TUESDAY, 12 MAY 1998

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

ASSENT TO BILLS

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

GOVERNMENT HOUSE
QUEENSLAND

1 May 1998

The Honourable N. J. Turner, MLA
Speaker of the Legislative Assembly
Parliament House
George Street
BRISBANE QLD 4000

Dear Mr Speaker

I hereby acquaint the Legislative Assembly that the following Bills, having been passed by the Legislative Assembly and having been presented for the Royal Assent, were assented to in the name of Her Majesty The Queen on 1 May 1998:

A Bill for an Act to enable the making of uniform civil procedure rules for the Supreme Court, District Court and Magistrates Courts and for certain related reforms to the civil jurisdiction of those courts, to reform the law regulating the relationship between solicitors and clients concerning fees and costs, to establish a single Small Claims Tribunal, and for other purposes

A Bill for an Act to amend the Government Owned Corporations Act 1993 and certain other legislation

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

Yours sincerely

(Sgd) Peter Arnison

Governor

PRIVILEGE

Native Title; Leader of the Opposition

Hon. R. E. BORBIDGE (Surfers Paradise— Premier) (9.32 a.m.): I rise on a matter of privilege. In the House on 23 April the Opposition Leader asserted that he had effected a change in ALP policy relative to native title so that the party has dropped its insistence on a third right to negotiate in relation to mining on the renewal of mining leases. The Opposition Leader misled the public with those claims and has misled the House.

The amendment moved by Senator Bolkus in the Senate during the last Committee stage consideration of the Native Title Amendment Bill, which the member for Brisbane Central claims removes the third right to negotiate, achieves no such thing. The clear fact is that Labor policy remains for up to three separate rights to negotiate—rights that are denied to all other Australians. The Leader of the Opposition told the House—

> "The Premier is misleading the House. He knows that I effected a change that meant that, with the renewal of existing mining leases, the right to negotiate does not apply."

I table the view of the Minerals Council of Australia, which shows that the Opposition Leader misled the House with that claim. In view of the assessment of the Minerals Council of Australia, which contradicts assurances given to this Parliament by the Leader of the Opposition, I seek a ruling as to whether the Leader of the Opposition should be referred to the Privileges Committee for deliberately misleading this House.

PRIVILEGE

Criminal Code; Leader of the Opposition

Hon. D. E. BEANLAND (Indooroopilly— Attorney-General and Minister for Justice) (9.33 a.m.): I rise on a matter of privilege. On the last day of sitting, Thursday, 23 April, the Leader of the Opposition rose to a point of order during question time. In the course of taking that point of order, the Leader of the Opposition stated—

> "The Premier is misleading the House. The Opposition did not vote against the Government's Criminal Code ..."

I table the relevant extract from Hansard. I table also a copy of the Votes and Proceedings of 20 March 1997, which indicates clearly that on the question "That the Bill be now read a second time" the 40 ALP members in the House, including the Leader of the Opposition, voted against the Bill. I table a copy of the Votes and Proceedings of 26 March 1997, which indicates that the 41 members of the ALP, including the Leader of the Opposition, opposed the third reading of the Bill. I ask you, Mr Speaker, to review this deliberate misleading of the House by the Leader of the Opposition and refer the matter to the Members' Ethics and Parliamentary Privileges Committee.

STANDING RULES AND ORDERS

Mr SPEAKER: Order! Honourable members, I have to report that on Friday, 1 May 1998, His Excellency the Governor approved the amendments to Standing Rules and Orders adopted by the House on Thursday, 23 April 1998.

PARLIAMENTARY PRIVILEGE

Mr SPEAKER: Order! Honourable members, I also wish to inform the House that I have recently engaged counsel to appear on my behalf in a matter that is proceeding in the District Court. The proceedings in the District Court involve a member of this Parliament and statements made by that member in this House. There are a number of complex legal arguments that are likely to be raised in this case and the privileges of this House, in particular the freedom of speech of members, will be an issue.

At this time I wish to advise of my general approach in having counsel appear in my name as Speaker in actions in other places such as courts and tribunals. It must be remembered that the privileges of this House exist not for the benefit of individual members of this House but for the House collectively. In turn, the privileges exist so that members who represent the people of this State can express their opinions and represent their constituents without fear or favour.

If the privileges of this House were to be eroded, then so too would the rights of the citizens of this State. For this reason, when the privileges of this House are likely to come into issue in any place, then, if deemed appropriate and required, I intend to brief counsel to put forward and protect the privileges of this House.

It is irrelevant, in my opinion, as to what members are involved in the action or what political persuasion they may be. The only real question is whether the privileges of this House are involved and likely to be threatened. I will advise the House in due course as to the outcome of the particular matter in respect of which I have briefed counsel.

PETITION

Police Station, Sunnybank Hills/Calamvale

From **Mr Robertson** (652 petitioners) requesting the House to support calls by local residents for the Minister for Police and Corrective Services to honour his Government's election promise and move to increase the local police presence by locating a 24-hour police station in the Sunnybank Hills/Calamvale area and, in the interim, increasing the number of police officers stationed at the Acacia Ridge Police Station.

Petition received.

PAPERS TABLED DURING RECESS

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

29 April 1998—

- Members' Ethics and Parliamentary Privileges Committee Report No. 19—Report on a matter of privilege: Matter of Privilege referred to the Committee on 29 October 1997
- Members' Ethics and Parliamentary Privileges Committee Report No. 20—Report on a matter of privilege: A response to matters referred to the committee on 2 March 1998

30 April 1998—

- Scrutiny of Legislation Committee—Erratum to the report of the committee on the operation of the RIS process under part 5 of the Statutory Instruments Act 1992, tabled on 23 April 1998
- Queensland Cane Growers' Council (CANEGROWERS)—Annual Report and Financial Report 1997

6 May 1998—

- Report of the Strategic Review of the Queensland Ombudsman (Parliamentary Commissioner for Administrative Investigations)

8 May 1998—

- Travelsafe Committee Report No. 24—Brisbane's Citytrain Network—Part Two—Passenger Security
- Parliamentary Criminal Justice Committee Report No. 43—Interim Report in response to allegations appearing in The Courier Mail newspaper on 1, 2, 4, and 5 November 1997
- Cane Protection and Productivity Boards—Annual Reports 1997
- Queensland Pork Producers' Organisation/State Council—Annual Report 1997
- Board of Teacher Registration—Annual Report 1997
- Board of Trustees of the Brisbane Girls' Grammar School—Annual Report 1997
- Board of Trustees of the Brisbane Grammar School—Annual Report 1997
- Board of Trustees of the Ipswich Girls' Grammar School—Annual Report 1997
- Board of Trustees of the Townsville Grammar School—Annual Report 1997
- Griffith University—Annual Report 1997

James Cook University of North Queensland—Annual Report 1997

Queensland University of Technology—Annual Report 1997 (Volumes 1 and 2)

University of Southern Queensland—Annual Report and Appendices 1997

11 May 1998—

Board of Trustees of the Ipswich Grammar School—Annual Report 1997

Board of Trustees of the Rockhampton Grammar School—Annual Report 1997

Board of Trustees of the Toowoomba Grammar School—Annual Report 1997

Central Queensland University—Annual Report 1997.

STATUTORY INSTRUMENTS

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

Arts Legislation Amendment Act 1997—

Proclamation—sections 39, 49 and 63 of the Act commence 1 May 1998, No. 92

Casino Control Act 1982—

Casino Gaming Amendment Rule (No. 1) 1998, No. 109

Central Queensland University Act 1989—

Central Queensland University (Statutes Repeal) Statute 1998, No. 113

Courts Reform Amendment Act 1997—

Courts Reform Regulation 1998, No. 93

Dairy Industry Act 1993—

Dairy Industry (Market Milk Prices) Order (No. 1) 1998, No. 104

Dental Technicians and Dental Prosthetists Act 1991—

Dental Technicians and Dental Prosthetists Regulation 1998, No. 105

Education (Senior Secondary School Studies) Act 1988—

Education (Senior Secondary School Studies) Amendment By-law (No. 1) 1998, No. 114

Gas Act 1965—

Gas Amendment Regulation (No. 1) 1998, No. 107

Jury Act 1995—

Jury Amendment Regulation (No. 1) 1998, No. 94

Justices Act 1886—

Justices Amendment Regulation (No. 1) 1998, No. 106

Standard Water Supply Law, No. 100

Law Courts and State Buildings Protective Security Act 1983—

State Buildings Protective Security Regulation 1998, No. 98

Law Courts and State Buildings Protective Security Amendment Act 1998—

Proclamation—the provisions of the Act that are not in force commence 1 July 1998, No. 108

Local Government Act 1993—

Local Government Amendment Regulation (No. 2) 1998, No. 96

Miscellaneous Acts (Non-bank Financial Institutions) Amendment Act 1997—

Proclamation—parts 4, 5 (other than section 24), 8 and 11 of the Act commence 8 May 1998, No. 111

Nature Conservation Act 1992—

Nature Conservation (Duck and Quail Harvest Period) Notice 1998, No. 102

Nature Conservation (Protected Areas) Amendment Regulation (No. 3) 1998, No. 115

Petroleum Act 1923—

Petroleum (Entry Permission—PGT Queensland Pty Limited) Amendment Notice (No. 1) 1998, No. 110

Pharmacy Act 1976—

Pharmacy Amendment By-law (No. 1) 1998, No. 95

Sewerage and Water Supply Act 1949—

Standard Sewerage Law, No. 99 and Explanatory Notes and Regulatory Impact Statement for No. 99

Standard Water Supply Law, No. 100 and Explanatory Notes and Regulatory Impact Statement for No. 100

State Housing Act 1945—

State Housing Regulation 1998, No. 117

State Housing Amendment Act 1998—

Proclamation—the provisions of the Act that are not in force commence 1 July 1998, No. 116

Superannuation (Public Employees Portability) Act 1985—

Superannuation (Public Employees Portability) Notice 1998, No. 118

Superannuation (Public Employees Portability) Regulation 1998, No. 90

Superannuation (State Public Sector) Act 1990—

Superannuation (State Public Sector) Amendment Notice (No. 1) 1998, No. 101

Tobacco Products (Prevention of Supply to Children) Act 1998—

Proclamation—the provisions of the Act (other than section 15) that are not in force commence 31 May 1998, No. 91

Tobacco Products (Prevention of Supply to Children) Regulation 1998, No. 112

Transport Operations (Passenger Transport) Act 1994—

Transport Operations (Passenger Transport) Amendment Regulation (No. 1) 1998, No. 97

Weapons Act 1990—

Weapons Amendment Regulation (No. 2) 1998, No. 103

WorkCover Queensland Act 1996—

Executive Council Minute regarding a payment by WorkCover Queensland for the prevention of injury to workers.

RESPONSES TO PARLIAMENTARY COMMITTEE REPORTS

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

Response from the Premier (Mr Borbidge) to a report of the Member' Ethics and Parliamentary Privileges Committee entitled Review of the Register of Members' Interests of the Legislative Assembly; and

Response from the Minister for Families, Youth and Community Care (Mrs Wilson) to a report of the Public Accounts Committee entitled State Government Funding Supplied to 99 FM Community Radio Association Inc.

RESPONSE TO PETITION

The Clerk laid upon the table of the House the following response to a petition received by the Clerk since the last sitting day of the Legislative Assembly, 23 April 1998—

Cairns City Council

Minister for Local Government and Planning

22 April 1998

Thank you for your letter of 18 March 1998 regarding a petition lodged by the Honourable N Wilson MLA, Minister for Families, Youth and Community Care, Member for Mulgrave, on behalf of Ms J Carr relating to Cairns water supply.

Please note that I have written to Ms Carr on this matter on a number of occasions. A copy of my most recent response is attached for your perusal. For that reason, I wish to advise that I do not wish to take any further action or make any comment on the petition.

I trust this information is helpful to you. If I can be of further assistance, please do not hesitate to contact my office.

PAPER

The following paper was laid on the table—

Minister for Environment (Mr Littleproud)—

Environmental Protection Council of Queensland—Report No. 3—10 September 1997 to 28 February 1998.

MINISTERIAL STATEMENT

Legislation Online

Hon. R. E. BORBIDGE (Surfers Paradise—Premier) (9.37 a.m.), by leave: Honourable members are well aware of the technological advances occurring in information transfer and the benefits being delivered to our society generally. I am pleased to advise the House that Queensland legislation has now been placed on the Internet. This means that it will be freely available to all who seek to access it from midday today.

I would, however, emphasise that, while legislation online provided through the Office of the Parliamentary Counsel would be a valuable information resource, the only authorised version will remain that printed and provided by Goprint.

Opposition members interjected.

Mr BORBIDGE: I can imagine the excitement of honourable members when legislation is placed on the Internet. That would give them a real thrill.

Mr Foley interjected.

Mr SPEAKER: Order!

Mr BORBIDGE: It is a significant initiative.

Mr Gibbs interjected.

Mr SPEAKER: Order!

Mr BORBIDGE: I cannot work out why the members opposite are all so toey.

This initiative represents the largest body of material to be placed online by the State Government—some 240,000 pages. It will be a valuable research base for the business community, the legal profession and others who have cause to frequently refer to the State's statutes.

Considering the State's geographic spread, it means that all Queenslanders with Internet access can enjoy the same equitable access to Government information. Cost and geographical location should not be barriers to accessing information, and legislation is the first class of

information to be made available under the State Government's information and access pricing policy. Other information to become freely available in the future will include parliamentary Bills and Papers, Hansard, the Queensland Government Gazette and the Queensland Government Industrial Gazette. It is all part of the State Government's information technology and communications strategy, Information Queensland, which was launched last August.

I would like to place on record my appreciation for the efforts of my department and the Office of the Queensland Parliamentary Counsel, who have expedited this facility in a timely and cost-efficient manner. The cost of providing the service was about $30,000 and its annual maintenance cost is expected to be about $7,000. I am sure honourable members will agree that this is a small price to pay for speedy, free access to the State's legislation. Its web address will be www.legislation.qld.gov.au, or it can be accessed through the State's home page.

MINISTERIAL STATEMENT

Apology

Hon. J. M. SHELDON (Caloundra—Deputy Premier, Treasurer and Minister for The Arts) (9.40 a.m.), by leave: I rise in connection with Report No. 19 of the Members' Ethics and Parliamentary Privileges Committee. This report deals with Federal income tax figures which had been quoted by me in an answer to a question without notice on 9 October 1997.

The committee stated its belief that I did not intentionally mislead the House. It recommended that I apologise to the Assembly for unintentionally misleading it on 9 October last year and for not subsequently correcting the record prior to the reference to the committee. I therefore apologise in these terms and am happy to do so to set the record straight and because I have always tried to make sure the information I give to the House is correct.

MINISTERIAL STATEMENT

Abolition of Performance Dividend Arrangements, Local Governments

Hon. J. M. SHELDON (Caloundra—Deputy Premier, Treasurer and Minister for The Arts) (9.41 a.m.), by leave: I am pleased today to be able to honour a commitment made by the coalition while in Opposition in support of the local governments of Queensland. In 1993, the previous Government approved the introduction of the performance dividend arrangements as part of the Interim Budget Statement on 12 July 1993. The principle underlying the performance dividend is that there should be an equal sharing of the benefits that flow from the financial backing of the State and the superior performance of the QTC as between the State and borrowers who enjoy a lower cost of funding than they would otherwise.

The performance dividend is calculated as half of the difference between the QTC's actual cost of funds and the average interest rate of all other States' central borrowing authorities as measured by their respective interest rate yield curves. The Local Government Association of Queensland Inc. raised strong opposition to the introduction of these arrangements in 1993. In response to that opposition, the then Labor Government agreed to a three-year moratorium on the payment of the dividend by local governments. This moratorium was effected by a rebate of the State's share of the performance dividend to local governments on the basis that the rebate was to be used only for reducing local governments' debt obligations. To ensure equity with the rebate arrangements, local governments entering into financial arrangements with institutions other than the QTC during this period have not been subject to the payment of a guarantee fee.

This moratorium arrangement originally was scheduled to expire on 30 June 1996. However, since the coalition came to power in 1996, I extended the moratorium initially to 30 June 1997 and then to 30 June 1999 to allow a thorough review of the current performance dividend arrangements. A preliminary review of the operation of the performance dividend was undertaken by Treasury in 1997. This review identified that—

> there is inequitable treatment of public sector entities in terms of the payment of the performance dividend, whereby those entities that borrow outside of the QTC receive no benefit from any superior performance of the QTC;
>
> there are uncertainties regarding the precise application of State Government guarantees to financial obligations of various public sector entities; and
>
> there continues to exist strong opposition to the performance dividend arrangements from the Local Government Association of Queensland and local governments generally.

During this time, I also have received a number of representations from local governments and joint local governments from across the State requesting that they be consulted on the future application of the performance dividend arrangements.

As members will recall, the coalition strongly supported local government in its opposition to the previous Government's proposals for a performance dividend. That support culminated in the then Leader of the Opposition stating—

> "A coalition Government will repeal that distasteful and regressive legislation."

That quote appears on page 8429 of the Hansard for 22 June 1994. Therefore, I am pleased to be able to state today that the coalition Government has delivered its promise to local governments by deciding to abolish the performance dividend for local governments. I also will extend this abolition of the performance dividend arrangements to joint local governments created under the Local Government Act 1993 and other specific legislation on the basis that—

> these organisations have the general characteristics of a local government;
>
> they undertake local government activities; and
>
> they generally are funded by local governments.

In order to implement this commitment, Treasury officers are currently in the process of amending legislation effectively to exclude local governments from the payment of the performance dividend arrangements in the future. I personally will introduce this legislation to the House at the earliest possible date.

In the interim, the existing moratorium arrangements will continue to apply and the review of the performance dividend arrangements for other public sector entities will continue to be progressed by my department. This decision by the coalition is evidence of our continued support for local governments and the job that they perform in providing services to people throughout the State, particularly to those people who reside in our regional and rural communities.

By abolishing payment of the performance dividend by local governments this Government is enabling local governments to reap the full benefit of this State's ability to raise funds at a low cost. The coalition's ability to continue to pass on this benefit to the people of Queensland is due to both the QTC's superior liability management performance in operating as the State's central borrowing authority and the State's AAA credit rating, which is maintained through this Government's continued prudent fiscal management of the State's finances.

MINISTERIAL STATEMENT

Mr I. Eckersley

Hon. T. R. COOPER (Crows Nest—Minister for Police and Corrective Services and Minister for Racing) (9.46 a.m.), by leave: Last Thursday night, ABC television screened what will be hard to toss as the biggest and most scandalous media beat-up of the year. Reporter Ian Eckersley could scarcely contain his glee as he reported a call for my resignation in the wake of what he said was sensational evidence of some form of cover-up relating to last year's escape from the Sir David Longland Correctional Centre.

Eckersley waved a "leaked" copy of what he said was the "report the Government tried to keep secret", claiming it revealed that I was warned of "serious security problems" at SDL and that there had been a lack of action "which later made the" SDL "escape possible". Nothing could be further from the truth or more ludicrous. He repeated that claim later in his story, despite admitting to me that he did not know what was in the audit. He had not even read it.

He based his wild claims on a single paragraph of the Mengler report in which the audit was mentioned. Somehow Eckersley cast me as the villain. He came to that conclusion despite Mr Mengler and his team clearly stating that the escape was made possible because of a violent external intrusion in which at least 11 shots were fired at responding officers on the ground and in an armoured perimeter vehicle. Those outside helped the five escapees cut their way through the external perimeter fence after they cut through two internal fences under cover of gunfire.

Despite having a copy of the Mengler report, he obviously had not bothered to read it closely, despite claiming he had read it "from cover to cover". Had he done so, he would have seen that the Mengler team stated that security measures worked as they should have on the morning of 5 November last year. The investigators did raise the lack of training of some staff but clearly pointed out that the escape was possible because of the external firepower trained on responding jail officers. They actually praised the officers for their courage.

Despite criticism of the lack of control room training, the investigators said—

> "... it did not necessarily follow that an escape attempt of this magnitude could have been prevented by the centre staff in isolation."

They also stated—

> "As it was, it was a credit to the courage and dedication of the officers that they

> responded in the way that they did whilst still maintaining the integrity of the rest of the centre."

Later, they said—

> "What was experienced at SDL on 5 November 1997 was abnormal and a level of violence rarely seen in maximum security correctional centres in Australian penal history."

It is an ethical requirement of journalists to include all relevant information in their work. Not one word of any of this was included in the ABC report. Eckersley apparently did not want the truth to get in the way of a good story. It was unprofessional and biased reporting.

Mr Barton interjected.

Mr COOPER: That was epitomised by the member for Waterford on ABC Radio when he used the word "we" and then said, "Oh, I mean 'the ABC'." It was absolute collusion from the start. How anyone could make such a definite link between the audit report and the escape, taking into account the contents of the Mengler report and the reporter's admitted ignorance of the content of the audit, is beyond comprehension. The inspectors said in their report that the security system did its job—the alarm was sounded, it provided the delay required and proved that it needed more than one person to breach it within a reasonable time frame. Cameras went into pre-set position.

The sensationalist Labor apologist Eckersley went running to the honourable member for Waterford, who accepted the story without a scintilla of evidence. He emerged from his slumber to call, as usual, for my resignation. "It was a scandal of the highest order", he trumpeted. "Cooper must resign", he spruiked. "Secret reports, cover-ups, scandal—It's all too good to be true", the bumbling member for Waterford must have thought. The only evidence of a cover-up comes from the member for Waterford, who will say and do anything to hide Labor's appalling record in corrections. Eckersley could and should have gone to Carl Mengler, not the honourable member for Waterford. At least he would have got the story right. But the truth invariably dilutes beat-ups to also-ran status.

For the record I will tell this House about that internal audit. It was prepared not for me as Minister, but for the QCSC board. It was an audit of perimeter security right across the system, not just SDL. There were just two specific mentions of SDL. The first noted that the centre had one of "the most effective physical barriers" in the system, meaning one of the best perimeters. The second noted that the SDL gatehouse design was not as effective as that at the newer Arthur Gorrie Centre. That is hardly evidence of my inaction making possible the escape of Abbott and his mates, but is certainly proof of bias or poor reporting, or both.

What this pathetically sorry saga has proven is the obvious collusion and bias of ABC TV and reporter Eckersley with the ALP. I have no doubt that we will see more and more as the election draws closer.

MINISTERIAL STATEMENT

Police Numbers

Hon. T. R. COOPER (Crows Nest—Minister for Police and Corrective Services and Minister for Racing) (9.51 a.m.), by leave: It is time the deceit of the members opposite is exposed for what it is: cheap political stunts from the same people who claimed before the 1995 election that the coalition planned to sell off the State's hospitals. They are at it again. This time they are out to con the people over police numbers. There are not enough police, their pamphlets proclaim. They say that under this Government Queensland still has fewer police per head of population than any other State.

We are lagging in the police to population stakes for just one reason: Labor in its final three years produced just 29 extra police for Queensland, allowing the police to population ratio to slump to 1 to 525. When the coalition came to Government in February 1996 we were left with this shameful legacy of the worst ratio in the country. But we do not hear the Opposition boasting about that! The members opposite should hang their heads in shame. They are part of a deliberate strategy to strike fear into the hearts of Queenslanders. Labor would have us believe that there is a criminal under every bed, that there are so many jail breaks that everyone is in danger in their own home, that there are not enough police to go around and that the crime rates are going through the roof.

It is all a load of bunkum. The prisons escape rate under the coalition is way below that of Labor. Crime trends in 8 of 14 categories are below the national average—some of them dramatically—and there are encouraging signs that there are further sustainable improvements. There have been some remarkable results in the member for Waterford's own bailiwick. In the first four months of this year, the break and enter rate in Logan City tumbled by almost one third. Vehicle theft plummeted by more than 40%. Do we hear the member opposite congratulating the police and saying, "What a great result"? Not in a million years!

When it comes to policing and crime prevention, the coalition is streets ahead of

those opposite. They had six years to make a real difference and they failed miserably. The difference between Labor and the coalition is that the Government moved immediately to improve police numbers. We announced a 10-year staffing plan to bring police numbers back to the national average, to improve numbers dramatically in police districts right across the State. We promised Queensland 2,780 extra police over 10 years while Labor promised 1,360 fewer. Yet, those hypocrites opposite still have the gall to criticise this Government over police numbers, even in the knowledge that we have improved strength in just about every district across the State. In our first three years we will have provided an extra 800 police and 400 extra civilians to free up police for operational duties.

Labor is so, so desperate that it has shown that it will stoop to new lows in pathetic efforts to score political points even if it means scaring the elderly, women and children. With fewer police per 10,000 people, it asks, "How can people feel safer in their homes?" What Labor does not say is that there are more police now than there would have been had Queenslanders not booted it out of office. Labor also does not say that the police to population ratio is on the improve in a big way.

The members opposite hate the truth. The coalition is rebuilding the people's faith in police. We are rebuilding the Queensland Police Service, both in terms of strength and professionalism. Mr Speaker, may I table a document which shows the stark difference between Labor and the coalition? It shows the projected population of Queensland and a comparison between projected police numbers under the coalition and under Labor—and what must be for Labor an embarrassing chasm in ratio difference.

Under the coalition's staffing plan, the police to population ratio will improve from 1 to 525 under Labor in 1996 to 1 to 504 in 1999, to 1 to 471 in 2002 and to 1 to 453 in 2005. Under Labor's pathetic promise, there would be a ratio of 1 to 526 in 1999, absolutely no change by 2002 and a decline to 1 to 529 by 2005. That is the promise that Labor makes to Queensland. Under the coalition plan, Queensland will have the best police to population ratio for 25 years.

MINISTERIAL STATEMENT

Investment and Jobs Growth

Hon. D. J. SLACK (Burnett—Minister for Economic Development and Trade and Minister Assisting the Premier) (9.55 a.m.), by leave: Business confidence in Queensland is continuing to thrive under the coalition Government. International investors are choosing Queensland as the site for their Australian, Asia-Pacific and world headquarters. This is very good news for export growth and job creation in this State.

The other week, Mack Trucks announced that its Australian headquarters in Brisbane would expand into its world headquarters for the design, manufacture and export of right-hand-drive trucks. On Friday, the Premier and I announced the creation of an estimated 250 new jobs, the manufacture of the next generation of mobile phones to occur in Queensland and estimated earnings of $400m by Queensland company Voxson. Voxson's commitment and investment in the future of the State's IT & T industry has ensured Queensland is at the cutting edge of the latest information technology.

Voxson is just one of a stream of Queensland, Australian and world companies which have chosen to expand commercially in Queensland because of the supportive and responsible economic management of this Government. Since the coalition came to office, companies such as Boeing, Comalco, Shell Coal, DHL, Dascom, John Deere, Qantas, Filtronic Comtek, Silicon Graphics and Mack Trucks to name just a few have relocated or expanded their operations in Queensland.

We are not content with that, and we are continuing to promote Queensland worldwide as the best place in Australia in which to do business because it has the most supportive Government in Australia. This Government is not only successfully attracting investors to commit, but is continuing to talk to prospective investors. Just watch this space for more news on even more investment flowing into this State.

My Department of Economic Development and Trade currently has investment and major projects on its books with a total value of $15.5 billion. I repeat: $15.5 billion. Many of these projects are already a reality. The Government is assisting with the approvals process, construction has commenced and jobs have been created. Bear in mind, Mr Speaker, that this does not take into account additional job-creating projects under the charge of other departments and of my fellow ministerial colleagues. It all adds up to private sector confidence in doing business with this Government. On the matter of jobs, the projects under my department have the potential to create more than 20,300 new, direct jobs for Queenslanders. The potential for the generation of downstream employment is even more significant.

If only some of the $15.5 billion in capital investment under examination by my department proceeds, the benefits to Queensland could still

amount to billions of dollars of investment, substantial export growth and thousands of new jobs. It is the Government's mission, and my own personal mission as Economic Development and Trade Minister, to attract job-creating investment to Queensland. We especially welcome joint ventures that value-add, export to international markets and help build the additional infrastructure to enable Queensland to be even more competitive in the global marketplace. This Government is succeeding in doing exactly that.

MINISTERIAL STATEMENT

Retail Industry Strategy

Hon. B. W. DAVIDSON (Noosa—Minister for Tourism, Small Business and Industry) (10 a.m.), by leave: I am very pleased to announce that last Wednesday I launched Queensland's first comprehensive Retail Industry Strategy. The strategy represents a clear direction for the industry that will guide its efforts into the future. It was carefully compiled as the basis for the industry to plan with certainty and confidence and represents another positive, concrete initiative of this Government in our efforts to support and nurture business in Queensland.

Retail in Queensland is a vital sector of our economy, comprising nearly 25,000 establishments, and is our second largest industry with one in six business outlets being retail. It is also the employer of one in five Queenslanders and nearly one in two people under the age of 25 years. Retail's direct and indirect influence on jobs, opportunity, diversity and the creation of wealth is indispensable to a healthy, vibrant economy and community. Pressures, however, have been building, with rationalisation gaining momentum in the late 1980s largely because of increasing competition for the retail dollar from new forms of retailing and the leisure and entertainment industry. Some retailers have found it difficult to cope with the pace and direction of change with increasing concentration of the retail sector, stagnant growth in some areas of retail sales, changing patterns of retailing and the expansion of retail shopping space.

The industry does have its share of problems but retail is an extremely dynamic industry. The increasing competition also provides significant benefits to consumers and generates a very efficient industry. Retail has adjusted and will continue to adjust to the rapid shifts in the economy, consumer tastes and preferences, technology, population and much more. To take full advantage of the opportunities and demands, the industry has demonstrated a willingness to tackle these critical issues through positive discussion and the development of partnerships.

The coalition Government is building on the work that is already being undertaken within the industry to improve retailers' capacity to adapt, innovate and compete more effectively. We are providing the leadership to improve the business environment for retailers and encouraging the productive partnerships within the industry that will help to meet present and future challenges. This is why I directed that a Retail Industry Strategy should be developed in full consultation with the industry.

This strategy provides a framework to assist in addressing the important issues of the industry. It sets out the Government's aims in developing the retail sector in Queensland and contains practical initiatives that we will undertake in cooperation with the private sector. $600,000 has been allocated over three financial years to fund these new initiatives, which include—

developing better decision making in planning for shopping centre development;

facilitating better management skills amongst retailers;

encouraging a fair and workable leasing environment;

providing relevant information for the franchising sector;

improving access to and quality of advice and information to industry and to Government; and

examining the impact of issues such as markets and fairs and gambling.

The Government has not been idle while this strategy has been developed. We have in fact acted in a number of areas that needed immediate attention. As many members would be aware, the Red Tape Reduction Task Force has been established to combat the burden of unnecessary regulation on business and has already made a significant contribution by initiating the SmartLicence project. A full review of the Retail Shop Leases Act 1994 has been initiated to ensure that our legislation continues to set the best practice standard in Australia and enhances its relevance to the industry as we enter a new millennium.

I established the Retail Industry Advisory Council as part of the Government's commitment to improving access to and quality of advice and information to industry. I think we have made it clear that this Government means business, that we are prepared to attack the difficult issues outlined in the retail strategy and that we see the strategy as playing an important role in restoring confidence to the industry in general.

I look forward to working with the Retail Industry Advisory Council, members of the retail industry and other groups interested in the future of retailing in securing a flourishing retail industry as a pivot of Queensland's prosperity. The Retail Industry Strategy will play an important role for the industry in helping it develop the strength, versatility and resilience to ensure that goal is achieved.

MINISTERIAL STATEMENT

Environmental Codes of Practice

Hon. B. G. LITTLEPROUD (Western Downs—Minister for Environment) (10.04 a.m.), by leave: Recently I had the pleasure, along with my colleague the Minister for Primary Industries, of launching the Environmental Code of Practice for Agriculture developed by the Queensland Farmers Federation and gazetted under the Environmental Protection Act. The code has my approval and is a milestone in environmental protection in this State. The Chair of the QFF's Environment Committee, Mr Jim Pedersen, said at the launch—

> "This code is a landmark statement by rural industry in this State that we are committed to managing agriculture in an environmentally responsible manner."

The code covers issues of conservation of biodiversity, soil conservation, preserving waterways, managing waste, minimising air pollution and minimising noise pollution in sensitive places. The code covers generally the multitude of specific industries which make up the primary industries sector in Queensland.

The individual farming industries will formulate their own specific codes or guidelines, which will be regarded as schedules to the QFF code of practice. The sugar industry has already completed its code. The Environmental Protection Act provided for codes of practice and their adoption was encouraged in the report of the widely representative Ministerial Advisory Committee established by the coalition to review aspects of Labor's inequitable and unfair legislation. The committee said that the development and use of codes of practice were fundamental aspects of self-regulation of environment-related issues.

The code is a way in which primary producers can fulfil their "general environmental duty" under the Act. The duty of care means that primary producers must take all reasonable and practicable measures to conduct their activities and practices in a way which minimises environmental harm. It is stated in the document that rural industry organisations have strongly supported and contributed to the development of the code because producers who properly implement the code and associated commodity guidelines should be able to demonstrate that they meet the legal requirements of the Environmental Protection Act.

The code provides sufficient flexibility to deal with the wide range of practical requirements of agriculture across the State. The code will strengthen, rather than weaken, the application of the Environmental Protection Act to the industry. The duty under the Act applies to all people, regardless of whether there is a code of practice or not. However, a code of practice gives clarity to the responsibilities of the Act pertaining to a particular industry. As with other industry sectors, nearly all primary producers do the right thing environmentally. This code really formalises the increasing trend of industry to responsibly address environmental issues for both their sustainability and the community generally. I look forward to considering further industry-specific guidelines linked to the agricultural code of practice and to codes of practice from other industry sectors. Is it any wonder that the general public are fully supportive of the approach of the coalition Government to environmental management?

MINISTERIAL STATEMENT

Building Industry Safety

Hon. S. SANTORO (Clayfield—Minister for Training and Industrial Relations) (10.06 a.m.), by leave: Falls from heights are a significant cause of death and injury in the building and construction industry. The Advisory Standard for Falls from Heights was first made in 1996 to give practical guidance on how to provide protection from falls from heights during construction activity.

Generally the standard advised that where a fall of more than 2.4 metres could occur during construction work, fall protection systems should be provided. Construction work includes not only building, but excavations and removal of asbestos as well as road and bridge building. The bulk of the standard sets out methods of providing protection from falls. Since the standard was made, considerable discussion has occurred with representatives of the industry regarding the application of the provisions to the housing area of the construction industry. Part of this discussion has covered provisions in other jurisdictions which cover falls from heights.

A review has occurred of the provisions of the advisory standard and as a result the provisions of the advisory standard have been amended. The amendments will take effect from 1 July 1998. The honourable member for

Gladstone was particularly keen to see a workable solution to what was obviously an impracticable position and these amendments reflect the honourable member's representations on behalf of her constituents and the representations of others.

The amendments are quite specific in their application. They apply only to—

> building or extending to the stage of practical completion—
>
> > a detached house or one or more attached dwellings which are separated by a fire resisting wall. Examples of attached dwellings include: row houses, terrace houses, town houses or villa units; or
> >
> > a boarding house, guest house, hostel or the like with a floor area not exceeding 300 square metres designed to house not more than 12 persons; or
> >
> > non-habitable private garages, carports, sheds or the like,
>
> provided that neither the first or second type is located above or below another dwelling or another type of building.

In other words there is no change for the requirement for fall protection for falls from a height of more than 2.4 metres on all other types of buildings—unit blocks, factories, warehouses, etc.

Where one of the specified types of buildings is being built or extended the following provisions regarding fall protection come into effect—

> For single storey housing construction work—where there is a potential for an uninterrupted fall of more than 3 metres a risk assessment is to be undertaken and the type of fall protection is to be determined as part of that assessment. In some circumstances the risk assessment may show that no fall protection is required.
>
> For multistorey housing construction work—a system of fall protection is required where there is a potential for a person to fall more than 3 metres. The type of fall protection is to be determined by risk assessment.

For all other types of buildings the requirement for fall protection remains at 2.4 metres or more, with the type of fall protection being identified through risk assessment.

A great number of houses are of the single storey concrete slab style where the risk of an uninterrupted fall from a height of more than 3 metres is significantly reduced. For these instances an industry produced standard risk assessment will identify likely circumstances and any system of fall protection which may control the risk.

Prior to the implementation of the changed provisions from 1 July 1998, the HIA and QMBA together with Workplace Health and Safety inspectors will provide, through seminars and written advice, information to the industry to assist them in addressing this serious cause of death and injury in that industry. The department's web site will also provide details of the changes.

The HIA and the QMBA have both indicated their commitment to seeking compliance of their members with these provisions and supporting inspectors' enforcement activity. The amendments to the Advisory Standard for Falls from Heights provide an important illustration of the benefits to be gained by industry and Government working together and I should like to place on the record my appreciation for the efforts of Mr Greg Quinn, Executive Director of the QMBA, and Mr Warwick Temby, Director of the HIA Queensland, in making this advisory standard workable.

MINISTERIAL STATEMENT

Chuwar Residential Care Facility

Hon. N. K. W. WILSON (Mulgrave—Minister for Families, Youth and Community Care) (10.11 a.m.), by leave: On 18 March in this House, the honourable member for South Brisbane brought to my attention the fact that a departmental officer from the Department of Families, Youth and Community Care who acted as the departmental contact officer for the Chuwar project shared the same address as the director of Consolidated Care Management, CCM, the successful tenderer for the Chuwar project. On hearing this, I immediately called in senior officers of the Department of Families, Youth and Community Care and a senior officer of the Department of Justice to determine the accuracy of this claim. Later that day, I notified this House that I would have progress on the Chuwar site suspended and that I would refer this matter to the Criminal Justice Commission to be investigated, which was duly done. In addition, and concurrent with the referral to the CJC, I also commissioned a separate and independent investigation to determine the extent of any conflict of interest.

Last Thursday, 7 May 1998, I received the Criminal Justice Commission's report on this matter. The Criminal Justice Commission has determined that, although there are some matters of concern, they do not raise a

reasonable suspicion of official misconduct. The report further states that, although there is no evidence of official misconduct, it is clear that public confidence in the tendering process has been significantly reduced.

