crime Commission. The CJC response to this matter has been an affront to every present and future member of this Parliament. It came very, very close to saying that present or future members of Parliament who were appointed members of the proposed management committee would lack the courage, integrity and even honesty to discharge their functions in a proper and diligent way. Frankly, the CJC response, perhaps unknowingly for its authors, underlined the utter disregard—a disregard bordering on contempt—that that body has for this House.

The CJC response asks the absurd question as to who would answer parliamentary questions about the management committee—the responsible Minister or the backbench members who were members of it? Any child with a rudimentary knowledge of civics and Government could answer that. The CJC also claimed that there was a very great risk of conflict between parliamentary and Executive functions if, for example, a parliamentary member disagreed with a management committee decision and wanted to raise the issue in this House. That tries to suggest that members of Parliament on the management committee cannot be trusted—and that is an outrageous presumption. The CJC response continues—

> "This conflict is exacerbated because the functions of the Committee will concern criminal justice issues. A Parliamentarian who becomes privy to extremely confidential and sensitive investigations concerning matters in his or her electorate, or members of his or her political party or indeed a rival party, may be placed in an invidious position."

I wonder if it has occurred to the CJC that members of Parliament very often become Ministers, even Ministers with responsibility for law enforcement agencies. That is called democracy. Has it occurred to the CJC that there are any number of current and former Ministers from the Federal Parliament and all State and Territory Parliaments who, because of their ministerial function, now or in the past, have been privy to extremely sensitive information? Is the CJC suggesting that members of Parliament are simply not to be trusted because somehow they do not measure up to the CJC standard of ethics that it likes to impose on everybody else? Most disturbingly, given the clear view of the CJC that members of Parliament are weak, opportunistic, lacking in moral fibre and untrustworthy, I can only wonder what the CJC has really thought of the various members of the Parliamentary Criminal Justice Committee——

Time expired.

Debate, on motion of Mr FitzGerald, adjourned.

ADJOURNMENT

Mr FITZGERALD (Lockyer—Leader of Government Business) (11.11 p.m.): I move—

"That the House do now adjourn."

International Indigenous Youth Conference

Mr BREDHAUER (Cook) (11.11 p.m.): On Monday, 10 November, the member for Mount Coot-tha and I visited Cooktown to attend an adolescent health conference. The theme of the conference was Bama Wudu Wudu Mara Mara, that is, Gugu Yalangi for "Young men and women rising above the waves of depression". That was a positive statement of the strength, hope and integrity of indigenous youth of the Pacific Rim taking control of their health for themselves, their people and communities toward the betterment of all people. Among others, the conference had the following aims and objectives: to bring together indigenous youth of the Pacific Rim region to share experiences, identify commonalities and respect differences in order to improve health outcomes; to exchange ideas and successful health strategies used by indigenous peoples of the Pacific Rim; and to identify the link between culture, land, lifestyle and health for indigenous youth of the Pacific Rim region.

The Cooktown conference was attended by over 500 indigenous youth from throughout Australia and the Pacific. Among the countries represented were New Zealand, Fiji, the Philippines and Hawaii. A wide range of health topics was discussed, including sexual health, mental health, the integration of new and old ways by young people, indigenous juvenile justice and methods to prevent indigenous youth offending, leadership and what it meant for indigenous youth, and land and development issues and how they relate to health. Resolutions covering those issues are now being considered by the Cape York Youth Council, which hosted the event. The Cape York Youth Council is a fine group of young men and women. It consists of 16 men and

women from each of the Aboriginal communities on Cape York Peninsula who have come together in a very positive frame of mind to try to do something about youth issues in Cape York Peninsula. In my view—and it is undoubted after the conference—they should be regarded as the future leaders of Cape York Peninsula, and perhaps even on a wider stage. They demonstrated a great deal of organisational capacity in helping to pull the conference together, particularly Wayne Butcher from Lockhart River, with whom I have had a close association over quite a number of years. He is a person who acted incredibly responsibly in helping to bring that conference together. The energy and talent that they have shown as the steering committee for that conference augurs well for the future of Aboriginal leadership in that region.

