

## WEDNESDAY, 3 MARCH 1999

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Mr SPEAKER (Hon. R. K. Hollis, Redcliffe) read prayers and took the chair at 9.30 a.m.

### PRIVILEGE

#### Resignation from Parliamentary Criminal Justice Committee

Mr PAFF (Ipswich West—ONP) (9.32 a.m.): As a result of the scurrilous and unfounded attack by the Minister for Public Works and Housing, I have reconsidered my position as a member of the PCJC and I hereby offer my resignation. I table that document.

### PETITIONS

The Clerk announced the receipt of the following petitions—

#### Gaming Machine Legislation

From Mr Foley (168 petitioners) requesting the House to reject the gaming legislation change.

#### Gaming Machine Legislation

From Mr Laming (300 petitioners) requesting the House to reject the gaming legislation change that will jeopardise millions of dollars of planned investment in Queensland, endanger 1,500 jobs, eliminate training and employment opportunities for young Queenslanders, threaten the surf-lifesaving movement's ability to meet annual costs of \$20m for facilities and services and unnecessarily increase the movement's dependency on community and Government funding.

#### Building, 266 Roma Street

From Mr Mackenroth (637 petitioners) requesting the House to force the relevant Government departments and/or its subcontractors to make good and reinstate the building at 266 Roma Street, Brisbane to the same condition and state it was in before the demolition of the Roma Street Mail Exchange.

#### Environmentally Unfriendly Products

From Mr Reeves (72 petitioners) requesting the House to take steps to prevent

environmentally unfriendly products, i.e. plastic carry bags which often end up in our waterways, from being distributed at supermarkets and other retail outlets.

#### Proposed Development, Logan Road

From Mr Reeves (253 petitioners) requesting the House to stop the proposed development of 1556, 1560, 1562 and 1566 Logan Road described as Lot 146-149 on registered Plan 13395 and Lot 626 on SL7614 Parish of Bulimba along a spring fed creek, which is a permanent watercourse so that it can be preserved for the wildlife that use it.

#### Citizens' Rights

From Mr Reynolds (86 petitioners) requesting the House to (a) implement all the recommendations of the Fitzgerald Inquiry, the EARC report and the Parliamentary EARC report; (b) enforce section 3 of the Peaceful Assemblies Act 1992 and close loopholes in the Police Powers and Responsibilities Act 1997 such as the breach of the peace sections and move-on provisions and that Queensland adopt the articles of the Universal Declaration of Human Rights 1948 and ICCPR 1996 which was ratified in 1981, with specific regard to the right not to be arbitrarily detained; and (c) open another Royal Commission into abuses of power and corruption in the Queensland Police Service.

#### Pedestrian Crossing, Maroochydore

From Mr Wellington (628 petitioners) requesting the House to instruct the Queensland Department of Main Roads to install, without delay, a pedestrian crossing on Duporth Avenue, Maroochydore between Baden Powell and Gibson Streets.

Petitions received.

### PAPERS

#### MINISTERIAL PAPERS

The following papers were tabled—

Minister for Police and Corrective Services (Mr Barton)—

National Crime Authority—Annual Report for 1997-98

Report on overseas visit to New Zealand, 16 to 18 November 1998 to attend the 35th meeting of the Australasian Police Ministers' Council.

## MINISTERIAL STATEMENT

### Overseas Visit, Reports

**Hon. P. D. BEATTIE** (Brisbane Central—ALP) (Premier) (9.36 a.m.), by leave: I table for the information of the House two recent reports on two recent overseas visits I made on behalf of the Government. The most recent visit was to head a trade mission to Italy, the United Kingdom and Germany designed to chase long-term jobs for Queensland. It was the first time since 1990 that a Premier had led a trade mission to Europe and was long overdue. The report outlines in detail the many ongoing trade and investment initiatives that have been identified and progressed and which are so important to the Government's target of lowering the Queensland unemployment rate to 5% within five years. I will not deal with the report in detail other than one aspect.

While in Rome, I met with the Italian Institute for Foreign Trade. It is the Italian equivalent of Austrade. It has an office in Sydney, but it has largely dealt with New South Wales and Victoria. It was not aware that Queensland is the growth State of Australia. It was not aware that we will overtake Victoria as the second most populous State in Australia early the next century. I made certain after my visit that it was acutely aware of the importance of Queensland in Australia. I acted quickly to ensure that the institute is aware of the benefits to be gained by trading with and investing in Queensland.

As members would know, Italy has the sixth biggest economy in the world, and therefore we needed some decisive action from the Government, which is what happened. We announced at that meeting that we would showcase our capabilities to Italian business, industry and Government leaders at a special forum in Milan later this year, probably in September.

There is a desperate need to advertise Queensland in Italy as the growth State of Australia with our wonderful opportunities for processing our natural resources, such as crops and minerals; for becoming part of our technology boom; and for using our political stability, low taxes, lifestyle and geographical position as a regional headquarters for expansion into Asia through joint ventures. Next year when the Italian Olympic team is in Queensland, we will invite some of Italy's top business and political leaders to visit the State to see for themselves how we operate and what we have achieved. These two exchanges are very important because trade means jobs and I need this sort of support—as does the

State—of business and investment programs to help reach the target of 5% unemployment within five years.

I told the institute that we were keen to have future delegations from the institute come to Queensland to see for themselves the enormous opportunities that we offer business and investors. I also told them that the Government would be pleased to help facilitate such visits as we offer unique opportunities for partnerships. The institute director, Roberto Luongo, agreed that there was a knowledge gap and that there was need for Italian companies to be introduced to Queensland. I will deal with the subsequent visit to Parmalat in Parma and Teksid in Turin later today, but they are covered in my report.

The second report deals with my visit to Paris in order to try to save the Expo bid for Queensland. The visit was made at the invitation of the Bureau of International Expositions. The report makes it clear that the Government did all that it could to win Expo for Queensland in the wake of the Borbidge Government's failure to win the Expo and the Philippines' withdrawal from the successful bid. The problem lay entirely with the BIE's inability to move the starting date of the Expo from 2002 to 2003, despite the fact that there was no way the Government could have constructed the Expo on budget and on time for the original starting date. I table that report, along with associated documents which are contained in the box on the table.

## MINISTERIAL STATEMENT

### Trade with Germany

**Hon. P. D. BEATTIE** (Brisbane Central—ALP) (Premier) (9.40 a.m.), by leave: Queensland has the first opportunity in a generation to find a major new coal market. Last week in Germany I set Queensland coal producers the challenge of capturing new—

**Mr Borbidge** interjected.

**Mr BEATTIE:** Is the member for Surfers Paradise still the leader? We will see whether he is by tomorrow. The temporary Leader of the Opposition will interject. He is not interested in jobs and coal exports. I am.

Last week in Germany I set Queensland coal producers the challenge of capturing new coal contracts worth \$300m with Germany within six years. The German Government is starting to remove the massive subsidies which have propped up the very high cost of coal production in Germany and it is shutting down its nuclear power industry. Both of these

courageous decisions will result in Germany importing more coal.

German coal costs more than \$280 a tonne to produce without subsidies. The subsidy will be reduced by around 50% by the year 2005. This is expected to result in a decline in German coal production. The demand for imported coal is likely to rise to an extra 15 million to 20 million tonnes a year.

I told a special coal seminar we organised at the Australian Embassy in Bonn that we could land high-quality Queensland coal in Germany at between \$33 and \$80 a tonne and that we had a well-deserved reputation for reliability of supply. Our seminar was designed to showcase our potential as the world's largest coal exporter to meet the needs of German industry, especially the country's huge steel industry. It was arranged in conjunction with the German Association of Foreign Mining and was attended by leading German industrialists and BHP Minerals Managing Director Vaughan Williams.

We must take advantage of the fact that factors such as unfavourable exchange rates, production costs and the phasing out of Government subsidies have led to decreasing exports to Europe from the USA, Columbia and Poland. The challenge for our coal industry is to move from exporting to Germany less than a million tonnes a year to selling up to five million tonnes a year by 2005. That would be worth about \$300m to us, making Germany our largest coal market in Europe. Achieving this target would more than double our total exports to Germany, which in 1997-98 stood at \$237m.

I am also pleased to announce that Queensland's growing international reputation as a business centre has been recognised in Brisbane being selected as the host city for the third Australian/German Business Conference this year. This is a major coup for Queensland and we will attract attention from Germany's business, industry and investment leaders for the next eight months leading up to the conference. The conference will be held from 29 to 31 October at the Heritage Hotel and will attract about 200 delegates from Germany and Australia. Federal Cabinet Ministers from both countries will be present.

Previous conferences have greatly stimulated German business interest in Australia, especially as a site for Asian regional headquarters, direct investment and increased exports to Germany. In fact, latest trade figures show that in the year to November 1998 our exports to Germany, the third largest economy in the world, soared by 76%.

The Brisbane Partnership 2000 conference provides us with a wonderful opportunity to raise Queensland's economic profile and reputation in the eyes of prominent German decision makers. In the next eight months we will be arranging special programs to target individual German investors, highlighting the development opportunities that exist in Queensland.

This is only the third of a series of high-level business conferences between the two countries which are being held every two years, alternating between Australia and Germany. The first was held in Melbourne in 1995 and the second was held in Dresden in 1997. The conferences came about following an agreement between former Labor Prime Minister Paul Keating and then Chancellor Helmut Kohl of Germany.

Our conference will focus on telecommunications and information, finance, energy and the environment, with my particular interest being in telecommunications and information. IT & T is currently our fourth largest industry. The Queensland Government is determined that we should make it our biggest industry early in the next century as we become the smart State.

## MINISTERIAL STATEMENT

### Overseas Visit, Report

**Hon. J. P. ELDER** (Capalaba—ALP) (Deputy Premier and Minister for State Development and Minister for Trade) (9.45 a.m.), by leave: I table for the information of the House a report on my visit to the People's Republic of Indonesia, made between 30 November and 3 December last year. This was a short visit undertaken primarily to support Queensland mining companies taking part in the Mining Indonesia exposition, to ensure that the Queensland Government is committed to a long-term relationship with Indonesia. I visited Central Java, which has a sister-State relationship with Queensland, to assure them of our continuing support. Although the Indonesian economy is experiencing some problems at the moment, there is still considerable potential for Queensland companies that want to do business in Indonesia, especially in the mining sector.

## MINISTERIAL STATEMENT

### Commonwealth Funding

**Hon. D. J. HAMILL** (Ipswich—ALP) (Treasurer) (9.45 a.m.), by leave: Queensland

long ago abandoned the notion that the Commonwealth Government would ever do this State any favours. We have, however, perhaps been guilty of harbouring the belief that Queensland at least deserves fair and equitable treatment when it comes to Commonwealth/State financial relations. It appears that we are sadly mistaken.

In Canberra yesterday the Commonwealth Grants Commission released its recommendations for future grants formulae. The bottom line for Queensland is that we will have \$56m a year carved off our funding allocation, if Federal Treasurer Peter Costello accepts the commission's recommendations. This is iniquitous. If Mr Costello accepts this proposal he should be viewed by the people of this State as nothing more than a fiscal brigand, particularly in light of his intention to deny Queensland its fair share of GST revenue.

What I find particularly repugnant is the fact that while Queensland—with its vast area, decentralised population and high cost of delivering services to remote areas—will have its grants reduced by \$56m, the Australian Capital Territory will receive a similar amount of extra funding. In short, Queenslanders are being asked to pave the streets of Canberra with gold. We are being asked to further subsidise the already well-manicured lawns and boulevards of the national capital. There is a sorry history of Canberra's fiscal malice when it comes to dealing with Queensland.

Already under the coalition's proposed GST package Queensland stands to lose \$465m in the first three years of the new tax. That is \$465m of tax money raised in Queensland which will be siphoned off to fund the removal of State taxes in Victoria and New South Wales. Nor should we forget the \$60m a year that this State is out of pocket because of the fuel excise arrangements entered into between Canberra and the previous coalition Government in Queensland. After some spectacularly ham-fisted negotiating by the member for Caloundra and the Leader of the Opposition, that agreement is now costing Queensland taxpayers \$60m a year in road funding, in new schools and better hospitals. And Mr Costello does not want to know about it.

I challenge Mr Costello: if he accepts the Grants Commission recommendations, then at the very least he must deliver Queensland its full entitlement under the proposed GST.

## MINISTERIAL STATEMENT

### Unemployment

**Hon. P. J. BRADY** (Kedron—ALP) (Minister for Employment, Training and Industrial Relations) (9.48 a.m.), by leave: When this Government came to power we immediately set about putting in place a range of programs to address the State's No. 1 problem: unemployment. We are therefore increasing the number of apprentices and revitalising the TAFE system, but we are still wrestling with the debacle created by the previous Government on traineeships.

We introduced the Breaking the Unemployment Cycle initiative, designed to create 24,500 additional jobs and training opportunities for both young and long-term unemployed people. We also introduced other measures, including a Building and Construction Industry Training Fund, to employ up to an additional 1,000 apprentices a year in an industry which has been experiencing severe skill shortages.

Honourable members will be pleased to hear that our initiatives are already beginning to bear fruit, and large numbers of young people are taking up new jobs, many of them in industries with skill shortages. The number of apprentices employed in Queensland in the year to 1 February 1999 jumped 9,832, an increase over the previous year of 2,552.

**Mr Borbidge:** Then you came along.

**Mr BRADY:** Yes, we replaced the member's Government. In the year to 1 February 1999, there has been a 35.1%—

**Mr Santoro:** Are you taking credit for that?

**Mr BRADY:** Yes, we are. There has been a 35.1% increase in the number of approvals for apprenticeships in Queensland.

I have on earlier occasions informed honourable members of the major difficulties faced by TAFE Queensland as a result of the ideologically driven agenda of the former Government. We acted immediately on taking office to inject \$10m into the TAFE system to overcome immediate financial problems, and we have subsequently written off \$30.8m in loans. We have acted to improve apprenticeships, and we have acted to fix TAFE. But there is one outstanding issue: traineeships and, in particular, the funding of existing workers.

I have previously informed the House of the scandalous waste of public funds on providing training for existing workers, which in 1997-98 was estimated to be as high as

\$20m. Funds which should have been earmarked for young people and the unemployed were diverted to provide computer training for the likes of doctors and senior RAAF and police personnel. All this was happening at a time when Queensland was the only State in the country to allow existing workers to take up publicly funded traineeships.

I have recently become aware of yet another example of why this policy had to change, and should have changed under the previous administration. On 26 November 1998, the Maroochy Shire Council signed up 82 existing workers in traineeships—26 in horticulture and 56 in office administration. This contract had a potential value to training providers through the council of \$322,560 to provide professional development to existing staff, as required under the council's enterprise bargaining agreement—\$322,560 paid for entirely by the taxpayers of Queensland. This is over \$322,000 which could have been spent on young unemployed people on the Sunshine Coast and elsewhere to help them get a job, to help them get a start in life.