Due to the reduced public confidence in the tendering process associated with the relocation of Challinor residents, I would like to inform the House that Cabinet yesterday decided to cancel the Chuwar contract with Consolidated Care Management and also decided that the contract in relation to the Brisbane South project not be signed and that the tender process for the relocation of all Challinor residents be recommenced.

I would like to take this opportunity to sincerely apologise to Challinor residents and their families for this situation, which I recognise will delay their relocation from Challinor and which has already created an environment of uncertainty for them. I would also like to reassure them, however, that the process of relocation from Challinor will have the highest priority within the department so that any further anxiety or delay for them can be minimised.

SCRUTINY OF LEGISLATION COMMITTEE

Report

Mr ELLIOTT (Cunningham) (10.13 a.m.): I lay upon the table of the House the Scrutiny of Legislation Committee's Alert Digest No. 4 of 1998. I commend the report to the House and move that it be printed.

Ordered to be printed.

CRIMINAL JUSTICE COMMITTEE

Publications

Hon. V. P. LESTER (Keppel) (10.14 a.m.): I lay upon the table of the House a CJC publication titled Criminal Justice System Monitor—Volume 3. The publication is not a report of the commission for the purposes of section 26 of the Criminal Justice Act 1989. The committee stresses that it has in no way conducted an inquiry into the matters the subject of this publication. However, the committee is tabling this document 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 this Parliament.

TRAVELSAFE COMMITTEE

Report

Mr J. N. GOSS (Aspley) (10.15 a.m.): Last Friday, the Travelsafe Committee tabled its report on passenger security on the Brisbane Citytrain network. This is the second report from the committee's inquiry into passenger safety and security on the Brisbane train network.

I commend this report to the House and give notice that, on Thursday next, I will move that the House take note of the report.

NOTICE OF MOTION

Security in Jails

Mr BEATTIE (Brisbane Central—Leader of the Opposition) (10.16 a.m.): I give notice that I will move—

> "That this Parliament calls on the Government to increase security in jails."

PRIVATE MEMBERS' STATEMENTS

Liberal Party Preferences

Mr BEATTIE (Brisbane Central—Leader of the Opposition) (10.16 a.m.): Enormous damage is being done to Queensland's interests in Asia by the support from within the Liberal Party for the allocation of preferences to One Nation. We need tourists from Singapore. We need students from Singapore to study in Queensland, spending money on university and college courses and on goods and services while they are here, creating jobs for Queenslanders.

As proof of the damage, I table page two of a recent edition of Singapore's English language newspaper. I am told that similar stories appeared in every other newspaper in Singapore. The entire page features how the Liberal Party "wants its voters to pick Pauline Hanson's One Nation Party as their second choice". The newspaper says that ethnic community leaders have warned Mr Howard of a voter backlash. The newspaper was sent to me by a former Queenslander who has been in Singapore for five years. He says that he was stunned and upset to learn that the Liberals had decided not to put the One Nation Party last on all their how-to-vote cards. He is not alone.

The Chinese Forum is so disgusted and outraged by the position of the Liberal Party president, Bob Carroll, that it is advocating that everyone in the Australian Chinese community should withdraw funding and support for the Liberals. And like many other Queenslanders, they are not fooled by what they describe as the repackaging on Friday night of the Liberals' decision on preferences. They describe it as a crafty ploy. The Liberals should announce immediately that they will do the right thing by Queensland and place One Nation last on all their how-to-vote cards, and I challenge the Treasurer to announce that today.

Just six months ago, the Liberal Attorney-General was advocating that people found guilty of spreading hatred should serve up to seven years in jail under anti-vilification legislation. Now those plans have been dropped, and Liberals are prepared to help people spreading hatred to serve three years in Parliament.

I table for the information of the House the relevant article. I also table the article from the Chinese Forum.

Time expired.

Koalas

Mr HEGARTY (Redlands) (10.18 a.m.): Three years ago, the residents of my electorate were incensed that the then Labor Government's proposed toll road was proceeding full steam ahead despite an assurance that was given prior to the 1992 State election that it was scrapped. Based on the poor financial return from the Sunshine Motorway, there was scepticism that a toll road would actually pay, given that it was going to run parallel to the toll-free Pacific Highway a few kilometres west.

The main reason for the community opposition to the toll road was that the proposed route was going to destroy some significant environmental land, home to a number of native wildlife species—notably the koala. It may interest the House to know the results of a recent study into the contribution made by koalas to the Australian inbound tourism industry. Departing tourists were surveyed, and the result revealed that 75% of inbound tourists had hoped to see a koala when deciding to visit Australia. Furthermore, 70% of departing tourists reported that they had actually seen a koala during their stay. More importantly, however, 11% said that they would have changed their decision to visit Australia if there was no unique wildlife. This last figure has been used to estimate the tourist revenue that would be lost in the absence of unique Australian wildlife, particularly the koala. It is estimated that koalas contribute around $1.1 billion annually to the Australian tourism industry. This current figure is expected to increase further over the next decade.

Koalas are in significant numbers in the Redlands electorate, and tourism opportunities are already in place to capture the tourist dollar. The State Government has responded with the introduction of State Planning Policy 1/97—a recognition of the need to preserve koala habitat in the Redlands and adjoining electorates. The local council has implemented measures to reduce koala road deaths by restricting local road speeds at certain times of the year.

Time expired.

Teacher Numbers

Mr BREDHAUER (Cook) (10.19 a.m.): Yesterday the Minister for Education issued a press release containing the extraordinary confession that the Borbidge Government has failed to employ 207 teachers promised in last year's Budget speech. Last year the Treasurer said that she would employ an additional 1,022 teachers in the current financial year. The Education Minister said that the number was 913. Now he admits that they have employed only 815, which is 207 teachers fewer than promised by the Treasurer. He claims that that is an achievement. The sad truth is that Queensland has an Education Minister who cannot add up. Even in Queensland, we have core promises and non-core promises.

While class sizes continue to rise and students with special needs are not being provided services in classrooms, our schools are being dudded by a Minister who clearly has his priorities all wrong. When the Budget comes down on Thursday, every Queenslander will know that promises to increase teacher numbers will not be worth the paper on which they are written. This Budget will be nothing more than an election stunt. Teacher numbers will be one of the many non-core promises that the Government will break when it suits it to do so.

The Minister's statement asserts that the Government has done a reconciliation to enable it to estimate teacher numbers better. The Government still does not know how many teachers it employs. Bob Quinn knows as much about teacher numbers as the Treasurer knows about tax rates. He, too, should apologise to the Parliament. The Minister offered me a briefing after the Budget on teacher numbers. I have a better idea: if he and a few of his senior officers would like to make an appointment, I will teach them how to read the Budget papers. It is well known that the Minister refused to take the spelling test two months ago, fearing that he would fail. Now we know that he also cannot count. I suggest that he should be the first person in Queensland to sit the new Year 7 literacy and numeracy test. Minister, if you can't add up, if you can't do the numbers, you can't lead the Liberals and you can't run Queensland.

Employment

Mr TANTI (Mundingburra) (10.21 a.m.): On 22 April in this House, the Deputy Opposition Leader referred to my flyer, which stated that I was going to pick a fight. Does he not realise that I won that fight? In that speech, he said that I had stated—

> "I'll make sure that everyone without a job, particularly our kids, are given every opportunity to get one."

He then said—

> "Let us look at the true situation."

On 6 May he visited Townsville. At 11.15 a.m., he was on the radio, stating that I did not know what was going on on the economic side of Townsville. However, the front page of that day's Independent newspaper carried the headline "Youth at work". It was subheaded "Young jobless figure falls 4%". He made those accusations at the same time that that headline appeared on the front page. That article clearly stated—

> '"We've been expecting an economic boom for years,' ...
>
> 'This is the best we've seen for about three or four years.
>
> 'We're heading into exciting times,' ... "

I have sent copies of this magazine that I am holding up to every member's office. It is headed "NQ an economic powerhouse". I hope the Deputy Leader of the Opposition reads it. It tells him the truth. He should make note of it. I am very proud because my son, who works for the Townsville Bulletin, produced that front page. If the House were to give me the time, I could quote from that magazine for an hour. It sets out the economic truths of Townsville, as stated by the Premier, Mr Borbidge—

> "Townsville is more than the powerhouse of North Queensland. It is a focus for the infrastructure development and export drive which has helped to propel Queensland's economy to a rate of growth that is twice the national average."

Opposition members should not take just the Premier's word. They should consider the words of the Mayor of Townsville; he is a Labor supporter. The magazine states—

> "Whether through provision of essential services or support and involvement in culture, sport, lifestyle or industrial enterprises, the Townsville City Council is a participant in the region's success."
>
> Time expired.

Comments by Member for Greenslopes

Hon. M. J. FOLEY (Yeronga) (10.23 a.m.): The Liberal Party is continuing a campaign of blatant untruths in the Greenslopes electorate. The Liberal Party continues to have as many problems in telling the truth as the Attorney-General does in failing to deliver his much-promised truth in political advertising legislation. Take for example the hapless case of the member for Greenslopes, caught out in his untruthful claim in a letter to his electorate that Labor had voted against the Penalties and Sentences Bill's increasing the non-parole period for serious violent offences. When confronted with that untruth in the local newspaper, the South East Advertiser, the member for Greenslopes resorted to yet another untruth. What a tangled web he weaves when he practises to deceive.

In its report of 6 May, the member for Greenslopes was quoted as saying that the motion by the Opposition to refer the Bill to an all-party parliamentary committee amounted to an opposition to the Bill. However, a simple look at the debate timetable would show that to be false and inaccurate. The Bill was introduced into Parliament by the Attorney-General on 19 March. The second-reading debate commenced on 26 March, that is, the Government caused the Bill to be debated just one day greater than the minimum allowed under the Standing Orders. In my second-reading speech, I moved a motion that the Bill be referred to the Legal, Constitutional and Administrative Review Committee for public consultation, with the direction that the Bill be reported to the House by the next sitting day, 29 April 1997. That is hardly languishing, as claimed by the member for Greenslopes.

He should have been disciplined by the Attorney-General in whom this Parliament has had no confidence for 265 days. He should have been disciplined by his leader, the Treasurer, who has failed to take a stand on principle, just as she has failed to take a stand against the disciples of bigotry and prejudice in the One Nation Party.

Time expired.

Preston Resources; Nickel Mine

Hon. V. P. LESTER (Keppel) (10.25 a.m.): Central Queensland is absolutely delighted at the announcement that Preston Resources has obtained finance to start a nickel mine. That project will employ some 200 people. Over 1,000 people will be employed during the construction phase. The provision of jobs in a 1 to 4 ratio will benefit us in central Queensland and Rockhampton in a very big way. I call upon the Labor Party to ensure that they get behind the Wik 10-point plan. The simple facts of life are that there are at least two native title claims in that region. It is a fact that we will have to advertise. It is a fact that the mine can be stymied by native title claims. I need to think only of Century Zinc and what happened there——

Mr McGRADY: I rise to a point of order. The member for Keppel is lying, because the company accepts that there is no native title problem.

Mr SPEAKER: Order! That is an unparliamentary remark. I ask the member to withdraw.

Mr McGRADY: I am sorry—"misleading". I apologise and withdraw.

Mr LESTER: There is nothing for me to apologise about. I am stating what the law is. I suggest that the Labor Party gets behind the Wik 10-point plan and ensures that this mine is not mucked up the way the Century Zinc mine was mucked up. Jobs are on the line at Century Zinc, because the Labor Party does not have the courage to get behind what is necessary to ensure that those jobs are created. We have a great project ahead of us. We of the Queensland Government have done all that we can to make it work.

Emergency Services

Hon. D. M. WELLS (Murrumba) (10.28 a.m.): Queensland viewers were recently deeply moved by the sight of a moist-eyed Minister for Emergency Services receiving a plaque in a prearranged, spontaneous celebration of his achievements in providing firefighters with a pay increase and increasing firefighter numbers by 143. Why was the Minister crying on such a happy occasion? He was crying because he knew that the pay increases were unfunded and, in any case, would have been won by the union if he had never lived and breathed. Furthermore, he knew that the increases in firefighter numbers were all done by sleight of hand and did not actually lead to any increases in firefighter numbers on the fire trucks.

Of the so-called increase of 143 fire fighters, 60 were achieved by counting full-time employed firefighters who had not been counted in the figures before. There used to be a pool of 60 firefighters who were allocated to different stations according to when the permanent staff of those stations were having rostered days off. Now those 60 have been allocated to specific stations, and the stations look after the gaps caused by the rostered days off. There were no more firefighters, but the Minister decided to claim credit for another 60 in the permanent establishment of fire stations.

As to the rest of the so-called increase that the Minister has achieved—the union advises that those are, in fact, replacements for people who have retired or resigned. At least if they are not, the union does not know where they are. It told me that they are certainly not on fire engines. Probably a more accurate figure is found in last year's Ministerial Program Statements, which state that the number of operational full-time permanent firefighters has gone down from 1,925 to 1,842, while the number of temporary casual firefighters has gone down from 116 to 70. At the same time, the Ministerial Program Statements record that the number involved in business services has gone up. All this Minister has ever achieved is a gratuitous increase in the number of boards and managerial staff. It should have been the firefighters who were crying, not the Minister, but then perhaps the firefighters are made of sterner stuff.

Time expired.

QUESTIONS WITHOUT NOTICE

Millennium Bug

Mr BEATTIE (10.30 a.m.): I refer the Treasurer to global efforts to counter the impact of the so-called millennium bug before it wreaks havoc on computer systems on 1 January in the year 2000, and I ask: will she guarantee that Treasury will provide all State Government departments with the necessary funding to pay the estimated $150m to $200m it will cost to protect Government computer systems from the millennium bug or, as it will cost departments an average of $16m each to rectify the problem, including $36m for Health, $11m for Police and $8.5m for Emergency Services, what services to the public will have to be cut because the Treasurer and Treasury are insisting that departments must either fund the system upgrade out of their own budgets or take out Treasury loans to pay for the modifications?

Mrs SHELDON: Treasury is well aware of the problems with the millennium bug. In fact, it has been allocating funds and putting them aside for just that purpose. It is a whole-of-Government approach. We in the coalition Government are very proactive on this. There will be no cuts to any budgets of any departments.

Prison Management Plan for Brendon Abbott

Mr BEATTIE: I direct a question to the Minister for Police. I table the prison management plan for Brendon James Abbott issued to Sir David Longland Correctional Centre staff on 26 October 1996, which enforced tough escape-proof security procedures for Abbott, including prohibiting Abbott from movement to any area of the jail outside maximum security unit 6B and ensuring Abbott was double escorted and handcuffed at all times during any movement within the jail, and I ask: knowing Abbott's

notorious record for escape attempts, why did the Minister go soft on crime and allow prison authorities to rescind this plan just one month later, on 22 November, and order that Abbott be treated like any other inmate? And then he escaped!

Mr COOPER: The Leader of the Opposition is so wise after the event. That is a pathetic question. Given the pathetic, hopeless record of the members opposite when they were in Government, it is ridiculous to think that anyone on this side of the House is soft on crime. Between 1990 and 1996, when members opposite were in Government, they held the record for the number of prison escapes. There were pedestrian crossing signs not only outside the Arthur Gorrie Correctional Centre but also outside the Sir John Oxley Youth Detention Centre, from where in one year 109 got out! It was a case of opening the gate and letting them go—"Prisoners cross here"! That is exactly what happened when Opposition members were in Government.

From 1990 right through to 1996, when Opposition members were in Government, they had a hopeless, pathetic record of being soft on crime from the top of the correctional system to the bottom. They ran down police numbers, they had an opportunity to do something about police powers and responsibilities and yet they did absolutely nothing. They put all that on the back-burner because they were soft on crime. It does not matter whether the prisoners were inmates such as Abbott or anyone else, when Opposition members were in Government, they made sure that prison instructions were weak and soft.

That is the record that members opposite have to wear. From 1990 right through to 1996, members opposite sent that message of softness on crime out there into the community. That is why crime started to spiral and that is why this Government was left to clean up the mess. This Government not only increased police numbers right across the State but also it increased police powers and responsibilities, it increased penalties in sentencing, it set up the new Crime Commission and brought in a new Criminal Code. The list goes on and on and on. There is no comparison between this Government's record and that of the Opposition when it was in Government. This side of the Parliament is strong and tough on crime. Numbers in prisons have increased because this Government has got tough on crime.

The Opposition even voted not once, but twice, against the introduction of the new Criminal Code. It has been soft and objected to anything that this Government wanted to do in relation to being tough on crime. Because of the tough policies of the coalition Government, almost 2,000 criminals are now behind bars who would have been out on the streets if corrections had been left to members opposite. That was how good on crime Opposition members were when they were in Government. They were soft and pathetic. The beauty of it is that everyone knows that, because the Opposition's record when it was in Government speaks for itself.

Briztram Project

Mr MITCHELL: I ask the Premier: could he outline to the House the extent of private sector interest in the State Government's proposed Briztram project?

Mr BORBIDGE: A key milestone in the Brisbane light rail project was reached on 1 May. On that date, an invitation was issued for expressions of interest from the private sector for the financing, design, construction, operation and maintenance of Briztram. Also on that date, the detailed planning work that has taken place to date was released publicly.

This document proves that suggestions by the Lord Mayor and others that this project has not been subject to detailed planning are totally without foundation. In fact, very detailed reports have been prepared on noise and vibration assessment, air quality assessment, engineering aspects of the project, contaminated land assessment, flora and fauna impacts, cultural heritage issues, visual assessment, urban design assessment and land use issues.

Mr Ardill: What about the traffic congestion?

Mr BORBIDGE: The member should just be patient. The report is publicly available. I am happy to make it available to the member. In addition, there is even a detailed report on the impact of trams travelling across the Victoria Bridge.

Mr Purcell: Table it.

Mr BORBIDGE: It has been released publicly. On 25 April, I released the preferred route for Briztram. That was the route recommended by the consultants, which would form the basis for calling expressions of interest from the private sector and which would allow the public to make specific comments on the network. The public have until 26 May to have their input into the preferred route and this marks the beginning of the second phase of the public consultation process.

One of the disappointing aspects of this project has been the sometimes blatant misrepresentation of the extent to which the community is to be involved and the way that this

project is proceeding. From the outset, I have made it clear that the community will be involved closely at all stages. In that regard, I am informed that the consultants are visiting all residents of Boundary Street near the proposed bridge so that their specific input can be obtained. At every stage of this project the ability of local residents to put forward their point of view will be facilitated and encouraged because, apart from anything else, this project is all about breathing new life into the inner suburbs and assisting residents. This is not just a transport project but a project designed to restore heritage values, encourage tourism and bolster urban renewal.

Already there is significant interest in Briztram from institutional investors. The registration of interest phase has concluded and I am pleased to advise the House that even this preliminary phase produced encouraging results. Thirteen entities and consortia registered their interests in the Briztram project, including five separate consortia. Without disclosing each of the bidders, it is interesting to note that five major banks have already registered their interest in participating in this project.

The documentation lodged is of high quality and as we have not even concluded the time for formal expressions of interest to be lodged, the community can rightly be encouraged that the Briztram project has grabbed the imagination and interest of the commercial community to the same extent as it has grabbed the imagination and interest of the general community.

The registration of interest phase has also highlighted the blatant hypocrisy of Brisbane's Lord Mayor and the Brisbane City Council. From day one, every effort has been made to involve the council in every aspect of the planning for Briztram. Unfortunately, the Lord Mayor and his deputy have publicly attacked this proposal as a pre-election stunt, as unnecessary, as diverting public funds from other more pressing projects, as lines on a map without any proper planning, and as a project without merit—and that was all on one day!

Time and time again the council refused to disclose whether it would be bidding for the project and refused to outline what probity steps it would put in place. It has put the State Government in an almost impossible situation. On the one hand, the cooperation of the council is absolutely necessary and there is every reason why all information to hand would be disclosed to its officers. On the other hand, if council were to bid for Briztram then disclosure of information to it which would place it in a better situation than other bidders would taint and jeopardise the entire bidding process.

One might think, having regard to the way council has attacked the project and indicated that it would not provide $15m towards it, there would be no way that council would potentially expose Brisbane ratepayers to a bid of in excess of $100m. If people think that, they are wrong. From information to hand, the Brisbane City Council has already lodged a registration of interest for Briztram and has been negotiating with Queensland Rail to bid as a consortium for the operation of the system.

How did this information come to hand? Queensland Rail has written to other bidding consortia telling them that, and these consortia have in turn approached the State Government. For totally cynical, short-term, party political reasons, the Lord Mayor has denigrated and run down Briztram, yet from the outset he has been secretly planning and in negotiations to bid for the system. The Lord Mayor has the cheek to talk about ethics, yet he has been trying to pull off one of the biggest political con jobs of recent times. I now publicly call on Lord Mayor Soorley to come clean and own up to the fact that he intends to bid for Briztram.

As I have mentioned, the State Government wants to cooperate with the city council. If the Lord Mayor and his administration do the right thing, if they disclose their interest, if they outline what steps they will put in place to prevent conflict of duty and interest problems arising, including protection of due process and probity issues, the State Government will work with the officers jointly in the public good.

In conclusion, the only pre-election stunt relating to Briztram is the fraudulent posturing of the Lord Mayor and the Brisbane City Council. Perhaps the Leader of the Opposition would also care to disclose whether he and his deputy have been part of this con job.

Prison Security

Mr BARTON: I refer the Minister for Police and Corrective Services to the disgraceful situation last week at Woodford prison when 276 inmates had to be locked in their cells for two days because knives and keys to the jail went missing. I ask: have the knives and missing keys since been recovered by jail authorities or, as witnessed by recent mass escapes and other jail security breaches, is the Minister's management of prisons so incompetent that he is now giving inmates the keys to stop them damaging the fence when they escape?

Mr COOPER: This question does give me another opportunity to let those opposite know how well the system really is going in comparison with the situation under Labor. It had Ministers

who, when prisons caught fire or riots broke out, went back to the bar for another beer.

Everyone knows that these sorts of things do happen from time to time. The main issue is what is done about it. Labor would have let it go. It would have said, "What does it matter? We will give them an easy ride." Now there is accountability in the system. When matters of a human nature such as this occur, certainly people will be held accountable.

Mr Elder interjected.

Mr COOPER: They are his keys. I am more concerned about other keys, certainly not his. The matter of the keys is under very vigorous investigation. When these things occur, quite obviously action has to be taken, and appropriate action was taken at the time. The locks were changed. All security personnel have said that there was no danger and no risk of any escape. Other security measures were put in place straightaway. This was a good test for that type of occurrence. When this incident occurred, security personnel acted straightaway, closed the system down and renewed the locks. Now we know that, because of their prompt action, any risk of an escape was put to bed.

Hospital Waiting Lists

Mr CARROLL: I ask the Premier to advise the House of the more recent initiatives to address the issue of hospital waiting lists and how the record of this National/Liberal coalition Government compares with that of its predecessor, now languishing in Opposition.

Mr Fouras: Now you can't put it on television.

Mr BORBIDGE: I can promise the member for Ashgrove one thing: we will not be putting him on television. I thank the honourable member for Mansfield for his question, because I do not think there is another area of public administration that more starkly defines the difference between this Government and our predecessors than the revolution in respect of health and waiting lists in this State. The honourable member for Ashgrove is a living example of how the truth hurts.

This Government inherited the longest waiting times anywhere in Australia for Category 1 surgery. The record of this Government in tackling Labor's waiting list blow-out needs repeating. It has taken this Government to bring about a reduction in Category 1 waiting lists to just under 2% for patients waiting more than 30 days—the best record by any Government in Australia.

The outstanding record of this Government in terms of health can be summarised by the following figures. More than 98% of Category 1 patients are now getting their surgery on time, whereas under the various former Health Ministers opposite—all dismal failures—only 51% of Category 1 patients managed to get their surgery on time. The hard work in terms of Category 2 continues.

Mrs Edmond: Why won't you explain this—17 months on pain killers?

Mr BORBIDGE: I will get to the honourable member in a minute. Seventy-eight per cent of Category 2 patients are now getting their surgery on time. Under the various failed Health Ministers opposite, only 58% of Category 2 patients got their surgery on time. This Government has managed a 20% improvement in Category 2 lists in just over two years. There is more work to be done. Through our Surgery on Time program and with additional money flowing from the recently signed Medicare agreement, the attack on waiting lists will continue.

For the best part of the last two years we have heard the denials of the Leader of the Opposition and the line-up of failed Health Ministers as to the extent of the crisis left for this Government to clean up. One would think that, with an election just around the corner, it would be appropriate for the Leader of the Opposition to "do a Gareth"—to admit that Labor got it wrong, to own up to Labor's mistakes in Government and to own up to the fact that Labor presided over the longest waiting lists and worst waiting times in Australia.

To jog the collective memories of those opposite, I will quote from the speaking notes of former Minister for Health, the honourable member for Capalaba, now the Deputy Opposition Leader. These speaking notes reflect a Minister going to Treasury seeking a better deal for his department. Let us take in the comments made by former Minister for Health, the member for Capalaba, as he fronted the Treasury boffins looking for a better deal for health. His speaking notes state—

> "Talk in the Treasury of reducing activity levels as a result of Pool B, and in this year's supplementation, carry very high political risks. Why do they think we have a waiting list problem?"

His notes go on to state—

> "I can tell you that very few people I talk to think we are even holding our own on waiting lists. The perception out there is that we are going backwards."

His briefing notes then state—

> "And you can bet anything you like that Borbidge or Horan will take up Bob Carr's promise of halving the lists in their first 12 months or resign."

The next line of the speaking notes to Treasury of the Deputy Leader of the Opposition, the then Health Minister, state—

> "Wayne, don't make the same promise ..."—

as Bob Carr—

> "There is no doubt that health will remain in the public eye. We cannot afford to do everything but we need to have a strategy for waiting lists."

The then Minister for Health stated "we need to have a strategy for waiting lists". He did not have one. Mr Speaker, can you image that almost six years into the life of the former Goss Government the then Minister for Health, who now seeks the office of Deputy Premier of this State, was forced to admit that there was not and never had been a strategy to tackle record waiting lists? He was forced to make an impassioned plea to his boss, the member for Logan, to not follow Bob Carr's lead and offer to resign if waiting lists did not halve in the next 12 months. He pleaded, "Wayne, don't make the same promise." It is here in writing.

I now return to the former Minister's introductory comments. He stated—

> "We all know health is going to be the biggest single issue in the election. We also know the Opposition will promise the world knowing it won't have to implement any of it."

We did not promise the world, we promised only a better deal and we have delivered it. That is more than Labor did after the 1995 election, when under the stewardship of the man who aspires to be Premier of this State waiting lists got longer and longer. That is perhaps the reason the former Minister and now Leader of the Opposition was moved to say after his 100 days of listening—

> "Well, frankly, there have always been waiting lists for non-urgent and elective surgery, and there always will be waiting lists."

That was the policy of the Leader of the Opposition after his 100 days of listening. In other words, "Frankly, my dear, I don't give a damn." That was the attitude of the Leader of the Opposition and that was the record of Labor after six years in office. They did not even have a strategy in place to tackle the record waiting lists over which they were presiding.

Police Down Under Magazine

Mr ELDER: I refer the Minister for Police to page 102 of the latest issue of Police Down Under, the official magazine of the International Police Association in Australia produced by serving police officers in Brisbane, and I ask: why does this police magazine contain an advertisement promoting Players on the Gold Coast—the notorious sleaze club and prostitution front for convicted brothel king Warren Armstrong? Is the Minister so soft on crime that instead of policing prostitution his officers are promoting it?

Mr COOPER: I will answer only the first part of the question, because the rest of it simply is not worthy of comment, except to say that we are not soft on crime. Members opposite are the ones who are soft on crime. That is their record. We have been through that record before. If, as the member says, those comments are in that magazine, why does he not go and ask them why that is the case?

Royal Brisbane Hospital

Miss SIMPSON: I ask the Minister for Health: would he please inform the House of any significant performance improvements now being delivered by the Royal Brisbane Hospital and how the hospital's current performance compares with its performance in 1995 under the previous State Labor Government?

Mr HORAN: It is a great pleasure to talk about the achievements of the staff at the Royal Brisbane Hospital, which is one of the biggest hospitals in this State. At the outset it is important to recognise that that hospital takes about 40% of its patients from all over the State, not just from the Brisbane area. The hospital treats all of the State's major trauma cases and some of the most serious burns and infectious disease cases. The hospital is truly worthy of being considered one of the best in the world.

By now it has been well recorded that under the previous Labor Government's dismal, failed health system—and we heard about the admission from one of its former Health Ministers, Mr Elder—waiting lists were going backwards and there was no plan. We introduced Surgery on Time, which has seen a reduction in long waits for Category 1, or urgent elective surgery, from 49% to 2%, which means that 98% of Category 1 urgent elective surgery patients at the 10 major hospitals are getting their operations on time. At the same time, we have already reduced the long waits for Category 2 from 43% to 22%, which means that 78% of patients at those 10 major hospitals are having their operations on time.

Today it is worth noting the magnificent efforts of the staff at the Royal Brisbane Hospital. Since November 1996, its Category 1 waits have been less than 5%. As at the end of last month, they had reduced Category 2 long waits to 6.4%—just 1.4% off the target we have set for the end of June of less than 5%. For a hospital such as this one to achieve that outcome in the midst of treating major trauma, burns, infectious disease and all of the other cases it treats is simply outstanding.

Let us compare that great achievement by the Royal Brisbane Hospital with what the previous Labor Government did to it. In particular, I wish to refer the House to the notes prepared for the former Health Minister, Mr Elder, when he went to the Estimates in 1995. His notes state—

> "Current bed closures at Royal Brisbane Hospital arising from systemic budget issues do have an operational effect on operations which is slowly being amended."

His notes go on to state that "there are currently 110 beds decommissioned at the RBH". This was a hospital that used to operate at 95% to 100% bed occupancy. It was almost totally chock-a-block all the time, and Labor closed 110 beds. One medical ward and the equivalent of three surgical wards that would normally accommodate elective surgical patients were closed. Mr Elder's notes further state—

> "... to complement this reduced throughput of elective surgical patients a number of operation lists have been decommissioned also. These are rotated daily between the surgical subspecialties to ensure equity of effect on elective patients and surgical staff."

What he really wanted to do was to hurt them evenly right across-the-board regardless of category or subspecialty. Mr Elder's notes further state—

> "... the effect of such restrictions has been to reduce the elective surgical admissions by approximately 30% ..."

That is the comparison of the operation of the major hospital in Queensland—one of the most important hospitals in Brisbane and for the balance of the State. Labor cut elective surgery by about 30% by closing 110 beds. Under the coalition, in just five short months we reached the target of no long waits for elective surgery. Under the coalition, Category 2, or semi-urgent elective surgery, is already down to 6.4%. That is a magnificent effort by the staff.

I would like to say that Governments can give direction and Governments can put in place the cash, the plan and the funding, but ultimately it is the staff who make the achievement; it has been the hard work of the staff. Already this financial year 7,500 more elective surgery operations have been undertaken compared with last year's record number. That is at least 7,500 more Queenslanders getting an operation than would have been the case under Labor. Once again, the Queensland coalition is getting on with the job.

Hummer Armoured Perimeter Vehicles

Mr LIVINGSTONE: I refer the Minister for Police and Corrective Services to the new $170,000 Hummer armoured jail perimeter vehicles that he launched last month in a blaze of publicity following the mass break-out at Borallon prison, and I ask: is it not true that none of these vehicles has been deployed and that they have all been stuck in the workshop since his launch because of difficulties fitting the necessary equipment and because no prison staff have yet been trained in their use?

Mr COOPER: As usual, the member opposite got it wrong. Firstly, let us look at what the people opposite did with perimeter vehicles and compare it with what we have done and are doing. Again, it is a huge contrast because the people opposite did nothing. As well as that, they did not train prison officers in the way they should have been trained. The people opposite were soft on training prison officers and their morale was down through the floor—and that was proven. It does not matter whether we talk about people in the Prisoner Transport and Escort Section or the prison officers themselves, especially out at SDL—all of those people were not trained. We had to find out what needed to be done and come back and clean up the mess that the Opposition left us, and that is exactly what we are doing.

At the time we said that the first Hummer would go to SDL and the others would come over a period of time. There are going to be seven for the other secure perimeters and there are going to be six for the Transport and Escort Section, so there will be 13. I said that they would be coming out over the next few weeks and months, and they are. I mean no disrespect to anyone except the member opposite, because once again he tried to conjure up some facts out of nothing. He knows he is on a loser; he has a shocking record.

Incidentally, those Hummers are pretty good machines and they are very effective. I can assure the honourable member that—and I hope we do not have to use them—if we do have to use them, at least we will be protecting the lives of prison officers whom the people opposite put

at risk because they would not do anything with regard to training or protecting them.

Mr Borbidge interjected.

Mr COOPER: That would be right. They were used in the Gulf War, and the US Army also tested those for two years to try to eradicate any problems with them. We said yes, that we would pick them up. We believe that they are the best. As far as we are concerned, we will have nothing but the best for our prison officers and for the security of the community—to keep the perimeters safe.

The members opposite did not; they exposed the entire Queensland community with their rotten, weak laws and the fact that they never bothered to train prison officers or give them the necessary equipment and tools to do the job. They ran the whole system down to what became a pathetic mess. They are a disgrace, particularly the member for Ipswich West and his mate the member for Waterford, because they were so weak and so soft on crime. That is why we are having to pick up the pieces and give the prison officers good material and good equipment. We make no apology whatsoever for that.

I have said that there will be seven Hummers for the perimeters of all the secure prisons. That is something the lot opposite never did and would never do: give the prison officers the safety and security to enable them to do the job. If those sorts of things happen again, then of course they are going to have far better equipment to be able to protect the community and protect the prison officers. We make no apology for that, and we are going to continue it.

Prison Escapes

Mr GRICE: I ask the Minister for Police and Corrective Services: can he please advise the House of the appalling corrections escapes record under Labor and answer the question that was recently put by the Opposition—and I completely support the question put by the Opposition—"does he know where Brendon Abbott is tonight"?

Mr COOPER: I have a rough idea. I think I have a pretty fair idea and I know darn well that the people opposite have a pretty fair idea, too.

Mr MACKENROTH: I rise to a point of order. Can the Minister guarantee that Brendon Abbott has not got the keys?

Mr SPEAKER: Order! I do not know if the Minister can guarantee that, but I can guarantee that there are going to be a few warnings under Standing Order 123A. I now ask honourable members to cease interjecting.

Mr COOPER: We can guarantee that that was a frivolous point of order. How stupid the member opposite is! I thought he would have known better. He is supposed to know the Standing Orders. He is making a mockery of this place.

Mr Hamill interjected.

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

Mr COOPER: We are going well. I will just stay a bit longer. Without being facetious, I have a fair idea of where Brendon Abbott is. However, someone said that the lot opposite had produced about 150,000 pamphlets asking me, "Where is Brendon Abbott tonight?" What are they going to do with all their pamphlets now? Are they going to pulp them? They might as well. All they are doing is telling lies. They believe in truth in advertising, yet all they want to do is go out there and tell lies to the people. If they think they are going to con the people, I can tell them that they will not. They have not got a hope in creation of fooling the people.

I will run through again the Opposition's record of success—or failure—on the escape rate when it was in Government. Let us do some comparisons to see how weak and soft the people opposite were during the time that they were in office. There were 22 escapes under that lot during 1990, and 42 the following year—out of secure custody. It is unbelievable stuff! In 1992 there were another 22 and then there were 19 in 1993. As I have said, the Labor Government had a revolving door policy, and it was renowned for it. That will always stick with Labor—a revolving door; weak; soft on crime; and no help, support or assistance to prison officers.

It made sure in the Criminal Code and in the Penalties and Sentences Act that prison was a last resort punishment. That meant "let them all out; do not put them in". We came in and removed that section. We said that we would put the protection and safety of the community first, and we did that. So we are seeing prison numbers rise, and we make no apology for that because we said we would come in and be strong on crime, and that is exactly what we are doing.

Not only that, but in 1994-95 we had the appalling situation in which there were 109 escapes from the juvenile detention centres in one year. That is absolutely unbelievable stuff, all under the lot opposite! They were weak, soft on crime, soft on security, paid no attention to prison officers' security or training and paid no attention to making sure that they would keep the people safe. The members opposite could not give a

hoot for the community; that is just their way. The point is that everyone knows it.

They have been putting a bit of rubbish out—again, absolute lies—on escapes under this Government. They mentioned the figure of 126. That is again a totally and utterly fictitious figure. It is absolutely false! I will put that in perspective. In 1996-97, our first year in office, there was one escape from secure custody—just one. In 1997-98, yes, there were 13, and again there are reasons for that. However, honourable members opposite should not forget that there were only 14 from secure custody in the past two years compared with their shocking record, which is again now on the record and it can stay there so everyone can know exactly what their record is.

We have put in place a number of measures since those escapes from SDL occurred. Members should not forget that the methods that were used in that break-out have never been used in Australian penal history. It is one of those unbelievable, phenomenal experiences. The use of high powered firearms to shoot from the outside in has not been experienced before.

Mr Barton: Made up for it since though, didn't you?

Mr COOPER: That is exactly right. We have taken extraordinary measures and spent a lot of money—and we will continue to do it—to upgrade the facilities, which should have been upgraded long ago, and which were left to languish under the lot opposite. Again, there is no way in the world that the people will ever forget the disgraceful, weak, soft on crime attitude that the members opposite adopted back then. It must never be repeated in this State. That is why people will not vote for them: because they have a proven record of failure and a proven record of being soft on crime. As far as we are concerned, we have adopted a totally different attitude, and the record speaks for itself. The massive increases in prison security, the massive increases in the number of prisoner beds and all of the increases in police numbers I mentioned before are all on the record. No-one can take that record away from us because we have nailed it up on the wall, and we will drive it into the members opposite during the election campaign. We have the record and we have the results, and all they have left is failure and being soft on crime.

Early Release: Mr R. Bradfield

Ms SPENCE: My question is directed to the Minister for Police. Why has notorious Townsville paedophile Robert David Bradfield been given early release from prison just two years and 11 months into his five-year sentence for sexually molesting six young boys aged between four and 11, and what comfort can the Minister give to the distressed parents of these young victims who see Bradfield's early release as yet another example of his being soft on crime?