There was also a wide range of cultural activities held in conjunction with the conference. Those included Aboriginal dancers from Lockhart and Aurukun, Kauareg dancers from Horn Island, Hawaiian dancing, Maori hakas and classes in island basket weaving and a kup muri feast on the final night that fed over 500 people. Funding for the conference was provided primarily by the Commonwealth Department of Health, the Peninsula ATSIC Regional Council and Rotary districts 9680, 9690 and 9750, with other assistance from the Queensland Department of Health and the Commonwealth Department of Employment, Education, Training and Youth Affairs.

The conference was held in association with the second International Association for Adolescent Health Conference held in Sydney later that same week. Primarily the conference was hosted by Apunipima Cape York Health Council. I particularly want to commend the work of Barbara Flick and all of the workers at Apunipima. They did an excellent job in helping to convene that conference and supporting the members of the Cape York Youth Council who were the primary organisers and convenors. There was a cast of dozens and dozens of other people who provided a lot of support. One of the people I want to mention in particular was the Gungarde Aboriginal Corporation from Cooktown, which was responsible for all of the catering during the course of the weekend. As members can image, catering for a group of over 500 people plus the support network that is associated with a conference of 500 people was quite a logistical nightmare.

When so much is said about the negative things that young people in Australia, and particularly young indigenous people, are involved in these days, I felt very proud that I was able to attend that conference, that I was able to mix with young Aboriginal and Torres Strait Islander people from throughout my electorate and throughout other parts of Queensland and Australia and the Pacific Rim. It augurs well that they are prepared to stand up, look at the issues that are affecting them in their communities and try to take some positive control over those issues. I commend all those who were associated with the conference.

Papua New Guinea Highlands, Drought

Mr LAMING (Mooloolah) (11.16 p.m.): I take the opportunity tonight to pass on the results of some research that I have had done recently on the effects of drought in the highlands of Papua New Guinea. Of course, Papua New Guinea is our closest neighbour. The highlands of New Guinea are closer to Cairns than Brisbane is, which gives some indication of how close a neighbour it is. Queensland well understands the effects of drought; our farmers are still suffering from the drought that hopefully is dissipating now. As a former field officer in New Guinea 20 years ago, I have some understanding of the effects of drought, which are quite different in a place like New Guinea because of the way they live.

When I arrived there in 1973 they were just recovering from a recent drought. They have not had another one until now. This is probably the worst drought that has been experienced in 100 years. It has been caused by the El Nino effect, which has had quite an effect on a lot of countries around the world. It manifests itself with very little rain. In New Guinea, particularly above an altitude of 2,200 metres, it also has quite a devastating effect through frosts.

The New Guinea people, most of whom live in their native culture, rely on a continuous shifting cultivation mainly of kau kau, which is the sweet potato of Papua New Guinea. Sixty-five per cent of people living there rely on the sweet potato. That vegetable takes six to 12 months to mature. Half of that is grown for the pigs. When the supply runs out and there is not enough for the pigs, the pigs die and the people lose their only source of protein.

What happens when people are affected by drought in a country such as that? I have had the benefit of a report from Mr Christopher Mero, the Consul General of Papua New

Guinea in Brisbane. He advises me that, as of last month, about 80,000 people are in critical, life-threatening situations. This month, if there has been no change, another 70,000 people are expected to face that critical situation. Another 175,000 people in the highlands are living off what they can find in the bush. That food is rapidly running out.

Very old people and very young people are dying as a result of this situation right now, and there is no regular food. The drought is also affecting the water supply, which normally comes from springs in the area. All the springs have dried up and the people have had to rely on their big rivers. However, all the big rivers have been polluted by the villages further upstream. The cash crops are failing and, of course, in a place such as New Guinea there is not a welfare safety net for the people.

An immediate supply of basic food items, assistance to clean up the water supply and the provision of medical aid are required. I am very proud to report to the Parliament that the Federal Government has provided $3m worth of aid, mainly in food—rice and flour. That is very good, but it is difficult for the native people to use rice and flour because they do not fit in with their normal cooking methods. The RAAF is providing transport to those remote areas that can be reached only by plane. Once again, I commend the Federal Government for its response to this emergency.