The council acted in accordance with the Government policy and guidelines of the day—the policy and guidelines of the previous Government, which we could not alter until user choice contracts for 1998 expired. Until the training is completed we will not know exactly how much the contract will cost. What is certain, though, is that this arrangement will not be repeated. Ironically, the very same council—the Maroochy Shire Council—last week axed 87 jobs.

As of 1 January 1999, the new existing workers policy was introduced with a primary focus to help the young and the unemployed to enter the work force. This Government is determined to ensure that every dollar allocated for training will be used to provide training for those who benefit from it most—school leavers, new entrants to the work force and the unemployed. We have implemented a policy which will encourage employers to take on new trainees who will both increase available skills and reduce unemployment in the community.

However, when providers were advised in mid December that the policy was to change, many rushed in for a final dip in the trough. The result was that approximately 6,000 training agreements were received in the last two weeks of December, compared with a monthly average of approximately 3,000. Unfortunately, the flood of agreements and their overall quality resulted in a backlog which

affected the department's capacity to process the payment of some providers with legitimate traineeships in place. The Beattie Government has had to clean up this mess and has acted to help the Training Division get on with the job.

The new position of Deputy Director-General (Training) will oversee this resurgence and ensure internal operations and external services meet the very high demands of hardworking staff and the public. The department will continue to audit registered training organisations to ensure quality provision of training. And it will maintain the integrity of Queensland's training system while protecting public funds. We will concentrate on placing in traineeships people who need them, and not look at traineeships as a means of artificially boosting figures, as happened under the previous administration.

## MINISTERIAL STATEMENT

### Sustainable Energy; Kyoto Protocol

**Hon. T. McGRADY** (Mount Isa—ALP) (Minister for Mines and Energy and Minister Assisting the Deputy Premier on Regional Development) (9.54 a.m.), by leave: The energy sector in Queensland and, indeed, all over the world, is facing a revolution. There is a change—and, indeed, there is a need for a change—that cannot be ignored by any right-thinking person or, as my colleague said, left-thinking people as well. The change is based on environmental awareness and responsibility in regard to how we produce and use energy.

The Kyoto Protocol, arrived at in December 1997, was formulated to set out greenhouse gas emission targets to be ratified by Governments throughout the world. It is designed to address problems created by greenhouse gas emissions and represents a huge challenge to Governments and communities everywhere. In the wake of the Kyoto Protocol, we have a need to move towards a sustainable energy future. Obviously, this will take time. We have to recognise that as a fact, but we also have to recognise that nothing will happen unless we make it happen.

As members of the House are aware, the Government has established the Office of Sustainable Energy, which will oversee policies relating to sustainable energy. The innovations which are being implemented through the Office of Sustainable Energy are the types of things that can place Queensland at the forefront of green technology, thereby paving the way for a whole new dimension to our

energy sector. So while we move to address the issues raised in the Kyoto Protocol, we believe there are other valid reasons for pursuing this new horizon in the energy industry.

In fact, I believe that investment in energy innovation is critical to Queensland's continued economic successes. To this end we have committed \$35m over the next four years for the Office of Sustainable Energy. This will provide the ability to focus on maintaining and improving Queensland's competitive edge in the efficient use of energy resources. The office is made up of three main units which cover energy innovation, energy information and energy programs. In essence, these units manage the Sustainable Energy Development Fund to help develop new technologies, provide advice and information on energy efficiency and renewable energy, and develop programs to help meet an increasing demand for energy that is reliable, innovative and environmentally friendly.

As part of the Beattie Government's approach to green energy, we are determined to provide real incentives for change. I am not just talking about providing incentives for others to change. The Government must also be prepared to lead by example through purchasing green energy for its own operations as well as through other initiatives. The Beattie Government made a commitment that 2% of State Government electricity purchases would come from renewable sources. I am pleased to inform the House that that target has been achieved and will almost certainly be exceeded.

Three key Government buildings have now been signed up to the Energex Earths Choice program. These buildings are the Executive Building, the Queensland Minerals and Energy Centre, and the Precinct Centre. Under the Earths Choice program, 100% of the energy consumed in these buildings will be supplied as green electricity. This large amount of electricity achieves the Government's 2% commitment to green energy. The electricity is drawn from a number of renewable sources, including mini-hydro and landfill gas. In the future, Energex will also source additional green electricity from sources such as biomass and solar.

The Government will also be supplied with renewable energy by Ergon, and this will provide about 20% of the power used in seven other major Government buildings. So the Government is putting its money where its mouth is. I believe the Government is now the

largest green electricity consumer in Queensland. By doing this, I believe we are sending a clear message to the electricity industry which will help drive investment in new green energy projects. This will help in bringing down prices for this type of energy, so that it becomes more competitive with electricity from more conventional sources. In short, the stage is being set for Queensland to become the leading Australian State for renewable energy projects.

## MINISTERIAL STATEMENT

### Brisbane Light Rail Project

**Hon. S. D. BREDHAUER** (Cook—ALP) (Minister for Transport and Minister for Main Roads) (9.59 a.m.), by leave: The Brisbane Light Rail Project recently reached another significant milestone. On 24 February 1999, expressions of interest were called for the project. This follows the recent confirmation of Federal funding and the completion of a public consultation process. Brisbane light rail will provide a modern, state-of-the-art public transport system for inner Brisbane. Cabinet has determined to proceed with the light rail project after axing the ill-conceived Briztram, which had been initiated by the previous Government. Briztram was wound up by Cabinet on 28 July 1998, due to a number of factors including its inability to integrate with the heavy rail system, its failure to embrace the most modern technology trends and community concerns regarding the proposed route. There were also community concerns over the consultation process.

Commonwealth funding for the new Brisbane Light Rail Project of \$65m was announced by the Federal Minister for Transport and Regional Services, John Anderson, on 25 January 1999. Public consultation on the light rail project was undertaken between 9 December 1998 and 12 February 1999. This consultation included public displays, meetings with local residents and stakeholder groups, an information office and web site and newsletters distributed to over 27,000 households living in the vicinity of the project. Key issues identified during this consultation included—

- the proposed route;
- the impacts on traffic; and
- the impacts on kerbside uses such as parking, loading zones, taxi ranks and bus stops.

A number of further detailed planning studies are currently under way including—

a detailed Planning and Preliminary Impact Assessment Study;  
Demand Forecasting Study; and  
Financial Analysis Study.

These planning studies are scheduled to be completed by April 1999. Options for a modern light rail system for Brisbane have been developed in close consultation with the Brisbane City Council.

The proposed light rail system will now be fully integrated with other transport modes. This will be achieved through the use of—

narrow gauge track compatible with the existing Queensland Rail system to allow for possible future extensions onto heavy rail by light rail; joint use of heavy rail track is a feature of successful recent light rail systems in France and Germany;

station locations as close as possible to other existing transport terminals including current bus and ferry stops, Queensland Rail stations, and proposed busway stations; and

a seamless integrated ticketing system featuring smartcard technology will enable passengers to travel on Queensland Rail, Brisbane Transport, and Brisbane Light Rail services using a single ticket. This will resolve one of the greatest single impediments to public transport integration in Brisbane.

Significant features of the system are—

the proposed project consists of an 11.2 kilometre track network built on street;

the system will connect to all major destinations within the inner city including the central business district, Fortitude Valley, Royal Brisbane Hospital, the Exhibition grounds, Roma Street Transit Centre, the QUT Gardens Point campus, South Bank Parklands, the cultural centre precinct in South Brisbane, and West End;

the use of modern low-floor vehicles will allow the easiest possible passenger access;

light rail stops will be on raised platforms to ensure that the aged or people with a disability will be able to conveniently use the system;

modern electric vehicles with traction control and regenerative braking technology will achieve high energy

efficiency and reduced greenhouse gas emissions in the inner city; and

wherever possible the light rail system will run on track separated from normal traffic lanes, which will be shared with buses in some locations. This will reduce safety concerns, and make the system fast and reliable.

Technical advice indicates that CBD traffic changes can be accommodated with improvements to the current road system including updated traffic signal operation and coordination. The preferred network includes links to the QUT Gardens Point campus and South Bank Parklands, which were not previously included in Briztram. The project is proposed to be delivered by a build, own, operate and transfer method of delivery with joint public/private sector funding. Prospective consortia were briefed on the project on 28 January 1999 and 23 February 1999. The total construction cost has been estimated at approximately \$235m with all levels of government, Federal, State and local, making a contribution to the project. This will generate significant job opportunities for Queenslanders.

The project will be developed in two stages with Stage 1 to be completed in 2001 to coincide with the centenary of Federation. I anticipate construction of the light rail system will start as early as the first half of next year. The evidence from many other cities around the world is that modern light rail systems encourage an increase in the use of public transport, and contribute to the revitalisation of city centres. This project will make a significant contribution towards achieving the targets of the State's Integrated Regional Transport Plan for south-east Queensland, and it will enhance Brisbane's image as a livable city.

## MINISTERIAL STATEMENT

### School Uniforms

**Hon. D. M. WELLS** (Murrumba—ALP)  
(Minister for Education) (10.04 a.m.), by leave:  
The recent report of the Ombudsman relating to school uniforms has created a situation in our schools which requires clarification. I will therefore issue a determination under section 84 of the Education (General Provisions) Act. That will empower parents and citizens associations to decide whether their school will have a school dress code policy and, if so, what that dress code will be. If P & Cs wish to decide in favour of a school dress code they will be given the opportunity to express a view that a school dress code furthers the objectives of the Act in the context of the

particular local circumstances of their own school, thus giving principals the opportunity to incorporate the school dress code into the school's behaviour management policy. This should remove the difficulties with implementation of school dress standards identified by the Ombudsman.

At the same time, principals should not be able to use draconian measures to discipline students whose only offence is failure to wear correct school uniform. Suspension, exclusion, or negative comments in school reports, and any other sanction which has the consequence of detrimentally affecting the school career or employability of the student should be avoided. Departmental protocols will be issued to guide principals in the direction of appropriate means of implementation.

Indeed, it is often the case that students have good reasons for not observing school dress codes, reasons such as poverty, transience or—more rarely—conscientious objection. School communities are likely to have more sensitivity to these special circumstances than could possibly be generated by the heavy blunt instrument of legislation. That sensitivity might be expressed, if a school community wished to maintain strict school dress code policy, by keeping a bank of clean school uniform items and offering them to any student who presented themselves incorrectly dressed. Alternatively a school could have a system of school passes for students in such circumstances.

This is a solution which requires P & Cs to work together with principals in forging a policy for their own school community. It builds social capital in our schools by requiring parents, students, staff and principals to work together on the basis of trust. Most importantly it gives the decision as to what children will wear to the people who ought to be making it—their mums and dads.

## MINISTERIAL STATEMENT

### Petford Training Farm

**Hon. A. M. BLIGH** (South Brisbane—ALP)  
(Minister for Families, Youth and Community Care and Minister for Disability Services)  
(10.07 a.m.), by leave: I am pleased today to table a copy of an independent evaluation of and a financial report on the Petford Training Farm in far-north Queensland. I am also pleased to advise honourable members of my response to the recommendations made by the independent evaluator, Mr Peter Daffen. In making my decision, I have relied on the report of the independent evaluation, on numerous

departmental investigations over a 14-year period and a recent report by the Queensland Police Service.

My deliberations have focused on three issues—the safety of children, the effectiveness of the programs offered and the accountability of public funds. In considering the safety of children, I had regard to the alarming history of the Petford Training Farm. The consultant's evaluation has identified at least 35 incidents reported to the department and the police between 1986 and 1998. Incidents reported to the department and to the police by residents, former staff and parents include physical assaults, sexual assaults upon residents by other residents and staff, petrol sniffing, access to firearms, access to morphine and syringes, rope burns around a child's neck, refusing children food as punishment, inappropriate sexual touching, a failure to seek medical treatment, which in one case resulted in a child suffering liver damage, and the possible exploitation of children as cheap labour for commercial operations.

A number of cases of abuse have been substantiated and entered on the child protection register. I am further concerned that the manager, Mr Geoff Guest, has confirmed that he regularly uses a psychological technique called bio-neuro feedback. I regard the use of this technique on young boys by staff with no qualifications, without the consent of the department or these boys' parents, as a very serious matter and have referred it to the Health Minister for further consideration.

The police have investigated many of these allegations over the years. As is often the case when dealing with child abuse, the police have had difficulty gaining sufficient evidence to lay charges. In many cases, however, police have been able to substantiate that abuse and harm has indeed occurred. However, even where police have received statements or incidents have been substantiated by staff and other residents, the alleged victims or witnesses are reluctant to go to court or lay charges. Despite this, the frequency, consistency and pattern of these allegations over more than a decade are of such concern that I cannot have any confidence about the safety of children who stay at this place.

My second consideration was the effectiveness of the programs offered to young people at this facility. Much has been said about this. However, there is little evidence of young offenders being successfully rehabilitated at Petford. In fact, police records reveal that between 1994 and 1998 a total of



91 offences were recorded against 39 individual young people who were either resident at Petford at the time of committing the offence or were residing at Petford when they were located by the police. These 91 offences include motor vehicle theft, possession and/or use of drugs, assault occasioning bodily harm and indecent assault on a child. These charges do not reflect effective rehabilitation. These charges reflect a situation that is simply out of control.

Finally, I am obliged to consider matters of financial management and accountability. A report conducted by a financial controller appointed in December of last year concluded that the situation at Petford was so serious that an auditor would not be able to offer an opinion about Petford's financial position due to the lack of any records. In the face of the appalling record of this facility, I believe I have no alternative but to cease funding and have today advised the board of this decision.

I want to assure the people of far-north Queensland today that the funds previously allocated to Petford will remain in that region for safe, appropriate and effective services for young people. Consultations have already begun with the key stakeholders in the region to determine an appropriate model of service.

I have been made aware of the level of support that Mr Geoff Guest, the founder of Petford, enjoys. However, as the Minister for Families, Youth and Community Care, my responsibility lies unequivocally with the children of this State. I will not abrogate that duty of care and place one more child at risk. After 12 years of failing to ensure the safety of children, 12 years of failing to account for public funds and 12 years of failing to achieve rehabilitative outcomes, the days of the Petford Training Farm as a State-funded institution are officially over.

#### COMMITTEE MEMBERSHIP

**Hon. T. M. MACKENROTH** (Chatsworth—ALP) (Leader of the House) (10.11 a.m.): I move—

"That all Standing and Sessional Orders be suspended that would prevent the Leader of the Opposition from moving at 11.30 a.m. on Wednesday, 3 March a motion to change non-Government membership of committees of the Parliament."

Motion agreed to.

#### OPPOSITION APPOINTMENTS

**Hon. R. E. BORBIDGE** (Surfers Paradise—NPA) (Leader of the Opposition)

(10.12 a.m.): I wish to advise the House that the member for Warwick, Mr Springborg, has been elected Deputy Leader of the National Party and Deputy Leader of the Opposition. The member for Toowoomba South, Mr Horan, has been appointed shadow Minister for Police and Corrective Services, and the member for Burnett, Mr Slack, has been appointed shadow Minister for State Development. The member for Toowoomba North, Mr Healy, takes over additional responsibility for small business matters and the responsibilities of the member for Warrego, Mr Hobbs, now also include Rural Communities.