Mr COOPER: The sentencing of this person occurred during the time when Labor was in Government.

Mr Schwarten: So what!

Mr COOPER: Therefore the eligibility date for his release follows from his sentencing. Everyone knows the record of those opposite on sentencing. To save the Parliament's time, I table the brief I have here.

Bulk Sugar Terminals

Mr MALONE: I direct my question to the Minister for Primary Industries. Could the Minister explain this Government's landmark decision to transfer the security of tenure of Queensland bulk sugar terminals back to the sugar industry after six years of inaction by the Labor Government?

Mr ROWELL: This is a very important question. This whole matter concerns Labor's inaction over a period of six years.

Mr Schwarten interjected.

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

Mr ROWELL: Those opposite did absolutely nothing as far as the sugar terminals were concerned. Labor had plenty of opportunity to do something, but it was not until this Government came into office that we were able to fulfil the obligation of handing the terminals back to the responsible people in the industry. I acknowledge the contribution by the Minister for Transport in helping us to fulfil this obligation. It took the Government a little over two years to finalise this matter.

Labor stands indicted because of its inaction. The obligation to hand the terminals back arose from the findings of the Sugar Industry Task Force back in February 1993. There was interest at State and Commonwealth level in having the terminals returned, but Labor procrastinated and did nothing about it.

The former Minister for Transport, the member for Ipswich, was quoted in the Courier-Mail as follows—

> "The Opposition Treasury spokesman, David Hamill, was quite disgusted about the

fact that they were virtually being handed back to the industry."

Mr HAMILL: I rise to a point of order. The honourable member is misleading the House. I made the point that it would be a disgrace to hand over freehold title in public lands to the sugar industry; that the title should remain in public hands and should not be privatised. Our ports should not be privatised.

Mr ROWELL: The member does not know what he is talking about because it is not freehold at all. It is handed over on a long-term lease. He has got it wrong again. What did he do about it? Absolutely nothing! I have here a letter from the former Minister for Primary Industries which quite clearly states that the Opposition was going to do something about this matter. Do those opposite want me to table the letter? It is an interesting letter which was written by Ed Casey. It states—

"Dear David

You would recall our recent discussions regarding the question of ownership of bulk sugar terminals, and your agreement that such ownership pass to the sugar industry."

The letter went on—

"It is envisaged that the Land associated with the terminals would be leased by the Corporation at a nominal rental."

Does the honourable member deny that?

Mr HAMILL: I rise to a point of order. I answered the question. I don't deny it at all. What I said was that the land should not——

Government members interjected.

Mr HAMILL: The Minister asked a question——

Mr ROWELL: I do not think there is a point of order. He is not asking me a question; he is simply putting some more information into the debate. The honourable member simply sat on his hands and did nothing. He had six years to do something about this matter. It took this Government, particularly at primary industry level, to finalise the matter. The industry is absolutely ecstatic about this outcome. Those involved now have returned to them something which was rightfully theirs. This is just another example of Labor's failure when it was in Government.

Teachers

Mr BREDHAUER: I have a question for the Treasurer. I refer to the admission by the Education Minister that the Government has employed 207 fewer teachers than the Treasurer promised in last year's Budget Speech. I ask: will she guarantee Queensland parents that there will be no further cuts to teacher numbers in pre-school, primary, secondary and special education in comparison to last year's Budget Estimates, or should they regard her Budget commitments as just a list of election promises to be broken as she pleases?

Mrs SHELDON: All questions regarding the Budget will be answered when I bring it down on Thursday. However, could I say that this will be more of the good news for Queensland? It will build onto very good Budgets that we have previously delivered. When we came into this place we were faced with an underlying deficit of something like $230m. We dragged that back. We closed the black hole left by people such as the Leader of the Opposition, Mr Beattie. Does Mr Beattie remember his Health black hole? Mr Beattie could not do his figures at all and now he is Leader of the Opposition.

The Labor Party has a very poor record when it comes to economic management. One has only to look at what Labor has done Federally and in the southern States. Those States and the nation were bankrupted by Labor. If given a chance, Labor will bankrupt Queensland. Labor was heading that way before the last election but, fortunately, the coalition came back into Government and put this State on the right economic road. Not only has this Government delivered on very sound economic management—and there will be more of the same in this Budget—but we have delivered massive infrastructure for our roads, our hospitals and our schools. We have delivered more teachers, more police and more health workers than Labor ever delivered. We have delivered to the people of this State. I say to the people of Queensland, "You risk economic disaster should anyone ever consider putting Labor back in office in this State."

Unacceptable Behaviour on Roads

Mr J. N. GOSS: My question is addressed to the Minister for Transport and Main Roads. I understand that yesterday Cabinet approved——

Mr Palaszczuk: How do you know?

Mr J. N. GOSS: I get around—new offences in relation to hoons disturbing the lifestyle of citizens by unacceptable behaviour on the roads. Could the Minister advise what new penalties were approved by Cabinet?

Mr JOHNSON: On the issue of doing something about hoons in urban streets—whether it be on the Gold Coast, Brisbane, the Sunshine Coast, or anywhere else—this Government has again taken the hard decision.

This Government does not walk away from hard decisions. I might tell my friend, the member for Capalaba, that if it is hard, mate, we will do it.

Remember what we did with speed cameras. When we came to Government the issue of speed cameras had been lying on the honourable member's desk because it was too hard for him. We put that in practice and now it is paying dividends to the motorists of Queensland. The road toll is 49 below what it was at this time last year. It took a little bit of guts and determination on the part of this Government to do the hard yards and put the hard measures in place. We have policies that will protect the people of Queensland from the idiots on our roads. Yesterday at Nanango Cabinet increased the fine from $40 to $240 for those idiots who want to pour oil or diesel on the road so that they can do burn-outs and thus cause stress to the community. This morning Mr Elder said, "We will hit them and take their licences off them." That is a very productive measure!

We are certainly going to put in place legislation that will immobilise that element of society by grounding their vehicles. We are putting that legislation together now. When we do introduce it, I assure members that those offenders will not be driving those vehicles for a period. We are not going soft on those people. We will take their vehicles from them. I give honourable members the mail once more: we are not going soft on the hoons.

Mr Elder interjected.

Mr JOHNSON: A little while ago in Townsville, the architect of anarchy on the other side of the House, the honourable member for Capalaba, told one journalist in that city that the Labor Party would never win Government while Peter Beattie was the Leader of the Opposition. What vision the Opposition has!

Mr Elder interjected.

Mr JOHNSON: The member screws up his face, but he knows that this is the truth. I know people in Townsville who heard that remark.

I say to all members of this Parliament that we are not going soft on the hoons. We are going to introduce into this Parliament sooner rather than later legislation that will enable us to immobilise that element of society who are causing disruption to the peaceful living conditions of people in the residential areas of Queensland. We will not walk away from that. I give Opposition members the mail: this is going to happen, and it is going to hurt those offenders. But is the Opposition going to support it?

Mr Elder: All you do is talk.

Mr JOHNSON: Is the honourable member going to support it?

Mr Elder interjected.

Mr JOHNSON: Is the honourable member going to support it?

Mr Elder interjected.

Mr JOHNSON: No, he is not going to support it.

Mr SPEAKER: Order! Members will not conduct a debate across the Chamber.

Mr Elder interjected.

Mr SPEAKER: Order! The honourable member for Capalaba! I now warn you under Standing Order 123A for persistent interjecting.

Mr JOHNSON: That is the mail on this issue. We will not walk away from that. I hope that the honourable member for Capalaba will support that legislation when it comes into this Chamber. But he is shaking his head and walking away. You gutless wonder!

Mr SPEAKER: Order!

Mr ELDER: I rise to a point of order. I can cop robust debate in this House, but I find that remark unparliamentary and offensive and ask that it be withdrawn.

Mr SPEAKER: Order! The honourable member has found that remark offensive and has asked for a withdrawal.

Mr JOHNSON: I withdraw. But will the member support the legislation?

Mr SPEAKER: Order! Members will not conduct a debate across the Chamber.

Stamp Duty

Mr HAMILL: I direct a question to the Treasurer. Firstly, I acknowledge the Treasurer's earlier apology for misleading the Parliament over taxation rates. I refer to the coalition's 1995 election commitment to abolish stamp duty on a first home buyer's principal place of residence where it is valued at $150,000 or less, and I ask: in light of the Treasurer's promise, what is the rate of duty payable by a first home buyer on the purchase of a principal place of residence valued at $130,000, and how much conveyance duty is imposed on that purchase?

Mrs SHELDON: We delivered to people in Queensland something which Labor never did. We delivered to the battlers a concession for their first and principal places of residence. That did incur a cost to our Budget, and there will be further tax concessions in our Budget on Thursday. Labor cannot live with the fact that it never delivered to the electorate tax cuts or tax concessions. We have done that at considerable

cost to the Budget. And there will be even more cuts, particularly to make business more productive, to create more jobs and to allow people to own their own homes. We look after the battlers and the workers.

I would imagine that there is going to be acute discomfort on the faces of Opposition members when they see the Budget on Thursday. It will be more good news. "Bad news" Beattie will not be able to score any points at all, although he will try, with more negative whingeing, whining and harping. We have delivered to the people of this State and will continue to deliver, particularly for first home buyers and battlers.

Supreme Court Cases Backlog

Ms WARWICK: I ask the Attorney-General and Minister for Justice: is he aware of a recent statement published by the Chief Justice of the Supreme Court outlining the court's new protocol to minimise delays?

Mr BEANLAND: The member for Barron River, together with the member for Mulgrave, worked very hard indeed to get a Supreme Court justice domiciled in Cairns. That is something for which I hope we have the support of the Opposition. The member's question is one of significance, because one of the great issues for us on coming to office was the delays in the civil list in the Supreme Court in Brisbane. The fact was that there were great delays, and people had to wait a considerable number of years before they could have their cases heard before the Supreme Court.

Over the past couple of years since taking office, we have seen a very substantial reduction in the delays in the civil court. The Chief Justice highlighted this in a statement recently, in which he indicated that 61% of civil cases are disposed of by trial or settlement within six months of being certified by the parties as being ready for trial. In addition to that, we have seen a very substantial reduction in the backlog itself. In fact, it has almost halved since we took office, with only 172 cases on the civil list now awaiting trial. People can have their cases brought on very quickly. Twelve months ago, there were 283 cases awaiting trial but, as I said, that figure has been reduced to 172.

In relation to the criminal list, 54% of cases in the Supreme Court are disposed of within three months of indictment and 95% of cases are disposed of within 12 months of indictment. This is a great record of which we can be very proud. Under this Government the Queensland justice system is working very effectively. In addition, the Chief Justice indicated that, in all but exceptional circumstances, reserved judgments would be delivered within three months. That is another great achievement of which I believe we can all be proud.

I believe that it goes without saying that, under this Government, there has been a reinvigoration of the justice system within this State. Not only has this Government seen fit to appoint additional judges—two in the Supreme Court; one domiciled in Cairns—but three additional District Court judges and two additional magistrates have also been appointed. We have also produced uniform civil court rules, for the first time reducing the number of forms from 700 to 70. Uniform civil court rules date back to last century. This is the first overhaul since that time. We are also overhauling the criminal practice rules, which date back to 1900. Again, that is a great achievement. We are bringing the justice system in this State into the 21st century.

As well, additional funding of more than $4m has been pumped into the Office of the Director of Public Prosecutions and the Legal Aid Office. We have also put money into capital works in Rockhampton, Southport, Gympie, Bundaberg, Gladstone and Cleveland. This is making possible improvements in the justice system overall, and people are having their cases brought before the courts much sooner than previously.

Not only have we improved the court process, we have also improved mediation and dispute resolution by spreading those services throughout Queensland to wherever people live in this vast State. Prior to this Government taking office, those services were largely restricted to Brisbane and one or two other centres. We have now extended those services through the court system so that, wherever they live in this vast State, people now have an alternative to going to court.

We have seen a complete overhaul of the justice system under this Government. The achievements speak for themselves. Therefore, it is fair to say that the member for Barron River and the member for Mulgrave have played an important role in obtaining additional services for Cairns and ensuring that, for the first time in Brisbane—for six and a half years Labor failed to deliver and did more backflips—this Government has achieved what I was told by members opposite was the impossible. They said, "It is impossible to get the civil list in Brisbane down. It will never happen." Well, it has happened, it is under control and, over the next few months, those delays will be a thing of the past.

Maryborough Fire Service

Mr DOLLIN: During the last session of the Parliament, the Minister for Emergency Services and Sport gave a guarantee that the office of the Maryborough fire service would remain where it is. I ask: will the Minister confirm that guarantee? He ignored that question in the House during the last parliamentary sitting.

Mr VEIVERS: What was the question? I could not hear him.

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

PRIVILEGE

Native Title; Leader of the Opposition

Mr BEATTIE (Brisbane Central—Leader of the Opposition) (11.30 a.m.): I rise on a matter of privilege suddenly arising. This morning the Premier rose on a point of privilege, claiming that I had misled the House when I rose on a point of order on 23 April 1998. To remind the Premier and the House, I point out that my point of order was—

> " ... I effected a change that meant that, with the renewal of existing mining leases, the right to negotiate does not apply."

I refer the House to the Senate Opposition amendment RN23, which was accepted by the Senate in the second debate on the Native Title Amendment Bill held in early April. I table that amendment, which states in part—

> "A future act is also a permissible lease etc. renewal if:
>
> (a) the original lease etc. was the creation of a right to mine; ..."

That amendment was not moved in the first debate last December and its inclusion in the second debate was a direct result of my representations. I note that the Minerals Council publication, which the Premier tabled this morning, acknowledged that. It states—

> " ... the renewal of mining leases had been included ..."—

in the Senate outcome.

Therefore, my point of order was factually correct. I did not mislead the House. I further ask you, Mr Speaker, as a matter of privilege, to rule on the Premier's deliberate attempt to mislead this House by raising a baseless point of privilege in his continuing campaign to inflame division in the community as he desperately seeks to cling to power. I ask you to refer the Premier's statements to the Members' Ethics and Parliamentary Privileges Committee.

MATTERS OF PUBLIC INTEREST

Performance of Coalition Government

Mr BEATTIE (Brisbane Central—Leader of the Opposition) (11.32 a.m.): Let us hear no more of the Nationals and Liberals being tough on crime. They have let two of Queensland's biggest criminals out of jail: one deliberately and one through incompetence. Let us remember also that it was Labor that wanted to change the law so that any thug who bashes someone over the age of 60—or any person who relies on a guide-dog or a wheelchair—could be put away for up to seven years in jail. But the Nationals and Liberals believe that thugs should not be jailed for that long, and voted for only three years. By turning to page 525 of Hansard for 20 March 1997, members can check the names of those who voted for and those who voted against Labor's tough approach. Soft on thugs who beat up defenceless, wheelchair-bound, old age pensioners—that is the National Party's track record.

This Government is soft on prisons, where 61 prisoners have escaped from behind bars, 71 offenders have absconded from other correctional institutions and countless others have been let out on early release to ease the overcrowding. It is soft on major criminals who happen to be mates. Had the Government not gagged debate the last time this Parliament sat, I would have corrected the record and advised the House that we did vote against the coalition's weak Criminal Law Amendment Bill as it repealed Labor's tough 1995 Criminal Code, which this Government delayed and refused to implement. What is relevant, and what I intended to include in my comments on the last sitting day, is that the Opposition supported the first, second and third reading of the Penalties and Sentences Bill, which increased the non-parole period for serious and violent offenders to 80% of their sentences. I hereby make certain that the record is corrected.

Let us consider this Government's record. Last Sunday night there was an overdose at Sir David Longland. Last night there was an overdose at Sir David Longland.

Mr Barton: And one on Sunday night.

Mr BEATTIE: And one on Sunday night.

A prisoner who was involved in the Woodford riot last year is in a dangerous condition in a security unit at the PA Hospital. He is there with last night's overdose victim, who is also in a critical condition. That is the way this Government runs prisons. Not only does it lose the keys and allow people such as Brendon Abbott to get out and to have its management plans thrown out the door but also there is an

increasing number of overdoses. That is the way Mr Cooper, the Minister for Corrective Services, runs prisons.

Queenslanders have a right to answers to the serious questions posed by this Government's decisions. Let us have no nonsense about who is responsible for the release of Terry Lewis. He was released under the provisions of the Corrective Services Act, introduced by the Police and Corrective Services Minister, Russell Cooper, in 1988. The member for Surfers Paradise was also in Cabinet at the time. He runs around telling great untruths about this. It was his legislation in 1988! The guidelines governing the Queensland Community Corrections Board, which released Lewis, were updated by Cabinet last year. Whose rules are they? They are the Premier's rules. They are Russell Cooper's, the Minister's, rules.

Why are the National Party Premier and his National Party Police Minister backing the release of a major criminal before he has served even half of his 14-year sentence? Why are the Premier and the Police Minister happy to allow corrupt former Police Commissioner Terry Lewis home the very first time he applies, despite the fact that he shows no remorse—he has never admitted his guilt—and despite the fact that other criminals are knocked back year after year? Lewis has made no attempt to help the authorities to track down his criminal mates.

Mr Barton: Or the money.

Mr BEATTIE: That is right—or the money.

Why did the Premier and the Police Minister never urge that Lewis should have revealed the identity of his partners in crime before he was allowed home? Why? That is what Queenslanders want to know. I make no apology for the position that I and Tom Barton, the Opposition spokesman, have taken on this matter. Why have the Premier and the Police Minister not spoken out against a man who was a Mr Big in a system that franchised organised crime in Queensland? Why have the Premier and the Police Minister been soft on this convicted criminal? Why is former Deputy Premier Bill Gunn still the only National Party figure who has criticised the release of a criminal who was identified by the Fitzgerald report as a very close friend of the National Party? Why is former Liberal member Colin Lamont still the only Liberal to have criticised that release?

I remind all Queenslanders, especially those who have reached voting age in the past 10 years or who moved to Queensland after the end of the Fitzgerald inquiry, that the Queensland National Party Government was never beautiful one day, perfect the next. It was corrupt every day. It remains that way. In 1976 National Party Premier Bjelke-Petersen got rid of Queensland's first reformist, anti-corruption Police Commissioner, Ray Whitrod. Bjelke-Petersen told Cabinet that he wanted Terry Lewis—that crook; an officer who had served for most of that year as an obscure junior inspector in Charleville—appointed as the new Commissioner. Cabinet was warned that Lewis was corrupt, but Bjelke-Petersen had his way. The Cabinet notes from that day are the only ones for a number of years that have disappeared. Is that not strange!

Bjelke-Petersen and Lewis then formed an appalling partnership. Bjelke-Petersen ran a corrupt Government. Lewis ran a corrupt Police Service, with Bjelke-Petersen supporting him to defeat some of those who had been involved in Whitrod's attempt to combat corruption. Those are Fitzgerald's words, not mine. The Fitzgerald report found that while they ran the State—

> "... vice in Brisbane increased and became more organised ... activities were expanded in other areas of criminality, including illegal drugs, violence, extortion and arson ... Police corruption grew with the additional funds available for bribery."

We saw that when National Party Ministers went to jail. The report says that matters discussed by Lewis with the National Party Premier included—

> "... electoral boundaries, Cabinet changes, judicial appointments, the number of seats required by the National Party to govern in its own right ..."

The report makes it clear that Lewis involved himself in political matters and that the National Party Premier involved himself in police matters with which he had no legitimate concern. The report says—

> "All National Party parliamentarians were invited to communicate with him and he was sensitive to the interests of local members in relation to such issues as police promotions and transfers which affected their constituencies."

In 1980 Rob Borbidge became the National Party member for Surfers Paradise. In 1983 Russell Cooper became the National Party member for Roma. Did the member for Surfers Paradise and the member for Roma, as he then was, ever take advantage of the invitation to communicate with Mr Lewis when he was Police Commissioner? If so, what are the full details of those communications? Perhaps they would like to tell the House of their relationship and communications.

The coalition has talked tough about truth in sentencing and making major criminals serve their time. It has sought publicity by intervening

to appeal against what it considers to be lenient sentences. The Government even sacked the community corrections board when the Minister did not agree with one of its decisions. But the Government has not sacked the board this time, because the Premier and the Police Minister are right behind the decision. The Premier and the Police Minister are siding with Joh, who even on the weekend was saying that Lewis was the best Police Commissioner we had ever had. They are all in favour of Lewis going home before half-time. The Premier—"Backflip" Borbidge—viciously attacked the High Court when he did not like a decision, but as soon as I drew attention to the way in which a major criminal was being let out before half-time, I was portrayed as someone attacking defenceless people on the community corrections board, no matter that the Premier had not only attacked the members of the previous board but also had kicked them out of a job as well. His most un-Premier-like comment was that the members of the board were pathetic and pitiful people. I have never said that!

Under the Labor Government, the Corrective Services Commission consistently refused to allow prisoners to talk to the media unless it considered the interview to be in the interests of justice. When Paul Braddy was the Minister for Police, he consistently refused to allow Lewis to be interviewed. However, this Police Minister allowed Lewis to go on television for half an hour to plead his case for early release in a soft interview with an interviewer who for a while was a ministerial minder under this Government and who is now a Liberal Party candidate.

An official Government report reveals that the prisons Minister was grossly derelict in his duty to protect Queenslanders from the risk of dangerous criminals escaping into the community. The Mengler report into the escape of Brendon Abbott and four other dangerous prisoners reveals that a special audit report produced 10 months before the escape contained warnings about security problems. The report states that the very issues raised by the audit report were some of the procedures that failed on the day of the escape. The Corrective Services Minister read of those warnings at the time they were made, but he has admitted that he did nothing about them. The Mengler report states that in December it appeared that the problems had not yet been addressed. It seems that the Minister still has not acted on all of them. He has suggested it could take up to three years to fix the holes in the system that allowed Abbott to escape.

The public has a right to know how bad the security problems are. The Minister must come clean on what he is doing to fix them and what risk there is to the public currently. The Government has lost the keys for the prison system. It has a system under which people get out of jail whenever they want. This Government is soft on crime yet, under this Government, crime rates relating to property offences and personal assault are rising. This Government has a pathetic record on crime. I say to the Premier and to the Police Minister that Opposition members are happy to have a debate about law and order. However, we will have a real debate based on the Government's record and the Opposition's policies to be tough on the causes of crime.

Law and Order

Mr GRICE (Broadwater) (11.42 a.m.): Recently, the Criminal Justice Commission released a report that revealed that, over the past five years, the number of criminals jailed in Queensland each year had almost doubled. That report found that, in the past year, criminals facing Supreme Court or District Court judges were 58% more likely to end up in jail than they were six years ago.

Of course, the reasons are plainly obvious. This Government, acting on its 1995 pre-election undertaking to all decent, law-abiding Queenslanders, acted quickly and decisively to introduce a wide range of significantly tougher penalties and a completely revamped Criminal Code. In the more than six years of that lacklustre, namby-pamby Labor Government, nothing was done. We all waited and waited for its promised new Criminal Code and its promised new, tougher penalties, but nothing came. In fact, the Labor Party, especially with its wishy-washy so-called juvenile justice legislation, watered down penalties. The overall thrust of Labor's policy was to make prison a penalty of last resort.

The reaction to these findings by the CJC should come as no surprise to anybody. In fact, they were welcomed by all law-abiding people who were fed up with the so-called penalties that amounted to little more than slaps on the wrist. Significantly, the CJC found that there was a 42% increase in the frequency with which magistrates imposed jail terms on those who thumbed their noses at home detention orders, probation, parole or community service orders. However, despite the fact that the tougher penalties were imposed as a result of deliberate and decisive Government action and despite the fact that this action met pre-election undertakings, the bleeding hearts among the self-styled civil liberties and criminal justice groups threw their hands up in the air in what the Courier-Mail described as an "angry reaction".

What was their concern? They were terribly upset that this Government had kept faith with the people who elected it. They were distressed that convicted criminals were being forced to do time for their crimes and it seems that they were most bothered by the undeniable fact that our jails were facing some overcrowding.

Mr T. B. Sullivan: Lewis? Do time for his crime? You're joking!

Mr GRICE: Was that some interjection about Keith Wright, the former Labor leader, that I heard?

Nobody should forget that when Labor came to office in 1989, in this State every single convicted criminal occupied a single cell. By the time Labor was tossed out, there was chronic jail overcrowding caused by a dismal and reckless failure to plan properly for additional prison beds. That failure was compounded by the stupid decision by Labor to shut one jail prematurely. In comparison, this Government has embarked on the most far-reaching and ambitious jail construction program in a decade, with more than 2,000 extra beds planned between June this year and 2001. The comparison between this Government and the discredited Labor Government could not be more black and white. Labor watered down penalties and allowed those who were sentenced to jail to be crammed into overcrowded jails, while this Government has toughened penalties and faced in a positive way the obvious need to expand jail facilities.

We have come to expect from Labor a complete double standard on law and order. It voted against the juvenile justice legislation and the tougher Criminal Law Amendment Act, which doubled and trebled penalties for major crimes, yet Labor members have the gall and the cheek to try to portray themselves as tough on crime. Frankly, their double standard is a massive confidence trick, a hoax and a deception. For example, let Labor try to explain why it voted against this Government's move to abolish jail as a last resort penalty for serious violent offenders.

It seems to me and many other concerned Queenslanders that the self-styled civil liberties and criminal justice groups to which I referred earlier are little more than some sort of support chorus, a kind of back-up group, for Labor's "be nice to the crims" policy. Frankly, I wonder if anybody in those groups and in the Labor Party ever considers, even for a moment, the concept of punishment for convicted criminals. In all of the debate about what to do with those who have offended, we hear all sorts of hand-wringing, heart-on-the-sleeve apologists agonising about prison overcrowding, weeping about the terrible effects of jail on inmates and the need to have ideal textbook conditions for rehabilitation programs. Certainly, we need to address prison overcrowding. Unlike Labor, this Government is doing that. Certainly, we need rehabilitation programs to try to correct criminal behaviour. However, does anybody in the Labor Party and its bleeding heart support groups ever acknowledge the concept of punishment, or is that word far too ugly and offensive for the modern, progressive Labor Party? I am not talking about punishment as some sort of press-release convenience, but something set in concrete in legislation.

The civil liberties and criminal justice groups that had such an angry reaction to the recent CJC report should save some of their anger for the victims of bashings, robberies and home invasions. I am disgusted with the antics of those groups who seem to prefer to turn a blind eye to the word "punishment", let alone the enforcement of it. Recently, the Premier made the point that, because of laws that this Government has introduced, today there are now some 2,000 extra criminals in jail. Will anybody in the Labor Party now stand up and say that those people should not be there? Will anybody in the Labor Party now admit that many, if not most, of those prisoners would probably not be in jail today if Labor still ruled Queensland? Will anybody in the Labor Party say publicly that if Labor is elected, it will ensure that 2,000 similar offenders in the future will not face the punishment of jail?

I somehow doubt that anybody with any sort of authority within the Labor Party would dare to say that on the eve of an election. Labor knows that the people of Queensland would react with understandable anger. Such an admission would be a political suicide note. However, although Labor will not admit that, if it somehow came to Government and did in Government what it tried but failed to do in Opposition, then literally thousands of convicted criminals will enjoy significantly reduced sentences or get off with a slap on the wrist like offenders did during the old Labor days. Labor is not just hypocritical, it is dishonest.

This Government's attack on crime is also underlined by its increase in police numbers. On the Gold Coast alone, over the past two years there has been an increase in police numbers of 67. In comparison, during Labor's last three years in office, it presided over a fall in police numbers of 50—from 458 to 408—on the Gold Coast. The Government's plan to provide an extra 2,780 police by 2005 is well on track, and some 800 extra police will have been provided within three years. The Gold Coast is sharing in these extra resources and will continue to do so.

Already extra police have been allocated to the Coomera, Southport and Runaway Bay Police Stations and approval has been given for an increase in the establishment strength of these three stations. The Palm Beach Police Station has been completed and opened. A new Gold Coast based vessel, the DW Wrembeck, has been launched. That is a state-of-the-art police patrol and search and rescue vessel. Ten extra police vehicles have been approved for the Gold Coast district. Very importantly, the crime prevention partnership pilot is up and running on the Gold Coast.

Contrary to the untrue claims of the Labor Party and their de facto allies in the civil liberties and criminal justice lobby groups, this Government has been at the forefront of the ongoing development of crime prevention strategies. The Gold Coast pilot is a true partnership between police and local people. The emphasis is on local knowledge, and the priorities are local ones. Police are confident that further success in the fight against crime will result from this innovative program. This crime prevention strategy has been complemented by a Police Service decision to appoint at sergeant level district tacticians in the Logan and Gold Coast districts. This will ensure that police activities are fully coordinated and will enable the best use of police facilities and resources.

While work remains to be done in the ongoing assault on crime on the Gold Coast, it is clear that significant progress has been made. Police strength is up, improved facilities have been provided and, for the first time, the local community has a real say in policing strategies and crime prevention priorities.

It is significant that the overall crime rate in Queensland has not risen during the life of this Government. Undeniably, our policies and our positive initiatives have had an appreciable effect on containing what had previously been seen as an inevitable rise. In fact, the latest CJC figures show that Queensland is below the national average in eight of the 14 offence categories. Incidences of assault are 14% lower, armed robbery 20% lower and motor vehicle theft 23% lower. These are typical examples.

The Budget to be brought down later this week will continue our massive funding for law and order and ensure that we build upon the excellent foundations of the last two years. Labor's ramshackle, underfunded and dispirited programs were crippled from the beginning by a distinct lack of real commitment to a positive deterrent and real punishment policy. What is alarming is that Labor in Opposition has proven by its votes and by its members' statements in this House that it would dismantle the solid achievements of this Government and return to the bad old days of ineffective penalties, inadequate resources and a serious policy vacuum.

Jellinbah East Mine; Mr K. Talbot

Mr NUTTALL (Sandgate) (11.52 a.m.): Today I wish to draw to the attention of the Parliament the actions of the Minister for Mines and Energy and officers of his department over the granting in October 1997 of an exploration permit for coal in the Jellinbah East tender area in the Bowen Basin to Sunrise Mining Pty Ltd and Citic Australia Resources Pty Ltd. An area of 19 sub-blocks around Jellinbah East mine, 25 kilometres north-north-east of Blackwater, was released for competitive applications for exploration permits for coal on 30 September 1997.

The concerns I wish to raise are, firstly, why one of the applicants, known as Advance Queensland Resources and Mining Pty Ltd, was not successful in its bid given that it has a successful mining operation adjacent to the area in question and, secondly, why the successful applicant was offered the exploration permit for coal given its non-track record of having never carried out any mining operations in Queensland and given the questionable dealings and behaviour of one of the directors of the successful applicant companies, namely, Mr Kenneth Talbot.

Advanced Queensland Resources and Mining Pty Ltd operates the Jellinbah mine north-east of the town of Blackwater in central Queensland. The mine has been operating since 1989 and has exported in excess of 10 million tonnes of coal to markets in Japan, Europe and South America. The Jellinbah mine is currently producing 2.1 million tonnes per annum of semisoft coking coal, all of which is sold to steel mill markets in those three areas.

Its 1997-98 budget forecast royalty payments in excess of $3.5m to the Queensland Government and almost $23m in rail freights to Queensland Rail. However, the decision taken by the Department of Mines and Energy will result in the sterilisation of in excess of 20 million tonnes of coal, with the resultant loss of royalty to the Queensland Government of more than $35m.

As a result of its unsuccessful bid, Advanced Queensland Resources and Mining Pty Ltd wrote to the Minister on 27 October 1997 requesting a meeting with him and the director-general to elaborate on this issue. Despite subsequent correspondence between the parties, the Minister still has not met with

company representatives. In fact, a file note from the department dated 9 December 1997 indicates that the Minister was advised on 11 November not to meet with the company. I table all the correspondence, along with a copy of that file note, for the benefit of the House. This quite clearly represents an abdication of the responsibilities of the Minister. In tabled correspondence in response to the company the Minister states—

> "Your company has held tenure in the area since 1988 and during that time has done an incredible job in developing the open cut operation at Jellinbah east, which as you rightly point out has an enviable productivity record. Establishing yourselves as a reliable exporter of metallurgical coal in so short a time frame and in such a competitive market, is something of which you can be justifiably proud."

The question here is why such a successful company, which remains a majority Australian owned and operated coal mining group, is treated so shabbily by the Minister and his department and why, given its excellent track record in Queensland, the company has been unsuccessful in its application.

I now turn my attention to the successful applicants, namely, Sunrise Mining (Queensland) Pty Ltd and Citic Australia Resources Pty Ltd, and to one Mr Ken Talbot, the chairman of Sunrise Mining (Queensland) Pty Ltd. Mr Talbot has an interesting track record. He is a former senior employee of Bond Coal, lead by one Alan Bond, who, of course, is currently serving a jail term for white collar fraud.

Honourable members do not need to be reminded of the very close and personal links that existed between the now disgraced Mr Bond and his close associates, of whom Mr Talbot was one, and the corrupt National Party Government that was thrown out of office in 1989. Nor do honourable members need reminding of the days of deals done in brown paper bags between corrupt National Party figures and shady businesspeople of the ilk of Mr Talbot and Mr Bond.

Mr Talbot's tarnished reputation is well documented within the legal system. In fact, Mr Justice Lindenmayer in a Family Law Court judgment dated 16 November 1994 also noted the undesirable character and suitability of Mr Talbot as a reputable person within our community. I table a copy of that judgment. Mr Justice Lindenmayer found that Mr Ken Talbot may have committed fraud and that he is a person who cannot be trusted. Further, Justice Lindenmayer stated that he felt Mr Talbot would destroy vital evidence in relation to the case before him.

I ask the Minister: is this the type of person who should be involved in multimillion-dollar mining deals in this State? Why has the Minister granted exploration permits to a person of questionable character and to his associated companies, who have never carried out any mining operations in Queensland? Why does he continue to refuse to meet with the directors of Advance Queensland Resources and Mining Pty Ltd, who already have an outstanding record in mining in this State? Why did the Minister see the need to request an urgent briefing by his departmental officers at 2 p.m. on 25 November 1997 at Parliament House regarding this exploration permit? The Minister should now address these issues as a matter of urgency. In the interim the Minister should withdraw the exploration permit for coal granted to Sunrise Mining Pty Ltd and Citic Australia Resources Pty Ltd.

What we have here is a return to the days of cronyism between the National Party and its mates—a nudge and a wink, a slap on the back, favours for past services rendered and looking after your mates even though they may have a dubious business background. Picture if you will, Mr Deputy Speaker, a gathering of these people in the Minister's office celebrating with a drink and believing that they can get away with this type of shonky deal by going through some farcical evaluation process designed to ensure that your mates' companies win the deal. The bad old days of corruption, cronyism and looking after the crooks have returned in the space of two short years since the return of the coalition. I trust that at the next State election the people of Queensland will not allow the types of deals I have mentioned today to continue, and will once again banish a corrupt Government from office.

Performance of Labor Governments

Mr WOOLMER (Springwood) (12.01 p.m.): Queenslanders will soon face an election. It is an election in which they will have to make a very stark choice: a choice between the coalition, which has achieved so much in a shortened time under unique circumstances, and the Labor Party, which can simply hark back to the past and has no vision for the future.

I call on voters to have a very close look at the real issues in the campaign. When voters are making their decision, they should have a look at the records of local members and at the policies of the Government and the Opposition. They will see that this coalition Government is based on principles. These are the principles that have bound us together as a coalition and it is these

principles that will carry us back into Government in the near future. It is these principles that everyone will need to bear in mind when the dark forces of the Labor Party begin to descend upon us through the media and our letterboxes during the coming election campaign. It is these principles that form the very core thinking of the coalition parties and provide us with a rock solid platform from which to project our political philosophies. The principles are freedom, individual responsibility, economic enterprise, the family and the future—the principles of middle Queensland, if you wish.

This Government has governed for all Queenslanders. We are the party that governed for that middle group in Queensland—the Queenslanders who are ignored by the Labor Party in its rush to embrace the interest groups and fringe dwellers, the "middle Queensland" that the Labor Party always treads into the ground in its quest for power, and the "middle Queensland" that is always ignored by Labor Governments when they try to buy their way back into office with big spending sprees. We do not offer the illusion of inclusion that we see from the Labor Party, and we welcome the opportunity to govern for everybody in Queensland.

Let us look at what happens when we have Labor Governments. They spend like there is no tomorrow. They spend to the point at which people start to believe that there will only be a sad tomorrow unless something changes, and change it always does. Eventually, Australian voters always throw the Labor Party out of office and return to the Liberal Party and coalition Governments for responsible governance. We have seen it all over the country. When it comes to financial management, it is always Liberal Treasurers in coalition Governments who are called upon to bring Governments back from the brink.

We have seen that demonstrated very clearly in Victoria, where Jeff Kennett virtually had to rebuild the State after the disastrous Labor years. We saw it demonstrated in South Australia, where the Liberal Party has had to turn around the State after the massive billion-dollar losses incurred by the Bannon Labor Government in the State Bank fiasco. We have witnessed it at the Federal level, where the would-be Prime Minister, Kim Beazley, left this country with a $10 billion black hole that he conveniently forgot to account for and that he then tried to hide. He was caught out only last weekend when Gareth Evans spilled the beans on national television.

It is happening again right now in New South Wales. Bob Carr has presided over a $500m unforecast budget blow-out in the last financial year. It is typical of Labor Governments. They can not help themselves. They love big government. They love to squander our taxes. They love to overcommit State Treasuries and they love to spend like it is going out of fashion. They open up their Treasury chequebooks and spend taxpayers' money—our money—on appeasing the special interest groups, their special mates and their union allies, who so totally dominate Labor Party politics.

Labor Governments govern only for themselves and their selected politically correct friends at the exclusion of the broader community. It is these same politically correct friends whom we will see a lot more of and hear a lot more from in the coming election campaign. They will loudly voice their criticism of the coalition Government in a vain hope that they will gain patronage as a close friend of the Labor Party. It is an allegiance of sorts—an allegiance that comes at a cost. It is the ordinary Queenslander who pays. It is a cost that Queensland can ill afford. These groups and Labor will try to talk down the Government. They will ignore the facts. They will embellish the truth and go on the attack; that is what they are best at.