Papua New Guinea is of particular interest to Queensland, being our close neighbour, and that is not just from a social perspective. Queensland and Papua New Guinea have signed a number of business and trade agreements and memorandums of understanding. PNG takes about $306m worth of Queensland exports and, in fact, Queensland imports more—$815m—from Papua New Guinea. It is our third-biggest importer.

I think that there is an opportunity for Queensland to be able to help the situation in New Guinea. I intend to write to my Federal members and suggest that the Federal Government could consider buying sweet potato from Queensland, which would provide good food that the people would need up there. Queensland produces about 5,000 tonnes of sweet potato a year.

Silva Constructions

Mr DOLLIN (Maryborough) (11.21 p.m.): I rise to bring to the attention of members the unholy mess this Government is making of running this State and, in particular, with Main Roads constructions in my electorate of Maryborough, particularly south of the Gunalda Range. This Government let a contract to Silva Constructions, which recently undercut the Cooloola Shire Council to the tune of $1.2m on a job that the council had quoted for at $3.9m. A blind man on a galloping horse on a dark night would see the folly of accepting such a low price against an experienced council such as the Cooloola Shire Council. This is the result of this Government stupidly following the National Competition Policy. It is time that this Government woke up and stopped blindly following the economic rationalist theories that are without consideration for community benefits and have no regard for the calibre of the tender, that is, whether the company can do the job for that low, cutthroat price.

The recent bankruptcy of Silva Constructions proves the folly of those policies. They have not only cost the jobs of the workers of the Cooloola Shire Council but also a number of small subcontractors who performed work for Silva Constructions are now facing financial ruin because they remain unpaid. Many of them will not recover from this disaster, and that is going to be reflected through the whole community.

The road upgrading remains unfinished and will now have to be completed at considerable extra cost to taxpayers. I bet my bottom dollar that it will end up costing a damned sight more than the Cooloola Shire Council's original quote of $3.9m. I understand that the work is far from completed and I believe that all of the $2.7m tender for the job has been paid out to Silva Constructions.

I ask the Minister for Main Roads: how did this come about? Why was the contractor paid out without first checking if subcontractors and suppliers had been paid? What sort of checks were run on the company? It is strongly rumoured that the company was already in financial difficulties when granted the tender by Main Roads. In fact, the company was in so much trouble that it could not raise the up-front security payment and Main Roads agreed to collect that amount from the company's first payments.

If these accusations are correct, it is an utter disgrace. The Premier and Minister should hang their heads in shame for being part of an el-cheapo deal that is causing severe financial pain to the many hardworking men and women who subcontracted to this company, which is now in liquidation. If the proper checks and balances had been applied

to this company by this amateur Government, it would never have been granted this contract.

I believe that the Premier and this Minister should make good the payments owing to subcontractors and suppliers left facing financial ruin through their bungling of the contract process. It is pretty obvious that this tender was far too low to have ever had an honest chance of completion. I ask that this Government do the decent thing and pay out the subcontractors and suppliers and to forever remember that it only gets the job that it pays for. The Government should forget the stupid National Competition Policy.

Of equal concern is the fact that this incomplete job is a traffic hazard, consisting of detours and temporary surfacing. That is what is going to face the huge traffic flow over the Christmas holidays. If those detours are not the cause of an accident or worse, it will be a miracle. If we are fortunate enough to have even normal rainfall over the Christmas break, the temporary surfacing will turn into a quagmire, completely cutting off the Bruce Highway to both the north and the south over the busiest period of the year. I ask that the Minister look into this as a matter of urgency before he has a major disaster on his hands.

Finally, I again ask that the Government save these contractors and suppliers from financial ruin and allow them to have a decent Christmas by paying them for the work that they have done.

Keyway; Ms L. Bliss

Miss SIMPSON (Maroochydore) (11.25 p.m.): I want to take this opportunity to pay tribute to an excellent program which I saw presented to one of my local schools a few months ago. The program was called Keyway and it involves Eric Bailey, who is a former professional basketballer, coming into schools and presenting a motivational speech, but particularly an anti-drug speech. It is notable that this program has the backing of the Queensland Teachers Credit Union Limited. I believe that it also deserves to have its name mentioned and be given credit because I was most impressed by the program.