### PARLIAMENTARY CRIMINAL JUSTICE COMMISSION

#### Report

**Mr LUCAS** (Lytton—ALP) (10.13 a.m.): I lay upon the table of the House a CJC research paper titled A Snapshot of Crime in Queensland. This publication is not a report of the commission for the purposes of section 26 of the Criminal Justice Act. The committee stresses that it has in no way conducted an inquiry into the matters that are 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 Parliament.

I further wish to inform the House of the status of the Parliamentary Criminal Justice Committee's report concerning statements allegedly made by a member of the PCJC, Mr Paff. Members may recall that on 4 February 1999 the committee met to consider the allegations, having determined at its previous meeting on 21 January 1999 to investigate the matter. The committee had before it a large volume of material, including several reports from the CJC, transcripts of interviews with relevant witnesses, including Mr Paff, and correspondence from Mr Paff, together with his testimony before the committee.

I now table a media release issued by the committee on 4 February 1999 detailing the resolution of the committee passed earlier on that afternoon. In accordance with that resolution, on Friday, 26 February 1999, during a further lengthy meeting, the committee considered its report in relation to the matter. The report was adopted by a majority of five members to one. The member who opposed the report is currently considering whether to provide a dissenting report or statement. Pursuant to Standing Order 199E of the Standing Rules and Orders of the Legislative

Assembly, such a dissenting report or statement, if made, must be provided to the committee within seven days of the committee adopting its report. Therefore, I anticipate that the committee's report will be tabled early next week.

### **NOTICE OF MOTION**

#### **Minister for Racing**

**Mr HEALY** (Toowoomba North—NPA) (10.15 a.m.): I give notice that I will move—

"That this House condemns the Minister for Racing over his reluctance to consult with key racing industry groups on the future of the industry, which has resulted in the industry itself having lost confidence in the Minister."

### **PRIVATE MEMBERS' STATEMENTS**

#### **Minister for Health**

**Miss SIMPSON** (Maroochydore—NPA) (10 15 a.m.): Health Minister Wendy Edmond is dangerously out of touch with and out of control of her portfolio. Her recent blunder in Bundaberg highlights this.

This Labor Minister is downgrading a hospital service at Bundaberg, a town with no bulk-billing for the poorer families in town, by removing the general outpatients clinic. However, last week when Minister Edmond was visiting Bundaberg, she denied that this service was closing and told local media—

"Certainly it is not appropriate and is not best health care for everybody who needs minor health care to go to the emergency department."

The problem is that the Minister signed a letter to me three days beforehand confirming her Government's intention to cease this service and to put those patients through the emergency department.

I am calling on Premier Beattie to sack this incompetent Minister for the sake of Queenslanders' health. I am also calling on the Premier to guarantee Bundaberg residents that they will have their general outpatients clinic restored. If the Premier doubts his Minister's incompetence, I suggest that he tune in to the parliamentary television network at 12.30 this afternoon on Channel 4 to view the local Channel 7 news segment which recorded his senior Minister's case of foot in mouth.

Bundaberg has seen semi-urgent surgery wait times more than double since this Labor Minister took the helm. As at July 1999, 11.8%

of Bundaberg patients were waiting longer than the clinically acceptable 90 days. Now, on the latest elective surgery figures, 25.2% are waiting too long. In the past few days, the hospital has also lost a well-regarded medical superintendent, who has resigned.

This Labor Minister does not know what is happening in the public hospital system and obviously does not even know what she is signing, as she progressively downgrades services across the State. I suggest that members tune in to the "woes of Wendy" at 12.30 today on the parliamentary network.

Time expired.

#### **Pedestrian Crossing, Maroochydore**

**Mr WELLINGTON** (Nicklin—IND) (10.17 a.m.): I rise today to speak on behalf of the 628 people who signed a petition which was earlier this morning read to the House by the Clerk. In substance, the purpose of the petition is to draw to the attention of the House and the Minister for Main Roads the dangerous situation that exists on Duporth Avenue at Maroochydore between Baden Powell and Gibson Streets.

I am informed that currently there are over 200 residential units on one side of the street with many more planned and under construction. Most of the residents of the units have to attempt to cross Duporth Avenue to do their shopping. I am further informed that many people in these units are elderly. The principal petitioner, Mr Gary Peck, has informed me that if the Government is reluctant to support this specific request, an alternative solution would be to construct traffic and pedestrian-activated lights at the intersection of Gibson Street and Duporth Avenue to regulate the flow of traffic and pedestrians. I commend the suggestion to the House.

#### **Workers Compensation Fund**

**Mr SANTORO** (Clayfield—LP) (10.18 a.m.): The Government's proposed changes to the Workers Compensation Fund are a recipe for disaster. If the honourable member for Kedron refuses to acknowledge this, he is either misinformed or wilfully embarking on a foolish adventure.

It is a fact that the Minister and his union-oriented advisers are intent on reversing the sensible changes to policy and administration put in place by the coalition. We have his word on that. Reverse gear seems to be the order of the day. He plans to do this with workplace

relations and now he plans to do it with WorkCover at a time when it is only just beginning to recover from the bankrupt state in which we found it—nearly \$400m in the red—when the coalition came to office in 1996. It is now in better shape through the reforms that were implemented after the Kennedy inquiry. The fund now has a solvency ratio of 2%, which is not nearly good enough but a start on the long road to rehabilitation.

However, the Minister intends to return it to the red—although, of course, he will not admit that. He believes that he has found a new and novel way of robbing Peter to pay Paul. He plans to take the Queensland system back to the circumstances in which it suffered significant financial problems in the early to mid 1990s. He plans to return the WorkCover fund to the penury in which Labor traditionally keeps every agency it can get away with turning into a milch cow.

The Queensland Chamber of Commerce and Industry—the State's peak employer body—describes the Government's proposals as a leap of faith. The QCCI is being charitable: it is a leap into the dark from a very high place without a parachute. The Government's proposals to widen the definition of "injury", to extend journey claims, to make funding available through the fund for educational and advisory programs, and after an interval to broaden the definition of "worker", are a recipe for disaster. The investment income of the fund is expected to decline this year. The economy is expected to be under significant pressure throughout the second half of this year and throughout 2000. The Minister expects the fund to keep on earning as it has done!

What the Government proposes is neither friendly to business—the sector the Premier must depend upon if he is to get within cooe of his 5% unemployment target—nor sensible financial management practice. As the QCCI says, it is a gamble. It is a con job. It is a blatant sop to Labor's supposed friends. It is a financial misadventure in the making.

Time expired.

### **Abbeyfield Housing Project**

**Mr PITT** (Mulgrave—ALP) (10.22 a.m.): In July last year the Government held its very first Community Cabinet meeting at Edmonton. I was pleased to attend that meeting and saw at first hand the value of having a Government that really gets out and about and listens to people's concerns.

As a result of that meeting in July, the Government has committed itself to establishing a pilot project for an Abbeyfield-style seniors housing project in Babinda. The Abbeyfield concept—already popular in Victoria, South Australia, New South Wales, the ACT and Tasmania—usually involves a 10-bedroom dwelling for seniors with communal living, dining and garden areas. The Abbeyfield model also provides for an on-site housekeeper and additional rooms for people visiting residents. The Abbeyfield concept provides another housing option for our senior citizens. They are run by locally based management committees, with local community involvement being a key ingredient.

The idea of establishing Queensland's first Abbeyfield project was put to the Minister by the Babinda and District Aged Care Association at the Community Cabinet meeting in Edmonton. The Minister has since told me that he had never heard of this concept until the president of the association, Fred Lizzio, outlined it to him during a delegation at Edmonton.

The Minister did something very simple at that meeting. He listened. He listened to what Fred had to say and he immediately saw the potential in this project. That is why none of us should underestimate the importance of the Community Cabinet process.

The Abbeyfield project underlines the fact that we have a Government and a Minister for Housing who listen to what people are saying and take notice of what they want. The fact is that the Babinda and District Aged Care Association had raised this issue with previous Governments and previous Ministers but had always been given the same answer—"We don't fund those sorts of projects." Yet all it took was a few minutes with Robert Schwarten at the Edmonton Community Cabinet meeting to get the ball rolling. The Minister himself will tell us that if it had not been for that meeting at Edmonton the Babinda proposal would never have seen the light of day. It proves just how valuable the Community Cabinet process can be.

Departmental officers have been working with the Babinda and District Aged Care Association to finalise details of the project, which could cost around \$900,000. The Abbeyfield model offers security and social interaction for elderly people while respecting their independence. It is an ideal concept for small rural and regional communities such as Babinda. It will enable Babinda and district residents to stay in the town where they have

lived and worked with their families and friends.  
Time expired.

### **Richmond Dam**

**Hon. V. P. LESTER** (Keppel—NPA) (10.24 a.m.): I refer to the pending axing of the Richmond dam project as suggested by the Minister for Natural Resources. In one fell swoop the Minister has destroyed the hopes of the people involved. The Minister did not even contact representatives of the Richmond Shire Council. The first the mayor heard about this was on the radio. That is not a fair go. This is a pretty poor effort, Minister.

I have been to the area and have been made aware of the hopes of the people involved. However, the project has been destroyed by the Minister in one go. The shire is of the view that the economics of the project are quite favourable. It involves some 620,000 megalitres of water which will allow irrigation for fodder. Items to be produced include vegetables for export, oil seed, cotton and fruits. Hundreds of jobs are involved.

The Minister is suggesting that the project may not pay. I say to the Minister that that is absolute rubbish. The flow-on of the economics would be absolutely tremendous. This project would be great for the State and would create hundreds of jobs. This Minister has been responsible for the axing of the St Helens dam and the Finch Hatton dam. The Paradise dam and the Nathan dam are both on hold. This Minister has, in effect, axed the provision of two million megalitres of water.

I say to the Minister: what about decentralisation? What about a fair go for the bush? I do not know what the Minister is on about. He seems to want to knock over the bush. He does not want to consult with anyone and the people involved are not very happy at all.

### **Leadership; Cyclone Rona**

**Ms BOYLE** (Cairns—ALP) (10.26 a.m.): This morning I would like to speak to the House about extraordinary leadership in times of trouble. I refer not to the leadership of individuals but leadership that can be provided to a community by organisations in times of strife. Honourable members are well aware of Cyclone Rona and the tremendous threat that it presented to Cairns and the surrounding area. As it happens, Cairns was lucky once again. The cyclone veered north and caused damage in the Cape Tribulation area. The damage was nowhere near as extensive as it might have been.

Nevertheless, the heavy rains caused flooding on the tablelands and down around the Cairns area. Areas cut off included the northern suburbs of Cairns and areas to the south of the city. The leadership shown by organisations in the Cairns urban area and on the tablelands deserves recognition. The people in these organisations had practice and they had experience. It is clear that the community education program undertaken by these organisations has been effective.

Volunteer members of the SES worked tirelessly. These people work for no money, no recognition and no kudos. They work simply because they care for the community. We do not always see the positive side of politics, even at local government level, but the Cairns City Council deserves recognition for its disaster coordination program.

Another hero in this instance—one that is not commonly recognised—was the media. I refer in particular to radio 4CA and the ABC. Those radio stations provided a communications lifeline when the people of the region needed it most. We must pay tribute to those organisations for the leadership they show when the chips are down. That is when we know what our community is really made of.

### **Cyclone Rona**

**Mr ROWELL** (Hinchinbrook—NPA) (10.28 a.m.): I would like to highlight how Cyclone Rona has impacted heavily on the north Queensland and far-north Queensland coast. The inundation of areas on the coastal belt and strong winds have severely affected the viability of many coastal communities from Mossman to Ingham. Emergency services, local authority personnel and a whole range of volunteers worked around the clock to ensure the safety of life. The SES needs improved support by way of additional boats and up-to-date radios. Safe landing areas for helicopters where fuel can be accessed have to be identified and, in the case of emergencies, rigid protocols have to be questioned.

Emergency lighting should be provided at airfields that are strategically located in flood-free areas. Printouts on river heights from the recording stations are taking up to four hours to be received at the communication centres in shire offices. This is far too long with the modern technology that is available.

Crop losses are enormous. It is estimated that 60% of the banana industry and over 80% of the pawpaw industry have been seriously affected. Not only have the farmers been

affected, but many workers depending on the farmers for a living have no jobs because of the decrease in cash flow. Many growers cannot pay for cleaning up operations.

Much of the sugar industry in the area has been battling with a decline in c.c.s. Crops have been blown over and, in some instances, uprooted due to cane grub damage. Other cane has snapped off at the base. Some varieties of cane have broken off at the top, which will result in side-shooting.

Time expired.

### Port of Bundaberg

**Mrs NITA CUNNINGHAM** (Bundaberg—ALP) (10.29 a.m.): I bring to the attention of the House a momentous occasion for Bundaberg—the arrival of the first passenger ship at the port of Bundaberg on Monday. The relatively new ship, the Fuji Maru, carries 138 crew and up to 600 passengers. The ship was welcomed by a huge crowd of officials, residents, schoolchildren, choirs and bands. Throughout the day, 12,000 people visited the port, and some were lucky enough to tour the ship.

More than 200 passengers spent the day in the city and district, bringing a welcome boost to our economy. The ship left that night amid a lot of excitement, music, singing and a very vocal wish to return to Bundaberg. The Fuji Maru is just the first of many passenger ships that could visit Bundaberg in the future, and we recognise the enormous potential of these visits for our tourism industry and for jobs.

Full credit is due to our port authority, which worked so hard to achieve this goal—just one of the many positive projects being actively pursued by the Bundaberg Port Authority. Full credit is due also to the Bundaberg Tourism Board for arranging such a wonderful welcome—a welcome the Japanese visitors will long remember and one that reflects well on Bundaberg and Queensland.

**Mr SPEAKER:** Order! The time for private members' statements has expired.

### QUESTIONS WITHOUT NOTICE

#### Corruption Allegations by Minister for Fair Trading

**Mr BORBIDGE** (10.30 a.m.): I refer the Minister for Fair Trading to her slanderous allegations of corruption made in this House yesterday in respect of two Gold Coast

businessmen who made donations to the coalition—

**Mr Elder:** What are you on about?

**Mr BORBIDGE:** The Minister alleged that the previous Government did not take action because of financial donations. Why does the Premier put up with this woman in his Cabinet? If he had any standards of leadership at all, she would be out the door.

**Mr SPEAKER:** Order! The Leader of the Opposition will ask his question.

**Mr BORBIDGE:** Mr Speaker, I am happy to. I am being provoked.

I refer the Minister to her slanderous allegations of corruption made in this House yesterday in respect of two Gold Coast businessmen who made donations to the coalition and also apparently to the Labor Party, and I ask: can and will she substantiate these allegations? If so, what action does she intend to take and, if not, is she prepared to apologise to the gentlemen involved?