Let us look at this Government's record. This Government is progressive and forward looking. This Government has dealt with many of the difficult issues in very uncertain circumstances. Ours is a compassionate and caring Government that has positioned this State well to launch us into the new millennium in a forward looking and confident manner. We have reformed our schools and restored disciplinary standards. We are once again teaching our children the basics of literacy and numeracy, as opposed to the socialist doctrine that Labor forced down our children's throats. We have provided our children with computers and Internet connections so that they can reach out to the world.

We have repaired Queensland's ailing hospital system and provided extra cash to slash waiting lists so that those in need can be treated faster. We had to rebuild hospitals such as the QE II Hospital after it was virtually closed down by the Labor Party. Our roads and public transport services have been improved. We are building busways around Brisbane to move people and not cars. We are even bringing the trams back to Brisbane with the Briztram project. We have plans to build a superstadium on disused docklands at Hamilton—a project that will attract major sporting events and will provide renewed vibrancy for our city. We have increased both police numbers and provided extra powers for the police. We have changed the laws considerably. We have introduced tough changes to the Criminal Code, the Juvenile Justice Act and the Penalties and

Sentences Act to bring them into line with what Queenslanders want and expect from their laws.

What has the Labor Party done? It has opposed the Government at every single opportunity. Its members have tried to block our legislation. They have talked down our projects and they have been no more than a bunch of whingeing, whining hypocrites. To make matters worse, in some cases they have even vowed to scrap our reforms. The people of Queensland must not give them the opportunity to do that. Labor Party members do not deserve the chance to form a Government. They have not proven that they will be any better in Government than their counterparts in other States or any better than they were between 1989 and 1995.

Under the coalition, we have reformed the economic management of the State. We have always been regarded as the people who best manage Treasuries. Jobs have been an absolute priority for this Government. Since February 1996 we have delivered 90,400 real jobs. Thirty-seven per cent of the total job growth in Australia has occurred in Queensland. We are regarded as the fastest growing Australian economy and one of the best in the world. We have excellent prospects and abundant potential.

Economic forecasters everywhere have said that Queensland is leading the way. Michael Knox, an economist from Morgan Stockbroking, has stated that employment growth in Queensland is now 33% higher than the target set down in the last Queensland Budget—1997-98. He stated that in trend terms Queensland's March 1998 employment level of 1,608,700 was the highest number of people in employment ever recorded in Queensland, and that we are seeing an amazing acceleration of Queensland's employment growth. The Suncorp-Metway deal opened up new opportunities in this State. What would the Labor Party have done? It would have sold it to St George. It had the opportunity to do what we did and it refused.

Looking at health, under the Surgery on Time program, we now have the lowest Category 1 waiting lists in Australia. There were 6,000 extra operations performed in the past year. Those operations served the people of Springwood, Rochedale and Daisy Hill in providing better services. Our breast screening campaign has increased breast screens in Queensland by 25%. The child immunisation campaign has seen to it that 78% of our Queensland children are now immunised. We have had a massive hospital rebuilding program. Over $400m has been spent in two years, $11m of which went into the QE II. In relation to transport, there is the busway project, Briztram and the widening of the Pacific Highway. In relation to education, there is Leading Schools, the Connect-Ed project, record capital works, school discipline, the extra Year 7 diagnostic tests, record budgets, airconditioning in schools in northern Queensland, and the list goes on and on and on.

I turn to police and corrective services. As at 30 June last year police numbers were up 160 and they will be up 252 next June when we finish the forecast. There are an extra 40-odd police in Logan City and an extra 10 police cars. There are an extra three cars at the Slacks Creek station alone. We enhanced police powers on 6 April and we have undertaken law and order reform. We brought in the provision under which violent offenders must spend 80% of their sentences in jail and we have established the Crime Commission, yet Labor just continues to knock and knock.

Imagine Queensland under a Labor Government. The hospital waiting lists would again bulge out. Labor would be soft on crime. It would remove the extra police powers. It would try to unscramble the electricity industry reforms, and the Public Service should watch out because "Dr Death", Kevin Rudd, is still out there looking for a job. This next election is important for Queensland. It is important to see who deserves to govern Queensland. This coalition deserves to be re-elected in its own right. We deserve a clear shot at governing this State. Labor has not earned the right to govern Queensland. It has no plan for Queensland; it is simply about knocking Queensland.

Time expired.

One Nation Party

Mr ROBERTSON (Sunnybank) (12.11 p.m.): The reluctant backdown by the Liberal Party in its Statewide deal to give preferences to the One Nation Party in all seats at the forthcoming State election has done nothing to appease the hurt, disappointment and disgust amongst ethnic communities in Queensland. This hurt, disappointment and disgust is amplified in my electorate of Sunnybank where the local Chinese, Taiwanese, Hong Kong, Vietnamese, Korean and Indian-born communities have witnessed the Liberal Party abandon any pretence of supporting multiculturalism and rejecting the policies of racism.

It is clear that the Liberal Party will do anything, say anything and deal with anyone so desperate is it to cling to power because, as we all know, implicit in the decision to direct preferences to One Nation is a reciprocal arrangement whereby One Nation will direct preferences to the Liberals. The Liberal Party has

placed politics before principle and in doing so has sent an odorous message to ethnic communities and overseas-born Australians that they are unworthy of respect or compassion by the Liberal Party.

No amount of bleating by the Liberal candidate in Sunnybank that he has been given permission by the Liberal Party to not direct preferences to One Nation can hide the fact that the Liberal Party continues to give tacit support to the offensive utterings of the member for Oxley and the One Nation Party. What is the Liberal Party's recent record? We can all recall how in 1988 the then Liberal Opposition Leader, John Howard, tried to make Asian immigration a political issue by calling for significant cuts to the number of migrants from Asian countries. We all remember how, at the 1992 State election, the Liberal Party distributed that offensive pamphlet titled "There are over 1 million reasons to cut immigration", in which it tied immigration levels, particularly immigration from Asia, to unemployment.

When Pauline Hanson made that infamous speech in Parliament that so outraged many overseas born and other decent, fair-minded Australians, Prime Minister Howard sat mute refusing to condemn Hanson on the pretext that she was simply exercising her right to free speech. We all remember the courting of Pauline Hanson by the National Party when it invited her to address local branch meetings such as the one in Sunnybank at which the Liberal member for Mansfield, Frank Carroll, was photographed planting a congratulatory kiss on her cheek. Despite the Liberal Party's promise to launch a national anti-racism campaign over two years ago, we have seen nothing. Ethnic communities have been left to fend for themselves, unsure as to whether the Government values their contribution to our nation.

Finally, only last weekend we saw the Premier of Queensland, National Party Leader Rob Borbidge, pathetically appealing to One Nation to allocate preferences to the Nationals to ensure that they retain power in Queensland. Despite this appalling record regarding ethnic communities in Australia, in the lead-up to this year's State election the Liberal Party has cynically tried to mask over its record by promoting a number of candidates from ethnic backgrounds. This transparent and pathetic attempt to sell itself to ethnic communities as a multicultural party will never be accepted whilst its Prime Minister and the Liberal Party machine refuse to take a decision of principle and reject any notion of doing deals with the One Nation Party at Federal and State elections.

Even my own opponent in Sunnybank, the one who now says he fought for the right to not direct preferences to One Nation on Liberal how-to-vote cards, initially refused to rule out any deals with One Nation. When asked by the Southern Star newspaper in November last year whether he would put One Nation last on his how-to-vote cards, he stated that he would accept any decision made by the Liberal Party executive. I suspect his recent change of heart has come about only through the embarrassment he suffered when the local Chinese-born community expressed its understandable outrage that he would not take a strong stand against any party that sought to gain a political advantage by dealing with One Nation. Interestingly, he announced his change of heart only in his own Chinese language newspaper and never once retracted his earlier contemplation of a deal with One Nation in the English language press. His lack of honesty in relation to this matter has all the signs of trying to play the local Taiwanese-born community against the broader Sunnybank community. For that he is as guilty as any other Liberal who seeks to exploit ethnic communities for short-term political gain.

My own record on this important issue speaks for itself, and it is a record of which I am proud. I was the first member of the Queensland Parliament to speak out against the racist slurs of Pauline Hanson, and I have continued to defend the many overseas-born Australians in my electorate from the ongoing attacks by the One Nation Party and other ignorant sections of the community. As members would be aware, I have repeatedly tabled notices of motion in this Parliament condemning racism and I have regularly spoken and tabled petitions in the Parliament condemning Hanson and those who support her racist views. But most of all, I have worked to find ways to bring communities closer together so that there is greater understanding, acceptance, communication and cooperation between people from different cultures with different languages who have decided, as my own family did 30 years ago, to call Australia home.

Parliaments and most major political parties throughout Australia have had until recently a proud tradition of not dividing Australia by engaging in racist debates and tactics. Given that most of us are by nature compassionate, caring and thoughtful, we have rejected any notion that political advantage should come at the expense of making sections of our community scapegoats on the basis of culture, language or country of origin.

However, the political landscape in Queensland and Australia is changing, and

changing for the worse. It is changing because the Liberal and National Parties have succumbed to the temptation of gaining or staying in power at any cost. If that means doing deals with other political parties which have a racist agenda, then so be it. If it means misrepresenting the legitimate arguments of our Aboriginal people to claim what is rightfully theirs, then so be it. If it means using Asian immigration to cause resentment within the community for political advantage, then so be it. Prime Minister Howard himself said of Pauline Hanson recently, "Well, she has obviously got some support there and we have to make certain that we have the policies that appeal to them."

I am proud to say that the Labor Party will have none of that type of cheap, offensive and ultimately destructive politics. Whilst we may not be perfect, we at least believe there is a place for principles in politics. Political self-interest is like a cancer that will eventually devour a political party. Power should not come at any price because in the end it is Australia that will suffer. Those things that we all believe in, such as creating more jobs for present and future generations, nurturing a civil society in which we all respect and enjoy the diversity within our community and being able to give our kids a holistic education in all of life's experiences, become that much more difficult to obtain. Achieving power at the expense of the weak and those unable to defend themselves is the very antithesis to a free, democratic, multicultural country which until recently received support from within all major political parties in Australia.

The fact that the Liberal and National Parties now want to abandon those principles to cling to power at the next State and Federal elections demonstrates just how low they have sunk. Tragically, Australia will be the loser in both the short and long term. If any member of this Parliament thinks that this issue has been blown out of proportion, perhaps the following statement from the President of the Chinese Forum, Mr Michael Yau, will make them understand. In the section of the Forum's statement titled "Power Outrage" Mr Yau says—

> "How could a party which professes to govern for all Australians, endorse the divisive policies of Pauline Hanson when they have proven to have encouraged the economically and socially disadvantaged in Queensland to abuse and persecute Asian people in supermarket car parks, in the streets and in other public places? And furthermore, at the height of the Pauline Hanson-driven agitations, Asian children were abused in their school yards and sometimes even in their classrooms. This we found particularly distressing, for like all parents we feel that when the Government does not provide a safe and nurturing environment for our young, then they have failed all of us miserably. Hence it wasn't long before our disgust turned to outrage."

If any members with principles remain amongst the Liberal and National Parties, I would suggest they reflect on this statement by the President of the Chinese Forum and its implications for our State and our nation now and in the future.

Wetlands and Grasslands Foundation of Australia

Mr STONEMAN (Burdekin) (12.21 p.m.): I rise to acquaint the House with the development of a concept and an organisation now to be styled the Wetlands and Grasslands Foundation of Australia. The foundation has as its vision statement the following—

> "To enhance scientific and community understanding of natural resources through education, research, interpretation and visitation so that the natural environment will be sustained for the productive benefit of future generations."

As background, I go back to the period from 1980 to 1989. In October 1980, State Cabinet considered a submission, developed by a team under Dr Hugh Lavery of Brisbane, based on stringing together a series of sites that highlighted the biodiversity of Queensland that in turn would be "developed" as tourism experiences under the name Q-Zoo. The Q-Zoo concept was developed as a response to the lack of a State zoo in Queensland, but because of the priority of developing the South Bank cultural complex in Brisbane, and costs estimated at $80m, the program was held in limbo.

In 1984 I commenced development of a tourism/education concept based on the Cromarty Wetlands near Townsville, but without knowledge of the Q-Zoo proposal. The Cromarty Wetlands had been identified by scientists over many years as one of the most dynamic and accessible representations of a wetland habitat on the east coast of Australia and had been proposed as the wetland Q-Zoo site. Approaches to the Minister of the day led to a partnership with Dr Lavery, the then Director of Special Projects within the National Parks and Wildlife Department, and the refining of the new proposals. The amended Q-Zoo concept involving a two-property land purchase gained Cabinet approval in late 1989. With the subsequent change of Government later that year the proposal was placed on the backburner.

Recognition of the potential for continuing change in Government led to a further rethink of the still developing concept and evolution into a

structure at arm's length from Government and departmental control. It became a trust or foundation-run organisation working with Governments, departments, institutions and the community. Because grasslands form a natural linkage with wetlands and together form the major components of land biodiversity, the emerging foundation was now being structured to link the Cromarty Wetlands with a grasslands facility—probably near the Darling Downs region—with the wetlands being the primary focus of initial development.

The Bowling Green Bay Wetlands, as embraced by national park status, have been nominated for listing under the charter of the Ramsar convention, which is an international convention generally focused on wise use of the world's wetlands. This nomination does not include the vital core of the Cromarty area. The finetuning of the foundation proposal has been supported by Wetlands International for the Asia-Pacific region and by a personal visit and continuing contact with the director for the region. Other advice and support has come from the Smithsonian Institution in the United States, the Texas A and M University, Queensland National Parks Department, James Cook University, the Australian Institute of Marine Science and numerous inspections and contacts with specialists around Australia over more than 10 years. A vital component of the development has been the forming of a linkage to potential benevolent institutions and supporters through Dr Carol Barbeito of Denver, Colorado, who has helped facilitate the development of a company structure compatible with local and international institutions.

The foundation concept is worthy of more detail. The emerging foundation is proposed to be a not-for-profit company that will have the capacity to hold land and facilities and receive moneys under a tax-free structure. Directors would be drawn from highly credible and representative persons across Australia and internationally. I am delighted to tell the House that Mr Jim Kennedy, a well known and respected businessman, has agreed to be the initial chairman of the board. Other members of the board include Mr John Cox, Managing Director of the Stanbroke Pastoral Company; Mrs Sallyanne Atkinson, Chair of the QTTC; Dr Lavery; and a number of other people, including myself. This will be the interim board, but it will be expanded to embrace other national and international figures.

The proposed foundation symbol—the jacana—draws its name and stylised symbol from a small bird that lives in the wetlands and walks and breeds on lily pads. This symbolism replicates itself in the foundation's objective to support sustainable development and "leave no mark". The foundation concept has several components, namely—

the acquisition of representative land areas on which to focus foundation objectives, with the wetlands site being of immediate focus in respect of the water birds and wetlands park and a "problem solving" institution;

the development of the research and "problem solving" institution would draw together and provide the space for projects related to the management and sustainability of Australia's wetlands and grasslands. The institution will develop a number of other components relating to expanding knowledge and management of similar environments;

the operation of tourist access facilities at sites under foundation control where appropriate. Access will be controlled on the basis of no interference with the breeding, living and migratory habitats as well as livestock grazing and/or farming where appropriate;

the development of models for the integration of free enterprise or Government management and visitor access into the national park and associated systems;

support for endangered species programs;

support for programs that enhance the practical natural commercial use of wetlands and grasslands;

community education programs involving visitation, interpretation and publication;

the development of a society and/or friends structure involving the wider community;

the development of national and international linkages or sister relationships in respect of wetlands and grasslands; and

the development of an annual nationwide competition, drawing artistic and scientific endeavours together, with the focus on nature—the Australian Wetlands Awards.

The Premier has announced that the Queensland Government will support the foundation with a grant over three years. The grant would be subject to the following matters being addressed: the formalisation of the foundation under Australian law; the seeking of tax-free status from the Commonwealth Commissioner for Taxation; the development of a foundation charter; arranging for the appointment of a suitable board of directors in consultation with the Premier; and establishing the appropriate audit arrangements for acquitting

the foundation's funds. These matters are well under way.

I am delighted to say that support for the foundation has been across political and ideological forums. In particular I acknowledge the support of the Mayor of Townsville, Councillor Tony Mooney, who has been particularly supportive and whose letter of support formed part of the submission to Cabinet. Further endorsements have been received from a wide range of people. It is particularly significant that the words of Dr George Heinsohn, President of the Townsville branch of the Wildlife Preservation Society, should be read into Hansard. Dr Heinsohn said—

> "The establishment of this foundation will be a major conservation milestone in Australia. Your hard work and efforts to develop and promote this visionary wetlands project are very much appreciated."

He went on to say—

> "I completely support and endorse the proposed Jacana Foundation as an organisation that will promote education, research, management, training and appreciation in wetlands and wildlife conservation and that will protect and conserve a wetlands of international, national, State and local importance. Both the Townsville Branch, Wildlife Preservation Society of Queensland and myself would like to assist with the project in any way possible."

A few days ago, I returned from the United States. I am delighted to say that I have now received the endorsement of senior fellows at the Smithsonian Institution and the agreement in principle of senior scientists throughout the United States to sit on the board of directors.

Time expired.

POWERS OF ATTORNEY BILL

Resumption of Committee

Resumed from 23 April (see p. 915) on clause 5—

Clause 5, as read, agreed to.

Clauses 6 to 17, as read, agreed to.

Clause 18—

Mr FOLEY (12.31 p.m.): I circulated a proposed amendment to this clause. However, I shall not move it, as it is a consequential amendment to the one which was defeated with respect to clause 5. This amendment was designed to change the power from the court to the tribunal, but the Committee has already voted on that. So rather than waste the time of the Committee, the record will show the amendments that were to be moved, because I have tabled the amendments circulated in my name. The next one, which raises a different policy issue, is my proposed amendment No. 4 to clause 29.

Clause 18, as read, agreed to.

Clauses 19 to 28, as read, agreed to.

Clause 29—

Mr FOLEY (12.32 p.m.): I move the following amendment—

> "At page 24, line 1, 'and'—
>
> omit, insert—
>
> 'or'."

This amendment has the effect of limiting the role of the Public Trustee and trustee companies to financial matters. It also allows a bankrupt to be an eligible attorney if appointed by the principal. The amendment follows the recommendations of the Queensland Law Reform Commission to which I referred at length in my speech on the second reading of the Bill.

The Public Trustee does play a very useful and important role in the community. However, the view taken by the Law Reform Commission was that it should not be the attorney for a personal matter and that its proper role was to be confined to financial matters. That view has been adopted by the Opposition. The other aspect of allowing a bankrupt to be an eligible attorney if appointed by the principal raises more complex questions.

Clause 56 provides that, upon becoming bankrupt, there is a revocation of the power of attorney. That is sensible and as it should be. However, the Law Reform Commission noted that there were cases, particularly involving family members, in which a spouse may wish to appoint a family member who was in fact a bankrupt, well knowing them to be a bankrupt. Having regard to the other protections contemplated—with respect, for example, to the Adult Guardian—while at first blush this seems unusual, this is consistent with the careful approach taken by the Queensland Law Reform Commission in this area. It does not allow a bankrupt to continue without the express authorisation of the principal. In the circumstances, it was considered by the Law Reform Commission that this was a useful way of ensuring that the beneficial effects of the legislation could be extended as far as was reasonably possible.

Mrs CUNNINGHAM: I seek a clarification from the Minister. I understand that the Minister's foreshadowed amendments will remove that third

paragraph. Given that foreshadowed alteration, I wish to be clear in my own mind as to the implications of the previous speaker's amendment.

Mr BEANLAND: The Government does not accept the amendment from the Opposition. This amendment paves the way for the following amendment, the effect of which is to allow bankrupts to be appointed as attorneys and remove freedom of choice. It relates to clause 5, to which the honourable member for Yeronga referred.

There has been a great deal of consultation in relation to this particular section. During the consultation period, members of the trustee industry expressly requested an ability to act as attorneys for personal matters. One reason advanced was that they had clients for whom they now act and who have no appropriate relatives and therefore wish the company to act for them in personal matters. There is also the matter of personal choice for the individual, which is not something that legislation should dictate. That is something about which companies should be able to reach agreement with their clients. Where it is applicable, of course, to the private sector it should also apply as far as the Public Trustee is concerned.

I think the member for Gladstone asked a question, but I did not quite get the details of that particular question. Was it in relation to this particular amendment?

Mrs CUNNINGHAM: Given that the Attorney has foreshadowed an intention to remove subsection (3), and given that the previous speaker intends to change the "and" to "or" at the end of line one, what are the implications of his change given that the Attorney is going to remove the subsequent section?

Mr BEANLAND: The Government's amendment on this clause is a grammatical amendment. It is not going to involve a substantive change. It is more to do with the grammar.

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

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

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

Pair: Borbidge, Livingstone

Resolved in the **affirmative**.

Mr BEANLAND: I move the following amendment—

"At page 24, line 13, 'and' to line 17, 'jurisdiction;'—

omit."

This is a technical amendment. The inclusion of a reference to power for a financial matter is unnecessary in the context of an advance health care directive; therefore we are omitting it.

Amendment agreed to.

Clause 29, as amended, agreed to.

Clause 30—

Mr BEANLAND (12.46 p.m.): I move the following amendment—

"At page 24, line 25 to page 25, line 2—

omit, insert—

'(c) is not an attorney of the principal.

'(2) To avoid any doubt, it is declared that a person is not excluded from being an eligible signer merely because the person is an attorney's employee who signs the document while acting in the ordinary course of employment.

'(3) In this section—

"attorney", for a document, means—

(a) a person who is an attorney of the principal whether under the document or otherwise; or

(b) if the document is all or part of an enduring document—a person who will be an attorney of the principal under the enduring document.'."

This amendment will facilitate the execution of the powers of attorney by removing any potential concern that an employee acting in the ordinary course of employment with an attorney or prospective attorney and who is an eligible signer may be disqualified from signing a document on behalf of a principal because of an employer/employee relationship. In the interests of clarity, the amendment of subclause (c) has prompted the insertion of a definition of "attorney".

Amendment agreed to.

Clause 30, as amended, agreed to.

Clause 31—

Mr BEANLAND (12.47 p.m.): I move the following amendment—

"At page 25, lines 9 to 17—

omit, insert—

'(c) is not an attorney of the principal; and

(d) is not a relation of the principal or a relation of an attorney of the principal; and'."

This amendment is necessitated because the following amendment, in common with the previous amendment, will remove a potential concern in certain situations where there is an employer/employee relationship between the attorney and a witness.

Amendment agreed to.

Mrs CUNNINGHAM: I move the following amendment—

"At page 25, line 19, 'principal.'—

omit, insert—

'principal; and

(f) for an advance health directive—is at least 21 years and not a beneficiary under the principal's will.'."

The purpose of this amendment is to increase what will be the eligible age for a witness in relation to advance health care directives. Under the Bill, the legal age would be 18. However, given the nature of the situation, the information and the considerations that should be given by a witness to an AHD, it is important that that person have some maturity and life experience. Although in many instances 18-year-olds are mature adults, I believe that, given the content of AHDs, the extra three years will be of benefit not only to the person seeking an AHD but also to the person being asked to assume that responsibility as a witness.

Mr BEANLAND: The Government is prepared to accept the amendment. Although the age of majority is 18, I understand the motives behind this amendment. There are no objections raised to it.

Amendment agreed to.

Mr BEANLAND: I move the following amendment—

"At page 25, lines 20 to 22—

omit, insert—

'(2) To avoid any doubt, it is declared that a person is not excluded from being an eligible witness merely because the person is an attorney's employee who is the witness for the document while acting in the ordinary course of employment.

'(3) In this section—

"attorney", for a document, means—

(a) a person who is an attorney of the principal whether under the document or otherwise; or

(b) if the document is all or part of an enduring document—a person who will be an attorney of the principal under the enduring document.'."

The reason for this amendment is identical to that applying to clause 30, namely, removing any potential concern that an employee acting in the ordinary course of employment with an attorney and who is an eligible witness may be disqualified from witnessing a document. In the interests of clarity, a definition of "attorney" has been included.

Amendment agreed to.

Clause 31, as amended, agreed to.

Clauses 32 to 35, as read, agreed to.

Clause 36—

Mr BEANLAND (12.50 p.m.): I move the following amendment—

"At page 28, after line 28—

insert—

'(1A) A direction to withhold or withdraw a life-sustaining measure[1] can not operate unless—

(a) 1 of the following applies—

(i) the principal has a terminal illness or condition that is incurable or irreversible and as a result of which, in the opinion of a doctor treating the principal and another doctor, the principal may reasonably be expected to die within 1 year;

(ii) the principal is in a persistent vegetative state, that is, the principal has a condition involving severe and irreversible brain damage which, however, allows some or all of the principal's vital bodily functions to continue, including, for example, heart beat or breathing;

(iii) the principal is permanently unconscious, that is, the principal has a condition involving brain damage so severe that there is no reasonable prospect of the principal regaining consciousness;[2]

(iv) the principal has an illness or injury of such severity that there is no reasonable prospect that the principal will recover to the extent that the principal's life can be sustained without

the continued application of life-sustaining measures; and

(b) for a direction to withhold or withdraw artificial nutrition or artificial hydration—the life-sustaining measure would be contrary to good medical practice; and

(c) the principal has no reasonable prospect of regaining capacity for health matters.'.

[1] Defined in schedule 2, section 12.

[2] This is sometimes referred to as 'a coma'."

An advance health directive enables a person to make the same sort of decisions in advance of his or her losing capacity that he or she could have made previously. By way of illustration, a person diagnosed with cancer is entitled to refuse chemotherapy even though that person may die more quickly but with a better quality life than might otherwise be considered to be the case.

The objective of an advance health directive is to allow a person to indicate the type of treatment he or she wants or does not want as the case may be. Just as it is completely moral and ethical for a person to refuse treatment in the above case, so it is in an advance health directive. An AHD is designed to allow a person with, say, a history of strokes in the family to indicate the extent of treatment in the following circumstances: firstly, if that person becomes incapable of making health-care decisions; secondly, if that person suffers a sever stroke which, say, results in severe brain damage and a coma from which there is no reasonable prospect of recovery; and thirdly, if that person has a heart attack and then relies on being kept alive artificially. If all three of those examples were to occur, then a person may state that he or she does not wish further treatment but be allowed to die naturally.

A very significant proportion of the community is fully supportive of the Government's initiative in this matter and has made its views quite clear that they want a greater level of patient autonomy in health care. There is a clear need for a mechanism for the legal recognition of a patient's wishes even after he or she may have lost the capacity to give consent to treatment. Patients want to be able to have input into those decisions rather than having them made as they are at present by doctors and relatives who do not have legal standing. Those views were supported strongly by two extensive and reliable research projects by the University of Queensland's Department of Social and Preventive Medicine extending over two years and involving 1,032 doctors and health professionals, and 875 patients and community members.

This amendment will also guard against the possibility, remote though it may be, of a person attempting to give a direction for the refusal of life-sustaining measures in a situation in which the person's health can be restored by simple medical procedures. However, the purpose of this provision is to enable a person to indicate that he or she does not wish the natural course of the dying process to be impeded.

Mr FOLEY: Throughout this debate in the Parliament and in the public arena, the Opposition has supported the Government's approach in this area. The issue of advance health directives has been the subject of much heated community debate. However, the provisions as drawn in the Bill should achieve the beneficial purpose that the Government has outlined. They have been drawn in such a way so as to avoid the evils or mischief that some people have expressed concern about.

Amendment agreed to.

Clause 36, as amended, agreed to.

Insertion of new clause—

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

"At page 29, after line 12—

insert—

'Act does not authorise euthanasia or affect particular provisions of Criminal Code

'36A. To avoid any doubt, it is declared that nothing in this Act—

(a) authorises, justifies or excuses killing a person; or

(b) affects the Criminal Code, section 284 or chapter 28.[3]'.

[3] Criminal Code—

'Consent to death immaterial

'284. Consent by a person to the causing of the person's own death does not affect the criminal responsibility of any person by whom such death is caused.

Chapter 28 (Homicide—suicide—concealment of birth), including—

'Acceleration of death

'296. A person who does any act or makes any omission which hastens the death of another person who, when the act is done or the omission is made, is labouring under some disorder or disease arising from another cause, is deemed to have killed that other person.

'Aiding suicide

'311. Any person who—

(a) procures another to kill himself or herself; or

(b) counsels another to kill himself or herself and thereby induces the other person to do so; or

(c) aids another in killing himself or herself;

is guilty of a crime, and is liable to imprisonment for life.'."

Since the Bill was introduced into this place on 8 October last year, there has been some misinformation promulgated in certain sectors of the community concerning the potential use of an advance health directive as a vehicle for euthanasia. Let me say again, as I said in my second-reading speech, that this Government does not countenance euthanasia in any shape or form.

Although provisions of the Bill refer specifically to the fact that it does not authorise the carrying out of health care for the purpose of causing the death of a person—provisions which, I might add, were inserted following a response to the consultation draft by a right to life organisation—I have decided to recast that provision to allay the fears of anyone who may have been influenced by this group and, indeed, the group itself, small in number though it may be.

I hasten to add that I have never entertained any doubt that the community and the medical profession are well aware that no instruction from a patient can absolve a doctor from his or her obligations under the law or the ethics of the medical profession. Nevertheless, this amendment will place the matter once and for all beyond any doubt.

Mrs CUNNINGHAM: On behalf of quite a number of people who wrote not only to me but also to a number of members, particularly Government members, concerned that the legislation was not clear, I want to pass on formally my appreciation to the Attorney-General. The Minister and his advisers continued to reaffirm that euthanasia was never intended and never permitted by the Bill. However, the level of concern in those people's minds was significant. I want to formally pass on their appreciation and mine for this clarification.

Mr FOLEY: The Opposition supports this amendment. In strictly legal terms, it is superfluous. Nonetheless, I understand the reasons why the Attorney-General has put it before the Parliament. It certainly will not do any harm. As the member for Gladstone said, it may go some way towards putting people's minds at rest. Accordingly, the Opposition has no objection to the amendment moved by the Attorney-General.

Amendment agreed to.

New clause 36A, as read, agreed to.

Clauses 37 to 42, as read, agreed to.

Clause 43—

Mrs CUNNINGHAM (12.56 p.m.): I want to advise the Chamber that I will withdraw my proposed amendment. The purpose of the amendment was to ensure that, additional to witnesses outlined already in the Bill, a medical person would be involved in the approval process so as to be able to answer any questions.

The amendment circulated by the Attorney-General, amendment No. 7, addresses that same issue but it enhances the role of the doctor to require certification that an explanation and clarification has been given on what will be achieved by an AHD. In deference to a better amendment, I will be withdrawing mine.

Mr BEANLAND: I thank the member for Gladstone for that. When the matter was raised and brought to our attention, we set to work looking at how we might improve the areas of concern in clause 43. I thank the member for Gladstone for withdrawing her amendment to allow what I think is probably a better amendment.

I move the following amendment—

"At page 33, after line 10—

insert—

'(5A) An advance health directive must also include a certificate signed and dated by a doctor mentioned in subsection (5B) stating the principal, at the time of making the advance health directive, appeared to the doctor to have the capacity necessary to make it.

'(5B) The doctor must not be—

(a) the person witnessing the advance health directive; or

(b) the person signing the advance health directive for the principal; or

(c) an attorney of the principal; or

(d) a relation of the principal or a relation of an attorney of the principal; or

(e) a beneficiary under the principal's will.'."

It was always intended that a person making an advance health directive should consider the desirability of doing so in consultation with his or her doctor. After further discussions with some members of the medical profession and other interested people since this Bill was introduced

into this place, it is my view that the potential for any uncertainty of expression would be reduced and, therefore, the overall effectiveness of an advance health directive would be improved if the level of doctor involvement were to be increased. At the same time, the amendment will ensure that medical advice has been received from a completely independent source. Again, I thank the member for Gladstone for withdrawing those other consequential amendments.

Mr FOLEY: The Opposition raises no objection to the provision as moved by the Attorney-General. This is an area where the law is moving into new territory. In this respect, the Attorney-General is adopting a cautious approach. It is important that people's rights to make advance health directives be respected, but the proviso to be inserted as a result of this amendment adds extra safeguards to the legislation as it was proposed originally.

Amendment agreed to.

Clause 43, as amended, agreed to.

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

Clauses 44 to 63, as read, agreed to.

Clause 64—

Mr BEANLAND: (2.30 p.m.): I move—

"At page 42, line 18, 'power or attorney'—

omit, insert—

'power of attorney'."

This amendment merely corrects a typographical error by replacing the word "or" with the word "of".

Amendment agreed to.

Clause 64, as amended, agreed to.

Clause 65—

Mr FOLEY (2.31 p.m.): I move—

"At page 43, lines 1 to 7—

omit, insert—

'Act honestly and reasonably

'65. An attorney for a matter must exercise power for the matter honestly and with the degree of care that is reasonable for a person having the attorney's experience and expertise.

Maximum penalty—200 penalty units.'."

This amendment goes to the question of the standard of care to be observed by an attorney. The amendment moved by the Opposition would return the test to that which was advocated by the Queensland Law Reform Commission. In short, the test in the Government's Bill might be described as an objective test, whereas the test in the Opposition's amendment and in the Law Reform Commission's report is a subjective test.

The duty to act honestly and with reasonable diligence, which is set out in clause 65 of the Government's Bill, appears on its face to be satisfactory. However, one must understand that we are dealing in the case of attorneys with people who come from all walks of life and all backgrounds. A concern was expressed by the Queensland Law Reform Commission that ordinary people could be deterred from becoming attorneys because they might be subject to too high a standard.

This is a difficult question because, clearly, everybody would want the principal, who will often be a person with a decision-making incapacity, to have the utmost protection. On the other hand, if the scheme of encouraging members of the family to be attorneys is to work, then that standard cannot be so high that it deters people. That is why the Law Reform Commission adopted this form of words—

> "That an attorney for a matter must exercise power for the matter honestly and with the degree of care that is reasonable for a person having the attorney's experience and expertise."

That is intended to avoid the discouragement of people from becoming attorneys. Of course attorneys must act honestly, but the degree of care that is required is that which is reasonable for a person having the attorney's experience and expertise. I commend the amendment to the Parliament.

Mr BEANLAND: The Government does not accept this amendment. I think it is fair to say that we must be very careful in the area of standard of care. A person who agrees to undertake the role of attorney does so with the full knowledge of the duties and responsibilities involved. The form also has detailed information on this aspect.

The amendment proposes a lesser standard of responsibility than is ordinarily expected under the law from a person who acts as an agent of another. The amendment would facilitate financial abuse of vulnerable people and reduce the level of accountability of attorneys. Given the incidence of abuse of the elderly and other vulnerable people, a reduction in the level of accountability cannot be tolerated. Therefore, the Government does not accept this amendment.

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

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

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

Pair: Borbidge, Livingstone

Resolved in the **affirmative**.

Clause 65, as read, agreed to.

Clauses 66 to 82, as read, agreed to.

Clause 83—

Mr BEANLAND (2.40 p.m.): I move—

"At page 49, line 18, 'Property Law 1974'—

omit, insert—

'Property Law Act 1974'."

This amendment corrects an error in the description of the Act.

Amendment agreed to.

Clause 83, as amended, agreed to.

Clauses 84 to 94, as read, agreed to.

Insertion of new clauses—

Mr FOLEY (2.43 p.m.): I move the following amendment—

"At page 55, after line 5—

insert—

'Health providers to give information

'94A.(1) A health provider, who is treating an adult with impaired capacity for a health matter or a special health matter, must give information to the following as appropriate—

(a) for a health matter—an attorney who has power for the health matter;

(b) if the tribunal is considering consenting to the special health care for the adult—the tribunal.

'(2) The information to be given is information about the following—

(a) the nature of the adult's condition;

(b) the alternative forms of health care available, or likely to be available in the foreseeable future, for the condition;

(c) the general nature and effect of each form of health care;

(d) the nature and extent of short-term, or long-term, significant risks associated with each form of health care;

(e) the reasons why it is proposed a particular form of health care should be carried out.

'Offence to carry out health care unless authorised

'94B.(1) It is an offence for a person to carry out health care of an adult with impaired capacity unless—

(a) this Act provides that the health care may be carried out without consent;[11] or

(b) consent to the health care is given under this or another Act;[12] or

(c) the health care is authorised by an order of the Supreme Court made in its parens patriae jurisdiction.[13]

Maximum penalty if special health care carried out—300 penalty units.

Maximum penalty if other health care carried out—200 penalty units.

'(2) This section has effect despite the Criminal Code, section 282.[14]

'Other liability not affected

'94C. This Act does not affect a person's liability for health care given to an adult to which the person would have been subject if—

(a) the adult had been capable of consenting to the health care; and

(b) the health care had been given with the adult's consent.'.

[11] See section 89B (Urgent health care without consent) and section 90 (Minor, uncontroversial health care without consent).

[12] A medical superintendent or medical practitioner may consent to a surgical procedure in certain cases under the Medical Act 1939, section 52 (Operations when patient incapable of consenting).

[13] This jurisdiction is based on the need to protect those who lack the capacity to protect themselves. It allows the Supreme Court to appoint decision makers for people who, because of mental illness, intellectual disability, illness, accident or old age, are unable to adequately safeguard their own interests.

[14] The Criminal Code, section 282 provides as follows—

'Surgical operations

'282. A person is not criminally responsible for performing in good faith and with reasonable care and skill a surgical operation upon any person for the patient's benefit, or upon an unborn child for the preservation of the mother's life, if the performance of the operation is reasonable, having regard to the patient's state at the time and to all the circumstances of the case.'."

This amendment inserts a provision that imposes a duty on health providers to give information in certain circumstances and makes it an offence to carry out health care unless authorised. By contrast, the scheme of the Government's legislation relies upon the common law of assault and upon the general law as set out in the Criminal Code. However, this is an important provision, and the Opposition is moving in accordance with the recommendations of the Queensland Law Reform Commission to ensure that a health provider treating an adult with impaired capacity for a health matter or a special health matter must give certain information.