Obviously, in this day and age the impact of drugs in our community is of great concern. I believe that, as a community, we are looking for better ways of trying to get the message through to our young people, particularly children of primary school age. Often if we leave it until children are in their teenage years, it is too late to get the message through. If we cannot get the message through to children in their early years to respect themselves, to know how important they are, to have good self-esteem, to know how to go about setting goals and the importance of what they put into their bodies in terms of drug and alcohol, it makes it a lot harder later on when those young people face life's pressures.

I would like to commend Eric Bailey and the Queensland Teachers Credit Union for a really excellent program. I think that it really raises the flag for other corporate enterprises that are looking for a good cause to back. If we cannot get the message through to young children at that stage of their lives, it makes it so much harder later on.

I also want to take this opportunity to table some more signatories to Mrs Lesley Bliss' petition concerning the naming of juveniles and some other matters. Already a couple of thousand signatories to this petition in this format have been tabled. Earlier in the day, a few thousand signatories to that petition were tabled in the Parliament. These ones are in a different format, but it is important that they come before Parliament. Obviously, the rules of the House require that petitions are presented in a certain format. There are just under 3,000 signatories in this particular folder, plus about 77 others which also did not conform with the normal tabling process.

I want to acknowledge the tragedy that Mrs Bliss and her family have experienced through the loss of her daughter. We certainly sympathise with them in this tragic time. The issues that they have raised in the petition deserve the attention of the Parliament. We will certainly continue to bring these matters before the Attorney-General.

Reclaim the Night

Mrs ROSE (Currumbin) (11.29 p.m.) On the evening of Friday, 31 October 1997, women around the State took to the streets to march and rally in protest against violence against women. This event, known as Reclaim the Night, is held annually and each year a list of demands is presented to the Government. This year, for the third or fourth year running, I was the only Gold Coast parliamentarian to attend the Gold Coast rally. I was pleased to accept the list of demands as no Government member was present. I understand that the Gold Coast Sexual Assault Support Service faxed a copy of the demands to the Premier

on the day that the rally was held. However, as he has not advised the Parliament of them, I will now do so.

The Reclaim the Night list of demands states—

"We demand that men stop raping.

We demand that primary and secondary school curriculums include gender violence and cross-cultural education.

We demand that this State provide free, safe and legal abortion on demand.

We demand that State and Federal Governments provide culturally appropriate services for women and children.

We demand an end to racism and sexism.

We demand that the 1992 Prostitution Law Amendment Bill be scrapped and to adopt the CJC recommendations of September 1991.

We demand that the State and Federal Governments accept law reform recommendations from feminist services, educate the police and judiciary on the issues of rape and ensure just compensation for survivors.

We demand a commitment to adequate, ongoing funding for services which provide support to survivors of rape.

We demand appropriate and adequate services for children who have been sexually abused.

We demand the right to live our lives without the fear of violence."

At the end of 1996, the first national survey of violence against women showed that almost one in five women aged between 18 and 24 years had experienced violence in that year. The report on women's safety revealed that two million women, or 30% of the female population, had been physically assaulted since they were 15 years of age and 1.1 million women, or 15.5% of the population, had been sexually assaulted. Those statistics are shocking in themselves, but when we remember that sexual assault is still one of the most under-reported crimes, the reality of what the true figures must be is staggering.

Reclaim the Night, not only in this State but across the nation and the world, is an occasion when women, men and children gather to protest against the level of violence against women. The chants from the Reclaim the Night gatherings send very clear messages. They include: it is not just the stranger that is the danger; whoever we are, wherever we go, yes means yes, no means no; break the silence, no more domestic violence; break the silence, no more sexual violence; through the day, through the night, women's safety is our right; and real men do not rape.

In the past in this Parliament I have spoken about the history of Reclaim the Night, but I believe that it is important to once again remind members of the reasons behind this event. Reclaim the Night began in Birmingham in 1977 after a series of violent attacks on women by men. The police warned women to stay off the streets in order to keep safe. The women were outraged that the only way that they could be protected was to be locked in their homes, so they gathered in the streets in defiance of and protest against male violence and that style of male protection. The next year, a public demonstration was held in San Francisco to commemorate the Birmingham events and it has gradually become an international event, known globally as Reclaim the Night.