**Ms SPENCE:** I welcome a question on this issue, because it allows me to highlight the fundamental differences between the Labor Party and the Liberal and National Parties. The Labor Party accepts donations from companies, but that does not protect them from comment; that does not buy our silence. As the Minister for Fair Trading, I will continue to protect Queensland consumers who are being ripped off. Let us not forget that the people who are being ripped off by these marketing companies are ordinary battlers who are investing their life savings in investment properties. I think the question that the Opposition has to answer is: why have they said nothing over the past few years while these scams have been going on in their backyard on the Gold Coast? Why have they said nothing? In the six months that we have been in Government I have been raising this issue and attempting to get it on the public record. We intend to do something about this. When I introduce auctioneers and agents legislation later this year, it will contain measures to guarantee that Queensland consumers are protected from these rip-off merchants.

#### Mr C. Bilborough

**Mr BORBIDGE:** I refer the Minister for Fair Trading to a media statement from Mr Chris Bilborough, a property marketeer, whom she slandered under privilege in this House yesterday, in which Mr Bilborough states that he met with the Deputy Premier last week to discuss a legislative framework for

Queensland's \$400m, 5,000 job property marketing industry, and I ask: was the Minister aware when she slandered Mr Bilborough yesterday of his claims to have made political donations to the Labor Party, and was she aware of Mr Bilborough's apparently cordial and businesslike meeting with the Deputy Premier last week or indeed other claims by Mr Bilborough that he also met very cordially with the Premier? I ask the Minister: why is she slandering someone in respect of his business activities when his business activities are being supported by her Leader and Deputy Leader?

**Ms SPENCE:** As I said, it is my job as the Minister for Fair Trading to make sure that Queensland's consumers are not ripped off by the marketing activities of these people. I have said publicly that I am prepared to meet at any time with these marketeers and discuss legislative changes that will clean up the industry generally. I meet with the real estate industry on a regular basis. I hear its views. I have said publicly that I will meet with any marketing company in this State and talk about these issues, and I keep that invitation open.

#### Light Metals Industry

**Mr SULLIVAN:** I refer the Premier to his recent trade trip to Italy, and I ask: are there any positive outcomes about which he can tell the House?

**Mr BEATTIE:** I am delighted with the question, because it is about time that we talked about jobs and the job creation strategy that this Government is pursuing to give people a real future, instead of the nonsense and twisting that we get from the temporary Leader of the Opposition.

As everyone knows—and I reported on it this morning—I did lead a trade delegation to Europe, and I was the first Premier to do so since 1990. One of my meetings was with Teksid, the world's largest manufacturer of light metal car parts. Importantly, the company told me that it considers Queensland to be a very suitable location for establishing a magnesium foundry as a base for expansion into Asia. Importantly, that means that we have every opportunity of achieving the jobs that go with it. It did so after I pledged to create a special world-class light metals research and development centre to help establish the industry in Queensland. That is why it did that. I am very encouraged by the Teksid announcement.

**Opposition members** interjected.

**Mr BEATTIE:** We again hear the Opposition trying to destroy jobs. It takes every opportunity to undermine our attempts to create jobs.

As we all know, Teksid is a subsidiary of Fiat. This means that we are a step closer to the establishment of a light metals industry in central Queensland. A magnesium foundry of the size I inspected in the Aosta Valley in northern Italy would create 250 direct jobs for Queenslanders and 100 support jobs. A separate feasibility study by another company could result in a magnesium smelter being built, creating about 1,000 construction jobs and about 300 permanent jobs. We are talking about 650 new permanent jobs from a smelter and foundry.

I told the Teksid President and Chief Executive, Paolo Filomeni, and President Sergio Gallo at the company's Turin headquarters, "My Government is committed to establishing a light metals industry in Queensland." The Government will provide \$10m to set up the R & D centre necessary to support the infant manufacturing industry. We will also contribute further funding to the Cooperative Research Centre for Alloy and Solidification Technology—CAST—Metals Manufacturing of \$900,000 in 1999-2000, \$700,000 the following year and \$500,000 a year for the next five years. We will put a further \$700,000 into the CAST centre through the Queensland Manufacturing Institute, with a non-cash contribution worth a further \$791,000. These commitments are worth a total of nearly \$15m, which will contribute to the development of the magnesium, aluminium and titanium manufacturing industries in this State.

The production of light metal car parts is a rapidly growing industry, because the world's car manufacturers are also moving towards producing lighter and lighter cars. We will drive jobs through these initiatives.

Time expired.

#### Mr J. Raptis

**Dr WATSON:** I refer the Minister for Fair Trading to her outrageous slur in the House yesterday on Gold Coast property developer Mr Jim Raptis. I refer her also to a press release from her Premier, dated 20 November 1998, covering the official opening by the Premier of the Marrakesh Apartments on the Gold Coast, developed by Mr Jim Raptis. In his press release and in his speech at the official opening, the Premier said about Mr Raptis—

"It's people like Jim who push projects ahead—even at times when their critics believe it won't work ... We need more brave risk takers like this in Queensland."

In light of the fact that we have the Premier supporting Mr Raptis and the Minister for Fair Trading attacking him, I ask: who is right?

**Ms SPENCE:** I have to apologise to the House for the need to repeat myself here this morning. It is my responsibility as the Minister for Fair Trading to ensure that Queensland consumers are protected from the unfair practices of marketing agents who are inflating prices and making false guarantees to battlers out there who are spending their hard-earned money on investment properties.

**Opposition members interjected.**

**Mr SPEAKER:** Order! There is far too much interjecting. I will start warning members from now on. The House will come to order!

**Ms SPENCE:** I have to ask the Opposition: where does it stand on these issues? Why has it never spoken about this issue in its own backyard, on its own home turf? Not one of its members has spoken about it. I have letters from real estate agents, particularly on the Gold Coast, who have expressed their disappointment that they had tried to get to the former Ministers on the Gold Coast but that they were not interested in taking up their points of view.

While members opposite have been ignoring this, honest real estate agents on the Gold Coast have been losing out on business. They tell me that 50% of the units on the Gold Coast are being sold by marketing agents and that honest real estate agents, who operate restricted commissions, are losing out on business. No, I will not stop fighting this cause. I will bring legislation to Parliament that makes sure that this does not continue.

#### **Asia-Pacific Cities Summit**

**Mr ROBERTS:** I refer the Premier to the Asia-Pacific Cities Summit which is taking place at the Brisbane Convention Centre, and I ask: what action, if any, has the Government taken to support this initiative?

**Mr BEATTIE:** I am delighted to advise the House that the State Government in fact invested \$300,000 in this conference as the main sponsor. We worked very closely with the Brisbane City Council and the Lord Mayor, Jim Soorley, to bring it about. This Asia-Pacific Cities Summit is a major opportunity for

Brisbane and Queensland to showcase itself to the Asia-Pacific region. I am delighted that we have made that contribution, because we all know that trade means jobs. My Government has a determined, aggressive strategy both overseas and within Australia to promote exports and to promote investment opportunities.

The delegates who are attending the summit represent 60 cities throughout the region, with delegates from as far away as South Africa. There are nearly 700 delegates. They include seven mayors from Taiwan, including the Mayor of Taipei and the Mayor of Kao-hsiung. Along with the Deputy Premier, Stephen Robertson and the Minister for Mines and Energy, I attended a major function last night with those mayors. There were two major dinners representing the Chinese community. The Mayor of Shenzhen was also there. These are significant players in our region. That is only part of it. We had the Mayor of Seattle there and a string of other mayors from Australia and New Zealand.

We have been aggressive about our trade opportunities. I have to say that I was delighted to see comments in the Asia Week magazine by the editor, Jack Maisanothe, who said yesterday that this Government had been setting an example in terms of trade opportunities that should be followed by the Federal Government, and he is right. We have been aggressive about pursuing opportunities in Asia, and we will continue to pursue them. This is part of our 5% unemployment strategy. It is about getting out and encouraging investment opportunities and making certain that we do everything we can to enhance those opportunities.

The strategy that we are pursuing will work; it is a comprehensive one. It is not just about value adding to primary industries, but also value adding to other natural resources such as minerals. We were talking earlier about light metals. It is not only about enhancing our tourism industry; it is also about developing new industries, particularly in technology and biotechnology—industries of the future. That is why we need to have a cooperative arrangement with the mayors and with our trading partners in this region. The European Union is obviously providing a boost for trade in Europe with the Euro. As the Asian economic crisis hopefully evaporates over the next two or three years, we need to be ready to grasp trading opportunities so that we can create jobs and ensure the future of our children.

### Prostitution Law Reform

**Mr SPRINGBORG:** I direct a question to the Honourable the Attorney-General. Given his long-held views on the need for prostitution law reform and given his espoused admiration for non-violent civil disobedience to bring about social and political change, I ask: does the Minister also salute the 253 people charged last year for public soliciting? If he does not, why not?

**Mr FOLEY:** The honourable member's question reaches new heights of absurdity, even for the coalition benches. Let me say firstly that responsibility for prostitution is the responsibility of another Minister. I would advise the honourable member to direct his question to that Minister. However, I am grateful for the opportunity to address the issue to which he has referred, because I would like to take the opportunity to correct a serious error that appeared in a report in the Courier-Mail today, which stated—

"Attorney-General Matt Foley said he saluted Mr Pearce's stance, even though he broke the law."

Let me make it clear: I did not at any stage assert that Mr Pearce had broken the law. That is a matter that is still before the courts and for the courts to determine.

### Manufacturing Sector

**Mr WILSON:** I ask the Deputy Premier and Minister for State Development and Minister for Trade: can he outline what moves the Government has made to support manufacturing in Queensland?

**Mr ELDER:** Yesterday I told the House of the increase in the manufacturing sector of some 11,000 new jobs in the first six months of this Government as against a decline—a loss—of 19,000 jobs in the previous Borbidge/Sheldon Government's first six months in office. The reason why we have seen that increase is that we have not gone for the economic rationalist policies that were promoted by the Borbidge Government. One of those was that that Government saw industry assistance as simply a corporate handout and thought that it should be abolished—and that is what it did. That Government abolished all of those industry assistance schemes that actually grew the manufacturing sector and provided support for the small and medium sized enterprises in this State.

There needs to be a genuine partnership between Government and small business if we are to grow the small business sector. We are

a State whose growth is dependent upon the growth in that particular sector. Members opposite walked away from their responsibility to business, particularly the manufacturing sector. In the first six months of our Government, we have established a new industry assistance scheme called QIDS, the Queensland Industry Development Scheme. We have allocated some \$35m—

**Mr Davidson:** Come off it, that was our scheme.

**Mr ELDER:** The one thing that I will give the member for Noosa credit for is frequent trips to South Africa looking for the white rhino. Other than that—

**Mr DAVIDSON:** I rise to a point of order. The Minister is misleading the House. QIDS was established under our Government; we established it with \$12m in funding.

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

**Mr ELDER:** I will not buy into that. Nothing could be further from the truth.

QIDS was established. It was funded by this Government. In fact, it has been funded with \$35m over four years. That is double the amount that was allocated to any industry program under the member for Surfers Paradise, the member for Noosa or the member for Burnett. The new scheme will assist companies across-the-board. It is a performance-oriented scheme that will provide them with assistance in export growth, in job generation and in investment opportunity. Along with the member for Logan, I had the pleasure of launching that scheme at a company in Logan called Textor, which was doing just that. It had spent the particular funds that were available on developing new technology to drive its product growth and enhance export opportunities overseas.

The one big plus in the new program is simply this: in the three months that this program has been operating, we have dealt with 85 companies. Those 85 companies, through the support that we have given them with this program, have generated \$31m in sales income and \$17m in investment and created nearly 1,000 jobs. That was all done in three months, thanks to a program that members opposite could not get off the ground.

Time expired.

### Workers Compensation Scheme

**Mr SANTORO:** In directing a question to the Minister for Employment, Training and



Industrial Relations, I am inviting him to recall that, when the Borbidge/Sheldon coalition introduced its changes to the then almost bankrupt Goss Labor Government workers compensation scheme, I made the scheme's actuaries and their advice available to the then Opposition, including the Minister, the unions, employer organisations, the Law Society and other interested parties. I ask the Minister: will he make available to the Opposition, the unions, employers, the Law Society and other interested parties the actuarial advice which underpins his proposed changes to the workers compensation scheme and will he allow the actuaries to be available, as they were made available to him, to brief the parties I have mentioned as the coalition did when we were in Government?

**Mr BRADY:** The actuarial advice in relation to our changes was actually made available at all stages to the WorkCover board. The actuarial advice was not sought by me or by the Government. The actuarial advice is the property of the WorkCover board and it is commercial in confidence.

**Mr Santoro:** Come on! Are you the Minister that knows nothing, are you?

**Mr SPEAKER:** Order! The member for Clayfield.

**Mr BRADY:** I invite the Opposition to approach the WorkCover board to see whether it will make the advice available. I will also discuss the matter with the chairperson of the WorkCover board. I repeat: it is WorkCover's advice. I have been given copies of it. It is not my material.

**Mr Santoro** interjected.

**Mr SPEAKER:** Order! The member for Clayfield will cease interjecting.

**Mr BRADY:** As WorkCover is an authority in its own right, I have absolutely no right to make available advice given to me—

**Mr SANTORO:** Mr Speaker, I rise to a point of order. The Minister is misleading the House. Under the WorkCover Act he is able to direct the board to make available documents. He is able to instruct the board.

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

**Mr BRADY:** I repeat: this advice is commercial in confidence. However—

**Mr Santoro:** Rubbish!

**Mr BRADY:** Those opposite can filibuster and shout as much as they like, but the reality is that they can make application to the chairperson of the WorkCover board. I will

also discuss the matter with the chair of the WorkCover board. We will see that an appropriate answer is given.

### Landsborough Police Station

**Mr HAYWARD:** I refer the Minister for Police and Corrective Services to recent complaints from the people of Landsborough about the lack of consultation by the Government prior to the announcement that a new police station is to be built at Beerwah, and I ask: could the Minister please clarify the situation?

**Mr BARTON:** I certainly am able to. We have recently seen some complaints from some people in the Landsborough area. We have also seen them from the member for Caloundra, Mrs Sheldon, who has accused the Government of failing to consult with the local community and of planning to downgrade the police station and police services in Landsborough. Obviously when the member was Treasurer she was blissfully unaware of what her own Government was doing in her own backyard. The history of the—

**Mrs SHELDON:** Mr Speaker, I rise to a point of order. The member is misrepresenting the people of Landsborough. I have here a petition from 935 people who say that they were not consulted by the Minister at all. That is a fair proportion of the Landsborough residents.

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

**Mr BARTON:** The history of the community push for a new police station at Beerwah commenced in 1996. It was enthusiastically supported by the previous member for Nicklin, Neil Turner, and by my predecessor, Russell Cooper. There was a series of public meetings held at that time. The Queensland Police Service conducted an evaluation of the Landsborough/Beerwah area. The outcome of that evaluation was that Beerwah was considered to be the best location for a 24-hour police station in the Sunshine Coast hinterland. The evaluation was based on reported crime flows, traffic flows and projected population increases and was submitted to the previous Police Minister some three days prior to the State election last year. The coalition's plans prior to that were very clear. Last May's budget release by my predecessor, Mr Cooper, in part states—

"Mr Cooper said the budget also made provision for ... acquiring land at Beerwah for a new station."