In our view, that information is an important part of the process of ensuring that adults with impaired capacity are treated with dignity and respect for a health matter or a special health matter. The information to be given is information about the nature of the adult's condition, the alternative forms of health care available, the general nature and effect of each form of health care, the nature and extent of short-term or long-term significant risks associated with each form of health care and the reasons why it is proposed that a particular form of health care should be carried out.

The provisions are sensible ones. One would expect that health providers would give this information. Perhaps the Government's reluctance to go down the Law Reform Commission's path lies in an unwillingness to spell this out in legislative form. But at a time when we are seeking to achieve legislative reform for people with a decision-making disability, or in this case an adult with impaired capacity, it is our view that the recommendations of the Law Reform Commission have considerable merit. This requirement on health providers to give information is part of an increasing awareness on the part of the community that the giving of information to people undertaking health care is part of the basic rights of people. Accordingly, I encourage all honourable members to support this amendment.

Mr BEANLAND: The Government does not accept this amendment for the following reasons. Clause 80 of the Bill already provides for the entitlement of an attorney to all—I repeat "all"—information necessary for the attorney to make decisions on behalf of the principal. This applies to personal health care decisions as well as to financial decisions. All persons, including medical and other professionals, are bound to provide that information. The first part of this amendment is related to and dependent upon the first amendment moved by the Opposition, which provided for the creation of a tribunal. That amendment failed. Therefore, this one serves no useful purpose. The other parts of the amendment are related to the creation of a scheme for health care for people with impaired capacity. That is part of the Guardianship and Administration Bill 1998.

Mr FOLEY: I have carefully avoided doubling up on amendments that are consequential. It is true that proposed new section 94A(1)(b) refers to the tribunal, but that is not the whole extent of this amendment. In fact, proposed new section 94A(1)(a) refers, in the case of a health matter, to an attorney who has power for the health matter, and then in subsection (2) of the proposed new section sets out the information. It is not inconsistent with the earlier vote. However, what it does do is spell it out in more detailed terms than the very broad terms contemplated in clause 80 of the Bill.

Mr BEANLAND: It is fair to say that clause 80 of the Bill contains the information already. It provides for the entitlement of an attorney to all information necessary for the attorney to make decisions on behalf of the principal. That applies to personal health care decisions and all financial decisions. The matter is certainly covered under clause 80.

Question—That new clauses 94A, 94B and 94C be inserted—put; and the Committee divided—

AYES, 43—Ardill, Barton, Beattie, Bird, Bligh, Braddy, Bredhauer, Briskey, Campbell, D'Arcy, De Lacy, Dollin, Edmond, Elder, Foley, Fouras, Gibbs, Goss W. K., Hamill, Hayward, Hollis, Lavarch, Lucas, McElligott, McGrady, Mackenroth, Milliner, Mulherin, Nunn, Nuttall, Palaszczuk, Pearce, Purcell, Robertson, Rose, Schwarten, Smith, Spence, Sullivan J. H., Welford, Wells. Tellers: Roberts, Sullivan T. B.

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

Pair: Livingstone, Borbidge

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

Resolved in the **negative**.

Clauses 95 to 101, as read, agreed to.

Clause 102—

Mrs CUNNINGHAM (2.55 p.m.): I move the following amendment—

"At page 58, line 8, after 'uncertain'—

insert—

'or contrary to good medical practice'."

This amendment strengthens the argument about the role of the AHD and where the medical profession has the right to overrule or not comply with the advance health directive. All of the assurances have been given in meetings with the Minister that one overriding factor would continue, and that is the obligation on doctors to act honourably and in accordance with good medical practice. These words reinforce that obligation, that responsibility. The Minister has indicated that he will be supporting the amendment and I thank him for that.

Again, there was a lot of uncertainty in the minds of people as to what implications the advance health directives could have regarding intervention in their own medical welfare in the future. So the addition of these words in this clause just gives the added clarification that, if an advance health directive is contrary to what would be good medical practice, then the doctor is well within his rights—indeed, he has the responsibility—not to take notice of that advance health directive but to comply with good medical practice.

Mr BEANLAND: The Government is prepared to accept this amendment. I thank the member for Gladstone. It is a fundamental principle. The doctor can never be required to carry out medical treatment which would be contrary to good medical practice. This principle has always been implicit in the Bill, as is the case with the observance of the Criminal Code. This amendment merely restates this in legislative form. Nevertheless, in light of certain representations, I am prepared to propose that the phrase be included as an amendment to this clause.

Amendment agreed to.

Clause 102, as amended, agreed to.

Clauses 103 and 104, as read, agreed to.

Insertion of new clause—

Mr FOLEY (2.58 p.m.): I move the following amendment—

"At page 59, line 14—

omit, insert—

'PART 6—MISCELLANEOUS

'Power to excuse failure

'104A. If an attorney is prosecuted in a court for a failure to comply with this chapter, the court may, if it considers it fair, completely or partly excuse the failure.'."

This amendment makes provision for the court to excuse a failure on the part of an attorney. It makes a provision that is somewhat novel but one recommended by the Law Reform Commission, namely, if an attorney is prosecuted in a court for a failure to comply with this chapter, the court may, if it considers it fair, completely or partly excuse the failure. That again reflects the concern on the part of the Law Reform Commission that encouragement should be given to people to be attorneys and that actions should be taken in the law to give the court a discretion to completely or partly excuse the failure if, having regard to the facts and circumstances before the court, it thought it just to do so. To some extent it goes to the issue that we discussed earlier about whether the test should be objective or subjective. In this reform it is important that ordinary folk not feel that the assumption of the responsibilities of an attorney pursuant to a power of attorney or an enduring power of attorney is something that is too onerous for them to contemplate. It is a humane amendment. It is one that is recommended by the Law Reform Commission. I encourage all members to support it.

Mr BEANLAND: The Government does not accept this amendment. Clause 104 already provides for this power in a way which is more comprehensive and appropriate in the context of the power of attorney legislation. I am somewhat at a loss to understand what the amendment moved by the member for Yeronga proposes to do. The present clause 104 is a vastly improved version of the original provision in the draft Queensland Law Reform Commission Bill. The Opposition's amendment would appear to be based on the earlier version. We believe that the section contained in the legislation is an improvement on that. Therefore we oppose this amendment.

Mrs CUNNINGHAM: I need clarification. It was my understanding that the relief offered in clause 104 is for civil issues. What is being proposed is for criminal issues. In other words, it is proposed that it will apply to relief on criminal matters.

Mr BEANLAND: The word "any" appears here and it applies to both civil and criminal.

Question—That new clause 104A be inserted—put; and the Committee divided—

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

Goss W. K., Hamill, Hayward, Hollis, Lavarch, Lucas, McElligott, McGrady, Mackenroth, Milliner, Mulherin, Nunn, Nuttall, Palaszczuk, Pearce, Purcell, Robertson, Rose, Schwarten, Smith, Spence, Sullivan J. H., Welford, Wells. Tellers: Roberts, Sullivan T. B.

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

Pair: Borbidge, Livingstone

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

Resolved in the **negative**.

Clauses 105 to 112, as read, agreed to.

Clause 113—

Mr BEANLAND (3.09 p.m.): I move the following amendment—

"At page 63, line 19, 'section 113'—

omit, insert—

'section 112'."

This amendment corrects an incorrect reference to the preceding clause in this clause.

Amendment agreed to.

Clause 113, as amended, agreed to.

Clauses 114 to 125, as read, agreed to.

Clause 126—

Mr FOLEY (3.10 p.m.): I move the following amendment—

"At page 69, line 8, 'Act.'—

omit, insert—

'Act;

(g) establishing and administering a community appointees scheme involving—

(i) recruiting and training people suitable for appointment as an appointed assistant or appointed attorney; and

(ii) supporting and monitoring people recruited under the scheme who are appointed;

(h) establishing and administering a community visitors scheme involving—

(i) recruiting and training people suitable for allocation as a community visitor for a hospital or care facility in which an adult with a mental or intellectual impairment lives; and

(ii) supporting and monitoring people recruited under the scheme who are allocated for a hospital or care facility.'."

This amendment provides for establishing and administering of a community appointees scheme. That requires appointment by the tribunal. So to that extent that particular paragraph would be inoperative. However, the amendment also contemplates the establishing and administering of a community visitors scheme involving recruiting and training people suitable for allocation as a community visitor for a hospital or care facility in which an adult with a mental or intellectual impairment lives, and supporting and monitoring people recruited under the scheme who are allocated for a hospital or care facility.

There does not appear to be any really good reason why the Government has left this out of the functions of the adult guardian, except perhaps to save money. There has been a clear message from the Queensland Law Reform Commission, after the most extensive consultation, that a community visitors scheme would be useful and helpful for people in a hospital or care facility in which adults with a mental or intellectual impairment live. It is part of the package of reforms that go to make the quality of life for people with mental or intellectual impairment better. It is unfortunate that the Government has left out this function from its clause 126, setting out the functions of the adult guardian, and this will go some way towards repairing the deficiencies of the Government's Bill.

Mr BEANLAND: The Government does not accept this amendment for a number of reasons. What we have here are the community appointees and community visitors. Both are part of Phase 2, to be dealt with in the context of the Guardianship and Administration Bill. In fact, the establishment and administration of a community visitors scheme appears in the consultation draft of that Bill as an extended function of the adult guardian. The concept of community assistance has similar problems to the concept of an assistant decision maker. It involves someone having lawful authority to exert influence on an adult with impaired capacity without being accountable for their actions.

The Victorian Public Advocate, for example, responded to the Queensland Law Reform Commission's assistant decision maker proposal by calling it a Clayton's decision maker. The Government is similarly not attracted to the formalisation of this arrangement, although it is envisaged that the adult guardian will have a close liaison with the community organisation in the performance of its function. Therefore, I

assure the member for Yeronga that it certainly has nothing to do with the saving of money.

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

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

NOES, 43—Ardill, Barton, Beattie, Bird, Bligh, Braddy, Bredhauer, Briskey, Campbell, D'Arcy, De Lacy, Dollin, Edmond, Elder, Foley, Fouras, Gibbs, Goss W. K., Hamill, Hayward, Hollis, Lavarch, Lucas, Mackenroth, McElligott, McGrady, Milliner, Mulherin, Nunn, Nuttall, Palaszczuk, Pearce, Purcell, Robertson, Rose, Schwarten, Smith, Spence, Sullivan J. H., Welford, Wells. Tellers: Sullivan T. B., Roberts

Pair: Borbidge, Livingstone

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

Resolved in the **affirmative**.

Clause 126, as read, agreed to.

Clauses 127 to 136, as read, agreed to.

Clause 137—

Mr FOLEY (3.18 p.m.): I move the following amendment—

"At page 74, lines 6 to 17—

omit, insert—

'Cost of investigation and audits

'137.(1) If—

(a) the adult guardian undertakes an investigation concerning a financial matter or audit at the request of a person; and

(b) the adult guardian is satisfied the request is frivolous or vexatious or otherwise without good cause;

the adult guardian may, by written notice, require the person to pay the amount the adult guardian considers appropriate for the cost of the investigation or audit.

'(2) The adult guardian may, by written notice, require a person who requests an investigation or audit to pay the amount the adult guardian considers appropriate as security for a payment under subsection (1).'."

This deals with the costs of an investigation and audit undertaken by the adult guardian. The amendment seeks to replace the existing clause 137, dealing with costs of investigations and audits, with a fairer and more reasonable provision. The existing clause 137 creates a discretion that someone who frivolously or maliciously or otherwise without good reason requests an investigation can be made to bear the cost of that investigation. That is fair and proper, and that is reflected also in the Opposition's amendment. However, the Government's clause 137 subsection (2) is outrageously unfair. It puts the cost of investigating genuine concerns that people with impaired mental functioning are being abused or exploited onto those people themselves, that is, making the victims pay or, alternatively, on people who have requested investigations in good faith, thereby creating a financial disincentive for reporting suspected abuse. One can imagine the howls of outrage if there were analogous legislation about other suspected abuses or exploitation in the community—child abuse, for example, or fraud. This clause in the Government's Bill is totally misconceived.

The amendment proposed by the Opposition would enable the adult guardian to recover costs where the request for an investigation concerning a financial matter or audit is frivolous or vexatious or otherwise without good cause. That is surely the proper test. It may be said by the Government that one can simply repose in the fond hope that the adult guardian will exercise his or her discretion in a beneficial way, but that is far from satisfactory. It is important that this power to recover costs be confined to those cases which are frivolous or vexatious. To do otherwise would be unfairly to penalise people with a disability or, indeed, to penalise those people who, in good faith, raise issues about the possible abuse of their fellow citizens.

Mrs CUNNINGHAM: I would like some clarification. I have a great deal of sympathy for the amendment that has been moved. If I understand the Bill correctly, it allows for the adult guardian to require, in the initial stages, a bond or a deposit for the cost of an investigation. What conditions are placed on the adult guardian to pass on costs in situations where the investigation is genuinely necessary? As the previous speaker said, prior to making a complaint, will a person who is making a complaint have to consider whether he or she can afford to fund an investigation, even if it is made in good faith? The comment that has been made is that the Bill allows for people to make complaints or request investigations, but they must be aware that they could and most probably would be required to fund the inquiry, whereas the amendment provides for costs to be paid only for vexatious or frivolous requests for investigation.

Where in the Bill is a constraint placed on the adult guardian?

Mr BEANLAND: The Government proposes to accept the amendment, although I must say that the member for Yeronga is stretching the point a little bit. To answer the member for Gladstone's question, the adult guardian would recover from the attorney. From the way the clause reads, one would have to assume that members opposite have no faith in the adult guardian as an accountable statutory officer. A person who has agreed, by requirement, to pay costs would have the right of appeal. The jurisdiction for determining the appeal would be extended to the Guardianship and Administration Council. In spite of the comments by the member for Yeronga, the amendment does not make a great deal of difference. The Government is happy to accept the amendment.

Mr FOLEY: I welcome the Government's acceptance of this Opposition amendment, because it is quite a significant change in policy. I thank the member for Gladstone for her expression of sympathy. I am sure that that had more than a little to do with the melting of Pharaoh's heart on the part of the Government. In this respect, may I thank Mr John Briton, a former Human Rights Commissioner in Queensland and Anti-Discrimination Commissioner, for his suggestion. He was one of a number of people who commented on this Bill and made suggestions for its improvement. In particular, his suggestion for amending this provision is one that was picked up by the Opposition, now has been accepted by the Government and shortly will be accepted by the Parliament. I thank him. I also thank Mr Jeremy Ward and others from Queensland Advocacy Incorporated, who have done careful and detailed submissions on this legislation. It is good to see that the hard work of concerned citizens can pay off on occasion in the legislative process.

Amendment agreed to.

Clause 137, as amended, agreed to.

Clauses 138 to 148, as read, agreed to.

Clause 149—

Mr FOLEY (3.27 p.m.): I move the following amendment—

"At page 79, after line 23—

insert—

'(3) A person is eligible for appointment as adult guardian only if the person has demonstrated commitment to advocacy for people with a mental or intellectual impairment.

'Selection

'149A.(1) For selecting a person for recommendation for appointment as adult guardian, the Minister must advertise for applications from suitably qualified persons to be considered for selection.

'(2) The Governor in Council may appoint a person as adult guardian only if subsection (1) has been complied with for the appointment.'."

This amendment goes to the eligibility for appointment of a person as adult guardian. Again it reflects the recommendation of the Queensland Law Reform Commission and provides that the adult guardian must be a person who has a demonstrated commitment to advocacy for people with a mental or intellectual impairment. This provision is an important one, because, under the legislation, the adult guardian is a person upon whom a great deal of responsibility must fall. The existing provisions of clause 149 about the appointment of the adult guardian simply provide that—

> "A person may not hold office as adult guardian at the same time as the person holds another office having functions concerning the protection of the rights and interests of, or the provision of services or facilities to, adults who have impaired capacity."

Whoever it may be that comes to occupy this office, it is important that such a person have a demonstrated commitment to advocacy for people with a mental or intellectual impairment. That is something that should be spelt out in the legislation and not just left to the discretion of the Government of the day.

Mr BEANLAND: The Government does not accept this amendment. Although it is certainly fair to say that a commitment to advocacy for people with impaired capacity is an important attribute for the holder of such a position, there are also considered to be other equally, if not more important, criteria, for example, a commitment to human rights, a knowledge and understanding of the law on issues relating to powers of attorney and relevant legislation dealing with people with impaired capacity, not to mention high-level strategic and management skills appropriate to the issues with which such an important position will be confronted. Therefore, I believe that it is inappropriate to put all of these into legislation.

The Opposition's amendment certainly does not do that. It seems to relate to one sector of the community only and perhaps would give advantage to one sector and not look at the overall requirements, skills and qualifications that would make a person who applied for this position more suitable for the discharge of his or

her responsibilities in this particular position. Therefore, the Government does not accept this amendment.

Mrs CUNNINGHAM: I seek clarification of one point. The inclusion of this clause would not necessarily preclude those other qualifications, but would it add to the clarification of the role that the person whom the Attorney-General is intending to appoint as the adult guardian should have? The issues of law and those other streams of qualifications can be documented. Sometimes the role of an advocate, particularly in the area of mental and intellectual disability, may not be demonstrated by a legal or paper qualification but it may be able to be demonstrated by a previous history. How will the Minister ensure that the person who is appointed has the necessary experience in advocacy for people with mental and intellectual impairment, given that the other qualifications that are listed, such as law, can be shown as existing because of a degree or something similar?

Mr BEANLAND: I thank the member for Gladstone. I would have thought that it would have been inherent within the legislation that a qualification would be there. However, it is not the only qualification that would be required for the position of adult guardian. If we start putting in one aspect of the qualifications, then we are certainly going to be required to put in a range of other aspects within the legislation, otherwise it may be concluded that the qualification stated is the only real qualification or requirement and other qualifications do not carry as much weight.

There is a range of qualifications and skills that carry weight in relation to this clause. If such an amendment was going to be made to the clause, one would need to cover all of those skills and requirements that one is looking for to cover this very important position.

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

AYES, 43—Ardill, Barton, Beattie, Bird, Bligh, Braddy, Bredhauer, Briskey, Campbell, D'Arcy, De Lacy, Dollin, Edmond, Elder, Foley, Fouras, Gibbs, Goss W. K., Hamill, Hayward, Hollis, Lavarch, Lucas, McElligott, McGrady, Mackenroth, Milliner, Mulherin, Nunn, Nuttall, Palaszczuk, Pearce, Purcell, Robertson, Rose, Schwarten, Smith, Spence, Sullivan J. H., Welford, Wells. Tellers: Sullivan T. B., Roberts

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

Pair: Sheldon, Livingstone

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

Resolved in the **negative**.

Clause 149, as read, agreed to.

Clauses 150 to 159, as read, agreed to.

Insertion of new clause—

Mr FOLEY (3.40 p.m.): I move the following amendment—

"At page 83, after line 21—

insert—

'CHAPTER 7A—PUBLIC ADVOCATE

'PART 1—ESTABLISHMENT, FUNCTIONS AND POWERS

'Public advocate

'159A. There must be a Public Advocate.

'Functions—systemic advocacy

'159B. The public advocate has the functions given to the public advocate by this Act or another Act, including the following functions—

(a) protecting the rights of adults with a mental or intellectual impairment;

(b) promoting the protection of the adults and their rights from neglect, exploitation or abuse;

(c) encouraging the development of programs to assist the adults to reach the greatest practicable degree of autonomy;

(d) promoting the provision of services and facilities for the adults;

(e) monitoring and reviewing the delivery of services and facilities to the adults.

'Powers

'159C.(1) The public advocate has the powers given under this Act or another Act.

'(2) Also, the public advocate may do all things necessary or convenient to be done for performing the public advocate's functions.

'(3) If the public advocate considers it appropriate to do so, the public advocate may intervene in a proceeding involving protection of the rights or interests of adults with a mental or intellectual impairment with the leave of the court hearing the proceeding and subject to any conditions imposed by the court.

'Not under Ministerial control

'159D. In performing the public advocate's functions and exercising the public

advocate's powers, the public advocate is not under the control or direction of the Minister.

'Delegation

'159E. The public advocate may delegate[46] the public advocate's powers to a member of the public advocate's staff.

'PART 2—ADMINISTRATIVE PROVISIONS

'Appointment

'159F.(1) The public advocate is to be appointed on a full-time basis by the Governor in Council.

'(2) A person is eligible for appointment as public advocate only if the person has demonstrated commitment to advocacy for people with a mental or intellectual impairment.

'(3) A person may not hold office as public advocate at the same time as the person holds another office having functions concerning the protection of the rights and interests of, or the provision of services or facilities to, adults who have impaired capacity.

'Selection

'159G.(1) For selecting a person for recommendation for appointment as public advocate, the Minister must advertise for applications from suitably qualified persons to be considered for selection.

'(2) The Governor in Council may appoint a person as public advocate only if subsection (1) has been complied with for the appointment.

'Duration of appointment

'159H.(1) The public advocate holds office for a term of not longer than 5 years.[47]

'(2) The office of public advocate becomes vacant if the public advocate resigns by signed notice of resignation given to the Governor in Council.

'(3) The Governor in Council may remove the public advocate from office for—

(a) physical or mental incapacity to perform official duties satisfactorily; or

(b) neglect of duty; or

(c) dishonourable conduct; or

(d) being found guilty of an offence that, in the Minister's opinion, makes the person unsuitable to perform official duties.

'Terms of appointment

'159I.(1) The public advocate is to be paid the remuneration and allowances decided by the Governor in Council.

'(2) To the extent this Act does not state the terms on which the public advocate holds office, the public advocate holds office on the terms decided by the Governor in Council.

'Leave of absence

'159J. The Minister may give the public advocate leave of absence on the terms the Minister considers appropriate.

'Acting public advocate

'159K. The Governor in Council may appoint a person to act as the public advocate—

(a) for any period the office is vacant; or

(b) for any period, or all periods, when the public advocate is absent from duty or Australia or can not, for another reason, perform the duties of the office.

'Staff

'159L.(1) Staff necessary to enable the public advocate to perform the public advocate's functions may be appointed under the Public Service Act 1996.

'(2) The public advocate has all the functions and powers of the chief executive of a department, so far as the functions and powers relate to the organisational unit made up of the public advocate's staff, as if—

(a) the unit were a department within the meaning of the Public Service Act 1996; and

(b) the public advocate were the chief executive of the department.

'Protection from liability

'159M.(1) In this section—

"official" means a person who is or has been—

(a) the public advocate; or

(b) a member of the public advocate's staff.

'(2) The official is not civilly liable for an act done, or omission made, honestly and without negligence under this Act.

'(3) If subsection (2) prevents civil liability attaching to an official, the liability attaches instead to the State.

'Preservation of confidentiality

'159N.(1) If a person gains confidential information because of the person's involvement in this Act's administration, the person must not make a record of the information or intentionally or recklessly disclose the information to anyone other than under subsection (3).

'(2) A person gains information through involvement in the administration of this Act if the person gains the information because of being, or an opportunity given by being—

(a) public advocate; or

(b) a member of the public advocate's staff.

'(3) A person may make a record of confidential information, or disclose it to someone else—

(a) for this Act; or

(b) to discharge a function under another law; or

(c) for a proceeding in a court or relevant tribunal; or

(d) if authorised under a regulation or another law; or

(e) if authorised by the person to whom the information relates.

'(4) In this section—

"confidential information" includes information about a person's affairs but does not include—

(a) information already publicly disclosed unless further disclosure of the information is prohibited by law; or

(b) statistical or other information that could not reasonably be expected to result in the identification of the person to whom the information relates.

'Annual report

'159O.(1) The public advocate must, as soon as practicable after each financial year—

(a) prepare a report on the exercise of the public advocate's functions during the year; and

(b) give a copy of the report to the Minister.

'(2) The Minister must table a copy of the report in the Legislative Assembly within 14 sitting days after receiving the report.'.

46 The Acts Interpretation Act 1954, section 27A applies to the delegation.

47 The public advocate may be reappointed—see Acts Interpretation Act 1954, section 25(1)(c)."

This new clause makes provision for the establishment of the office of public advocate. The office of public advocate was recommended by the Law Reform Commission and is not to be found in the Government's Bill. The public advocate that is proposed by the Opposition in accordance with the Law Reform Commission recommendations has a number of functions, including protecting the rights of an adult with a mental or intellectual impairment, promoting the protection of adults and their rights from neglect, exploitation or abuse, encouraging the development of programs to assist the adults to reach the greatest practical degree of autonomy, promoting the provision of services and facilities for the adults and monitoring and reviewing the delivery of services and facilities to the adults.

The policy debate is: do we need a public advocate as well as an adult guardian? Some say that it is not necessary, and that is clearly the view that was taken in the first instance by the Government. However, the following point should be borne in mind. After very extensive consultation, the Law Reform Commission recommended the establishment of an office with responsibility for systemic advocacy.

In the last few years we have seen continued examples of the most distressing kind involving people with mental or intellectual impairment. We have seen the very disturbing report from the CJC with respect to Basil Stafford. There is nothing about which we can be complacent with respect to the treatment of people with an intellectual impairment.

In addition to the specific investigations of possible abuses which the adult guardian may carry out, there is a strong case for a public advocate who has systemic functions—functions that challenge each and every one of us to look at the way in which our society treats people with a mental or intellectual impairment. All too often such people are put to one side—out of sight and, regrettably, out of mind.

Because of its nature, the role of public advocate is not one which would be comfortable for any Government. It is a role which involves raising issues and challenging things which are otherwise accepted as part of the status quo. Experience has taught us that there is a need for us to be made more aware of the rights and needs of people with a mental or intellectual impairment.

Again, it would seem that the principal reason the Government has gone down this path is to avoid cost. In the circumstances, it is an unsatisfactory reason because the community has waited a long time for these reforms and it is important that they be done properly. Accordingly, the Opposition encourages the adoption of this amendment, which would establish the public advocate and give that office the functions and powers necessary to carry out its important role.

Mr BEANLAND: The Government does not propose to accept this amendment. It is not a matter of cost, as the member for Yeronga

indicated. It is simply a matter of avoiding a lot of wasted time, effort and energy. We have the position of adult guardian. In every other State the functions of both positions are effectively carried out by the adult guardian. The powers of the adult guardian are quite significant. Section 28 even states "not under ministerial control". It is quite clear that the adult guardian has enormous powers to carry out this and a whole range of other work.

The Opposition seeks to set up two establishments where there would be an overlap of functions. I notice that the Queensland Law Reform Commission went down this road, but both functions have been amalgamated under the Guardianship and Administration Bill. The member will see that clearly spelt out there. No real purpose would be served by these proposals, in spite of what the member for Yeronga might say in relation to this. The Government, therefore, does not accept this amendment.

Question—That new clauses 159A to 159O be inserted—put; and the Committee divided—

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

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

Pair: Sheldon, Livingstone

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

Resolved in the **negative**.

Clauses 160 to 174, as read, agreed to.

Clause 175—

Mr BEANLAND (3.52 p.m.): I move the following amendment—

"At page 92, line 21, before subclause (1)—

insert—

'(1A) Sections 31A(3)(b)(iii) and 31A(4)(a)(ii), 'legal friend'—

omit, insert—

'adult guardian'."

This amendment will enable the adult guardian to give support and assistance to a person who, although having a decision-making disability, would be able to make a medical decision for themselves with such support and assistance. It arises as a consequence of other amendments to the Intellectually Disabled Citizens Act of 1985 enabling the adult guardian to consent to medical, dental, surgical or other professional treatment or care for an assisted citizen where there is no other person who can do so.

Amendment agreed to.

Clause 175, as amended, agreed to.

Clauses 176 to 183, as read, agreed to.

Schedule 1, as read, agreed to.

Schedule 2—

Mr BEANLAND (3.54 p.m.): I move the following amendment—

"At page 104, lines 20 to 24—

omit."

This clause was included as a result of submissions on the consultation draft of the legislation by a right to life organisation. Now that clause 36A referring to the Act not authorising euthanasia or a breach of the Criminal Code has been inserted by amendment No. 6, also at the behest of a right to life organisation, this provision is redundant. If it were to be retained, questions of interpretation could arise due to the variation of terminology with the Criminal Code.

Amendment agreed to.

Schedule 2, as amended, agreed to.

Schedule 3—

Mr FOLEY (3.55 p.m.): I move the following amendment—

"At page 109, lines 1 to 9—

omit, insert—

' "court" means a judge of the Supreme Court.

"de facto spouse" means a person who lives in a de facto relationship.

"de facto relationship" means a relationship between 2 persons (whether of a different or the same gender) who, although they are not legally married to each other, live in a relationship like the relationship between a married couple.'."

This amendment changes the definitions set out in the Dictionary in Schedule 3. In particular, it changes the definition of "de facto spouse", which is defined in the Government's Bill in these terms—

" 'de facto spouse', of a person concerned, means a person who—

(a) has lived in a connubial relationship with the person concerned for a continuous period of at least 5 years ending at the relevant time; or

(b) within the period of 6 years ending at the relevant time, has lived in a connubial relationship with the person concerned for periods totalling at least 5 years that include a period ending at the relevant time."

The amendment moved by the Opposition would replace that with the definition proposed by the Queensland Law Reform Commission, namely, that a "de facto spouse" means a person who lives in a de facto relationship. The term "de facto" relationship is proposed in the amendment to mean a relationship between two persons whether of a different or same gender who, although they are not legally married to each other live in a relationship like the relationship between a married couple.

The issue of the length of time that people have lived together in order to qualify as de facto spouses was considered by the Law Reform Commission and it adopted the broader expression that has been provided for in the Opposition's amendment. It should be noted that clause 62 provides for statutory health attorneys and includes the following definition of "a spouse"—

"... a spouse of the adult if the relationship between the adult and the spouse is close and continuing."

The term "spouse" is then defined in the Dictionary to include a de facto spouse. In terms of the length of time, the requirement in section 62(1)(a) still contemplates that a statutory health attorney who is a spouse of the adult is a statutory health attorney where the relationship between the adult and the spouse is close and continuing.

This amendment also makes provision for same sex spouses. That was in accordance with the recommendation of the Law Reform Commission and involves a recognition that de facto couples may be persons of the opposite sex or they may indeed be persons of the same sex. It is said by some that the provision for a close friend which is set out in section 62(1)(c) of the definition of "statutory health attorney" and which is picked up in the Dictionary in Schedule 3 is sufficient. The definition of "close friend" is in these terms—

" 'close friend', of a person, means another person who has a close personal relationship with the first person and a personal interest in the first person's welfare."

However, it was the view of the Law Reform Commission that it was high time that the law recognised the fact that de facto relationships occur not just between persons of opposite sex but also between persons of the same sex, and that that recognition involves some recognition greater than merely the acknowledgment of a close friend.

It is important in these areas that the law grow and evolve and that the law recognise the social realities that go to make up our community. Homosexual people are a part of our community. They are not monsters to be vilified and demonised; they are members of the community entitled, as is everyone in the community, to be treated with dignity and respect.

The recognition of the same sex de facto relationship entails something more than the definition of "close friend" set out in the Government's legislation. This recognition of that relationship was set out very eloquently by the great English poet W. H. Auden and made popular in the recent film Four Weddings and a Funeral when Auden's poem on the death of his male partner was quoted. He said this—

"He was my North, my South, my East and West,

My working week and my Sunday rest,

My noon, my midnight, my talk, my song;

I thought that love would last for ever: I was wrong.

The stars are not wanted now: put out every one;

Pack up the moon and dismantle the sun;

Pour away the ocean and sweep up the wood.

For nothing now can ever come to any good."

It is an acknowledgment of social reality that same sex couples exist in our community. They are entitled to be treated with dignity and respect. It was recommended by the Queensland Law Reform Commission that they be included in the definition of de facto relationships and recognised as de facto spouses, and the amendment moved achieves that effect. I encourage all honourable members to support it.

Mrs CUNNINGHAM: The Schedule in the Bill which outlines the period at which point a de

facto relationship would be recognised as such is, I guess, one that could be put at two years, three years or five years; it just depends on what one is hoping to achieve. I appreciated the briefing that the Minister gave as to the rationale behind picking five years as the term. The amendment really proposes to include a formal recognition of same sex relationships. Although, as the previous speaker said, one cannot deny the realities of society, I certainly will not be supporting the inclusion of that definition.

Mr BEANLAND: The Government does not propose to accept this amendment. The definition in Schedule 3 is similar, I recollect, to that previously passed by this Chamber a few months ago in relation to the amendments to the Succession Act. The Government is not demonising any group in society with this particular definition of de facto spouses because statutory health attorney provisions specifically cater for all sections of society. The inclusion of this definition is to keep it in line with other legislation which the Government has brought forward and which has been passed by the Chamber; it is in keeping with that particular amendment that went through a few months ago.

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

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

NOES, 43—Ardill, Barton, Beattie, Bird, Bligh, Braddy, Bredhauer, Briskey, Campbell, D'Arcy, De Lacy, Dollin, Edmond, Elder, Foley, Fouras, Gibbs, Goss W. K., Hamill, Hayward, Hollis, Lavarch, Lucas, McElligott, McGrady, Mackenroth, Milliner, Mulherin, Nunn, Nuttall, Palaszczuk, Pearce, Purcell, Robertson, Rose, Schwarten, Smith, Spence, Sullivan J. H., Welford, Wells. Tellers: Roberts, Sullivan T. B.

Pair: Sheldon, Livingstone

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

Resolved in the **affirmative**.

Schedule 3, as read, agreed to.

Bill reported, with amendments.

Third Reading

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

TRANSPORT INFRASTRUCTURE AMENDMENT BILL

Second Reading

Debate resumed from 4 March (see p.138).

Mr WELFORD (Everton) (4.10 p.m.): The Opposition supports the amendments to the Transport Infrastructure Bill proposed by this legislation. The purpose of the legislation is outlined in the Minister's second-reading speech.

The Transport Infrastructure Act took over the day-to-day management of the Harbours Act. Under the Harbours Act approvals were granted for the dredging of harbour areas, and those approvals are now covered by the Transport Infrastructure Act. The Transport Infrastructure Act also took over the matter of approvals from the then Department of Harbours and Marine and transferred the responsibility for those approvals to the chief executive of the Department of Environment. That is just as well because, no matter who the chief executive would be, he would undoubtedly exercise more responsibility than the Minister for Emergency Services, who would be totally incapable of managing these sorts of approvals if his performance in his current portfolio is any example.

A number of permits were issued after 1 July 1994 for dredging in the Brisbane River and in the port of Mackay. The permits issued in respect of the Brisbane River were not time limited; in other words, the permits were expressed to operate until they were terminated. As a result, a number of permits continued to operate after the old legislation ceased to have effect. The operations of the dredging companies in the port of Mackay and in the Brisbane River need to be validated. In that sense, this is a machinery Bill. If the Opposition was in Government we would have had to introduce similar legislation to tidy up a potential anomaly which might allow legal action to be taken against the port authorities or the dredging companies for continuing to dredge during the interim period until new permits were issued. Permits which were not re-issued are deemed to have automatically expired on 30 September 1997.

The Opposition extends its support to the Government for the initiative it has taken in respect of dredging in the Brisbane River. Dredging will be terminated at the end of this year. Our counterparts in the Brisbane City Council were keen for dredging in the Brisbane River to finish. Even though dredging has occurred in the river for a long time and has served a significant economic purpose, the reality is that dredging must cease if we want to protect the health of the river in the long term.

This particularly applies to the lower reaches of the river in the Brisbane and Ipswich city areas.

However, I would draw the Minister's attention to the Government's total failure to address the question of extraction in other parts of the Brisbane River. The law on this matter could be streamlined if one considers the various laws relating to extraction. Permits can be issued under the Land Act or the natural resources legislation. The matter of extraction comes under the Environmental Protection Act. However, I am not certain that it extends to extraction from river basins. We also have dredging permits for estuaries and port areas. There is potentially a considerable amount of legal confusion over how extraction from riverine areas is to be properly managed and regulated.

Recently we saw a disgraceful incident of extraction from the upper reaches of the Brisbane River near Toogoolawah. Considerable damage has been caused to the river. As I understand it, dredging was conducted without a permit under the Environmental Protection Act. I understand one of the local authorities may have issued some permits for extraction to certain limits. However, I am informed that those limits have been exceeded.

We have seen instances of river gravel and sand extraction occurring ad hoc right across the State with minimal supervision and totally inadequate monitoring of the impact of this extraction. In many cases this extraction has occurred without approval or licence under the Environmental Protection Act. The Minister must ensure that these things are surveyed and addressed. He needs to call on his department to provide him with advice on any extraction operations in the bed of any river or stream in Queensland. He needs to ensure that licences exist for these operations. If no licence has been issued the dredging must cease. If local authorities are unwittingly permitting dredging which is resulting in unacceptable environmental impacts the Minister must take action to see that that activity is stopped. I mentioned an instance at Toogoolawah which, I understand, has been drawn to the attention of the Minister's department ad nauseam not only by other more responsible operators in the area but by neighbouring land-holders who have been adversely affected. It really is time that the Minister acted on these things and did not just let the situation drift.

The other aspect of landscape disturbance that involves dredging is, of course, the issue of canal estate or coastal development. The Minister's performance in Government, which he recently tried to dress up at a conference of the environment movement, has been particularly poor when it comes to coastal development. Despite much talk about ensuring proper environmental standards, the current Government has presided over situations such as the Hinchinbrook development, where there have been massive acid sulfate spills into neighbouring mangrove areas, and coastal developments are occurring again in many areas where they are entirely inappropriate. Canal estate developments are proceeding under old permits between Brisbane and the Gold Coast in many of those coastal areas north of Sanctuary Cove. In the Coomera River region there are a number of developments of which the Minister would be aware. One of those is the Oyster Cove development, which the Gold Coast City Council recently—and wisely—refused to permit, despite the fact that, according to documents that have been obtained under freedom of information laws from both the Environment Department and the Department of Natural Resources, there seems to have been quite extraordinary political interference to overturn or change the environmental advice and advice relating to impact on fish habitats that was provided by departmental officials. That is entirely unacceptable.