Reclaim the Night symbolises the act of walking, talking and gathering together to celebrate a collective strength and safety which women do not feel when walking alone on any other night. It also symbolises a rejection of existing beliefs that women should not walk alone at night and that women should be careful of what they wear and to whom they speak. It is a time when women can publicly demonstrate, celebrate and demand their right to be free from men's violence.

The number of people accessing the Gold Coast Sexual Assault Support Service continues to grow. In the last financial year, a total of 3,777 counselling contacts were made with the service, and that was on the Gold Coast alone. A total of 850 new clients accessed the service for counselling, support or information. I take this opportunity to congratulate all the staff and volunteers of the Gold Coast Sexual Assault Support Service. They have had a difficult year in which they have had to fight for their funding, which was mercilessly slashed.

Time expired.

QE II Hospital

Mr CARROLL (Mansfield) (11.33 p.m.): I am pleased to inform Queenslanders of the National/Liberal coalition Government's continuing service and facility upgrade at the QE II Hospital. On Thursday, 13 November

1997, I attended that hospital with the Minister for Health, Mike Horan, when he opened the upgraded headquarters of Brisbane's south side breast screening service and aged health services. The National/Liberal coalition Government provided $1.3m to relocate and upgrade both services as part of the $11m redevelopment of the QE II Hospital.

That hospital has gone from being a ghost town to a happy hive of activity, and it is very pleasing when we go out there these days to see the car parks pretty well full. The Brisbane south side branch of Breastscreen Queensland has been relocated from Mount Gravatt, and the aged health services have now been centralised at the QE II Hospital, instead of being at a number of destinations across the south side of Brisbane.

The Breastscreen Queensland service is located on the ground floor and is equipped with four modern mammography units. Women aged 40 years and over are welcome to attend, although the primary target group is women aged 50 to 69 years. Breastscreen Queensland offers a comprehensive breast cancer screening service that includes the provision of information, screening mammography, the assessment of screen-detected abnormalities, counselling and an invitation for rescreening every two years. The Brisbane South Aged Care Assessment Service is now located on the fifth floor, or 5B, of the QE II Hospital and is readily accessible.

The breast screen and aged care health services can now be included in the ever-expanding list of services, such as gynaecology, general surgery, ophthalmology, urology, gastroenterology and rehabilitation that are available at the very popular local QE II Hospital. I remind honourable members that this hospital is at the hub of five electorates, including the electorate of Mansfield, which lies to the east of the hospital.

The move of these services that I have mentioned means that the breast screening service now has the facilities to double its capacity, with improvements such as additional space for scientific equipment, enhanced facilities for the development of films and the latest in breast screening technology, including a new prone biopsy table. The move has also enabled aged health to link with other community health services and will enable frail aged and young disabled people to access a wider range of services. Honourable members should remember that these are available at the very conveniently located hospital. It is very handy to south side residents, being at an intersection of two main arterial roads. I am very pleased to hear that it is servicing the people of Mansfield again.

The transfer of the Breastscreen and aged care services, when combined with previous additions such as the $400,000 intensive care unit, will provide the residents of Brisbane's southern suburbs with health services that were sorely missed under the former Labor Government. Labor members of this House then representing those five electorates failed to fight enough for the survival of that hospital. QE II was a very important hospital. When door-knocking, we found that people were going to miss it. They were complaining about the absence of services and about being referred on to other hospitals. An elderly couple from Burbank recently contacted me with high praise for the hospital and its excellent record.

The coalition Government and Minister Mike Horan are to be applauded for providing the level of care expected by the residents of southern Brisbane, particularly the electorate of Mansfield, and for turning around the decision made by the unscrupulous former Labor Government to close that hospital. They had some utopian idea of closing the QE II Hospital so that it could focus on tertiary teaching hospitals. Unfortunately, that meant the deprivation of services close to south siders, who were required to travel elsewhere and even to try to find hospitals, such as Logan, which were further afield. I am very pleased to see that this Government has reopened the QE II Hospital and is providing a wonderful service to the people of Mansfield.

Motion agreed to.

The House adjourned at 11.38 p.m.