On coming to office I asked the Queensland Police Service to re-evaluate the entire capital works budget and I told them to stick as closely as possible to the coalition's Budget.

There was one aspect, though, that I did change. The police evaluation report titled "Submission for an upgrade of resources at Landsborough Police Station and subsequent relocation of Landsborough Station" stated that Landsborough should be closed. I did not do that. Not only have I honoured the coalition's commitment and budgeted funding for a new police station at Beerwah after community consultation; I am also increasing the resources at Landsborough and keeping that police station open. The former Treasurer intended to close it.

**Mrs SHELDON:** Mr Speaker, I rise to a point of order. Would the Minister supply the date that information came out?

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

**Mrs SHELDON:** Yes, it is, otherwise he is misleading the House.

**Mr SPEAKER:** Order! The honourable member will resume her seat.

**Mr BARTON:** The document is a document of the previous Government. I am very sure that information is available to the previous Treasurer.

**Mrs SHELDON:** I table the petition from 935 people who disagree with the Minister.

**Mr BARTON:** The very clear facts are that the previous Government committed to a new police station in Beerwah and I followed through on that commitment. It was in the Budget that was tabled by the former Treasurer.

Time expired.

### Regional Forestry Agreement

**Mr LESTER:** I refer the Minister for Environment and Heritage and Minister for Natural Resources to the finalisation of the Regional Forestry Agreement process for south-east Queensland, and I ask: given the importance of this issue to the timber industry, can the Minister guarantee that not a single job will be lost as a result of his final proposal?

**Mr WELFORD:** I thank the honourable member for his question. The Regional Forestry Agreement started out in 1997 with an agreement between Commonwealth and State Governments to investigate the options for the future of the native forest timber industry in Queensland. There has been

extensive consultation, as the honourable member would be aware, both under the previous Government and under our Government, through a reference committee that is looking at all the options. The committee met on Monday of this week.

The Deputy Premier, along with me and the Minister for Primary Industries, has been on a special Cabinet subcommittee to attempt to resolve this issue in accordance with the Prime Minister's timetable—to finish by 30 June this year. The Deputy Premier has also had discussions with the responsible Federal Minister in this regard.

The overview report, which will provide information to the community on the current status of all issues affecting the use of forest, both for timber extraction and for other uses, such as grazing, bee keeping, foliage collection and recreational activities, will be circulated in the next week or two. At the end of March or in early April the Government is hoping to issue, in conjunction with the Commonwealth, an options paper which looks at all the options for finalising the RFA. We intend to do that in a way that minimises the impact on employment in those regional areas that are already suffering from a declining timber industry.

### National Competition Policy

**Dr CLARK:** Could the Treasurer inform the House of any recent Beattie Government initiatives with respect to the implementation of the National Competition Policy in Queensland?

**Mr HAMILL:** This Government came to office with a commitment to bring balance and commonsense to the implementation of National Competition Policy. Our way of achieving that was a commitment to a very rigorous application of a public benefit test to any issues that arose in relation to National Competition Policy in this State. That is exactly what we have done. We saw it in relation to the dairy industry review, which the Minister for Primary Industries released some time ago. We have also seen it in relation to the issue of water, particularly relating to rural water supply.

We also took up the cudgels against Mr Graham Samuel and the National Competition Council over the very important issues concerning community service obligations, again particularly in relation to rural water supply and irrigation water. I am sure even the Leader of the Opposition would be happy to endorse this Government's stand on that, because in fact we won. We showed

leadership among the other States. The other States fell in behind Queensland's demand that the National Competition Council put away the ideological blinkers and get on with a commonsense approach to National Competition Policy. This Government does not believe in competition for competition's sake. However, we believe that competition policy should be supported where it actually enhances the public benefit. That has been our general thrust in Government.

Recently a position on the Queensland Competition Authority became vacant. I am very pleased to inform the House that we took the initiative to ensure that the voice of regional Queensland would be heard on the Queensland Competition Authority. I am sure that the member for Barron River and other members from north Queensland and far-north Queensland would be pleased to note that this Government appointed to the Queensland Competition Authority a well-known and well-respected commentator on competition matters. I refer to Professor John Quiggin of the James Cook University. Not only does this provide a voice for regional and north Queensland on the Queensland Competition Authority, it also ensures that there is a voice of balance on the Queensland Competition Authority. Professor Quiggin has stated—

"Properly implemented, competition policy offers significant potential benefits to consumers and the economy as a whole. It is important, however, to approach competition policy in a balanced way to ensure that policies promote the public benefit, rather than on the basis of an ideological demand for a 'level playing field'."

I could not agree more.

### Laser Pens

**Mr DAVIDSON:** I direct a question to the Minister for Fair Trading. As Minister for Fair Trading, she should be aware of the alarming increase in reports of the intentional misuse of laser pen devices at events such as AFL matches and the incidence of personal injury caused to police. I ask: given that her New South Wales ministerial Labor colleague Mr Shaw has seen fit to ban the sale of Class 2 laser devices over one milliwatt, why is it the case that she, as a Minister in a can-do Government, is so far behind the times and has done nothing?

**Ms SPENCE:** I congratulate the member for Noosa on his first question on one of my

portfolio responsibilities in the eight months that we have been in Government.

The laser pointer issue is a good one. I have talked publicly about it and done some research on it as well, and so has the department. The member is quite right. There are a number of lasers in circulation in Queensland. Some are Category 1 and Category 2 lasers, which are used at seminars. The Radium Institute says that they are reasonable lasers. The point of concern is the Category 3 laser which, I understand, has been banned in one State: Victoria. I am not backing away from the idea that we might want to ban them in Queensland. However, I have been advised that the Department of Fair Trading has written to all the retailers and manufacturers in Queensland asking them not to sell Category 3 lasers. Most of them have informed the department that they have actually withdrawn them from the shelves—if they had any. Most of them did not have any Category 3 lasers at all.

I have talked to people at the Radium Institute about this particular issue, and they tell me that Category 3 lasers could be harmful to an eye if they were pointed at a retina for 15 seconds. When one actually holds one of those, as Mr Slack is doing—and I have tried it myself—it is actually very difficult to hold it straight into someone's eye for 15 seconds, long enough to do any kind of damage at all. In fact, when they are pointing them, most people shake a bit.

**Mr SLACK:** I rise to a point of order. I heard of a case the other day in which somebody ran off the road because one of these had been pointed in their eye.

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

**Mr SLACK:** This is an example of where it can be bought and for what money and how children are getting hold of them and using them willy-nilly and indiscriminately.

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

**Ms SPENCE:** I am not sure that the health implications warrant the banning of laser pens. However, I understand that they can be used as a weapon. They can cause distraction. The police have told me about that. We are certainly looking at what is happening in New South Wales. I am happy to consider the banning of those lasers if there is enough community objection to justify doing so.

### Job Creation

**Mrs LAVARCH:** I refer the Premier to the Government's initiatives on jobs, and ask: how important is leadership to the success of the projects?

**Mr BEATTIE:** I am happy to tell the House that we have the lowest level of unemployment in nine years. That is our track record. We set a jobs target of 30,000 this year and, in the first seven months, 35,000 jobs were created. More to the point, we are delivering 1,800 more jobs each month than the Borbidge/Sheldon Government did—end of story. That is what real leadership is about.

Let me talk about the other sort of leadership that we get from the temporary Leader of the Opposition. I thought this cartoon I have here was wonderful. Did anyone get an opportunity to read the Gladstone Observer, that well-known newspaper that I read every morning? It is a great publication. This cartoon shows a shark, and poor Mr Horan is the shark. One does not need to go to Toowoomba to see the "Great Divide" within the National Party. If one looks opposite one can see the great divide. In fact, it is to the right of the front bench, although there is a bit of a Toowoomba spur that juts out from the front bench.

I reckon that Russell Cooper provided the best quote about all this lack of leadership among members on the other side of the House. He was quoted as saying—

"And, you know, if there is a rat, a rat's nest there that requires dealing with, then I'm sure that we're equal to the task."

Where are the rats now? Which one is he referring to? Isn't it funny that, when the great non-event happened, they all ducked for cover?

**Mr Borbidge** interjected.

**Mr BEATTIE:** The temporary Leader of the Opposition should not get too excited. They all ducked for cover and said, "I didn't do it. I didn't do it." They were all there, but "I didn't do it".

Here is a great quote from Allan Grice. I hate to do this to him, because I know that he is in a rough spot. One newspaper article I have here is headed "Grice off the track as Borbidge retains lead". Members on this side of the House have a bit of sympathy for him. The article states—

"Mr Grice denied he was the main architect, blaming Gregory MP Vaughan Johnson who, along with Kevin Lingard"—

who was supposedly involved. According to this article—

"Mr Johnson said he was 'bloody angry' to have been linked with the move. Mr Borbidge had his utmost support."

**A Government member** interjected.

**Mr BEATTIE:** He could not have done a better job.

I am worried about this leadership issue, because I am not sure who the leader of the rats is. Who is the leading rat on that side of the House? I am not sure who it is. I have to say to that rabble: if you cannot provide some leadership within your own party, then you cannot lead Government. That is the bottom line. If you cannot lead yourselves, then you cannot lead Government. And while they are running around as a rabble, we will get on with the job.

Time expired.

### Member for Sandgate; AUSDEF Friendly Society

**Dr PRENZLER:** I ask the Premier: is he aware of an article published in the Courier-Mail of 22 February 1999 concerning matters involving a Mr Gordon Nuttall, who is identified as the Parliamentary Secretary to the Premier? What is the Premier's attitude concerning the revelations last week, following a fraud probe into two former directors of AUSDEF Friendly Society, that concessional loans were granted to Mr Nuttall outside the friendly society's rules? And is this matter still the subject of ongoing police/CJC investigations?

**Mr BEATTIE:** There has been no suggestion in any of the reports of any impropriety on the part of Mr Nuttall. There have been no suggestions anywhere of impropriety on the part of Mr Nuttall. Now, there is an ongoing investigation into the institution concerned, but it does not involve Mr Nuttall. As I understand it, the matter is before the Director of Public Prosecutions.

**Mr Borbidge** interjected.

**Mr BEATTIE:** Let us have no more of the member's half-truths. There are no allegations anywhere in relation to Mr Nuttall. There are appropriate investigations into this institution, and I understand that they are with the Director of Public Prosecutions.

Let me look at the logic of this. Is the member suggesting that if someone gets a loan from a particular bank, and some of the people involved in that bank are being investigated, that the person who gets the

loan should be investigated? What a lot of nonsense! If a bank provides—

**Mr BORBIDGE:** I rise to a point of order. The matter that the Premier needs to address is that Mr Nuttall was not a member of that fund and received a concessional loan.

**Mr SPEAKER:** Order! There is no point of order. The Leader of the Opposition will resume his seat.

**Mr BEATTIE:** What sort of collusion do we have here? Does the National Party write One Nation's questions? Is that the way it works? Why don't they all get into bed together? The temporary Leader of the Opposition writes One Nation's questions. That is terrific!

**A Government member:** He can't trust any of the rats in his own party.

**Mr BEATTIE:** That is right. He cannot trust the rats in his own party, so he has to go to the One Nation rats to ask his questions. I have to tell members: one rat, all rats.

The bottom line is this: the Leader of the Opposition came in here today and has been huffing and puffing about all sorts of nonsense. He twisted what the Minister for Fair Trading said yesterday. He twisted it in a very dishonest way. What is he doing now? Not only does the spin and the twist continue but he also now tries to denigrate someone under privilege.

**Mr BORBIDGE:** I rise to point of order. Those remarks are offensive and I ask that they be withdrawn.

**Mr BEATTIE:** He is a sensitive little soul. I will withdraw them.

**Mr BORBIDGE:** Why does the Premier not stand up for some standards in his Government.

**Mr BEATTIE:** Why am I not given a chance to answer the question? The Leader of the Opposition talks about standards. Why does he not tell us about some of his standards when he was in Government. We are happy to come in here and talk about those some time if he wants to.

The bottom line is this: we have a person who borrowed some money from an institution. It is not only a private financial matter but there is no allegation of impropriety.

**An Opposition member** interjected.

**Mr BEATTIE:** Why does the member not tell the House about the two hair driers that the former Minister had in his office? Why does he not tell us about that? As to lack of leadership—it rests with the Leader of the Opposition.

### Goods and Services Tax

**Ms BOYLE:** I refer the Minister for Tourism, Sport and Racing to the most recent estimates prepared for the Queensland Treasury, which show that a 10% GST will have a devastating impact on the local tourism industry by increasing holiday costs by an average 6.7% and forcing many tourism job losses in Queensland. I ask: did the Federal tourism Minister express any interest in the future viability of the local tourism industry when he wrote to her recently to apprise her of Queensland's concerns about the GST?

**Mr GIBBS:** I thank the honourable member for Cairns, because she is to be commended for the interest that she has shown in this particular issue. The member for Cairns is very well aware of the devastating effect that the GST will obviously have on employment in the Cairns region. It is with some sadness that I say that on 4 December last year, as a State Minister I wrote to the Honourable Jackie Kelly, the person who federally is in charge of the fourth largest—or perhaps the third largest—industry in this country, expressing my concerns about the imposition of a GST on the tourist industry, and received a reply from her dated early January. The letter itself is a huge disappointment. This is what she had to say in the reply—

"Thank you for your letter of 4 December concerning the tax reform package.

As the matter you have raised falls within the portfolio responsibilities of the Treasury, I have forwarded this correspondence to the Hon Peter Costello MP, for his consideration."

What an attitude! What an approach from the Federal Minister for Tourism: just duck shove it onto the Treasurer. But it gets worse. Although that letter was forwarded to the Federal Treasurer, to date, as of 2 March, we have still not received a response.

A report prepared by the Centre of Policy Studies at Monash University for Queensland Treasury contains some very disturbing information. When I look across the Chamber and see the shadow Minister—very, very shadowy, as his colleague from Toowoomba knows—I consider what the report has to say about the GST. The report says—

"The GST may impact disproportionately on those regions that depend heavily on tourism, given the fragile and single industry nature of many regional economies where tourism has

become a significant form of diversification and substitution for traditional primary sector industries."

Where has the Opposition spokesman been on this issue? I have not heard one single word from him defending the constituency that he supposedly represents, that is, his constituency in Toowoomba, which is a growing area of regional tourism in Queensland. I have heard not a word from him in relation to what impact the GST will have on his colleagues in the western electorates throughout the State. All he can do is run around this State, muckraking and character assassinating decent people on my staff. Here is a fellow members should take a lesson from. If he had been aboard the Titanic, he would have thrown the women and kids overboard to get into the boat himself. That is the sort that the Opposition has as a shadow Minister.

Time expired.

### Drug Impaired Driving

**Mrs GAMIN:** On 27 August 1998 in reply to a question on notice the Minister for Transport and Minister for Main Roads stated that Queensland Transport in November 1998 would begin a trial road testing of motorists whose physical coordination may be drug impaired, that is, to target legal prescription drugs as well as illicit drugs, such as cannabis and amphetamines, and to require motorists who could not pass such a test to undertake a blood test. I ask: could the Minister advise progress and results of the trial so far and whether the trial is continuing?