In respect of Oyster Cove and other developments which are proceeding in that region, the Minister ought to ask his department's Coastal Management Branch to provide him with a comprehensive report auditing all coastal developments in Queensland which involve dredging or extraction or canal dredging so that the department can actually get on top of this situation. It may be that, because of the approvals that have already been granted, it is not possible to address some of them. However, under the Environmental Protection Act there still remains within the powers of the Minister and his department the responsibility to ensure that there is no material environmental harm being caused. That umbrella power to ensure that environmental harm is not caused can still be exercised notwithstanding approvals that might exist for certain developments. However, there is no way of ensuring that the environment is protected unless the Minister makes sure that a proper survey and audit of all canal or similar developments is undertaken, that an inventory of them is established and that each of them is checked to ensure that, firstly, they have appropriate approvals and, secondly, that environmental harm is not being caused by the manner in which they are being undertaken. These are issues in relation to coastal management and protection which the Minister ought to address in this context.

The other issue relating to the impact on coastal river systems and streams is an issue that

was raised more than two years ago and which has been a running sore for the Minister and the Government. I refer to the possible chemical contamination of the streams running into Bramble Bay in the Nudgee Beach region. The current Government seemed to take an extraordinarily long time to get on top of the assessment that was required to ensure that some understanding of the impacts of the causes of the fish kills and the decline in sedimentary organisms was addressed. To this very day my understanding is that there still have not been proper tests for chemical concentrations in those streams running into the bay. There are still wildly fluctuating results being recorded.

Mr LITTLEPROUD: I rise to a point of order. The Bill before the House is about validating permits for dredging in the port of Mackay and in the Brisbane River. The honourable member for Everton is speaking about matters not contained within the Bill.

Mr SPEAKER: Order! I accept the member's point of order. The member for Everton will come back to the Bill.

Mr WELFORD: Yes, Mr Speaker, I will. It is obvious that the Minister is very sensitive about his failure to address these issues. After two and a half years he still has not adequately addressed them.

In relation to dredging in the Mackay port and in the Brisbane River—as I understand it, these issues are now adequately regulated under the current legislation. This amendment will rectify or validate any past anomalies in relation to dredging that occurred under previous legislation. However, in the future it will be important to ensure that the various pieces of legislation that relate to extraction within rivers or within ports are coordinated. It is not altogether clear to me why the provisions of the Transport Infrastructure Act which relate to port dredging and which are the responsibility of the chief executive of the Department of Environment were not incorporated, for example, in the Coastal Protection and Management Act. I understand that that issue was not addressed by the previous Government. However, it seems to me that this is an area——

Mr Littleproud interjected.

Mr WELFORD: As the Minister says, it is extraordinary in a way that the Environment spokespersons on each side of the House are debating provisions that relate to the Transport Infrastructure Act.

It seems to me that some streamlining of the legislation is appropriate. The approvals that are exercised by the chief executive of the Environment Department under this legislation seem to me to be approvals that would fit with approvals that were granted under the former Beach Protection Authority legislation and the current Coastal Protection and Management Act, because they are all approvals that relate to impacts on the coastal zone, and some clarification or refinement of the laws in that regard does seem to me to be appropriate at this time. It is certainly something that I will consider if members on this side of the House come to Government after the next election, because I do not think that we can continue to rely on the current Government to get on with the job of protecting the environment, which it promised to do but which it has failed to do. Nevertheless, with respect to this particular aspect of the legislation, the Opposition has no objection and will allow these amendments to proceed with its support.

Mr ARDILL (Archerfield) (4.28 p.m.): This Transport Infrastructure Amendment Bill to authorise the Department of Environment to take action on outstanding permits for dredging issued by the port authorities of Brisbane and Mackay should be supported because it will enable the termination of permits and leases. There is no doubt that dredging the Brisbane River has reduced building costs in Brisbane by a considerable margin over many years. There is also little doubt that dredging increases turbidity in the Brisbane River and causes harm to aquatic life. There have been calls to abolish dredging as long as I have been in public life, particularly at the time of the collapse of a section of Coronation Drive.

I am less well aware of the situation of dredging at Mackay, where the harbour was constructed by one of Queensland's greatest Premiers, the late great William Forgan Smith, who started so many public works that are still used by Queenslanders, most of whom do not give a thought to the origin of those assets.

I would like to again draw the attention of the Minister to the plight of the people of Louisa Creek, who suffer from the carelessness of the Dalrymple Bay and Hay Point authorities, which allow a greasy pall of coal dust to envelop that beautiful and otherwise pristine paradise. This is anything but world's best practice, about which we hear so much.

Mr Schwarten: It's good to see the local Labor candidate is on to that issue.

Mr ARDILL: He has already been working on it.

When is the Minister going to take action to have the operation improved by a misting system to dampen the coal and by enclosing the conveyors to prevent the present pall of dust

which I witnessed and about which I spoke in Parliament on 21 April when I tabled photographs illustrating the unacceptable nature of the pollution? Complaints to the Minister's Mackay office have not resulted in any remedial action. Again I ask: are people's health and lifestyle a priority, or is the profit of coal companies the only criterion that the National Party Government considers? I ask the Minister to consider that issue and include it in his reply.

Another matter of concern is the pollution generated by ships at anchor in the Mackay waters, which discharge their waste into Dalrymple Bay. Hundreds of ships are doing that. They sit at anchor there for long periods waiting to berth. All of their pollution goes straight into the bay. I believe that that matter should be considered as a matter of urgency, because most of those ships have absolutely no provision to hold their waste within the vessel. It is pumped straight out into the bay. I believe those are two issues that the Minister should consider as being within his province.

Mr PURCELL (Bulimba) (4.32 p.m.): It gives me great pleasure to speak to the Transport Infrastructure Amendment Bill and to speak about the port of Brisbane and transport matters thereof. I would like to draw the attention of the House to an article headed "Made for trade: The Port of Brisbane". That is a feature article in the Australian Small Business & Portfolio magazine. It quotes the Port of Brisbane Corporation in relation to trade in the port and the number of boxes transported per hour. The article states—

> "Under the management of the Port of Brisbane Corporation, the port has become an extremely efficient cargo handling outfit, with a turnaround time for vessels faster than many international ports (an average of 16 hours for 560 containers)."

I am quoting the Port of Brisbane Corporation. For your information, Mr Speaker, I point out that that is 35 containers moved per hour at the Brisbane port. The article continues—

> "The Corporation's competitive strategy goes beyond infrastructure to providing information and logistics advice to cargo owners and freight distributors. 'We are keenly aware that the market will bring to bear its own discipline on any poorly performing ports,' explained Chief Executive, Mr Greg Martin. 'That is why our marketing strategy has always been based on efficiency, reliability and competitive pricing.' "

That information was published in May 1996. I do not believe that anything has changed in the intervening time until the recent blue down at the port in relation to the wharfies. The article continues—

> " 'Brisbane's strong growth pattern, expected to increase a further 80% to 29 million tonnes by 2005 ..."

That demonstrates that the Port of Brisbane Corporation has a lot of confidence in the wharfies and the work force on the waterfront. I do not give too many ticks to the Port of Brisbane Corporation. I think they have had their moments. However, I can assure honourable members that, in relation to that information, it is dead right.

I draw to the Minister's attention some information that is along the same line as that made available by the Port of Brisbane Corporation. As Mr Laurie Oakes reported in the Bulletin, the Federal Government has never been interested in genuine talks with the MUA about improving productivity on the waterfront. The aim is to create a public issue in which the Government could be seen to defeat the MUA. It is all about providing a fight with the workers. I will not use Laurie Oakes' exact words. Senior members of John Howard's Government make no secret of their hope that the next election will be held against a backdrop of industrial disputation on the waterfront. As John Howard reported to a Young Liberals meeting before the election, he has a program of attacking progressive unions such as the Miners Union, the MUA, the Transport Workers Union and my old union, the construction union. It is part of a concerted attack to destroy unions in this country, to leave our workers without any support or protection.

I turn now to some myths relating to productivity on Brisbane's waterfront and other waterfronts around the world. To a certain extent, I will confine my remarks to Brisbane in particular. One myth put around by the Government is that Australia lags behind the rest of the world in terms of productivity and that New Zealand has cleaned up its waterfront. That is not correct. I will quote the facts from the CFMEU journal, Construction Worker, which sets out the New Zealand facts. The article states—

> "New Zealand—Auckland has a box rate of about 19 containers, the same as Melbourne, a fraction above Sydney, and less than Adelaide. Yet Auckland is a hub port handling 52% of New Zealand trade, and therefore likely to have a higher than average box rate.
>
> Singapore—one of the top ports in the world fails to reach the benchmark of 25"—

boxes—

> "per crane hour. Despite being a major hub port, with 5 times the investment in capital

> equipment, with 6 times the number of containers being handled, using 5 cranes per ship as opposed to a maximum of 2 per ship in Australia."

That article really goes to show the myths that Howard has been spreading and which Reith, the Industrial Relations Minister, and Santo Santoro from this Government have been putting on the MUA in Australia.

Another myth is that wharfies are grossly overpaid. Waterfront workers have a base rate of between $27,000 to $40,000 per year. That is like saying that parliamentarians are overpaid. I am sure I will receive a lot of agreement from members in the House when I say that they are not overpaid; however, we are not paid what the Premier is paid. When one quotes parliamentarians' rates of pay, one does not quote what the Premier gets: $120,000 per year. One would quote the rate for the average employee. The average rate for a waterside worker is between $27,000 and $40,000. If workers want to get more money than that, they have to work 60 hours to 70-odd hours and work weekends, nights and so forth. If people work those hours, I believe they are entitled to be paid for them.

It is indicative that attacks are being made on a union and a workforce that, over the years, has been able to get its rates of pay up to a level where one income earner can provide for a household. If wives decide to stay at home and raise a family, they have the ability to do that if they so desire. It is an attack on families and family life to attempt to do away with high-paid workers and to attack the waterside workers because they have been able to get a decent rate of pay for their union members.

Another myth that I would like to knock down is that waterside workers are always on strike. The facts are that, over the past few years, disputation at the Brisbane waterfront has been zero. They have not had any blues at all. Between 1989 and 1992, the MUA negotiated the following improvements—and by the way these are improvements for the employer not for their own members—the reduction of a permanent work force by 57%, a 50% increase in the container handling rate and world's best practice in handling bulk cargoes. I point out to those members opposite—as they would know—that most of the primary produce in this country is handled in bulk and that the Brisbane port has world's best practice and has had for some time. There has also been a 29% fall in the stevedoring costs of container handling. I do not have the exact figures from the Brisbane Port Authority, but I can say that it has a much better record of handling rates than other ports.

In regard to the handling that has been carried out over the past three or four weeks by the scabs on the port, I refer now to the hatch logs for those boats that have been handled. Those logs are revealing, not for what the non-unionised work force handled, but for what it did not handle. Those people would not work if they were fed coal as fast as they could eat it. The hatch logs indicate that the Qiu He, or the Evening Samsung, was in at 15:30 and those people finished loading at 22:30. That is seven hours for that shift. Twenty-five containers were handled, which is 3.57 boxes an hour. I could do more in my sleep than those people did while they were working flat out for seven hours.

Mr Nuttall: They were probably farmers.

Mr PURCELL: I do not think that they would be farmers. I would not feed those blokes who were working there, let alone pay them.

In relation to the same ship with a new shift, those workers started at 15:45 and worked through until 22:35. They worked for 6.9 hours and shifted 58 containers, which is 8.4 per hour. I will not bore members by going through the hatch logs. I have reams and reams of them. I have got all the hatch logs which detail the times that those people worked, the boxes that they moved and how much they did not do. I will make them available to anyone who wants them. Mr Speaker, I will table them—whatever you want me to do with them.

I refer also to the turnaround times of trucks, which is an issue very dear to the Brisbane Port Authority and particularly dear to the truckies. The average turnaround time for trucks in the Brisbane wharf by MUA labour is about 17 minutes—in and out and away they go. On 20 April 1998, the maximum turnaround time, as stated in the report for the Brisbane Port Authority, inside to outside was three hours 11 minutes. The minimum turnaround time inside to outside was 29 minutes, averaging one hour and 41 minutes. That is disgraceful. Those are the turnaround times of the scabs who were going to make this waterfront get up and jump and do marvellous things. Like I said, I would not feed them, let alone pay them. If one was paying them, one would be wasting good money.

I refer to comments made by John Howard in relation to this matter. Mr Speaker, I know that you would not agree with what Mr Howard said. When questioned why all Patrick MUA members were sacked, even those who worked in extremely productive ports and in those who have rarely taken industrial action, John Howard said—

> "Well, they are all part of the one union."

They were sacked because they were members of a union. It would be like sacking all the——

Mr Schwarten: Like the cockies—some of them are bludgers.

Mr PURCELL: No, I would not say that. I am indebted to the teachers' journal for providing a legal perspective on this matter. That journal states—

> "Two fundamental principles of our industrial law, supported by both sides of politics, and enshrined in the Howard Government's 1996 legislation and the Borbidge Government's 1997 legislation are:
>
> 1. No employee must be disadvantaged in the workplace because of membership or non-membership of a union;
> 2. No employee should lose his or her job except for a proper reason and after a proper process.
>
> The findings of the Federal Court are that there is an arguable case that these principles have been circumvented in the case of the MUA employees by corporate 'restructuring'. The Court has made short-term orders, designed to protect their jobs, until there can be a full trial and a final decision.
>
> Those are the great issues of principle. That is why the court spoke of 'ignoble means'.
>
> Employees are increasingly vulnerable in the world of reduced powers for industrial commissions to protect the weak from exploitation, 'individual contracts' and 'deregulation'.
>
> Discriminatory attacks on collective action, and unfair dismissal procedures, will, if successful, dramatically increase that vulnerability."

A lot of companies, such as BHP and those run by the Murdochs, would have larger budgets than some of the State Governments, such as Tasmania. Workers employed by such large corporations are vulnerable when they have no union protection or any protection under the law.

I think that time will tell where Mr Corrigan from Patrick ends up. Along with Peter Reith, he will probably become one of Bondy's cell mates. These matters are currently before the court. However, if we continue to allow companies to restructure away their obligations to their employees so that they do not have to have employees and look after them but instead subcontract employment arrangements or pyramid their subcontracts, we will end up with a casual work force. That is what the Howard Government wants: casual workers on the waterfront and in other industries in this country. It wants to do that by knocking off the MUA, the strongest union in Australia, and then other unions.

If that is allowed to happen, Australia's work force will not be very compliant. Industrial relations will return to the circumstances that existed during the late sixties and early seventies, where there were disputes and people fought to retain their working conditions.

Mr NUTTALL (Sandgate) (4.47 p.m.): In relation to this Bill, I wish to raise the issue of dredging, which I know will be of great interest to most members in the Chamber, at the mouth of Cabbage Tree Creek, which is located in my electorate. The creek is the home for commercial fishermen as well as sailing clubs and the Queensland Cruising Yacht Club. The creek silts up very, very quickly. Since I have been the member for Sandgate, we have had an ongoing battle to have the creek dredged in anticipation of the recent 50th anniversary of the Brisbane to Gladstone yacht race, which starts from Shorncliffe. I am pleased to be able to say that, owing to some representations, I was able to secure the dredging of the creek this year. However, the problem is an ongoing one and it needs to be addressed.

Various people have suggested to me that, rather than the port authority and the Department of Environment, which will now have responsibility for the creek, looking after the dredging—and I ask that the Minister takes this suggestion on board—we call for tenders for private contractors to do that work. Instead of paying the private contractors to do work, the suggestion also has been that the contractors be allowed to take the silt from the dredging so that they can sell it on. I couple of contractors came to see me and said that, if they were allowed to, they could take the silt and make a profit. Then the dredging of the creek could be done at no cost to the public. I think that is worth looking at.

I know that this issue was looked at a number of years ago when it came under the auspices of the Department of Transport but, unfortunately, the department at that time chose to say, "Yes, we will do it, but we want a royalty on the silt that is dredged and we want the royalty paid up front." I think it is a bit ludicrous to be saying to private contractors, "Yes, we will let you dredge the creek, but you have to pay royalties up front, before you even start." I think a lot could be done if this issue were to be looked at in a proper way and addressed by the Department of Environment. I believe that some dredging of the creek could be done at no cost to the taxpayer,

resulting in a benefit not only to those who use the creek but also private contractors, and it would be done on an ongoing basis.

I think it is six years since the last dredging was done in Cabbage Tree Creek. The silting was so bad that only a very narrow gap remained. Even captains and owners of trawlers who had used Cabbage Tree Creek for many years were having difficulty navigating the creek because of the silting. Some moorings on the other side of the creek simply cannot be used 90% of the time because of silting in the creek.

The other issue in the past has been where the material is taken after it has been dredged. It has been taken out to Mud Island. A number of people say that even that is environmentally unsound. I have to be honest and say that I do not have enough information before me or expertise to make a judgment as to whether that practice is environmentally sound or not, but it would seem to me to be a waste if we have private contractors who are prepared to use the material in other parts of the State. As I have said, this proposal would benefit not only the yacht club but also the sailing club and those commercial fishermen who use the creek. Silting is an ongoing problem. Every two to three years I get a knock on the door at my electorate office from people saying, "It is time again." We start the process and start talking to the relevant authorities and get it into the system, but it takes time.

I say to the Minister: I think investigating that possibility would be worth while. I do not see any problem in calling for tenders and contracting out this work, as long as the work is done properly, in accordance with certain guidelines, so that what environment is there is not destroyed. If contractors do this work in a proper way, I think there is a win for the Government, a win for the people who use the creek and a win for the contractors. I see it as a win-win-win situation. I urge the Minister to take the proposal on board and to see what he might be able to do. The Minister is looking at me fairly blankly—I am not having a lot of success—but I think there is some genuine merit in the proposal and I think a lot of people could benefit from it.

Mr D'ARCY (Woodridge) (4.53 p.m.): The wetland areas of south-east Queensland have been a passion of mine since I entered this Parliament in 1972. Of greatest concern to me has been the destruction of those wetlands. In 1988 I produced a report that recommended the banning of all dredging operations within the wetlands. That report set out an environmental planning policy involving a strategic plan approved by all levels of Government, including all the local authorities in the State. It would have effectively led to the banning of all canal subdivisions. Since that date a lot more work has been done on acid sulfate soils, which are proving to cause the biggest problems. In 1995 the New South Wales Government amended the planning policy which had been implemented in that State in 1979. All canal subdivisions were banned from then on in that State. That followed the horrific fish kill along 24 kilometres of the Tweed River.

Under current policies and Acts, most developers have pursued developments of wetlands but have done so in a clandestine and backdoor manner. An example is the Calypso Bay development at Jacobs Well. Some 1,000-odd lots, most of them canal lots, began with a temporary quarry permit in 1984, granted by the then Albert Shire Council. The developer went on over a period to seek the revocation of fishery reserves, the clearance of mangroves and other marine plants, the filling of tidal parts of the property, dredging works of the Pimpama River, and land transfers, acquisitions and zoning of special features. From what I can ascertain, about 4,000 to 5,000 canal blocks between Horizon Shores and Southport are currently under some sort of approval. Many of these developments break Queensland laws in one way or another. That is why the 1998 report indicated that one Minister should be responsible for all the relevant permits in relation to the development of coastal areas.

The short-sighted development of canal estates and dredging in wetlands is poisoning south-east Queensland as surely as heroin or arsenic would a child. Once a rock wall replaces a mangrove and native tree on a river bank or a canal, the food chain is gone forever. The fish and crabs are gone and the azure kingfisher's home is gone forever. The method of dredging canals in south-east Queensland is the same now as it was in the 1950s when the first Act was passed by this Parliament.

Development can cause destruction. Wetland development will cause irreversible destruction. New South Wales has learnt the lesson, based on the latest scientific data, particularly on ASSs. In any wetland development we take a beautiful, green creek and turn it into a cement drain. Scientific data shows that mangroves not only promote fish growth but also cleanse the waterways and the environment. This information has been available since the 1950s. The then Director of Fisheries, Harrison, wrote a book on the subject. He also wrote quite a bit of the original and early policy.

The other issue to take into consideration is that the developer of a wetland area is rarely charged the full rate for headworks. The cost of

repairing damage to coastal property is usually met by the taxpayer or the public ratepayer at some time or other; for example, Bruce Small's boulder wall at Palm Beach on the Gold Coast, the Gold Coast waterways, the revetment wall at the Coomera River and the current subsidence of the Raby Bay canals. It is now time to put in place an environmental planning policy regarding coastal development that will genuinely protect sensitive areas from that type of work. To do this, there must be a single EEP with a strategic plan that allows no back doors. In its return Harrison placed the value of an acre of mangrove at about $20,000 in today's terms. That is a return to industry, and all we have to do is protect it. That is a massive amount of money. That obviously has not been done over the years.

I return to the Calypso Bay development. I thank the Minister for giving me the EIS that was done for the department. It refers to the dredging of the Pimpama River. The area that faces the river is quite substantial in length. I do not know what it would be, but it would be several kilometres. Paragraph 4.2.2 at page 22 of the report states—

> "Residential development and associated pontoons in Pimpama River and Woogoompah Creek would obviously encourage expectations for all-tide boat access in these waterways. This is despite the fact that navigation in the area (even in small vessels) is not possible at most times."

Almost three kilometres of that river cannot be accessed. That will come under tremendous pressure for dredging once a thousand homes are put in there. It is just naive to think it will not happen. The report for the department points out—

> "There are several significant problems with any future expectation to establish an access channel arising from pontoons and jetty/bure development, notwithstanding the proponent's advice that no further dredging would be required."

That is a lot of rot, bearing in mind the way these developers operate. The report states that it is inconsistent with the intent of the Moreton Bay strategic plan, that a marine park permit is unlikely to be issued for such a purpose; that a requirement to revoke the fish habitat area is unlikely to be supported by the department of fisheries; and that there would be no support from Queensland Transport for such dredging, which would be responsible for the dredging operations. Just about every one of those developments falls into that area. Dredging on a permanent basis causes the total destruction of our waterways in south-east Queensland. We have virtually turned every river from the Tweed almost to the Logan into some sort of drain or creek that will eventually haunt our children and our State.

On 13 November 1984, I made a speech in the Parliament regarding the dredging of the Brisbane River. I said that it was a perfect example of what not to do. I said that not that many years ago there was practically no life in the Brisbane River and that we were then just starting to see fish coming back. I talked about the various species coming back, in particular the mud-dwelling species. At that stage, there was an expectation that this dredging would finish. That shows how quickly we work. We are quick to destroy things. That was 14-odd years ago and we are finally seeing the end of that practice at the end of 1998. To me, that is a tragedy. We should be doing practical and positive things.

For the information of the member for Sandgate, I point out that in my early years in Parliament Biggera Creek was in my electorate. It had a very similar problem. As to dredging sand bars and so on at the mouth of the river, I have no objection to short-term dredging to open a river, because it becomes natural and that siltation can be used.

I remind the Minister that at that time the Minister for Marine Activities was Neville Hewitt. Neville was not only a wonderful parliamentarian and a great friend of mine; he was a great person and still is. At the time when he was the Minister the department was headed by Peel. I do not think that anybody in this place got on too well with Peel.

Mr Littleproud interjected.

Mr D'ARCY: The Minister must have a long memory. I suggested exactly what the member for Sandgate suggested with respect to Biggera Creek, that is, that the siltation royalties be waived in respect of the private contractor who did the job. The Minister agreed with me in front of his head of department, who told him that he would never get it through Cabinet. He turned viciously on Peel and said, "You do your job; I'll worry about the Cabinet." That went through and the precedent was set in about 1973.

Hon. B. G. LITTLEPROUD (Western Downs—Minister for Environment) (5.02 p.m.), in reply: I thank members of the Opposition who have spoken to the Transport Infrastructure Amendment Bill. In particular, I acknowledge the support given by the member for Everton for the amendments to the Transport Infrastructure Act. I also agree that that is probably a better place to put this legislative requirement than where it is currently, and we will be looking at that. Currently, it sits under the Marine Land Dredging Bylaws 1987. But as we restructure things, it can go somewhere more appropriate.

I also acknowledge the support given by the Opposition over what has been achieved with respect to extractive dredging on the Brisbane River. We need to distinguish between extractive dredging and navigational dredging, and I will mention that later when speaking about the contributions of the members for Sandgate and Woodridge.

I commend the cooperation being shown by the Department of Natural Resources and my department through the integrated catchment coordination across the State. The legislation with regard to the allocation of sand and gravel for extractive purposes out of creeks rests with DNR, but any licensing of that operation on environmental grounds rests with the Department of Environment. We are approaching the issue more broadly and are talking to people on catchment coordination committees. Those things are being taken into account. The process is in place. It is now just a matter of making sure that we stay abreast of the issue and are aware of our responsibilities.

Bramble Bay and the quality of the water in that part of Moreton Bay was raised. I refer the member for Everton to the Moreton Bay Waste Water Management Committee, which is currently chaired by Councillor John Nugent of the Ipswich City Council. A few local authorities and State Government departments are represented on that committee. Currently, Professor Paul Greenfield is working for that committee and is preparing a study on the quality of water in Moreton Bay. It would make good sense to merge the Brisbane River Management Group with the Moreton Bay Waste Water Management Committee, because their interests are somewhat similar. Yes, we are aware that the quality of water in Bramble Bay is not as good as it should be. The quality of water on the western shores of Moreton Bay is much worse than that on the eastern shores.

It has been identified that sewage effluent is one of the major problems in Bramble Bay. I am proud to say that my colleague the Minister for Local Government and Planning, the Honourable Di McCauley, has put in about $5m to subsidise local governments throughout Queensland to improve the quality of their effluent. Some of that money has already been taken up by some of those councils that have sewage treatment works that empty into Bramble Bay. It is certainly something that has to be watched. There is also another source of contamination on the northern end of Moreton Bay. Some sort of naturally occurring contamination seems to be coming off Bribie Island and down the Pumicestone Passage.

Mr Welford: Acid sulfate?

Mr LITTLEPROUD: No, it is not acid sulfate; it is something that grows there. They think that is where it is coming from.

Processes are in place. I have been delighted to see the progress made since we restructured the Brisbane River Management Group. The member indicated that the Brisbane City Council has been very supportive of that work. The other local authorities that are part of it, including those further up into the hinterland, have all played a major role. I also pay tribute to the many community organisations that are on the group as stakeholders. They understand the needs of the river and the people who use it. We are getting a pretty good mix. In the very near future, I will be pleased to launch the draft Brisbane River Management Plan. The report from Professor Greenfield on the quality of water in Moreton Bay has almost been finalised.

The member for Archerfield spoke about Hay Point. Yes, I have had dealings with people about the coal-loading facilities at Hay Point and Dalrymple Bay. Relocation money has been available to some of those people who feel aggrieved about the dust nuisance. In some instances, they have made good use of it and moved right out of the area. However, I also understand that some people have taken some of the money and have bought a house down the street a bit further. That is interesting when, in this case, a company has put in money to try to work things out. It is not very nice to live next to something creating an environmental nuisance.

All too often in my position as the Minister for Environment I find myself facing problems that have been created by poor local government town planning. There are lots of cases. They go on ad infinitum. We can plan for best case scenarios, but sometimes conditions change. Eventually, such problems end up on the desk of the Environment Minister. For example, companies that think they have moved somewhere as of right are set upon by people who have subsequently moved nearby. It is pretty difficult to please everyone.

The member for Archerfield spoke about pollution from boats moored in Dalrymple Bay. That issue comes under the control of the Minister for Transport. Only a couple of months ago, I went to Townsville and opened a seminar on marine pollution. There is a very strong movement not only in Australian waters but throughout the south-east Asian region whereby nations are combining to put together international laws to make sure that any boats licensed to ply trade across the seas meet certain conditions. Some countries comply, but there are a few cowboys registering boats flying flags of convenience. Some of those boats are coming

to our shores. Under our legislation they are liable and if they are caught they will be charged.

The Minister for Transport is also responsible for bringing in new regulations in the near future whereby all recreational boats over 12 metres will have to have on-board facilities to hold sewage. There will be a requirement on marinas and ports to make sure that they have pump-out facilities. That is a move in the right direction. Some of those boats will be very old, and we have to allow for some sort of phase-in period. However, we have to draw the line as to what will be required.

The member for Bulimba made an interesting contribution. I think that gentleman must have some trouble with preselection, because he seemed to choose a topic that had nothing to do with this piece of legislation but which was on his chest. He feels much better now that he has had his chance to make his contribution.

The member for Sandgate has left the Chamber. He spoke about the dredging of Cabbage Tree Creek. That would be classed as dredging for a navigational purpose, which would come under the Department of Transport. But he did make a good suggestion by asking whether we could make use of the dredge spoil. The DOE's role would be to analyse the quality of that material. There could be a danger with acid sulfate soils if those materials are exposed to the air. I would be prepared to make sure that the Department of Environment looked at the quality of any dredge material. I would not try to get in the way of a practical solution to try to make good use of that material. It all depends on the consistency of the material.

The member for Woodridge was talking about the sands at the mouth of the river. They are probably quite different from what might be around Cabbage Tree Creek and the northern part of Moreton Bay where there the dredged material has a high content of mud rather than sand. It is a good idea; it is just a matter of having it tested by our department to determine the quality and where we can put it.

The member opposite also mentioned that at one time they were putting a lot of the spoil material on Mud Island. I think that environmentally that has got hairs on it, and we have stopped that. There are some problems now with the local councils trying to improve infrastructure for marinas and port facilities because, when we take this spoil material out, we have to find a place to put it. If we take it out, bund it and let it dry for a while, I think it becomes safe and then it can be put somewhere else. It creates a real problem for management both for us and for local governments. We always have to look for practical ways of going about things.

The member for Woodridge commented about wetlands. Of course, Moreton Bay has been nominated as a Ramsar site because it is a wetland important to migrating birds. The Coastal Protection and Management Act, which was put together by the Goss Government and proclaimed in December 1995, is the piece of legislation that will protect the management of the coastline of Queensland. It will protect Moreton Bay and those sorts of places.

Mr Welford interjected.

Mr LITTLEPROUD: It is going to come up. I think the member will find that we will put it through and there will be another variation coming up in the very near future.

I am trying to point out that we are at the stage of implementing that piece of legislation that was proclaimed in December 1995. A State advisory committee has been appointed and it has been given something like two years to carry out its public consultation. We also have regional advisory groups that are working with local government areas to work out how they can implement the requirements of this Act and yet have due regard for the needs of the local government and their zoning plans. So the things that the member is asking for are in train. It takes a while to go from proclaiming an Act to, in fact, getting to a situation in which it has full cover and is fully operational in the way that we want it to be. I thank all members for their contributions. I commend the Bill to the House.

Motion agreed to.

Committee

Clauses 1 to 7, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

NATURAL RESOURCES LEGISLATION AMENDMENT BILL

Second Reading

Resumed from 18 March (see p. 443).

Mr SCHWARTEN (Rockhampton) (5.14 p.m.): At the outset I want to indicate that the Opposition supports this Natural Resources Legislation Amendment Bill. In doing so, I would like to make a few points. The first issue is that this Bill exempts Aboriginal land trusts established under the Aboriginal Land Act of

1991 and the Torres Strait Islander Land Act 1991 from statutory body status and, therefore, the Financial Administration and Audit Act 1977. I note that this has the Auditor-General's support and Treasury's support, and I note that it puts in place similar provisions to those under section 47 of the Land Act 1994, which requires the proper keeping of books by the trustees and the auditing of same.

I think it is an eminently sensible idea. Quite clearly, those trusts were not established as financial bodies, but more so as administrative bodies. As such, they do not attract taxpayer funds and, therefore, should not be subject to the necessarily lengthy and expensive processes of the Audit Act. Therefore, the Opposition does not have any difficulty at all in supporting that amendment.

The second amendment allows for irrigation channels and pipes to be built across a dedicated road. I thank the Minister and departmental officers for their clarification of this because I have received correspondence from land-holders in Queensland who are very worried about this. Their concern is based on previous experience whereby some people have chosen to break the law and run irrigation channels the length and breadth of dedicated roads. The Minister has assured me that this will not be the case and that, when we talk about pipes and channels running across the road, we mean via the shortest possible distance across a road and not any length up and down either dedicated or undedicated roads.

I see the former Minister nodding. He is aware of the situation in the St George area—and the current Minister is aware of this, too—where illegal structures have been placed on a road. By a quirk of fate people who really were not doing the wrong thing were charged with trespass because they were taking a road around an illegal structure that had been placed on the road. No-one can believe that the law has gone the way that it has in this particular case in that this bloke, whose only access is by the normal route that he has had for 50 or 60 years, was charged. Suddenly, he has found that that is wrong; someone else has put a ring tank and various other things on the road. I am thankful that the Minister has addressed that issue, that his department is very conscious of it and that action is going to be taken. The Minister might like to clarify for the sake of the record that it is his intention to ensure that, when this Bill becomes an Act, it will have the force of ensuring that the shortest possible distance between two points, which is a straight line across the road, is the preferable position.

I also note that clause 8 allows for a person other than an adjoining land-holder to take out a licence to run pipes or channels across a road. Initially, that concerned me a bit. I thought: why would anybody other than an adjoining land-holder want to do that and what effect would that have on their neighbours? However, I am assured by the Minister's department that the consent of the neighbours must be sought and gained before that occurs, and I am happy with that. The other point that was explained to me by the Minister's department is that, where the structures are put in place, a bond system or some such situation would be created whereby ameliorative action could be taken to fix up the problem later on if the road was required for other sources. The third division of the Bill clarifies special perpetual mining leases issued on or after 1 January 1995 and covered under the Land Act. This is a particular reference to the Weipa situation. Again, the Opposition does not have any particular problem with that issue.

I would like to make one final point. Given that this is a land Act, I seek your indulgence, Madam Deputy Speaker, to just broaden the debate for a few minutes to talk about an issue that I have become acquainted with via Mr Gamgee. It is a curious sort of a situation. Some clearing was done on road verges for surveying purposes. I found out something that I did not know: the Minister's department does not have any control over that clearing. Reading between the lines of the letter that Mr Gamgee sent to the Minister, I believe that he points out that the Minister's department does not have any jurisdiction over the destruction of trees in that set of circumstances. In a very long letter—and no doubt the Minister would have seen the letter—Mr Gamgee outlines a pretty horrendous set of circumstances in which these surveyors just came along, knocked down the trees and did not consult with him. He claims that that has created an erosion problem. Perhaps the Minister's department cannot do anything about that because it comes under the Surveyors Act. The Minister might look at a means of bringing it under the Land Act rather than the Surveyors Act because it seems to me that that would not have been allowed to occur under Acts administered by the Minister. I think the Honourable David Watson has responsibility for the Surveyors Act.

Mr Springborg: We have that as well.

Mr SCHWARTEN: You have that as well?

Mr Springborg: Yes.

Mr SCHWARTEN: It is worth having a look at it because obviously it has some shortcomings. People can just come along and knock down trees on the side of the road without even talking to the land-holders. I think it is a bit

hot. I ask the Minister to have a look at that at some later date. I do not expect him to have the answer at his fingertips during the course of this debate. As I said at the outset, the Opposition supports the legislation.

Hon. L. J. SPRINGBORG (Warwick—Minister for Natural Resources) (5.21 p.m.), in reply: I thank the Opposition for its support of this Bill. I believe that the reforms with regard to land trusts are very sensible. The State has been putting on them far more onerous provisions that apply to, say, a hall trust or anyone else who is a trustee of State land. We are expecting them to comply with criteria that the Government generally complies with. I think it is sensible to put them on the same footing as a normal hall trust or trustees who look after any other State land. These people are not really administering public money. The only public money which they administer is where they apply from time to time for a Government grant. They are then bound by the provisions which go with that particular grant of money. I believe this legislation addresses a major anomaly.

I want to refer to the question of pipes going under roads. It is necessary for me to clarify that what we are dealing with is the shortest possible distance. I know people are concerned that somebody might be able to run a channel or a pipeline down along the length of a road, but that is not the case at all. For instance, consider a road which is perhaps a chain or a chain and a half wide. A pipe can be run only across the road. People can run a pipe down their own property, but it can go only from point A to point B across the road.

In the case of a gazetted road which is open, people must apply to close the road temporarily on strata—that is under the road—to be able to run a pipe under the road. We are legally required to do that. In a case where a road has not been used, people must apply for a temporary closure and a channel is allowed to be built above the road. However, the beauty with regard to temporary road closures is that we can simply open the road up at some time in the future.

Mr Schwarten: That was another point I meant to raise before; they have to make an application.

Mr SPRINGBORG: Yes. I assure the honourable member that we have taken the concerns of the person who wrote to him into consideration and they are being addressed. The issue of the SMPLs is simply a matter of clarification. The honourable member spoke about the Surveyors Act and referred to matters of tree clearing beside roads. We will look at those matters and we may be able to visit them again at some later time. The reforms in this legislation are necessary and are very much overdue. They correct anomalies which have been in existence for some considerable time.

Motion agreed to.

Committee

Clauses 1 to 14, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

WATER RESOURCES AMENDMENT BILL

Second Reading

Resumed from 19 March (see p. 539).

Mr SCHWARTEN (Rockhampton) (5.26 p.m.): The Opposition does not intend to oppose the Water Resources Amendment Bill. This Bill seeks to do three things. The Bill grants greater flexibility to the chief executive officer in his or her power to grant water licences by allowing the inclusion of clauses that limit licensees from disrupting or hampering the access of other users to water. The Opposition believes that that is a very important provision.

The legislation also allows the inclusion of clauses in licences to take into account the total impact of all licences held by the licensee. Again, this provision is eminently sensible. The legislation also allows for the inclusion of clauses in licences that allow the chief executive officer to require a licensee to undertake work or action that would restore access to water to another party. That simply means that the third party cannot simply take the majority of the water and deny access to it to other people. If it is proved that there are problems as a result of the third party's actions, the third party has to make good the situation and restore the aggrieved party's access to water. The Bill also allows for the inclusion of clauses in licences to take into account the existence of water licences held by licensees. The Opposition finds no problem with any of the foregoing provisions.