**Mr BREDHAUER:** The test that was initiated by Queensland Transport and the Queensland Police Service last year was basically to provide police officers, predominantly in north Queensland, with a checklist of physical symptoms that may indicate that a driver who had proven negative to a blood alcohol breath test may be impaired by some other form of substance and for them to use that checklist of physical indicators to make a determination about whether the person should be requested to undertake a blood test. I do not have any details, but I am happy to check with my department about the progress on the trial in north Queensland and to provide the information for the honourable member as soon as possible.

### Federal Funding for Housing Programs

**Mr MULHERIN:** I refer the Minister for Public Works and Minister for Housing to the meeting of the State and Territory Housing

Ministers in Hobart this Friday, and I ask: what issues will be discussed at that meeting? Does the Minister have any concerns about Federal funding for housing programs?

**Mr SCHWARTEN:** We will be meeting on Friday to further advance discussions and negotiations on the Commonwealth/State Housing Agreement. Of course, predominant in the State's concerns is the effect of the GST that is being forced upon us by the Federal Government. There is not one State or one Territory that is delighted with the sort of effect the GST will have upon the States. In Queensland's case, we estimate it to be around \$30m a year. That means that in the life of any agreement it will be about \$120m.

Basically, what is at stake in this agreement is big time: 900 houses in Queensland and 1,400 jobs. The Federal Government is continuing to inch its way away from funding housing. Over the next agreement which covers four years, we will lose something in the vicinity of \$14m anyway. That translates into 100 houses and 160 jobs on its own. Packed on top of that is a 6% to 8% cost to public housing in Queensland, which is about \$30m, or \$120m over four years. That equates to 800 fewer houses in the public housing market, or 1,300 jobs. So the stakes are big. Senator Newman, the Federal Minister concerned, has stated that she does not want the GST on the table at the meeting on Friday. I want to tell honourable members that it will be on the table and I will be putting it there. I believe that Queensland will have the support of every other Housing Minister in this country.

I would like to be able to hear some supportive remarks from the members opposite because there is, as I said earlier, a hell of a lot at stake here. To just pick out one figure, there are 1,300 building industry jobs that we all ought to be concerned about. Thanks to the GST, they will go. There has been no suggestion by the Federal Government that we will get any form of compensation for the GST. It is bit like what the Tourism Minister said before, Senator Newman is saying that this is all a Treasury problem and has nothing to do with her. That is pathetic.

The truth of the matter is that the silence from members opposite, who supported the Federal Government and who went out there and willingly backed the Federal Government with its GST agenda, is absolutely deafening on this issue. I want to know from the Opposition when I go there on Friday whether I have their support. Do I speak on behalf of

members opposite? Do I speak on behalf of the whole Parliament when I say we want the GST on the jobs agenda?

### Red Spot in Mud Crabs

**Mr TURNER:** I direct a question to the Minister for Primary Industries. Two years ago I brought to the attention of the Queensland Commercial Fishermen's Organisation and the Department of Primary Industries the fact that the occasional mud crab caught in the Cardwell area had red spot on its shell. To my knowledge, this had not been seen before. I believe that it now affects one in 10 crabs and results in their death. This is a very serious matter. I ask the Minister: is research being done on red spot in crabs? If so, how much funding is being provided and to whom? If not, will the Government pursue this issue as a matter of urgency before it devastates the mud crab industry?

**Mr PALASZCZUK:** I thank the honourable member for Thuringowa for the question. He has raised a very important issue, which, of course, is affecting our mud crab industry. In fact, this disease is affecting about 10% of our catch.

Red spot is a mysterious disease of the shell that is being inspected and investigated by a researcher at Townsville's Department of Primary Industries, Dr John Norton. He is collaborating with researchers at the Gladstone campus of Central Queensland University to find out what is causing the disfiguring red spot on mud crab shells. The condition first appeared in Port Curtis three years ago. As I have said, and as the member for Thuringowa mentioned, it is affecting 10% of the commercial catch and preventing it from being marketed. The research effort into the disease is being directed on a number of fronts: pathology work to determine why the shells are going red; determining whether the disease is infectious; and developing a blood test to assess the immune status of crabs.

Earlier this year, I had the opportunity to inspect the research work when I visited Gladstone. I must say that the two scientists involved there, who are local people, are doing a wonderful job. I am quite sure that, at the end of the day, a solution to this problem will be found. However, Dr Norton has said that red spot could be due to a number of different causes. Basically, he has stated that it is a matter of detective work—finding a clue and digging deeper. I have great faith in the research effort of our scientists in the field and, as I have said, I believe that eventually a solution to this problem will be found. Once

again, I thank the honourable member for Thuringowa for raising this most important issue in the House.

### Heatley State High School

**Ms NELSON-CARR:** I ask the Minister for Education: is he aware that students at Heatley State High School want to introduce marine studies into their school curriculum? Is the Minister aware of any assistance that can be provided to enable the students of Heatley State High School to fulfil their ambitions?

**Mr WELLS:** I was aware of it, because the honourable member for Mundingburra told me so. The honourable member for Mundingburra is indeed a most enthusiastic advocate of the schools in her electorate.

I would like to report to the House that there has been a happy ending to this matter. Although there have never been any departmental guidelines which have allowed the construction of additional classrooms for these kinds of purposes, a solution has been found that will enable the students of Heatley school to undertake the proposed studies. A modular science building within the school was identified as being used only three-quarters of the time as a science laboratory. As a result of the initiative and the assistance of the students at that school, a marine environment was designed and constructed using a series of plastic tubs. Each tub is a self-contained marine environment that can be used for a range of different marine studies, such as the feeding habits and the growth rates of fish. For a mere \$4,000, and a considerable amount of student energy and initiative and lateral thinking, the school has managed to develop a marine environment without interfering with the other uses of the building. Thanks to the initiative of the staff and students, Heatley State High School now offers a marine studies course with a very high practical component.

The kind of lateral thinking, the kind of initiative, which led to the extension work at that school is a very good prognosis all round for education. I would suggest to the students and the staff of Heatley State High School that they have a great future in the Tournament of Minds competition this year.

### Emerald Airport

**Mr HORAN:** I refer the Minister for Police and Corrective Services to the application by the Emerald Shire Council for the Emerald Airport to be declared a notified area under the Police Powers and Responsibilities Act so that police powers may apply to that area,

obviously in the context of the Gordonstone dispute, and I ask: will the Minister declare the airport a notified area as a matter of urgency?

**Mr BARTON:** No, because the regulation is not in place as yet. The legislation was put through to enable specific areas to be notified. In fact, the legislation provided that that would be done by regulation to provide for the use of such move-on powers.

I have to indicate, and it is one of those sad things, that when I took over I found that there had been very little action taken and it proved impossible to take action quickly.

**Mr Borbidge:** You normally write the regulations after the Act has gone through.

**Mr BARTON:** Yes, I say to the Leader of the Opposition that that is true.

**Mr Johnson:** Are you going to do it or not?

**Mr BARTON:** When the regulation is finalised. So far, it has been subject to two rounds of consultation with the Local Government Association, which seems to be incapable of providing a position to the Government with which it agrees. Some of their member councils do not want such capacity to notify specific areas; they want to leave it totally in the hands of the Government. Others want such a capacity.

**Mr Johnson:** We're talking about Emerald here—answer the question.

**Mr BARTON:** We are talking about Emerald and I am talking about a direct question from the shadow Minister, who asked me if I am going to declare that airport a notified area. At this point in time, I do not have that capacity because the regulation is not in place. We are very close to finalising that regulation so that councils can make that application. However, it is of concern to me that I cannot get a clear position from the Local Government Association of Queensland as to what type of regulation would be acceptable to it so that I am able to accept applications from it and determine such notified areas.

### **Building and Construction Industry**

**Mr MICKEL:** I refer the Minister for Employment, Training and Industrial Relations to recent workplace health and safety figures which I understand show that the building and construction industry is one of the State's most hazardous industries, and I ask: what is the Government doing about reducing workplace accidents in this industry?

**Mr BRADY:** It is certainly important that we act in relation to this industry. In the time left to me, I will give the most important facts. We have approved 15 new inspectors to boost the total number of construction inspectors Statewide to 52. Of the 15 new inspectors, three are going to Brisbane's south side, two are going to the Sunshine Coast, two are going to the Gold Coast, and one each is going to Mackay, Townsville, Cairns, Bundaberg, Toowoomba, Gladstone and Rockhampton.

It is very important that these new inspectors play their part, because the number of accidents and the number of fatalities that have occurred in the building industry is of concern. I am sure that these new inspectors, making 52 in total for that industry, will go a long way towards reducing injuries on building and construction sites in this State.

### **PARLIAMENTARY CRIMINAL JUSTICE COMMITTEE**

#### **Discharge of Mr J. K. Paff; Appointment of Mr S. Santoro**

**Hon. R. E. BORBIDGE** (Surfers Paradise—NPA) (Leader of the Opposition) (11.30 a.m.), by leave, without notice: Further to the statement of resignation by Mr Paff, the member for Ipswich West, from the Parliamentary Criminal Justice Committee this morning, I move—

"That Mr Paff be discharged from the Parliamentary Criminal Justice Committee and that the member for Clayfield, Mr Santoro, be appointed to the said committee."

Motion agreed to.

### **ADDRESS IN REPLY**

Resumed from 2 March (see p. 77)

**Miss SIMPSON** (Maroochydore—NPA) (11.30 a.m.): Much has been said in the past few days about the drug problem. We must have zero tolerance of people who cunningly and deliberately entice young people into a drug lifestyle for their own selfish personal gain. We can sugarcoat it and point to extenuating circumstances until the cows come home, but drug pushing still remains one of the most wickedly destructive things that one human being can do to another. We need to display tolerance for people who have been caught in the web of drug and alcohol addiction and who want to get out of that lifestyle.



The coalition had an anti-drug strategy. The current Government is carrying on much of that program, but I know that the Naltrexone rapid detoxification trial is running about seven months behind schedule under the current Health Minister, Wendy Edmond. That trial is very important because we must be looking for new and better alternative treatment programs to assist people to get off heroin. The Opposition will be watching the continuation of that program with great interest.

Recently we have seen quite a lot of controversy about the needle exchange program. In fact, some 3,000 needles were found dumped in a park in Brisbane. In November last year I asked the Health Minister for data on the needle exchange program in Queensland. This was after I had heard that on the Sunshine Coast there was almost a doubling in the number of needles handed out through one program. Unfortunately, the Minister treated the House with utter contempt in her reply tabled on 21 December. She failed to answer any of the questions before the Parliament.

There is bipartisan support for seeing something done about drugs in this State. We need to educate people and support the rehabilitation program. But when we asked for basic data about what is happening with needle exchange programs in Queensland the Minister failed to answer. We need to know exactly what is happening with this program because something is awfully wrong when we see large numbers of needles being dumped in public places. The dumping of needles creates a risk to people who are not involved in the taking of illicit drugs. Surely the general public has a right to be protected. I renew my call to the Minister. We must have an independent audit of the needle exchange program. It is not good enough for the Minister to continue to bury her head in the sand. This issue concerns everyone in the community.

Although the needle exchange program has had some very good outcomes in certain health indicators, such as reinfection rates of certain diseases, unfortunately there are other indicators that are not built into the process. We have no knowledge of the morbidity rate of people who have been on those programs. We need to know the percentage of people who are accessing counselling in an attempt to move away from this lifestyle. Surely the focus should be always addressed to getting people out of this lifestyle. We must provide people with the appropriate rehabilitation so that, when they want to get away from drugs, they know that there is a program that will help

them. We must ensure that such services are available.

We need information on the extent of the problem. A lot of the information we have is anecdotal. Until the public receives the information it will be hard for communities to understand the extent of the problem. It is a problem that touches all areas of society. Drugs affect people who struggle economically as well as those who are very well off. It affects people of all races and creeds. I have talked to various families and have been amazed at the terrible situations that have occurred in relation to children. Children with bright and promising futures have had their lives destroyed. Some of these children have ended up in the jail system, while others have overdosed. This causes ongoing trauma to the whole family.

On the Sunshine Coast a group was recently formed in an attempt to found a rehabilitation centre. I fully support that move. From the figures which have been made public we know that the problem is extremely widespread. I urge the Minister to look at this group's submission for funding. The Minister needs to undertake an audit of the available services. Governments need to work in partnership with the community on an issue such as this. When people from across the community are prepared to come together and raise funds and coordinate voluntary services, the Government has to grab that interest and run with it. We must work with those people. I believe that an audit of the services available will enable various organisations to obtain State and Federal funding.

Another issue I would like to raise concerns the Sunshine Coast Convention Centre project. It appears that funding has been secured for a feasibility study. This project has in-principle support right across politics. The tourism market has many sectors but we need to look at the value added aspects of tourism as well. The convention market offers a lot of opportunity. The Sunshine Coast is a fast-growing area with a great airport and a lot of natural beauty. It is also close to Brisbane. However, it has been under-represented in the market for conventions. The facilities currently available cannot handle the size of conventions that we need to make a difference to Sunshine Coast tourism. I will continue to support those members of the community who are lobbying for a convention centre because it is something that will benefit the entire Sunshine Coast. Obviously, we are keen to see it happen in the middle of Maroochydore. We want to see people coming to our area, enjoying the natural beauty, the great

shopping and all the other attributes of the area and spending their money. This will create jobs for our young people.

**Mr MITCHELL** (Charters Towers—NPA) (11.38 a.m.): In rising to speak in the Address in Reply debate I wish to pledge my allegiance to the Queen and to the Governor, Her Majesty's representative here in Queensland. I take this opportunity to extend special thanks to my family for all their support over the six and a half years since I became the member for Charters Towers. I especially thank my wife Kay for all the time and effort she has put in. She has been both mum and dad for our daughter Peta because of the time I have been away from home on parliamentary and electorate duties. We must not forget the amount of work that the wives of parliamentarians have to undertake. They have to handle the constant phone calls at home and the constant questioning by constituents. Unfortunately, they also receive abuse from radicals and people from other political persuasions. Thanks, Kaysie, for all your love and support. I thank also my daughter Tracy and my son-in-law David, who now reside on the Gold Coast, and my son, Robbie, now living in Monto, for all of their support over the years.

I wish to make special mention of my electorate officers—Bernice Gannon at Charters Towers and Rob Hasson in the Clermont office. I do not have to tell members of this House how much we rely on our electorate officers. Bernice has worked in the office for over 10 years, firstly with the Honourable Bob Katter as his secretary, and for five years since my election in 1992. Rob came on board about two years ago and has been of tremendous value to me in the Central Highlands area of the electorate. I thank them both most sincerely.

I extend my appreciation and thanks to my campaign manager, Zara Underwood. Zara put in a huge effort during the campaign, and she has spent weeks separated from her family, who live some 300 kilometres away in Hughenden. I cannot thank enough all of the hundreds of workers who manned the booths right across the electorate, from Capella to Julia Creek, for all of their help and support through a very difficult and different election.