I refer now to the special works provisions contained in this amendment Bill. The Opposition notes the inclusion of works in the category of special works associated with mining developments and operations. We note that it also extends the power of the Governor in Council to declare existing works as special works. It is a sensible approach to treat the whole project as one.

However, I seek the Minister's guidance in relation to the amendments proposed to section 99. Clause 8(4) amends section 99(2), giving the impression that applications relate to proposed works only and not to works already constructed. It would appear that the only way that constructed works could be read as being subject to the requirements of section 99 is by treating them as if they were still at the proposed stage. I ask the Minister to deal with this aspect in his summing up rather than have the matter discussed in Committee. I have had this matter looked at and I have received advice. I am happy to provide the Minister's officers with that written advice.

The other changes emanate from the sugar industry task force review in 1996. Basically, they seek to give to water supply boards, if those boards so desire, the power to make and levy water assessment on sugarmills under regulations instead of under section 173 or section 174 of the Act. Also, there is the elimination of mill peak as a basis of assessment for the supply of water to sugarmills; the elimination of the requirement of boards to levy sugarmills on a crushing season basis; and the payments of assessments by sugarmill owners to be fixed by way of regulations made. Basically, it takes out the peak, as I understand it. That reference has gone now. The former No. 2 pool that was part and parcel of it has now disappeared, and we need to make those changes to reflect that particular change. The Opposition has no difficulty with those last instances, except with clause 8(4), which amends section 99(2).

Madam Deputy Speaker, again I crave your indulgence to widen the debate somewhat. As this is a water resources issue, I believe that it would be remiss of me—and perhaps even the Minister—to let this opportunity pass without talking about some of the water infrastructure issues in this State. I am sure that the Minister would welcome the opportunity to put his cards on the table about this. We seem to be having a lot to say to each other through the media, and perhaps it is only fitting that we have something to say to each other in this place today. Heaven knows, it might be the last opportunity that we get.

Mr FitzGerald: You're not coming back, you reckon?

Mr SCHWARTEN: I am certain that I am coming back, but whether or not I will be sitting in the Minister's seat is another issue.

Mr Stoneman: No. I wouldn't think there would be much chance of that.

Mr SCHWARTEN: The member is not coming back; I know that much. He is in the long paddock now, so he should keep his bib out of it. He will get a chance to make a valedictory speech on his last day in this place, and I will not interrupt him on that particular occasion. But I can give the member a tip: it will not be my valedictory. I will be around in this Parliament a lot longer than he has been.

In my view, water is going to be the political issue of the next decade. Members should make no mistake about that. Wherever my committee and I have been throughout the State, the first thing that people want to talk about is water—how much they are going to pay for it, whether they are going to get consistency of supply, and all those sorts of issues. Not only rural members but suburban members are being spoken to about these issues. In Cairns there is talk about how much people are getting charged for water, and so on. This is a burning issue out there in the community and it is going to continue to be so. In my view, it will dominate the political streetscape for a long time to come. I believe that it behoves members of this Parliament to try, as far as we possibly can, to get it right.

All members should know that we have not always done the right thing by water resources in this State and in this country. Internationally it is no different. In the United States they are pulling up dams that they built 60 years ago. There are problems in the Snowy, the Riverina and the Murray-Darling. We must learn from those problems and not make the same mistakes again. Remember this: every place in this State depends on having an ongoing and healthy water supply. If we do not have an ongoing water supply of a decent standard, there will be no growth at all, no prospects, no future and no chance for the children of tomorrow. It is as simple as that. I believe that many people overlook that; they just turn on the tap, and that is the end of it. Our young people are beginning to understand these problems. My son is doing studies in this subject at school. Young people are becoming very, very aware that we live in the second most arid continent in the world, and we are ranked at something like 14th in the world in relation to the number of river systems that we have. Looking after our water supply and making sure that economic flows reach our river mouths and flow out to sea is a huge responsibility.

This is where the Minister and I differ. I remember when he visited Rockhampton—and I applauded him at that time for talking to those people and listening to their concerns—I said to him that if we wanted to go anywhere with impoundments in this State, we had to get over two big hurdles: fear and distrust. That fear was fear of the known. People in the community know that water bureaucrats and politicians have not always done the right thing by water resources. Water resources have suffered at the

hands of all those people. I am not saying that that is necessarily still the case. However, that is the perception out there in the community. People are telling me all the time, "Look, we don't trust this process that has been put in place. We don't trust the Minister or his bureaucrats to do it." That opinion is growing in momentum wherever I go—and it comes from people on both sides of the political spectrum. People from the Minister's party in Rockhampton are saying to me, "Look, I don't support the Nathan dam for this reason", or, "I don't think Comet is a good idea for that reason. But I don't trust the Minister to make that decision, because those bureaucrats in Brisbane are pulling the wool over his eyes." They say, "The Minister is a good bloke, but they are pulling the wool over his eyes." They would say the same thing if I was sitting in that seat. That is the distrust with which we live. There is a fear of the known and a distrust of politicians and water bureaucrats because of what they have said in the past.

I was disappointed that the Minister did not take this in the spirit in which it was offered. The Capricornia declaration offered us an opportunity to have that matter dealt with out in the public arena. It talked about transparency and benchmarking against another set of criteria that was established independently away from the department and away from the politicians. It also talked about transparency of costs. What is the point of creating jobs in those places if they are so heavily subsidised by taxpayers that they are non-productive? These are the issues that we have to consider. The Minister knows as well as I do what COAG says; that it is okay to subsidise, but the subsidies have to be transparent. Those are the issues that I believe are not addressed in the Minister's study. I believe that the Minister's study of the Nathan dam is totally flawed, because the downstream effects were not taken into consideration. I know that the Minister said that the aquatic studies will be ongoing. That is great. I know that the QCFO is saying that this is a great idea. However, a lot of commercial fishermen in the Yeppoon area are saying that it is a bit like the Nazis standing and watching the Jews go filing through the doors and into the gas ovens. That was said to me by a commercial fisherman the other day. We could be witnessing the death of species in that river.

These statements are being made regularly in my part of the world. If the Minister wishes to, he can sit in my electorate office for a couple of days; during the 15 or 16 years that I have been in public life in Rockhampton I have never had more concern expressed to me about any issue than I have about this one. It is really worrying people. And why would they not worry when the Minister's own estimation of that whole project does not include downstream effects? I do not know what effect that dam will have on Rockhampton. It may have no effect at all, but I am not prepared to bet on it, because I simply do not know. And with due respect to the Minister, he does not know, either, because the evaluation studies have not been done in that regard. I can understand the Minister saying, "I am stopping a trillion litres" or megalitres or whatever it is of water; his statement changes every day. That is fine. That is politics. We have a go at one another.

Mr Springborg: I have always said "a trillion".

Mr SCHWARTEN: Yes, but sometimes it is "kilolitres" and other days it is "megalitres". I accept all of that. However, I want the Minister to understand that where we are coming from is an area of concern. We are only going to get one shot at this. That dam is going to be around for 200 years. Members of my family have been in Rockhampton since 1860, and I would like to think that my descendants will be there for another 120 or 130 years. We do not get many chances to make a U-turn. So it is out of genuine concern that people are acting this way. As I have always said, I believe that the way out of this is to go through the Capricornia declaration process to get that process right. It was mad to go through it without releasing the WAMP. I believe that the Minister jumped the gun there. It was a political decision that he made, and I think he pulled the wrong reins.

Mr Hobbs: No, it wasn't.

Mr SCHWARTEN: I know what the former Minister is saying. We have had this discussion, too. This is where we disagree. People cannot have faith in a process if we try to run the processes in parallel. I know why the member says that we can run them in parallel——

Mr Hobbs: The Dawson dam equates to about four cartons of milk in a 44-gallon drum. There is virtually no impact downstream.

Mr SCHWARTEN: The member says that, but he has nothing to back it up.

Mr Hobbs: Yes, I have.

Mr SCHWARTEN: No, he has not. The EIS stops at Taroom. It does not go into the downstream effects in Rockhampton. That might be okay for people who live in Taroom, but I am damned sure that it is not okay for people who live in Rockhampton. I do not know where the member for Keppel is, but I would bet that he can tell the Minister that people in the Yeppoon area are very concerned about this, and rightly so.

Mr Hobbs: That is because they have been given the wrong information.

Mr SCHWARTEN: I have been given no information from the former Minister or the current Minister that allays my fear that that will not happen. Rockhampton City Council is in the same boat. It is not at all confident that building the dam at Nathan Gorge will not produce some resultant effect upon the water supply in Rockhampton. I hear stories about algal blooms. Whether that will get worse or not, I do not know. The figure put by the engineer in Rockhampton was that, if it goes bad, it is $10,000 a day to fix it. The ratepayers in Rockhampton will not be opening their arms with glee to embrace that. The former Minister is saying that that will not happen, but what guarantee——

Mr Hobbs: We wouldn't sell water to them if it was going to have that impact.

Mr SCHWARTEN: We would hope not. That is what the former Minister says now, and he may have good intentions; however, we will not always be around. We will turn our toes up one day—politically or the other way. I do not say that the intentions of the Minister and the former Minister are anything less than honourable; I disagree with the process. I do not believe the Minister is taking the community with him in this issue. I know that some people in the community say, "No dams under any circumstances whatsoever." In my view, they are just as bad as the ones who say, "Build a dam in your backyard." Those people would build a dam in the middle of one's lounge room, because they are convinced that super dams are the only way to go. I am not necessarily convinced of that. I would take some convincing. The people whom I represent are very concerned about this. To date, nothing that the Minister has done has allayed those fears.

As to the jobs the Minister says will be created—Rockhampton will not get any jobs out of that project. That is the reality. Recently, Prestons needed 5,000 megalitres to start up. The Minister would be more aware of that than I would. The nickel mine has to be factored into that project somewhere along the line. The nickel mine will provide jobs in our area. In that respect, I have some problems with impounding the water at the top end. I do not know exactly what future developments there will be. I would hate for a development to come into that region, such as a nickel mine, and want 5,000 megalitres and not be able to get it.

I do not know what documents the Minister has signed. The Minister will have to forgive me for saying in the media that I distrust this process, because I do not know what the Minister has signed. When there is distrust, there will be gossip. The gossip machine tells me that the Minister has signed the right for those people to build a dam and sell water to recoup their costs. That simply means that they will own the water that is in the dam. They will determine who gets it and how much people pay for it. I do not know whether that is true or not. Perhaps the Minister could throw some light on that. That is what is being said at the moment. I understand the need for Cabinet confidentiality about financial dealings, but the reality is that people in the community, all the councils and all the downstream users are asking, "If they get the first bite of the cherry up there, what chance have we got of getting an ecological flow down the river?" That is a reasonable point of view.

If we consider the recent electricity problem in Queensland, we will realise that Queensland's electricity system is overcommitted. There is no doubt about that. All goes well until we need to pull up a bit of reserve and we find that there is not enough reserve. I was told by somebody in the know in the electricity authority that, if the drag lines had not been switched off, not one electrical appliance in Queensland would have survived the power surges that would have occurred. I do not know whether that is true or not. That is a pretty dramatic statement. One industry had to shut down almost totally in order for people in Brisbane to make a cup of tea. If we are to have a privatised water supply and farmers are irrigating cotton, tomatoes or whatever else they going to grow, and a situation were to arise of high peak demand on the dam and high peak demand on the river, does the Minister imagine for one moment that the irrigators would turn their pumps off and let their crops die in the ground? Of course they would not. People downstream would go without water. They are the sorts of issues that people are raising. They are not people from just suburban Rockhampton or the Capricorn Coast; they are members of the Cattlemen's Union who live around Duaringa and such places. The Minister should ask Keith Adams. I was speaking to him the other night. They are legitimately concerned. The Minister is no closer to getting those people won over on this issue than he was three or four months ago. That is the regrettable aspect.

I believe that we can have a bipartisan approach to many of these issues if we sit down and talk them through. The thing that is not negotiable is the transparency of the whole process, because members of the community will not cop it unless the process is transparent. I thank the Minister for his indulgence in allowing me to broaden the debate to that issue. I believe that is an issue of grave concern in the community. For those people who are going to be in this place for the next 10 years, there will be lots of debates about water. I believe there will be an increasingly more demanding public who will

be telling us that they are not happy with the way we are delivering water policies. I think it will be pretty tough for any Government to get the right water policies to guarantee that that resource is available for the future development of Queensland. The bottom line is that if we muck up the environment, we muck up jobs and the future development of this State. I am sure that nobody on either side of the House wants to do that. I indicate to the Minister that the Opposition will be supporting the amendments.

Mr ARDILL (Archerfield) (5.46 p.m.): The matter of the use of water and the regulation of the use of water is one of the most important aspects of government and particularly so in a State such as Queensland. Australia is the driest continent. Queensland has within its borders the Simpson Desert and one of the highest rainfall areas in the world, the rainforest north of Townsville. How we manage our water resources is important. It is important how we manage the usage of water. In view of the heavy rainfall in north Queensland, it is easy to see why the great Dr Bradfield proposed to reverse the flow in the Cape River to channel the water of the Burdekin up that river across into Torrens Creek down into Lake Eyre. That is a great scheme that I do not believe I will ever see and which I do not believe anyone here will ever see. My father was very much in favour of that. As somebody who worked the land, he always thought it was a great idea. It is something that would prove too difficult in today's climate of the environment being of such concern to the general population. I do not think we will ever see that occur.

Mr Hobbs: Did you know that the present program in place is equivalent to seven Bradfield schemes? So it has already been done.

Mr ARDILL: Yes. It is agreed that a lot of schemes to turn the water back over the range have been promoted. I do not think any those, other than in a very minor way, will ever be achieved. We are seeing that happen in the City of Toowoomba, which draws most of its water—if not all of it these days—from the Brisbane River catchment. However, I do not believe we will ever see that as a major source of water in the inland. Such schemes are something of a past age, such as the Tennessee Valley scheme in the USA and, of course, the Murray/Darling scheme in Australia, which has proved to be to the detriment of the land and the soil in that system. What is needed is proper harvesting of water and proper reuse of water. It certainly was a great scheme—the idea of not only building that dam on the Burdekin, which we now have, but also to turn that water inland. In some years it will be of great advantage. However, the Lake Eyre system is a huge system and only one portion of it would receive water from that scheme.

I also want to applaud the fact that this Government has seen fit to prohibit the growing of cotton on Cooper Creek. It is something that the Opposition would have opposed and the Government certainly has its support for that decision. It is also pleasing to note that the Federal Government has refused to enter the Lake Eyre system into the World Heritage listing. I am as green as anyone in this Parliament. I make no bones about the fact that I support the green movement and always have. However, I do not think that the people who promoted the listing of the Lake Eyre basin as a World Heritage area came from Queensland. I do not think that they looked at the effect that would have on Queensland.

The Lake Eyre basin covers between one quarter and one third of the entire State of Queensland. It starts up north of Camooweal, it comes down within a couple of kilometres of Mount Isa, it follows across the Selwyn Range, it crosses the Flinders Highway and the railway between Hughenden and Torrens Creek. It goes up into White Mountain and then comes right down the Great Dividing Range, down through the area between Emerald and Alpha, on to the Buckland Tableland, known as the home of the rivers, continues down the Great Dividing Range to east of Tambo and then takes off on the Grey Range. It then goes right down to the New South Wales border to the west of Haddon Corner and then down to Lake Eyre. It is a huge basin. It encompasses the pastoral industry and the mining industry in those areas and certainly the towns of Longreach, Barcaldine, Tambo and Blackall. To place all of that pastoral land outside the control of the people of Australia through Acts of Parliament is something that I do not think should have been considered at any time. Certainly, I have never supported that. However, it is a fragile area and it is up to the Government of Queensland to make sure that that area is protected and is treated in a way that will sustain it as part of our productive land forever.

I will not enter into the argument about the Nathan dam, but I will say that, instead of building dams, we need to look at reusing water. On a number of occasions, the shadow Minister has promoted the reuse of water. It is one of the issues that we should be considering, even for the wetter areas of the State. For instance, instead of trying to flood a beautiful, productive area such as the Finch Hatton Gorge we should be considering the reuse of water. The only way that we can properly look at the reuse of water is by giving the same tertiary treatment to water at the outlet as we do at the intake. We give water tertiary treatment where it goes into the urban area but we fail to treat it properly where it comes out.

Mr Schwarten: They are doing a good job in Hervey Bay.

Mr ARDILL: They certainly are. We should be treating that water in a major way. The State Government has to be the funding authority for this process. We cannot expect local councils, even a local council as large as the Brisbane City Council, to provide tertiary treatment without proper funding. Local authorities do not have that sort of access to funds. We simply cannot rely on local authorities to do that because of their limited funding sources. It is up to the State Government to look at that and at some time in the future a State Government must come to terms with it.

I refer to the Condamine River. As I said, the water is pumped up to Toowoomba from the Brisbane system. It is used in Toowoomba, and then goes out into Gowrie Creek without tertiary treatment. Members should look at the froth and bubble that does down Gowrie Creek. That water is then picked up by the city of Dalby. It is pumped out of Oakey Creek and into the city of Dalby. It is then reused at Chinchilla. All of that process takes place without tertiary treatment. The water then goes down to St George. Again, it is reused without tertiary treatment. It is no wonder that, by the time the water gets right down to the Darling and into the Murray and pumped across from Morgan into the Adelaide pipe system, it is virtually undrinkable.

Mr Pearce: That's why they haven't got good beer.

Mr ARDILL: My colleague says that the quality of the water even affects the beer in Adelaide. By that stage, no matter what happens to the water, it is certainly not suitable for drinking.

Governments have to face the fact that they cannot continue to treat water at an intake, pour it into urban systems and industrial areas, and then let it go out again into the river or waste it away on land. There is talk of reusing water on golf courses and various other land uses. That is only scratching at the surface.

Mr Schwarten: Did you know that the Hervey Bay one with the sugar there has been a 30% improvement in the reduction in costs?

Mr ARDILL: There is no doubt that we have to face the fact that water should be treated the same when it goes out as when it comes into the urban areas. It has to be tertiary treated over and over again and the same water reused. We cannot expect, as some people have done in the past, that that water is going to be reused at the point at which it is expelled from the sewerage system.

Mr Schwarten: The other thing is stormwater harvesting.

Mr ARDILL: That is another thing. Stormwater harvesting has to be addressed. The creek systems of Brisbane could have treatment plants put on them, not to treat the expelled water from the sewerage but to use the stormwater that flows down those creeks. The same could be done in many areas by trapping debris and then treating the water that goes down those creeks. We cannot do that in a very dry area, but that could be done in coastal areas. Certainly, it could be done in Mackay.

Again, I must push the idea that it is a State Government's responsibility to fund tertiary treatment of water in this, the driest continent on earth. It is the State Government's job to give a lead to local authorities that this must be done on every occasion where water is expelled from a sewerage system. One third of all the water that goes into the Brisbane system goes into the sewer. It is treated alongside the major industries that use water. One third of the water is used in the sewer; one third in the industrial areas. The two should be married.

Debate, on motion of Mr Pearce, adjourned.

SECURITY IN JAILS

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

> "That this Parliament calls on the Government to increase security in jails."

The reason security in jails needs to be increased is obvious. Since the National/Liberal coalition was handed office in February 1996, 61 prisoners have escaped from behind bars, 71 offenders have absconded from other correctional institutions and countless others have been let out on early release by the Government to ease the overcrowding. That represents one prisoner escaping each fortnight for the entire term of this Government. If we count absconders along with escapers, that represents one a week. The National/Liberal coalition is operating a revolving door prison policy.

What did the Premier promise in his contract with Queensland when he wanted people's votes in July 1995? He promised that his Government would not have a revolving door prison policy. He said to throw him out if he failed. Queenslanders will get that opportunity very shortly. Queenslanders have more than 130 reasons to throw out the Premier and his incompetent rabble masquerading as a Government. Let us examine some of the failures and look at why this Government should be thrown out. Let us look at the history.

In October 1996, police were called in to guard against a mass escape at Lotus Glen Correctional Centre when prisoners went on a drunken rampage in what was described as a major disturbance. Where did they get the alcohol? The prisoners had been allowed to set up a country music festival run by Rotary and had stolen vodka and bourbon. The drunken inmates were involved in assaults and attacks on property.

In January 1997, almost a year after taking office, the Minister blamed the shape of the police van for the escape on 29 January of two prisoners from Beenleigh. In April 1997, prisoners rioted at the new Woodford prison, causing damage estimated at $50m. In May 1997, a prisoner on day release absconded and raped two women. Once again, it was not the Minister's fault. He refused to take any blame. He blamed the Community Corrections Board and sacked them all. The Premier said that the board members were pathetic and pitiful people. Let us just keep that in mind.

It was admitted that murderers and rapists were being allowed outside Wacol jail to work under minimal supervision on a farm. Six prisoners escaped from Townsville watchhouse by kicking out some besser blocks in an unfinished cell. The Minister was far from reassuring. He said, "It has happened before and it will happen again." How right he was! He is almost like Nostradamus.

In June 1997 we learned that prisoners did not need to kick out besser blocks to escape. Wayne Walker walked out of jail only five days after receiving an 18-month sentence when faulty paperwork led to him being released. He just walked out the front door. It was seven weeks before the mistake was realised. Talk about a revolving door policy!

In July 1997 we learned how murderers serving life sentences were taken by bus for a special lifers day out barbecue, laid on for them at the Gold Coast. How many pensioners and people with disabilities would enjoy that sort of treat, especially when the Government has failed to deliver on its promise of an extra $34m a year for people with disabilities? On this trip, one lifer won $50 on the pokies, another had what was described as a love tryst with a female Corrective Services staff member and another tried to join the surf lifesaving club. Once again, the Minister said he could give no guarantees that a similar incident would not happen again. This certainly was not the first love tryst. A naked woman had already been found under a prisoner's bed at the prison farm at Rockhampton.

Mr Barton: Three days she was there.

Mr BEATTIE: That is right—three days. Also, in July 1997 four prisoners on release from Lotus Glen armed themselves with guns, knives and a meat cleaver when they made off from a WORC scheme in a park ranger's four-wheel drive. But there is more.

In September 1997, two teenagers escaped from the Sir Leslie Wilson juvenile centre when they were left unguarded in a privileges room. Other escapees earlier in the year included an alleged murderer. The centre must be regarded by some of the youths as a soft touch. It is a centre that the prisons Minister promised my constituents would be closed down. Of course, that is another broken promise. Also, two former inmates were captured trying to break back into the centre.

In October 1997 we learned that about 600 people guilty of various offences were working in and around Queensland schools as part of their rehabilitation. A Brisbane family who helped put a paedophile behind bars received a threatening letter from him, despite a promise from the Minister a month earlier that the criminal's mail would be vetted.

In November 1997, why was anyone surprised when Brendon Abbott and four other dangerous criminals described by prison authorities as very evil men took part in a mass break-out? The break-out came a month after management had been given an intelligence report outlining a monitored phone conversation between Abbott and his girlfriend discussing an escape with the possible involvement of weapons. The prison management plan for Abbott had included some escape-proof procedures, but the Minister ordered that Abbott should be treated like any other inmate.

I asked the Minister about this in a question this morning. He had no response. The man who was in charge had no response to the abandonment of a management plan which would have kept Brendon Abbott in jail. He has never answered the question: why was Brendon Abbott not placed at Woodford, at the prison within a prison which we built for people such as Brendon Abbott?

Mr T. B. Sullivan: He was taken there for one month only.

Mr BEATTIE: That is right. The Minister promised that the review team would recommend security upgrades within two weeks, but he has now revealed in an interview that it could be three years before proper security measures are completed. How long does it take to fix a prison? He says that it is going to take three years before he has got any security. The member for Broadwater tried to make some half smart comments about where Brendon Abbott is

tonight. Indeed, where is Brendon Abbott tonight? Who says that he is in jail? Who says that he will be there tomorrow night? That was a great question.

In December 1997, the year ended with prisoners at Townsville jail rioting and causing damage estimated at $100,000. Had the Minister learned nothing from Woodford? One would have thought he had learned his lesson from the Woodford riot. He said—

> "It was allowed to run a bit and got out of hand ... and I guess it could have been quietened down sooner."

How pathetic! In January 1998, the Minister announced that some prisoners would be released into the community earlier than scheduled in a plan designed to reduce jail overcrowding. What a joke! The ones that are not let out the back door on early release go over the front fence and escape, like Brendon Abbott. Talk about a revolving door policy!

In February 1998, three inmates escaped over the perimeter fence at Borallon jail with three accomplices who shot a prison guard. One of Queensland's most callous murderers has been downgraded to a medium security rating just three years into a life sentence. Damon Calancas was one of seven murderers and two child molesters who were moved into what the Minister's prison authority calls "village accommodation", with no locks on their doors, at Lotus Glen jail near Mareeba. It is just like a motel, really. The village accommodation cost $6m to construct and is designed to act as a halfway house between the existing medium security centre and release to the community or the prison farm. Six of the 48 village residents were high security prisoners.

People might remember the headline of last month which I tabled when the Minister launched the new $170,000 Hummer armoured perimeter vehicles at Borallon prison. It reads, "Prisons Minister has no truck with escapees." What a joke! It should have read, "Prisons Minister has no truck." What happened? The Hummers are not yet operational and prison staff have not been trained to use them. They are back in the workshops. They were pulled out for a media stunt.

It was made even easier for Woodford prisoners to escape last week when a set of master keys to the cells was left lying around. They lost the keys. What sort of a prison system is this Government running? The prison lost the keys! At Woodford, if prisoners do not go over the front fence, they just borrow the keys. Perhaps someone forgot which doormat they had been left under. Now we learn that notorious Townsville paedophile Robert Bradfield has been given early release from his five-year sentence for sexually molesting six young boys aged between four and 11, and corrupt former police commissioner Terry Lewis has been allowed to go home after having served less than half of his 14-year sentence.

This is what the Minister described on ABC's Stateline on 1 May as "probably the best system in Australia". God help us all if this is the best system! The Minister is so cowed by all of these issues that he will not come into the Parliament tonight to defend his record. Well he should stay away, because nobody could defend the record of Russell Cooper as the Minister for Police and Corrective Services. He should hang his head in shame. It is little wonder that he has run away from this debate tonight. He will not come into the House and face me or my colleagues in this debate because he knows that he has a record he cannot defend.

Mr BARTON (Waterford) (6.09 p.m.): I second the motion. There is no doubt that prison security in this State is a shambles. We have a Minister who continues to make very tough promises every time there is yet another problem—it is never his fault; it is always somebody else's fault, and many heads have rolled because of that—but he consistently fails to deliver. There should be an audit on Russell Cooper's promises; he would fail the test.

This morning we heard about a number of issues. For example, the Minister told the media and the public that the Hummers are in service. However, they are still in the garage. They are not functional as yet, because they have not had the modifications that they need. They are having trouble doing that work, because they do not have the trained staff to do it. However, that did not stop the Minister from pulling a stunt in the media. He does not have the answers as to why all of the other problems in the prisons that should have been fixed have not been. Those are things that he promised would be addressed after the SDL escape and after the Mengler report was handed to him. What does he do? He only ever wants to talk about the Hummers—those magic vehicles. But even that is a fraud, because they are not on the job.

We then learnt that the keys to the Woodford prison had been lost. However, when that was made public, the Minister replied, "That wasn't a threat to security." I do not know what a threat to security in a prison is if the jailers do not have the keys. If the prisoners have the keys, there is obviously a threat to security. But that is not so, according to this Minister.

Tonight, two prisoners are in hospital fighting for their lives because of drug overdoses—one on Sunday night and one last

night. But this Minister tells everybody that he is on top of the problem of drugs in jails in this State; that he is handling it and that it is all okay. But two people are fighting for their lives because of heroin overdoses in two jails in the past few days.

We had a tough management plan at Sir David Longland for Brendon Abbott, but after one month it was cancelled. That is how soft this Minister and the people whom he oversees are on crime and criminals in this State. The Minister treated Queensland's biggest escape artist like any other prisoner. Even worse, he gave him a trusted job where he had access to the library and phones. He was busily making unauthorised phone calls, one of which at least was monitored. Right on cue, he then escaped. However, he did not just escape by himself; he took three murderers and a dangerous rapist with him.

The Minister denied flatly that that escape was assisted by failed intelligence and security problems. But that is not what the Mengler inquiry report states—and he is still trying to misrepresent that. The leaked sections of that report to which I have had access state very clearly that perimeter security problems were identified 10 months earlier in a QCSC audit report but were not addressed. They had not even been addressed at the time that the Mengler inquiry report was finalised some months after the escape.

Let us quote a few words from Carl Mengler's report. It states—

> "And it is fair to say the very issues raised in that report are some of the procedures which failed in the early hours of 5/11/97."

The Minister says that the Mengler inquiry report was not critical of what was occurring. It is pretty clear to me and everybody else who has ever studied the English language that those words indicate that the problems identified 10 months earlier were the procedures that failed during the escape. They had not been addressed when the Mengler report came down. They probably have not even been addressed today. When interviewed on television about that matter the Minister responded, "You'd like to do these things immediately, but sometimes these things take one, two or three years." He says that they have all been addressed, but that is not the message I get from prison officers.

The Mengler report also acknowledged that the intelligence system was not functional. It failed. Two temporary, non-experienced intelligence officers were in place and they failed to analyse strong evidence of Abbott's escape plans. Some of it did not even make it onto the system. They had evidence of Abbott having a mobile phone, making unauthorised phone calls and having a paid arrangement with an outlaw motorcycle gang to assist in the escape, but none of that was taken into account. It was all ignored because it was amateur hour in Queensland's prisons, just like it obviously is in the Minister's office. This Minister believes that there are no problems with prison security. He must be the only person in this State who at this point is——

Time expired.

Mr HARPER (Mount Ommaney) (6.14 p.m.): It is a pleasure to take part in this debate tonight. In doing so, I move the following amendment—

> "That all words after 'that' be deleted and be replaced by 'this Parliament acknowledges the increases in security in jails to date and calls on the Government to continue to upgrade security'."

Tonight, in all the speeches from the Opposition we have not heard even half the story. We have probably heard only about a quarter of it. Members opposite do not want to tell the story. Similarly, some of the pamphlets and election material they are distributing does not tell the full story. If they told the full story it would show that their abysmal record is far worse than this Government's record. They do not want to face up to that. They want to con the residents in all of the electorates in which they are distributing those pamphlets. Tonight, they want to con the people. They are not telling the full truth; they are telling only one part of the story. As I said, if we look at the record we see that that does not even shape up to half the story.

I wish to put some of those details on record so that the people of Queensland know what the Labor Party's record was in its seven years of Government and what a mess and a botch-up it made of the prison system. I wish also to highlight the work that we have had to do since coming to Government over two years ago to correct that position.

During 1996-97, under this Government there was one escape from secure custody. We will compare that to Labor's record in a minute. This year, before the Sir David Longland break-out, there were no escapes. Let us look briefly at Labor's record of escapes from secure custody. It had 22 in 1990, 42 in 1991, 22 in 1992, and 19 in 1993. Did we hear that from the Opposition Leader or the shadow Minister tonight? Of course we did not hear that. I reiterate that in 1996-97 under this Government we had one escape. If we add to that figure the unbelievable 109 escapes from juvenile detention centres in 1994-95, we see how disgracefully hypocritical Labor members are. They fail to mention that. We

will not hear a whimper out of them about that. Again, I say that they are trying to con the people of Queensland.

Let us look further at the record of Labor. There were 80 escapes and absconds from custody under it in 1995, 77 in 1994, and an embarrassingly high 94 in 1993. That is a total of 251 in three years. No wonder it is trying to hide those scandalous facts when it tries to point to our record. Over two years, we have had only 125. If we examine that figure of 125, we see that in 1996-97 50 of them were from custody. They were not escapes; they were absconds. There have been only 14 absconds in the year to date.

Prisoner population is another factor that needs to be looked at when we are looking at statistics and figures. We need to remember that since 1993 and during a lot of this Government's term, prisoner numbers have more than doubled. If prisoner numbers more than double, that has to have an effect on the statistics.

Let us look at some of the riot incidents under Labor and how it tried to control them. In January 1990, 10 inmates were involved in a riot at Sir David Longland. Some $130,000 in damage was done on that occasion and two inmates were charged with murder and other offences. In November 1992, at Arthur Gorrie 20 inmates rioted and started a fire, resulting in $15,000 damage. In November 1992, again in Townsville, 45 prisoners were involved. A fire was started and there was extensive damage to two units. In May 1993 at Arthur Gorrie, inmates in block U and B1 rioted and started a fire, resulting in $1.8m damage. I believe the Minister will correct the wrong figure that the Opposition Leader cited tonight in relation to Woodford. He got the figure totally wrong. However, he did not mention the $1.8m in damage under his former Government back in May 1993. In October 1993 at Wacol, 150 prisoners rioted and did $112,000 worth of damage.

Time expired.

Mr CONNOR (Nerang) (6.19 p.m.): I would like to second the amendment moved by the member for Mount Ommaney. I would also like to quote from the comments that the member for Waterford made in the Courier-Mail recently that he would be looking around for an old hat if these were not record escapes. Here is the old hat, because these are not record escapes. His Government—the previous Government—holds the record for that. I am going to tell him all about those records. I will talk about just the mass escapes that occurred over a six-month period.

First of all, on 11 January 1991 five prisoners escaped from Boggo Road. How could we forget the sheet-out-the-window escape from Boggo Road? The five prisoners were Allan David McQueen, Shane O'Reilly Ryan, Ian Robert McDougall, Darren Christopher Jeffers and Lee James Garrett. Just two months later at the same prison—Boggo Road—there was the garbage truck escape. Who could forget the garbage truck escape? On 16 March four prisoners escaped: Steven Witana, James Nixon and, wait for it, Lee James Garrett again. Under a Labor Government, the same prisoner escaped from the same prison in two months—in two mass escapes. That is the record of the previous Labor Government. Who could forget Harold John McSweeney, who also escaped in that prison escape and who then shot a prison officer when he was captured?

Three months later there was another mass escape—the great escape. Who could forget the great escape? On 9 July in the same year, eight prisoners escaped from Moreton jail. They were Matthew Francis Randall, Kenneth Robert Bradfield, Francis James Carter, Wayne Morrell, Gregory Alan Creevey, Adam Keith Vickers, Kerry Pittas and Michael Raymond Farley. Who could forget the great escape? Three mass escapes in six months! That is an average of a mass escape every two months. A total of 69 escapes occurred in six months. I say to the member for Waterford that that is the record of the previous Labor Government: 69 escapes in six months including three mass escapes—two from the same prison—in two months and the same prisoner escaping twice.

What other records does the previous Government hold? We also had another escape a couple of months later. This one, of course, was from Numinbah. It was a secure prison so what they wanted to do was to come back! They wanted to come back; they were only out overnight. They just wanted some sex, drugs and rock and roll. Three prisoners escaped in a mass escape and they wanted to come back.

What happened when there was a riot and the prison was on fire? What did the then Labor prisons Minister want to do? He wanted to keep drinking at the bar! What did he want to do? He wanted to keep drinking at the bar! Who did he think people should consider him to be? He thought he should be James Bond 007! The then Justice Minister, Glen Milliner, said—

> "I like to think of myself as the suave and sophisticated 007-type."

That is the record. There is the Austin Powers of the prison system now: the member for Waterford. What else did he talk about? Records for drugs! What about the fact that, under the Labor Government, 45% of prisoners were found to be under the influence of drugs? That is the record of the previous Government. They are the records that it has to be proud of and they are the

reasons why the member for Waterford will need this hat, because he will have to eat it very shortly. That is what that is for.

Mr NUNN (Hervey Bay) (6.24 p.m.): Members of the Government opposite and particularly the member for Mount Ommaney seem to take a curious pride in the fact that 125 people have escaped from their prisons in the past two and a half years. I think they have a twisted sort of mentality. This is not about what happened all through the 1980s; it is not about what happened between 1989 after the demise of corruption in this State and when they came to Government; it is about getting it right from here on, but members opposite cannot get it right. As a matter of fact, in Queensland today it is expected that criminals will escape.

It is unfortunate indeed that the Honourable Russell Cooper, the Minister for Police and Corrective Services and Minister for Racing, saw fit at the time of the 1995 election to promise to at least reduce if not eradicate the incidence of crime in this State. The Honourable Minister told us that he was tough on crime and we—poor trusting souls—believed him for had he not burned into our very souls the absolute fear of crime? Part of the problem in Queensland is the fear of crime, and he engendered a fear of crime, especially in the areas of Toowoomba and Crows Nest. That is where the survey was done which showed that, during Labor's rule, the incidence of crime had not increased but that the fear of crime had. To engender a fear of crime was indeed a crime in its own right.

Between 1992 and 1995 the Minister convinced the elderly people of Queensland that they should lock themselves in their own homes. He convinced them that to venture outside their own homes was to court disaster and invite others to perpetrate acts of violence against them. Indeed, so successful was he that a CJC report completed at that time showed that, while the incidence of crime had not increased, the fear of crime had increased. That was a CJC report. It was backed up by a report on crime in the Mulgrave Shire which showed exactly the same thing. From this we can deduce that the member for Crows Nest was successful in his campaign to frighten the hell out of the vulnerable people in our society, and he has done this as a deliberate strategy.

We have a situation in which, under a Labor Government, the fear of crime increased while the incidence of crime did not. But now under this Minister's stewardship, the fear of crime is still evident, but with good reason. It is because, under "Mr tough guy on crime" Cooper, crimes against property as well as crimes against the person are on the increase. This Minister, also known as the "Minister for lost causes, lost reputation, lost leadership ambition, lost keys and lost Brendon Abbott" can answer only one question with certainty, and that is: where is Terry Lewis tonight and what is he doing? The Minister has lost the fight against crime in this State.

In Hervey Bay only the other night five houses in a very short street were burgled and the daily crime sheet in the local paper increased like the Minister's poor reputation. That he has lost the fight against crime is amply demonstrated by his panic-driven need to build more and more prisons where security is practically non-existent and staff morale is low. I supported a recent proposal by the Minister to establish a prison in the region on the grounds that the associated jobs as well as the supply of goods and services to the prison would boost the economy in a region in which incomes are low and unemployment is running at 20%. In spite of this, people in my area have no faith in the Minister's ability to keep his prisoners securely locked away, and a significant section of the community has rejected his proposal completely. They fear for their safety and their property in the event of a prison break-out. They fear that the building of a prison in their community will see a fall in property values.