I now wish to turn to many of the issues concerning the constituents of the electorate of Charters Towers. Throughout the campaign and in the months leading up to the election I was constantly reminded of the hurt and frustration of the people living in rural Queensland. I found, though, that most of the

discussions I had were about Federal Government issues. I totally agree that consecutive Federal Governments have made life totally unbearable for most rural people.

The Wik issue remains the main worry for all land-holders and mining companies across Queensland. The uncertainty of the legislation still has a stranglehold on many mining ventures gaining leases so as to further develop this growing industry. Graziers and other land-holders are restricted from doing any improvements because of claims already lodged. Road projects have been delayed and in some cases even halted because of claims on those areas. I and many others are sick and tired of these continuous interruptions to our lives, our uncertain futures and the hobbling of future enterprise and infrastructure programs across Queensland.

The Telstra sell-off is of major concern to all people in rural Queensland. It would take a lot to convince the people who live in rural Queensland that they would be better off after the full privatisation of Telstra. All of the rhetoric and promises of improved services may sound good, but the uncertainty surrounding the continuation of services on the ground is the biggest worry. It may be great for the Australian economy in the short term, but we have to look at the future services for all Australians, especially in rural Queensland.

**Mr Hamill:** Are you opposing the sale of Telstra?

**Mr MITCHELL:** Yes, of course I am. It will be a great worry to us until it can be proved that we will receive better services than we are getting now.

**Mr Hamill:** I could not agree with you more.

**Mr MITCHELL:** I have said that on many occasions.

It was pleasing to read from the Governor's Speech of this Government's commitment to economic growth, development and community services for all Queenslanders, and I look forward to the assistance from this Government that will see many projects in the Charters Towers electorate coming to fruition.

The Rural Living Infrastructure Program has been of great benefit to all smaller local governments, and I am pleased that it remains and will be expanded. Because of the lower rate bases in these shires, the program assists to create employment and to implement further infrastructure in smaller towns that could not otherwise be funded at a local level.

I am pleased also that the Minister for Main Roads is maintaining the five-year Roads Implementation Program, which will further secure the employment of council workers in the Charters Towers electorate. I wish to mention some of the priority roads for completion and continued upgrading. In respect of the Gregory Development Road, a five-year program is in place and has been in operation for a few years now for widening and overlay. Since the bitumen seal was completed on this 400 kilometre section, the traffic has increased dramatically due to increased mining activity, for example.

Some of the sections that have not been widened and fixed up are a great safety concern to me and a lot of other people. The mining trucks are four trailers long and, because of the narrowness of the road, it is very hard for anybody travelling that road to overtake these vehicles or even to pass them when travelling in the opposite direction. I spoke at length to the departmental officers in Townsville, who have been very supportive. However, a lack of funding is holding back these projects. I would like the Minister to look at this issue; I have written to him on a couple of occasions seeking the fast-tracking of this work. I believe that if we were to save even one life it would be worth more than the \$2m that is needed to complete this section, which is only about 13.5 kilometres long. Although we have enough money to complete about 6.5 kilometres of that work this year—and that work will start in June—it will be another two years before the remaining section is completed. I am very worried about the safety of people travelling on this section of the road.

In respect of the Winton road, which is part of the reef to rock concept, only about 28 kilometres of road are yet to be completed. I would like to see that program finished in the next two and a half years of the program. However, some funding has been held back this year, which has delayed this road program. The other day I travelled across that 28 kilometre stretch. Due to recent rainfall in the area, I was very lucky to cross that section in a four-wheel drive. I would like to see that road completed on time, which is only about another two years away. I ask the Minister to keep that money coming.

I mention also the Kennedy Development Road, north of Hughenden, which is a very important link to the tablelands. I believe it will play a big part in the future of north and north-west Queensland, especially in light of the proposed fast train project from Melbourne to Darwin. The tablelands grows a lot of produce. That road would provide quick access, given

that it is only about 300 kilometres from Hughenden, to that proposed train, which in turn would allow for faster delivery to markets, including South East Asia. A road of this size will take in the vicinity of 10 to 15 years to complete. However, I would like to see it placed on a program for commencement so as to be of benefit to the people in that area.

Another very important road is the Wills Development Road from Julia Creek to the Three Ways and to the Century mine. Once again, this is one of the old beef roads, consisting of very narrow bitumen. The road is experiencing increased traffic to and from Century Zinc, and that will increase over the years once the mine is up and running. A lot of people seem to think that the main section to be used will be from Cloncurry to this area. However, that is not the case. The Wills Development Road will mean that anybody carting goods from Townsville or the coastal areas to Century will be saved a 300 kilometre round trip. We know which road they will use. That road is not safe, especially for heavy vehicles. It is also unsafe for commuters, especially farmers and other property owners, who use that road to access Julia Creek. We have spoken at length about this issue and we still do not have any confirmation that any great amount of work will be done. I would like to think that the Minister will continue to look at this road, because its usage will eventually increase.

The most important work is the continuation of the widening of the Flinders Highway, which is taking place under the five-year plan. I mention also the important Hervey's Range Road link from the Gregory Development Road to Townsville, which plays a very important part in getting produce, especially cattle, to markets in Townsville. Another link that I wish to mention is the Richmond to Winton road. It is another connection in north Queensland that will be of benefit to a lot of towns. My main aim is to look after the future of those towns.

Good roads also play a huge role in the ever-increasing tourism industry in inland Queensland. As I have said on many occasions, tourism is the future for many towns in rural and north-west Queensland. We have so much to offer in respect of tourism, but we need infrastructure, especially sealed roads, to attract more tourists to that part of the country.

Last year I attended the fossil forum held in Hughenden, which generated a lot of interest from all of the towns in the north-west area—from Hughenden through to Mount Isa, including Richmond and Julia Creek. Those

towns along that highway need to provide support and promotion for each other. Each and every centre in the electorate has something to offer to tourists wanting to travel the inland. Over many years those small towns have been robbed of many of their services. They have lost workers, and that has had a huge effect on the local economy.

However, I believe that those towns are fighting back through many tourism initiatives. For example, over the past few years Clermont has attracted many fossickers. We put in place a Fossicking Act and designated areas for fossicking. People are coming to Clermont from the southern States and are staying two or three months. We need to attract people to the area so that they can spend their money while enjoying many of our tourist venues. This is working and Clermont is benefiting. Local people have shown some initiative to get these attractions up and running. Charters Towers is well known for its history and heritage as a gold mining area. Bus loads of people from Townsville travel to Charters Towers for the day, mainly on the weekends but also during the week. Charters Towers is now becoming well known.

**Mr Knuth:** Don't forget the Knuth family.

**Mr MITCHELL:** Yes, there are still a few of them around there, but a lot of them have moved on.

Hughenden has a growing interest in the Hughenden Dinosaur Centre. It contains one of the first fully fossilised dinosaur bones actually found in Queensland. Of course, they are looking for more money to expand this project. Ever since that fossil was found, there has been an increased number of fossils found in the area. Of course, Richmond is becoming well known, even worldwide, for its fossil museum. If anybody has the chance to actually go there, it is something that they should see. It has been said by a lot of experts that it is one of the best in the world. People are coming from all over the world to visit the museum. They actually produced a video and distributed it throughout America and other places. Based on that video, people have actually made the trip over here to see those fossils for real and not just on a video.

However, I believe that the future of these towns relies on decentralisation and creating new industries to once again enable these rural towns to thrive. To achieve this, there has to be a vision. People have had this vision for many years but were continually stalled by Government decisions. When I talk about water, I refer to it as "liquid gold". We have seen the value of water schemes in many

areas in rural Australia. For example, the Ord River scheme was a boomer, and we all saw what happened in the Emerald district in central Queensland once a dam was built there some years ago. It is still expanding even today in the horticultural and agricultural areas.

Mining and rural industries will always exist. Unfortunately, because of the change in scenarios in worldwide commodity prices and trade, those industries will not operate to the same degree as we have enjoyed over the years. We have to give people an alternative to survive in the future. I was very disappointed to hear the Minister for Environment and Heritage and Minister for Natural Resources state that the Richmond dam project would not be viable. I say to the Minister: do not underestimate the courage and determination of these people in rural Queensland to secure a future in these areas for their families. We believe this will happen. As I have just mentioned, we have seen it in other areas.

We have to be able to give these other areas of Queensland a chance, and the only way we are going to do that is to actually put some money and infrastructure in there. If that is done, the people will be able to see some of these projects started and completed. That will give them a future. As I say, this dam must go ahead. If the process is delayed now, it will put the project back at least another 10 or 15 years. We have worked very solidly on this for many years, especially over the last five years, hoping that we would have received some sort of positive answer before now, but that does not seem to be the case. I do ask the Minister to reconsider this for the future of the people in that district.

The same goes for the Hells Gate dam on the northern reaches of the Burdekin River. In the Water Task Force Infrastructure Program that dam was listed as a Category 1 project. Charters Towers has survived on the resurgence of goldmining in the 1980s, but unfortunately a life of no more than 15 years is predicted for this industry. For the survival of Charters Towers and the Dalrymple area, it is important that an adequate supply of water be provided to further enhance the current horticultural and agricultural industries in that area. The dam would also benefit Townsville, the Ayr Basin and the proposed Elliott Channel to feed the Bowen area. We have to look at the big picture, not just focus on the coastal plains to supply our produce in the years to come.

Law and order, of course, is still a major issue in all towns in the electorate. The police

are at their wit's end in performing their duties when they are confronted by the same offenders after being released by the courts with nothing more than a slap on the wrist. This is a daily routine and the police have actually come to me frustrated, saying, "What's going on?" Charters Towers appears to be harbouring some of the lowest scum—and I feel I am being polite calling them this—in Queensland. They are breaking into old people's houses and even bashing them.

I am talking about people aged 80 years and older. A person broke into a 92-year-old's home, breaking their hip, resulting in hospitalisation, just to steal a few dollars even while they were awake in the house. Others have even walked into the Eventide old people's home, stolen an old chap's wallet and taken the purse belonging to the nurse in charge on the way out. It is getting out of hand. The same thing happened at the hospital. They even decided to take the public phone out of the foyer on their way out. People up there are telling me on a daily basis that, like everywhere else, they are prisoners in their own homes.

One old lady was discovered by a friend, who had not visited for a couple of days, to have been living on bread and toast for nearly a week because she was too frightened to go out shopping for the groceries—even to carry money in the streets. That is how bad it is getting. I can understand the frustration that the police feel because, unless they can actually catch these fellows who are doing these things on the spot, it is very hard to prove it because the money could be from anybody's pocket. We certainly hope that somehow we can get these people arrested or put away. I know all areas of Queensland have a similar problem, but I do ask the Government to act as strongly as it possibly can to rid this rubbish from our streets.

Health remains a concern in rural Queensland. This is due mainly to the fact that it is still very, very hard to attract specialists and even nursing staff to work away from the coastal areas. Further budget constraints are also one of the main reasons for the continued lack of quality patient care in our hospitals and aged people's homes. The HACC people have been advised—and this is a worry to me—that from 30 June they will not be visiting clients on weekends. The Labor Government has always been big on rhetoric about Home and Community Care, and here we have it—the care will be reduced to weekdays only. Please, people, do not get ill on weekends.

Family members have actually rung me about this. They find it very hard to fulfil these professional duties, especially changing bandages, etc. on the elderly. Previously, the HACC program had provided trained people to do that every day of the week and to care for these people. That is what is going to be missing—care. I am also concerned that, with the free ambulance service, there might be an overabundance of trips to the hospital on weekends. I certainly hope that the Minister does look at that issue again. I have also been informed that organisations have been asked to help fund certain medication. That is getting a bit solid when our Health Department cannot even supply medication for these people.

I am also very disappointed that the Labor Government has finally got its way and we will eventually see the close of Mosman Hall in Charters Towers. I feel for those people who have resided in a close and friendly atmosphere and will be shunted to all areas of Queensland. That is exactly what is going to happen. The previous Labor Government introduced the program in about 1993. The coalition Government put it on hold and we were going to actually enhance the building at Mosman Hall, but we do find that it has gone back to how it was. These people are actually going to be shunted away from their families, who actually have moved to Charters Towers to be close to this institution so that they can care for and visit these people. Now it is going to be reduced to about 20 beds, which I believe will eventually go over the next few years. I am concerned for the people there, especially the residents. I visit there pretty regularly. As I said, they live in a very good atmosphere out there, but once they start being shunted from there into different institutions around Queensland—and I am talking as far down as Wolston Park and a few others, and into Townsville—it is going to be a worry for them and also their families.

It has also been brought to my attention that a pensioner has actually volunteered his time to mow the hospital grounds at Clermont Hospital. This is pretty embarrassing. The grounds care was reduced down to a share operation between Moranbah and Clermont. They are 100 kilometres apart, and one fellow was going to do both of them. That is ridiculous. Here we have a fellow who, because of the state of the grounds which he has been used to seeing in immaculate order, has now volunteered his time to actually mow the grounds for Queensland Health.

I call on the Minister to re-evaluate the funding to the health districts to supply equality of service to all Queenslanders, no matter

where they live, but especially in those areas about which I have been talking. I certainly hope the Government does take on board some of the concerns that I have outlined to enhance the future services and living standards for the people in rural Queensland.

**Mr MALONE** (Mirani—NPA) (11.58 a.m.): In speaking to the motion for the adoption of the Address in Reply to His Excellency the Governor's Speech delivered on the opening of the 49th Parliament, I pledge my loyalty and that of my constituents to Her Majesty the Queen and to her representative, His Excellency the Governor. I believe His Excellency the Governor, Peter Arnison, is doing an excellent job in getting out amongst the people and promoting Queensland in a very positive light. Through you, Mr Deputy Speaker, I would also like to offer the Speaker my personal congratulations on his appointment to this most important position and the honoured office of Speaker of the Parliament.

I would also like to record in this speech my appreciation to the people of the Mirani electorate for their confidence in electing me to be their representative in the Queensland Parliament. I will strive to the best of my ability to represent all of my constituents in this Parliament and in the electorate in general for the betterment of all of my constituents.

No election is easy and the 13 June State election was my third election in four years, having been first elected to this Parliament in the 1994 by-election for Mirani. During my time in Parliament I have had a very loyal and hardworking group of people behind me who have put in a dedicated effort to present me at the election in the best light. I thank especially my wife and family for their support.

I also thank my electorate secretary for her support. As my colleague the member for Charters Towers mentioned earlier, we rely on our staff tremendously. They certainly do work above and beyond what is required for the money they are paid by this Parliament. Quite often they work in their social time, answering questions and so on from constituents. That also applies to our wives. I do not think a lot of people recognise the work that people other than the elected representative do in representing the electorate.

In addressing the Governor's Speech, which set out what Labor will do over the next three years, I will highlight what was achieved by the coalition in the two and a half years it was in Government. It is hard for me to envisage that the electorate of Mirani will get the same sort of support it had over the two

and a half years of coalition Government, but I hope that it will. The ball is now in the Labor Government's court.