Under this Minister, the people of Hervey Bay actually expect that prisoners will escape and that they will then have something more than a nodding acquaintance with the Brendon Abbotts of this world. I can see it now: Brendon Abbott dropping in for tea, having a nice little chat and, after taking his leave, sending a postcard in a couple of weeks' time, probably from Crows Nest.

Time expired.

Mrs GAMIN (Burleigh) (6.30 p.m.): After listening to some of the rubbish from the other side, let us get some commonsense into this argument. The Queensland Corrective Services Commission is in the process of recruiting personnel for an elite prisons flying squad which has been established to act as a troubleshooter for the correction system. The highly trained, multiskilled 20-member proactive support group—PSG—is headed by respected former jail general manager Greg Howden. There will be four five-person teams whose members will have expertise in weapons and other training, security audits, and such things as arranging escorts of the most high-risk prisoners. They will also be able to be rapidly deployed to handle any emergency or potential emergency anywhere within the system.

The Sir David Longland and Borallon escapes underlined the need for this group. It was a concept recommended by Carl Mengler in his SDL escape report, and one I was happy to

support. The PSG was set up by Proactive Intelligence Network chief Kevin Robinson who has now returned to being on line with PIN. Mr Howden, who left his job as general manager of the privately run Arthur Gorrie Remand and Reception Centre, started as PSG general manager on 23 March. Group staff are subjected to psychological and fitness testing and must meet other stringent selection criteria. We are fortunate to have a man of Mr Howden's experience and high standing in Corrections to head up this crack group.

The PSG will undertake proactive operations in liaison with the Corrective Services Investigation Unit and PIN, such as drug searches based on information received or similar exercises relating to specific intelligence. The Proactive Support Group role entails a multifunction audit and operational focus including—

the conduct of security and emergency procedures audits of all Queensland correctional centres;

testing prisons emergency response in practical scenario-type testing situations on site in correctional centres;

assistance to service providers in the refining and standardising of emergency plans for centres;

conducting on site risk-threat analysis for each correctional centre;

development and refinement of security standards consistent with contract specifications;

emergency procedures training to all individual prison emergency response teams;

random urine screening tests and targeted urine screening tests of the inmate population; and

targeted searching exercises involving visitors to correctional centres and searching of high-profile inmates suspected of introducing illicit drugs into the system.

The group will provide advice and monitor policy on a wide range of security considerations, such as a strategic plan for Dog Squad operations, contingency plans, perimeter security systems and risk analysis.

Mr Howden will report directly to QCSC Director-General Barry Apsey and will work in close liaison with PIN, CSIU, service providers and the audit and investigations division of QCSC. The PSG is part of an unprecedented security shake-up within the system, made necessary by the unprecedented nature of the SDL and Borallon escapes. It is the priority of this coalition Government to protect the community from the small minority of vicious criminals held within the system. Security has been boosted right across the system, including having armoured perimeter vehicles attached to jails and specialist Dog Squads in action.

The PIN is targeting drug use in all Queensland correctional centres and will supplement the intelligence gathering roles already in place. PIN consists of Acting Superintendent Kevin Robinson, who has been seconded from the Queensland Police Service, and other QPS, QCSC and Queensland Corrections personnel. Corrective Services Minister Russell Cooper set up PIN in a central office as a new weapon in the arsenal against drug misuse in prisons. It will interact with other law enforcement agencies and I expect to see early results in stemming the drug trade in jails.

PIN will not limit its activities to drugs and other contraband in prisons but will gather intelligence on potential escape attempts and threats to prisoners and staff. Any matters of corruption will be referred to the Criminal Justice Commission. PIN's success will be measured by providing information which achieves a reduction in the level of, or prevents the incidence of, escapes, deaths, riots and similar major incidents, criminal violence, drugs, corruption, theft and misappropriation and impropriety in the Queensland correctional system. The whole process is part of the massive shake-up of the system instigated by the Minister. The coalition is serious about regaining control of this State's jails.

Mr BRISKEY (Cleveland) (6.35 p.m.): A recent Council of Australian Governments report found that 44% of Queenslanders felt unsafe walking or jogging after dark and 34% felt unsafe when travelling on public transport after dark. The report also found that Queenslanders had a higher level of dissatisfaction with police services. Why? Why did this report find out these things? Because of the failure of this Minister! Because of the failure of Minister Cooper in his obligation to Queensland with regard to the Police Service! The Minister has certainly failed with regard to the Queensland Corrective Services Commission.

The Minister is an abject failure. To look at him and hear him in this place convinces one that Somerset Maugham was correct when he said, "Failure makes people bitter and cruel." This Minister is bitter and he most certainly has failed in his portfolio.

What do the police think about this situation? I, together with my colleagues on this side of the House, speak to police and they tell us that they are angry that this Minister has failed

in his responsibility to keep prisoners behind bars. The police are out there catching the villains, the courts are sentencing them, and then Cooper is letting them go. The police are angry because they are placed in dangerous situations in attempting to recapture these escaped prisoners. Police are angry that they are taken away from their normal day-to-day duties. They have other work that they should be doing but they find it increasingly hard to do that work because they are understaffed and underresourced. There is a lack of security in our jails and, as a result, prisoners escape. It makes it harder and harder for the police to do their job.

What does the Queensland public think of this situation? The public is angry as well. The public believe that jail security should be sufficient to keep prisoners in custody. However, that is not the situation. No wonder that one in three Queenslanders does not feel safe after dark. As a result of this Minister's inaction, people do not know what escaped prisoner is going to meet them on the train or around the corner. However, people do know that, if they get into trouble, there are not sufficient police to look after them. This particularly applies to residents of the Redland Shire.

This Minister has repeatedly failed in his responsibilities. In the break-out from Borallon prison in February, one escapee was in possession of a mobile phone. Prior to that we had the break-out from the Sir David Longland centre when Brendon Abbott escaped. He has only recently been arrested. Most recently we heard of the incident of seven keys being missing from the Woodford prison, resulting in 276 prisoners having to be locked in their cells.

No doubt we all remember the old Keystone Cops comedies. This Minister would get a starring role in that sitcom. He could chase escaping prisoners around and around in circles with the other Keystone Cops. Every week, with much fanfare, this Minister announces what he is going to do. What the Minister never tells the people of Queensland is what he has done. While the Minister is telling us what he is going to do, we still have prisoners escaping from our jails. If this Minister did what he tells us he will do, we would not have the escapes that we have seen.

This Minister is quick to blame everyone else for his own failings. When the Minister first took this job he sacked the chair and deputy chair of the Queensland Corrective Services Commission and put his own people in their places. He never, ever wears the blame. He does not understand ministerial responsibility under our system of Parliament. He believes he is responsible to no-one. He should be accountable to the Parliament, but he is not. He should resign because of his total lack of action in ensuring the security of our jails. If the Minister does not resign he should be sacked. Ray Connor was forced out for his failures. This Minister should be forced out because his failures have been far bigger than Mr Connor's. Minister Cooper never makes the same mistake twice. Every day he finds new mistakes to make.

Mr GRICE (Broadwater) (6.40 p.m.): What a sad charade this Opposition is! This hour in which to debate a notice of motion was introduced into the Sessional Orders of this Parliament with the agreement of the member for Gladstone so that the Opposition would be in a position to add to the governance of this State. What a sad charade! Look at this notice of motion: that the Government upgrade prison security. What has happened here tonight is that some sad, grubby little Bolshevik with a blunt pencil, a tennis shade and plastic over his cuffs has said, "There is an election coming up. I have consulted with the cardigans. Law and order is a very important thing, so we had better put that up." What a wonderful effort this is! I ask members to have a look at the attendants straining to keep the press away from the edge of the gallery. Have a look at all those people who have crowded in to hear this contribution from the Opposition today to add to the good governance of Queensland.

Mr Ardill interjected.

Mr GRICE: Leave me alone! The member would not have the slightest idea about the good governance of Queensland.

Members opposite try to compare their performance over six years with ours in relation to keeping people in jail. But what did they do? They closed down jails. We are spending money. And when a problem occurs, we spend more money to fix it. To compare their performance with our performance is like having Kieren Perkins swimming for us and the member for Archerfield swimming for the Opposition. It is like having Picasso painting for us and the member for Bulimba painting for the Opposition. Leave me alone! Members opposite had prisoners walking out and running out. One of them even went out on a horse. They drove out. One mob at Townsville kicked the bottom out of a garbage tin, put it under the wire and used it as a little tunnel to get out. One of the best things the former Government did at the Sir David Longland Correctional Centre—before it shut it down—was issue bus timetables. Escaping prisoners went across the pedestrian crossing and queued up at the bus stop to get onto the 362 to Roma Street. That is how well members opposite ran the prisons. There was not one way that prisoners could not get out of jail.

What have we done? Let us look at a couple of things that have happened since the security upgrades took place at the Sir David Longland Correctional Centre. Additional units in B Block have been fully mesh screened, with the exception of the ATSI unit. The perimeter has been cleared to a distance of 70 metres from the patrolled roadway. The perimeter fence has been upgraded with additional razor wire. An access road has been built to the adjacent Dog Squad base for ready access. Additional personal protection equipment has been issued to staff, and more equipment has been ordered. Contingency response plans have been reviewed and exercised in conjunction with specialised Queensland Police Service advice. Irregular night-time patrols within the centre have been introduced. Accredited staff only are allowed to operate the central control room. There is an additional Dog Squad presence at night. The provision of weapons and ordnance has been upgraded. The list goes on.

I ask members to look at the purpose of this whole motion that was moved by the Leader of the Opposition. Have a look at the diligence of the Opposition. There are 10 Opposition members present in the Chamber. Six of them have been forced to speak during this debate. So there are only four interested Opposition members—plus all those in the press gallery and the public gallery! This is the contribution of Opposition members to an hour that was given to them by this Government to add to the good governance of Queensland. Leave me alone! They have no idea what good governance is about. They have no idea what Parliament is about. If this is the best lot of rubbish that they can come up with in the run-up to an election, then they are so intellectually handicapped and strapped that they have no chance of ever rising above being in Opposition as long as this Parliament exists. We could be here for the next 100 years. My mother could live that long, but I do not think I can.

For once, would Opposition members think about good governance and assistance to this Government in the governance of Queensland? This debate is a nonsense. It is a charade that they come in here with absolute nonsense like this and pretend that this is a serious debate. They are so far behind the eight ball with the good running of prisons. They closed them down, we reopened them, and we are rebuilding them. We are building more prisons. They cannot compare their performance to ours. Yet they have the temerity to present this motion as a sincere attempt to assist the governance of Queensland. They are an embarrassing joke to the cardigans who direct them and to the people of Queensland.

Mrs BIRD (Whitsunday) (6.44 p.m.): I want to address a couple of issues that are important to me and particularly to some of my constituents. I do so at the risk of the Minister accusing me of inciting trouble in the prisons by raising in the public sphere some prisoners' concerns. The Minister's vehement allegations in this place last month against organisations and individuals will live long in the memory of many. Has the Minister ever asked himself about the legitimacy of many of the things that he says and does?

Mr Cooper interjected.

Mrs BIRD: I am sorry?

Mr Cooper: Carry on. What do we have to listen to this for? But get on with it.

Mrs BIRD: What the Minister is saying and doing heightens—not lessens—tensions and violence in jails. Keeping people in prisons will take more than barbed wire, locks and keys, which he appears to have trouble finding. To protect the public we must keep prisoners in prison, not roaming around the streets. We must address those dehumanising situations that this Government and its warped attitude have created. Tensions and frustrations are being caused by the Minister. The overcrowding is caused by him. It has been caused by his successive so-called security crackdowns, the declining access to rehabilitation programs and the Minister's lack of community release programs. All of those have deteriorated in the past 12 to 14 months. The Minister has lost the plot. For political expediency, his reaction was to treat even low-security prisoners as animals. Their reaction obviously will be to behave like animals. The Minister constantly inflames situations and puts the public at risk by the silly nonsense that he carries on with on television. Social workers tell me that the prison system contains more drugs than there are outside the system—certainly more drugs than ever before.

Let us look at the reaction to what the Minister called his security crackdown. Following the escapes from the Sir David Longland Correctional Centre in November and Borallon in February, the Minister took up a series of measures with the purpose of increasing so-called prison security. These measures have had a number of serious consequences beyond their stated intent. Many of them contribute greatly to the deteriorating conditions in Queensland jails. For example, the additional cladding placed on B Block at the Sir David Longland Correctional Centre has produced a very dark, hot and airless environment which may well breach the minimum standard guidelines for corrections issued by the United Nations. I intend to pursue that.

The return to high-security jails of all low and open security prisoners who have any history—

even 20 years ago—of attempted escapes has resulted in the halting of rehabilitation for a large number of long-term prisoners who were gainfully employed in low or open security farms or centres. What rot! They were not the people who were escaping. They were the ones who stayed behind. At the same time, the high-security prisoners were out having a good time.

The Minister has lost the plot. It has been very difficult to find anything that he has done in this portfolio that is of a progressive nature. In fact, one prisoner wrote today—

> "Russell Cooper may be right when he talks of the problems of pending riots and tensions. But it will be a negative response to a negative system, not because we are animals in need of entertainment as he may prefer to call it. Mr Cooper leads a system of pessimistic repressors, not optimistic rehabilitators."

Hon. T. R. COOPER (Crows Nest—Minister for Police and Corrective Services and Minister for Racing) (6.49 p.m.): This debate has been epitomised by a statement made by the Leader of the Opposition at the beginning of his speech. He said that the Woodford riot damage bill was $50m. The actual figure was less than $1m. That epitomises the rubbish and lies that have come from that side of the House all day. I welcome their raising this issue. I hope they do so again tomorrow and the next day. It gives us a wonderful opportunity to tell the House how it really is.

An Opposition member interjected.

Mr COOPER: When I am not here, the member tries to put the knife in. He is the greatest fat cow that ever walked the face of the earth. But that is him; that is his problem.

It is so easy to knock and denigrate. That is all Opposition members have done all day and all night. But that is the Opposition. Not once have I heard one sensible, positive, productive response or statement from members opposite. The member for Whitsunday said that nothing positive has been done. A whole heap of positive things have been done, including the massive security upgrades. If members opposite were to bother to consider the system and the productivity of the system and all the individual jails, the industry, the education and the rehabilitation courses that are provided for approximately 4,500 prisoners, they would realise that they are second to none in this nation. They are very, very good. Members opposite focus on only the negative few: 30 or 40 of the worst prisoners, whom we have under lock and key. That is where they are staying. Labor had the weakest and softest system of any jurisdiction in the Commonwealth. That is its record.

The Leader of the Opposition said that the first Hummer, the perimeter patrolling vehicle, went to Borallon. He does not even know where it went. It went to SDL. That demonstrates how little he knows. He makes it up as he goes along and expects people to believe it. Nobody does, because his record on law and order and prisons is known to everyone. It is an absolute disgrace. Tonight the speakers on this side of the House have pointed out clearly Labor's record of escapes. That record is a disgrace. Labor holds the record. We do not want to top it. Members opposite always said that they would not have a bidding war in the law and order campaign. They have the bidding war. It had more escapes than any other Government had in its time: 109 juveniles were out in a year. That is unbelievable stuff. What a shocking record! That is the sort of record we will pour into members opposite.

I will discuss some of the positive aspects. Labor closed down the system and caused overcrowding. When we left office in 1989, we had everyone in a single cell. Labor closed Woodford and Boggo Road. They did not bother planning. In six years, all we got out of them was about 250 extra beds. In two years, we have provided 760-odd beds. That figure will increase to 2,000 by the time we have finished. Those beds are to take care of the overcrowding and the prisoners and criminals whom we are taking off the street to keep people safe. If members opposite were still in office, those criminals would still be on the streets, robbing, raping and pillaging. Members opposite would have loved that, because that is where they come from. That is the ilk whom they love. They are soft on crime and soft on prisoners.

We have provided perimeter upgrades, security improvements, the Hummers—and they are very good vehicles—upgrades in training that members opposite never put in place and upgrades in firearms for guards on the perimeter. Labor provided prison officers with just a few little rounds, which would fall out the end of a barrel, to protect the community and themselves. They could not care less about the system. Anyone who knows anything about it will know that we have a system that is second to none. It is easy to build up a list of negatives. Members opposite can do that; we can do that. They can sit in this Chamber all night and be as negative as they like. However, we can also build up the positives, such as the productivity that we are building into the system to ensure that people leave the system better than when they went in. That is the name of the game. It is no use having people in prison rotting. We may as well get some work out of them and make them more productive and

better educated. That is exactly what we are doing and intend to keep doing.

At the same time, we have to upgrade security. We will continue to do so, so we can keep the bad beggars in and ensure that the community is kept safe. That is our task; that is our lot. We intend to continue to do it that way. We will continue to upgrade security as suggested in the amendment to the motion. This Government has a far better record than Labor ever looks like having. That is the way the people view it. That is the way they will view the issue during the election campaign.

Time expired.

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

AYES, 42—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, Robertson, Rose, Schwarten, Smith, Spence, Sullivan J. H., Welford, Wells. Tellers: Roberts, 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, Perrett, Quinn, Radke, Rowell, Santoro, Simpson, Slack, Springborg, Stephan, Stoneman, Tanti, Veivers, Warwick, Watson, Wilson, Woolmer. Tellers: Carroll, Mitchell

Pairs: Sheldon, Livingstone

Resolved in the **negative**.

Amendment agreed to.

Motion, as amended, agreed to.

ADJOURNMENT

Mr FITZGERALD (Lockyer—Leader of Government Business) (7 p.m.): I move—

"That the House do now adjourn."

Deception Bay Auxiliary Fire Service

Hon. D. M. WELLS (Murrumba) (7 p.m.): At 1.19 last Friday morning, a fire broke out in the surgery of Dr Paul Millett at 22 Bayview Terrace, Deception Bay. Dr Millett's surgery is adjacent to the fire station. Unfortunately, the Deception Bay Fire Station is an auxiliary station and the station was not staffed at the time. I table the Firecom Centre incident report so that honourable members will be able to see what happened.

Within a minute of notification, the auxiliaries in Deception Bay were paged. Within two minutes, the permanent crew at Redcliffe was turned out. Unfortunately, it takes 10 minutes to get from Redcliffe to Deception Bay. At 1.25 a.m., Petrie was called out. Unfortunately, it takes 12 minutes to get from Petrie to Deception Bay. At 1.26 a.m., an auxiliary crew had assembled at Deception Bay Fire Station and in less than one minute were on the scene with a pump.

They engaged the fire at 1.27 a.m. and called for two more pumps, which fortunately were already on the way. More auxiliaries arrived at 1.28 a.m., Redcliffe arrived at 1.32 a.m. and Petrie arrived at 1.37 a.m. By 1.43 a.m., the fire was under control. The Chermside crew was turned back, but Dr Millett's surgery was burned to the ground.

Dr Millett is a local GP and I disclose that he treats members of my own family. However, I have not spoken to him about this matter. The point I wish to make is that it is high time that Deception Bay had a crew of permanent firemen. In this fire, the auxiliaries arrived amazingly quickly. I do not know how many people can get out of bed in the middle of the night and get dressed and to the nearest fire station and then start fighting a fire all within eight minutes, but my constituents who are members of the Deception Bay Auxiliary Fire Service can. Even so, given that it takes less than a minute to get from the fire station to Dr Millett's surgery, a permanent crew, had there been one at the station, would have got there seven minutes earlier. In those circumstances, the surgery would not have burned down.

Deception Bay is part of a major demographic growth area. Caboolture is a designated growth centre under the South East Queensland Regional Plan and, indeed, that area of the north side is one of the faster-growing areas in Australia. This is reflected in the fire call-out figures. I understand that there are approximately 41,698 call-outs a year for the entire State. That includes minor call-outs and false alarms. The area covered by Petrie, Caboolture and Deception Bay Fire Stations has 1,095 of those. Yet Deception Bay has only one permanent fire officer. I understand that the Fire Service has plans to supplement the Deception Bay auxiliary force with permanent officers within two years. Those plans should be expedited. Had there been permanent fire officers at the station at the time that Dr Millett's surgery burned down, it would not have burned down and a precious resource for Deception Bay, including the medical records of hundreds and hundreds of my constituents, would have been preserved.

Pork Imports

Mr ELLIOTT (Cunningham) (7.03 p.m.): I wish to bring to the attention of this House and to

the public of Queensland and Australia the anti-competitive practices of the big players engaged in the wholesale and retail purchase of pork in Queensland and throughout other areas of Australia. It is my belief that Chisholm Wholesalers, who purchase pork for Woolworths, are using the threat of European pork imports and, for that matter to some degree Canadian pork imports, to say to local pork producers that if they do not accept the price that they are offered, they will merely go out and purchase overseas pork for Woolworths. Chisholm Wholesalers is one of the large players that are doing this.

Although we have had a 25% increase in pork imports from Europe, that amount of pork is not really causing the drama. Before Christmas, because of fluctuations in the value of the dollar and everything else, many of those importers finished up paying more for that pork than they did for Australian pork. Those importers said, "Here is an amount of pork. We are prepared to pay a bit more than the Australian price for this amount of pork because it will put pressure on the pig suppliers and growers of Australia so that we can say to them, 'If you do not take our price, then we will buy this imported pork.' " At the moment, that is how the system works.

Mr Palaszczuk interjected.

Mr ELLIOTT: That may well be so. In my electorate, some producers are losing up to 40c a kilogram on each and every body that they put through the works that they send them to or to wherever they go. Where is this leading? I suggest to this House that it is bringing many people in rural communities to the brink of disaster. For example, at the moment in my electorate a medium-sized player in the market, who has 400 sows, employs 12 families. There are other people who breed and produce pigs. To a lesser and sometimes to a greater extent, those people are in a similar situation in relation to the number of sows they own and the number of families they employ. If members believe that these players are not going to fall over, then they should think again. I know a couple of big pork producers who will lose $1m over this financial year and part of the next financial year.

What are the wishes of the big players in the pig market? I imagine that they probably have no sympathy, understanding or empathy with the small players in my electorate. It probably does not matter a damn to them if those small players go broke. However, I say to those big players that if they are not careful, not only the small players but also the big players will go broke. All the pig producers in this country will go down because that is the nature of the industry at the moment.

I put it to this House that those wholesale purchasers of pork are going to bring about such a massive dislocation to the pig industry that we are going to have an absolute disaster. It is high time that we looked at this matter of importation of pork. Previously in this place, I called on AQIS to look into the incidence of porcine circovirus in this country. For five years, pork producers in Canada had not told us in Australia that their produce had the virus. They had not said a word about it. It was only that veterinary scientists at the university became aware of the existence of the virus in Queensland and leaked that information to the pork council that it was picked up at all.

Time expired.

Taxation Amnesty

Hon. K. W. HAYWARD (Kallangur) (7.08 p.m.): Tonight, I rise in the Parliament to call on the Australian Taxation Office to undertake an amnesty on the late lodgment of taxation returns. I believe that my proposal is fairly simple: the object of the amnesty would be to waive penalties or fines that are applicable to moneys owing by taxpayers who, over a number of years, fail to lodge their taxation returns.

During the mid 1980s, such an amnesty was in place. I am led to believe that that amnesty was very successful in getting a lot more taxpayers into the taxation system. More importantly, such an amnesty clears up the worries that people have about not lodging tax returns. As the years go past, that becomes a real problem for those people. From my experience as a member of Parliament, the fear that people have about not lodging tax returns affects their work and potential ability to earn income during the whole of their lifetime or until they make that decision to lodge their tax returns.

Most taxpayers have group certificates and many experience times when they have not been in work. Consequently, some people are due to receive a refund on their taxation. In effect, they do not face any penalties for not lodging a tax return. The penalties originate only if people owe the Australian Taxation Office money.

I believe that there is a big mystery about the failure to lodge tax returns. A lot of taxpayers are concerned that, because they failed to lodge tax returns in previous years, they are liable to go to prison. That is simply not true. No-one will suffer a prison term for failure to lodge a taxation return. As I see it, the main feature of the proposed amnesty is that there would be no fines on late lodgments if tax is owing. In other words, people would simply pay the tax owing and there would

be no fines. I argue that the period of the amnesty should be 12 months and that it should be well advertised.

Time expired.

Townsville Region

Mr TANTI (Mundingburra) (7.10 p.m.): I rise to continue to spread the good news as set out in the special feature entitled "North Queensland: an economic powerhouse". I finished my speech this morning by saying that the Townsville Mayor, Tony Mooney, was right behind that. I am speaking to let the Deputy Opposition Leader know that there are a lot of good things happening in Townsville. It seems that he is not fully aware of them.

In the feature the Thuringowa Mayor, Mr Les Tyrell, said that he had great faith in the city. Councillor Tyrell said that Thuringowa could be regarded as "the engine room of development" in the north. Hopefully we will have some good representation in Thuringowa shortly as well. He believes that the city is ready and able to cope with any foreseeable expansion, whether residential, commercial or industrial.

Townsville Enterprise plays a very big part in supporting our area. Just the other day the Minister for Tourism, Small Business and Industry gave a further $200,000 to help the region in the area of tourism. Richard Power, the chairman of Townsville Enterprise, said that the future looks good for north Queensland. He is spot on. The article stated—

> "The North Queensland region, centred on the cities of Townsville and Thuringowa, is currently experiencing a period of rapid and sustained development that will carry forward into the early part of the new century. The diversity of the region's economic base is one of its key strengths, with major contributions coming from raw sugar production, grazing, beef processing, mineral refining, tourism, manufacturing, health, research, education, defence and public administration."

The good news just keeps coming. Another article stated—

> "The Townsville and Thuringowa economy has surged to a new high in recent years as manufacturers, exporters and business investors recognise the enormous potential of the twin cities as the hub of one of Australia's most resource-rich regions."

I guess that the member for Mount Isa would support that comment. Port Authority Chairman, Mr David Carmichael, referred to the growth of the Townsville port. That is another great thing happening in Townsville. The article stated—

> "Mr Carmichael believes Townsville owes its economic success, in part at least, to the Townsville Port Authority. The economic stability and future growth of Townsville's economy can be attributed to the motor behind North Queensland's economic powerhouse—the Townsville Port Authority."

Let us not just refer to the good news as set out in that particular feature. I refer to an article which quotes Townsville Councillor Steve Wilson, another Labor person. The article in the Townsville Bulletin stated—

> "Townsville is experiencing a building boom with $328 million in applications approved in the past year, almost triple the $112 million recorded at March 31 1997.
>
> 'Townsville and this whole region is becoming known as an economic hotspot and is often mentioned in the board rooms down south,' said Councillor Steve Wilson.
>
> 'And we are not expecting it to slow down any time soon, with major developments coming before the city council in the future.'
>
> The biggest growth was in commercial projects, up from $29 million to $200 million.
>
> The figures have been attributed largely to the multi-million dollar projects such as the Pandora Museum and the Sun Metals refinery.
>
> The growth would recreate hundreds of construction and permanent jobs.
>
> 'This is a particularly good sign for Townsville and shows we're moving ahead and developing at a rapid pace...' "

It was not that way until the coalition came to Government. A developer from down south is putting in millions of dollars for a housing estate to be built out towards Thuringowa. I also mentioned the Pandora Museum, valued at $17.5m—another one of our promises.

If press reports about the Budget are correct, the cost of boat registration will be reduced. That is one of the promises from the Mundingburra by-election. We said that the cost would come down to $70. It looks as though it may come down to $52. The good news just keeps coming.

During his attack on me in his speech, the Deputy Leader of the Opposition said that the Townsville region was not getting enough police. The truth is that we have got 18 extra police. One day after he made that speech in Parliament, we got another nine.

Last month in Townsville, 276 more people went off the unemployment list. The candidate running against me in Mundingburra has distributed a flier saying that Mundingburra needs a voice. I checked Hansard and found that I have spoken 85 times, the member for Townsville has spoken 13 times and the member for Thuringowa has spoken only nine times.

Time expired.

Bundaberg Hospital

Mr CAMPBELL (Bundaberg) (7.15 p.m.): A little baby girl, Gabriel, was born in Bundaberg last Saturday morning at about 2.30. However, it was not a birth provided with professional care and clean hospital facilities. While the hospital was securely locked and there was no response to the night bell, frantic father, Peter, attempted to get help for the mother for over 20 minutes.

In what can only be described as a disgusting example of a lack of health staffing under Health Minister Horan, this young Bundaberg mother gave birth on a cement path outside the front of the Bundaberg Hospital. Deanne Fitzgerald gave birth by herself on a freezing cold path. The baby, Gabriel, was born and covered with gravel from the path but, luckily, the only physical mark on the baby is a bruise on her right foot.

Minister Horan stands condemned for the underfunding of the Bundaberg Hospital, causing severe understaffing. Luckily, the Minister's meanness towards Bundaberg has not ended in tragedy, but the dedicated work force at the hospital cannot be expected to provide an adequate health service without adequate staff numbers.

In two years, the National Party State Government has closed the birthing unit, abandoned the early discharge program and caused job losses in the community nursing services. This time, luckily, both baby Gabriel and mother Deanne are doing well but, in the words of the father, Peter, "Luckily it wasn't somebody suffering a heart attack because they would be dead on the front path." Hospital management has recognised this as an unfortunate incident and that it has been a valuable lesson.

I hope this lesson will ensure that the health cutbacks at Bundaberg imposed by Minister Horan and his Government are reversed and that he will show some care and compassion for the families of Bundaberg. It is only under a National Party Government that a Bundaberg mother has been forced to have her baby on a cement path outside the hospital. What a disgraceful legacy of Minister Horan and the National Party.

Preston Resources

Mr MALONE (Mirani) (7.17 p.m.): I rise tonight to speak about a welcome announcement in my electorate. Indeed, the member for Keppel this morning spoke about it also. I welcome the announcement that Preston Resources, a very small West Australian firm, has achieved $700m funding for a major nickel and cobalt mine and refinery at Marlborough. Preston Resources Pty Ltd, through its wholly owned subsidiary Lagoon Hill Nickel Pty Ltd, has a 100% interest in the Marlborough nickel project.

The project was purchased in May 1997 and has progressed through to feasibility/completion. The company is pleased to announce that it has US$450m finance committed by Barclays Capital, the investment banking division of Barclays Bank Pty Ltd. The financing will be on commercial terms, subject to the satisfaction of preconditions which have been accepted by the directors. Barclays Capital has also entered a 10-year take-off agreement to purchase all nickel and cobalt produced by the Marlborough project and will provide risk management services in relation to the project.

This project will be a major employer in that area of my electorate. It will employ up to 1,000 people in the construction phase and approximately 250 from thereon in. The project will also generate between 600 and 800 additional jobs indirectly in the provision of services, maintenance and management. That will be great news for that area.

The mine and refinery are due to come on stream in the year 2000, which would be a particularly great boon to the small towns in the southern section of my electorate, including Ogmore, Yamba and Marlborough. One of the things that is unique about this project is that the refinery will be at the mine site. The downturn in the beef industry and the drought have hit this region very hard. This will be a tremendous confidence booster for the whole area. However, its benefits will spread far wider. Mackay, and certainly Rockhampton, as my learned colleague on other side of the House recognises, will be in the box seat to reap the major benefits that flow on. I urge the member for Rockhampton to encourage business people in his electorate to get on board and take part in this project.

The 210 million tonnes of ore that will form the basis of the project were discovered by BHP and INCO in the 1960s, but the refining technology of the day meant that the deposit was not viable. Breakthroughs in technology mean that the project now is not only viable but also would put Marlborough Nickel among the lowest cost producers of nickel and cobalt in the world. As honourable members would know, nickel is

used mainly in the production of stainless steel, and cobalt is used in batteries, alloys and chemicals. The Marlborough project will supply 3% of the world's nickel and 4% of the world's cobalt supply.

The mine and its refinery will have a life of between 50 and 100 years. Initially, two million tonnes of ore will be mined annually to produce 28,000 tonnes of nickel and 1,200 tonnes of cobalt. The process will require the input of 400,000 tonnes of limestone, 300,000 tonnes of sulfur and 30,000 tonnes of magnesia a year. There are no real insurmountable problems confronting the project, and I am particularly hopeful that the Government will be able to grant a mining lease on time later this year when the environmental studies are completed.

There are three native title claims in the region, and the company has been working for some time to achieve acceptance of the project by the claimants. I believe two of those have been reasonably satisfied, and they are still working with the third claimant. They have the full support of the Government in this respect. There do not appear to be any negatives associated with the project. The land is very marginal country and is probably fairly useless for anything else. It will create a huge resource in that area.

Time expired.

Mr B. Canty

Mr SCHWARTEN (Rockhampton) (7.22 p.m.): I rise to alert the Parliament to the antics of one Brian Canty, who owns Keppel Tourist Services, Keppel Haven, Reef Seeker Cruises, the barge activity there and the Quick Cat at Mission Beach. He is also well known throughout Queensland for his other antics, which were broadcast on the 60 Minutes program, namely, bludgeoning animals to death at his veterinary practice at Emerald. He is also well known for rorting the brucellosis eradication program some years ago. This man has been at loggerheads with the Livingstone Shire Council for a number of years. He has instructed employees to move boundary pegs. He had not completed the sewerage works on Great Keppel Island by November last year as he agreed. He has been cooking chickens at his terminal at Rosslyn Bay in defiance of the Health Act.

He has had disputes with WorkCover because he will not pay up. In fact, he is always in dispute. However, he is pretty low in that he has been thieving off his employees for the past 12 months. He owes 100 employees some $50,000 in industry superannuation. That is nothing short of theft, and the Taxation Office has been alerted to this matter. I contacted this man some months ago. I reached his secretary, Joanne Pitt, who I understand used to work for Terry Lewis—someone who has been in the news over the past couple of days. I was promised that the money would be paid. That has not been done. The Taxation Office now tells me that it could take anything up to 12 months to get that money.

The people concerned have contacted Mr Lester and the Federal member, Paul Marek, neither of whom were prepared to help. This is a disgraceful and despicable rort. That money belongs to those people. He will not hand it over even though, when it comes to the taxation laws in this country, they are very quick to take money off us if we owe it to them. I am not sure whether they are understaffed. However, the fact of the matter is that this bloke is saving himself $50,000. He never complies with any form of law in this State or country, yet he seems to get away with continuing to rob 100 families of that money.

Time expired.

State Government Tendering Processes, Maryborough Electorate

Mr DOLLIN (Maryborough) (7.25 p.m.): This evening I rise on a matter of great concern to the Maryborough building industry. Local building companies are being passed over in the tendering process for many Government jobs, and I have received several complaints from local builders that they are not even being given the opportunity to tender.

In December 1997, a local building company complained to me that it had not seen advertised the calling of tenders for the second stage redevelopment of the Maryborough Base Hospital, and it asked me to investigate. As a result, I wrote to the Honourable Minister for Health on 19 December 1997 requesting a list of the tenderers, the amounts tendered and the dates of the tenders. Three months later, the Minister responded in a letter dated 27 March 1998, stating—

> "I am advised that tenders for the second stage early works package of this project were invited on 10 November 1997 from a select list of five local firms, of which tenders were received from the following: Cordukes Limited, R&L Gread Builders Pty Ltd and Forrester Parker Constructions Pty Ltd. Following evaluation of these offers in accordance with the State Purchasing Policy, the lowest conforming tender by Cordukes Limited was accepted on 8 December 1997."

However, none of those builders is a local firm, as was claimed by the Minister. The Minister did not

provide me with all of the tenders or the tender amounts. Why? I provided a copy of the Minister's response to three "real" local building companies and asked them if they were invited to tender on this project and whether they recognised the three firms in the Minister's letter as local firms. I will protect the names of those firms. In part, their response stated—

> "Thank you for your fax received today. Unfortunately, our firm was not given any opportunity to tender on the work at Maryborough Hospital. None of the firms in the Minister's letter dated 27 March can be classified as Wide Bay Region local firms. Our firm is very short of work especially civil work and would appreciate any assistance in gaining additional Government projects into our region."

Another response stated—

> "Thank you for your fax earlier today ...
>
> A. We were not one of the five tenderers invited to tender on the hospital job.
>
> B. We recognise the tenderers but none of them are local builders.
>
> Mr Dollin, we are glad to receive your fax because this problem of not inviting locals to tender is becoming an ever-increasing problem which we are constantly fighting to change. Our company and many other local Hervey Bay and Maryborough builders get overlooked most times a reasonable job comes into the area. With State Government work we are getting very little opportunities to tender, most are selected tenderer groups and we have not been asked to quote any job lately. The only ones we get an opportunity for are the smaller ones advertised in the papers."

This company attached copies of the advertisements by the so-called local firms—Forrester Parker Constructions, Sunshine Coast; Cordukes, Mackay and Gladstone; and R&L Gread Builders, Sunshine Coast. Everything goes to the Sunshine Coast.

Another letter stated—

> "With regard to your letter regarding tendering on State Government projects, we were not invited to tender on the Maryborough Base Hospital Stage 2 project and we do not recognise the three firms named to be local firms."

What is the Minister trying to hide about the tendering process? Why has he not provided me with the information requested? It was a fair and reasonable request.

There is more. On 6 May, the Heritage Herald reported Mr Horan's announcement that Sommer and Staff Constructions had won the $3.5m contract to build the hospital's new mental health unit and the central energy plant. I contacted the same three "real" local builders and got the same answer three times—no, they did not get invited to tender and, no, they did not see the tender advertised.

Maryborough and its district's economy is at its lowest ebb in recent memory. More than 30 local businesses have closed and more than 30 are hanging on by their fingernails. Some well-known businesses that survived the Great Depression have closed. Maryborough has not recovered from the great Sheldon freeze on capital works programs. The companies that have contacted me are not asking for special favours, just a fair go in the tendering process. I ask that this Government does not return to the bad old days of the corrupt tendering under the former Joh Bjelke-Petersen Government.

Time expired.

Motion agreed to.

The House adjourned at 7.29 p.m.