Mirani is an extremely diverse electorate. It consists of rainforest, coastal towns, urban areas, grazing properties and, of course, of late, inland mining centres and all that goes with that. It is also home to the largest coal export facilities in the world. That has been growing over a period of time. Mirani has almost a third of the sugar growing, milling and now refining potential in Queensland. It also has coalmining, cattle grazing, fruit and vegetable production, industry and commerce.

The catalyst for probably all of these industries is water. My colleague who spoke before me mentioned the need for water in western Queensland. I assure him that, even though the coastal regions get excessive water from time to time, the conservation of water is one of the most important things for the development and progression of industry and farming in the coastal region.

The proposed development of further water storages in the Mackay district caused some debate during the last election. A community-based reference group was put in place to investigate the local social, economic and cultural heritage issues involved in raising the walls of Kinchant Dam or building a dam on the Finch Hatton and St Helens creek sites. There are quite a number of points that need to be clearly set out. Certainly they were raised during the election campaign.

It was firstly identified that none of these projects were No. 1 category but were listed for further investigation under the water infrastructure projects. It was indicated in very exaggerated circumstances by election propaganda that the proposed Finch Hatton Creek dam would impose on the Finch Hatton Gorge National Park. That was never the case. Even at its very highest, flood water would never come anywhere near the Finch Hatton Gorge National Park. Unfortunately, that fact was misrepresented right throughout the election campaign. Also, access to the park would not be cut off. Under any program of dam building in that area, an alternative access to the park would be provided. Certainly while I have any say in the matter, there would be an all-weather, sealed access to the gorge. It was also highlighted that there would be rainforest areas covered by water. Certainly some areas that have vegetation on them currently would be covered by water, but most of that vegetation is regrowth, in areas where cattle had grazed or cane farming had taken place.

Eventually there will be a problem in the Mackay district in that there are only two sites in the Pioneer Valley that are able to be developed as a dam. One is Finch Hatton Creek and the other is Blacks Creek. Blacks Creek has been identified as a very high cost dam and certainly something that would not be built except under very extreme circumstances.

It has been identified that by the year 2045 the Mackay City Council area will require an extra 30,000 megalitres of water. That is equivalent to an average sized dam. Sooner or later, either huge conservation measures will have to be put in place to enable Mackay City Council to save that amount of water or another dam storage will have to be built in the Mackay hinterland area. For the benefit of all, there needs to be some clear direction in that regard. We need to almost set aside dam sites that cannot be built out or that will not require huge amounts of money to enable a dam to actually be built in that area.

Unfortunately, it appears that the Labor Government has rejected the building of dams in the Mackay hinterland, whether it be Blacks Creek or Finch Hatton, or St Helens for that matter. I call on the Labor Government to be mindful of the fact that sooner or later Mackay will need additional water storage, certainly for the benefit not only of our children but also our grandchildren and those who come after.

The Finch Hatton Gorge area has been enhanced tremendously by the reopening of the Wheel of Fire walking track, which was built over a long period. It was neglected between about 1992 and 1995 because, unfortunately, a death occurred in that area and the track was closed for safety reasons. I joined with my colleague Brian Littleproud to reopen the track. Quite a lot of work was done to bring it up to speed.

I am entirely supportive of and enthusiastic about encouraging development in our national parks. I believe that sooner or later they will be a huge focus in encouraging tourism back into the Mackay region. Certainly the Eungella National Park at the top of the valley has a long way to go.

Work on the Finch Hatton Gorge was hard to undertake because of the steepness of the area and because of access difficulties. I congratulate and make special mention of the Youth Conservation Corps on its contribution to completing Stage 2 of the redevelopment of that walking track. I believe that work by these young people should be tremendously encouraged. More money should be put into

encouraging the further development of our national parks.

The small boat harbour in Mackay is moving ahead strongly. Certainly it will be an interesting development in the Mackay region. The boating fraternity in Mackay has never had any sort of marina—just moorings in the commercial harbour. The surrounding wall of the marina has just been completed. That development was undertaken by the coalition in Government. I am very encouraged that it is moving ahead. The developer is now selling units in high-rise buildings that will be built around the marina. They are going very well.

The 500-berth marina will greatly enhance the facilities available to tourists and charter operators and also private boat owners who currently berth their boats both inside and outside of the commercial port. A lot of them actually berth in creeks in Mackay and the surrounding areas. The marina will also assist the fledgling game fishing industry which has been identified out to sea from Mackay. It is showing a great deal of promise. Certainly it will be part of a growing and sustainable tourist industry in the Mackay district. Of course, with that comes extra jobs and work in the hospitality industry, which I know Minister Gibbs will be very keen to hear.

There is, however, one downside in relation to the small boat harbour. Sunfish in Mackay is rather concerned about the placement of the ramp. I have referred that matter to the Parliamentary Committee of Public Works and, hopefully, we might get some interesting conclusions out of that.

Aquaculture in the Mackay region in my electorate is creating some concern amongst locals, particularly in the Armstrong Beach area. My position on aquaculture is that I believe it is a growing and sustainable industry. I believe that, into the future, we are going to see greater development of aquaculture. Certainly a bigger proportion of our economy is going to rely heavily on the export of aquaculture products around the world. However, I do have some concerns certainly in terms of the environment and in terms of ownership. I would like to see Australians owning and operating aquaculture ventures along the Queensland coast. We really have to be very mindful of the environment in terms of outfall, recycling and those sorts of things that are inherent in the development of aquaculture.

After debate in this House yesterday, members would unfortunately be well aware that the coal industry is going through some difficult times. I was disappointed by the

deferment of the Hail Creek project in the Nebo Shire, which had the potential to provide 650 jobs in my electorate in the hinterland from Mackay. That \$700m development by Pacific Coal has now been deferred for 12 months, and the project will be reviewed towards the end of this year.

I believe that our coal industry is sustainable. Unfortunately, we are going through a fairly tough time in relation to exports. However, I believe that if commonsense prevails—and certainly with the innovative work that MIM is doing in relation to productivity, which was highlighted in the House yesterday—the coal industry can meet the challenges of the world market. I hope that commonsense will prevail in that area. Unfortunately, global markets can be influenced by huge deposits and huge mines outside Australia that have far lower costs of production than we have. So we have to be innovative, have high productivity per man and get on with the job. I believe that we can do that with common goodwill between all people. Hopefully, that will happen and Hail Creek will move ahead after the end of this year.

The Dalrymple Bay coal terminal and the services terminal at Hay Point are now exceeding shipments of 50 million tonnes per year. That is growing continually. I believe that they are meeting environmental constraints in relation to coal dust and those sorts of things. It is very important, as we develop those coalmining ports, that companies are mindful of the environmental concerns relating to coal dust and those sorts of things that affect local residents. I believe that they are doing the best they can.

Of course, the major industry in my electorate is the sugar industry. As members would be aware, the past 12 months have been very difficult for the sugar industry, not only in terms of weather but also in terms of price. Heavy rains in August last year created a quagmire for harvesting operations, making the cane very difficult to harvest, and decreased the level of sugar in the cane. Those members who are familiar with the sugar industry would understand that when paddocks are bogged up or damaged, the future crops off those areas of land are also damaged. We have a return crop each year. So not only did we have a difficult harvest last year, but also the crop for this year will be depressed from that difficult harvest.

On top of that, of course, as I said earlier, the world market price has decreased from about US15c a pound two or three years ago

to currently about US6.8c. That price is fluctuating from day to day. Unfortunately, on top of that the Australian dollar is now rising from about the 53c or 54c mark a little while ago into the 60s. So as the value of the Australian dollar increases and the world price of sugar decreases, the farm gate price for canefarmers decreases. In the coastal areas of Queensland—and I am now speaking about the industry in general—this is having a tremendous effect on the viability of farms. As my colleague the member for Hinchinbrook mentioned this morning, farms in the northern parts of Queensland have had low c.c.s. levels over a long period, and this is just the straw that broke the camel's back.

There are two new schools in my electorate: one at Beaconsfield and one at Marian. The provision of set-down areas in Marian is causing me some concern. Under the protocols, the council and the Education Department fund those fifty-fifty. Unfortunately, the Marian State School is a relocated school. The Mirani Shire, which covers that area, has spent quite an amount of money over the years putting infrastructure into the old school. Being a very small council with limited funds, it is having some difficulty meeting its end of the bargain. Because it is a relocated school, I call on the Minister to try to sort out that situation. The Mirani Shire Council has met with the Minister. I was part of the delegation that met at the Cabinet meeting in Mackay. Unfortunately, we have not had a solution to that. It is important that Education Queensland recognises the imposts it is putting on small councils, particularly where there is a relocated school and not necessarily a new school.

As those two schools were developed and built during the term of the coalition Government, I congratulate Bob Quinn on their development. They are excellent. I hope that the new schools that we open in the future have the same sorts of facilities. They are excellent schools which are at the cutting edge of technology. They are certainly a boon to the students.

I turn now to the issue of police. In Sarina we have a police station which, I believe, is currently understaffed. At times there have been up to nine police officers at that station. In recent times that number has dropped to four. We are certainly having an outbreak of petty crime in the area. I have written to the Minister about this and have received letters from my constituents in the Sarina area who are very concerned about this matter. At another time I will detail some of those concerns.



One of the problems that we have in Sarina is that the police station is getting rather run down. It was certainly a high priority on the coalition's capital works budget to rebuild that station, but unfortunately it does not seem to be there any more. I hope that this Labor Government is able to meet the commitments that it made in its election promises to my electorate and wish it well in that respect.

**Mr SANTORO** (Clayfield—LP)  
(12.18 p.m.): It gives me great pleasure to join in this debate because it enables me to do several things. Firstly, I wish to sincerely thank the electors of Clayfield for the honour of re-electing me to this Parliament. I have represented Clayfield since it was created at the 1991 redistribution and, pending the final boundaries of new electorates which will be released later this year, I hope to represent the redrawn electorate of Clayfield.

It is no secret that the coalition, thanks to the rise and, I suppose, the intervention of One Nation and optional preferential voting, suffered a two-party preferred swing against it at the last State election. This swing was especially large in the metropolitan area, and the electorate of Clayfield was no exception. However, I wish to thank my voters of Clayfield for giving me an absolute majority of votes before preferences were distributed. I share the honour of securing an absolute majority of first preference votes with only two other coalition members, and for that vote of confidence I am very proud.

I say to my constituents that I will continue to do my very best for them, irrespective of what other responsibilities I may need to fulfil within this Parliament and outside of it. To pledge otherwise would not be wise as it has become increasingly apparent to all parliamentarians that the electorate wants and expects a high standard of representation from their members. Whatever may have been the case in the past, every single member of this House, if he or she wishes to remain in it, must hear that message and act upon it. For myself, I have always striven to give my all to the people whom I have been entrusted to represent. I will continue to do my best as long as I am in this House.

In that regard, I will not forget that it is the ordinary men and women and families in my electorate who have supported me. It is to those ordinary Australians that I give my assurance that the real issues in my electorate, such as the Nundah bottleneck, the Leckie Road connection, the City/Valley Bypass, the Eagle Junction-Doomben passenger rail service, the Clayfield police

district headquarters and others will always be at the top of my agenda. Irrespective of what local issue is of concern to my constituents, I will always seek to represent them in this place to the Ministers and the bureaucracy to the very best of my ability.

My electors know that as a shadow Minister I have many important issues that I will be advancing, including industrial relations, workers compensation, workplace health and safety, trading hours, TAFE, employment and multicultural affairs. Many of these issues are of a high priority to various members and electors within my constituency. However, I have recognised from the day that I was elected to this House that it is critical to balance out one's wider policy role in Government and in Opposition with the fundamental role that each one of us has as an effective and approachable member of Parliament.

Second, it is customary and proper during a speech of this kind to acknowledge the person, and the institution, to which we are now replying. I place on record my appreciation for the fine and diligent service provided to our community by His Excellency, Major General Peter Arnison, the Governor of this State. He is a fine example of how a Governor should carry out his or her duties, and demonstrates exemplary non-partisan leadership.

With a referendum later this year on the issue of whether Australia should become a republic, let me just say in passing that I am not convinced that a fundamental change to our system of government is needed or warranted. I recognise that many people feel at this stage of our nationhood that we need to evolve and go to the next phase of our independence. I have some sympathy with that sentiment, but when I think of the enormous change in the constitutional fabric of our Commonwealth and the risks that would flow from changing to a republic, my view is that we should stick with our present system. It works, it is fair, it is democratic and we know what we have. In my respectful opinion, we must put sentiment and emotion to one side and evaluate whether there is anything to be gained by changing the status quo, and at the same time think about the risks of changing. I am sure that, at the end of the day, when the people have had a chance to evaluate the options, they will quite rightly opt for our current system of government.

Finally, it is both customary and necessary, as a member of the Opposition, to put forward an alternative view to that

espoused by members of the Labor Government. When I listened to the various contributions by Labor members, there was the constant claim that the coalition was responsible for all of the economic and social failings of our society and that Labor was the source of all wisdom and would remedy those alleged social and economic problems that the coalition allegedly created. During the many contributions of members of the Beattie Labor Government, I heard very little credit extended to the coalition, which worked so hard in Government and left behind a great legacy of achievement. It is that lack of recognition which brings a lot of discredit on members of the Beattie Labor Government, who are so patently cynical and one-eyed about the way they conduct themselves in this House.

Let me just point out to members opposite that they are in Government not because the electorate voted them in, but because of the anomalies of our current optional preferential voting system, and by default. In 1998, Labor received its third-lowest primary vote since 1912. The Premier's only hollow boast is that he is the third least successful Labor vote winner since World War I. With the exception of the Labor split election of 1957, he and the late Perc Tucker have been the most unsuccessful Labor vote winners since Henry Ford first sold model T Fords. Labor stood in all 89 electorates at the last election. In 69 of those seats, its primary vote dropped. I think it is a telling statistic that Labor's primary vote dropped most significantly in a band of blue collar outer suburban seats on the south side—Logan, Woodridge and Waterford. There was a revolt in Labor's true heartland. If it were not for the fact that many traditional conservative voters who changed to One Nation did not exercise their right to extend preferences, we would still have a coalition Government in place.

My point is that Labor got into Government with no mandate, with no overwhelming vote of confidence. It tripped over the line by virtue of outdated and unfair electoral boundaries, a voting system that rewards cynicism and a freak set of circumstances. The Premier may say that he will rule as if he has a majority of 10, but he knows that he rules despite the fact that he was preferred as Premier by a minority of Queensland voters, and until the recent Mulgrave by-election did not even have a majority on the floor of this House.

It would be true to say that one of the main reasons, if not the major reason, that the Labor Party is in Government today is as a result of the Premier's repeated claims that he

would set a target of 5% unemployment. This was to be the Government of job creation, of getting things done, of spending the capital works budget. It set up a "grunt" department of State Development and said that it would drive projects forward. As the Premier has said repeatedly, his Government is all about "jobs, jobs, jobs". On the campaign trail the Premier condemned the coalition's job creation record and instead put forward a Labor Party plan to create jobs. It is now more than eight months since the election and we have seen precious little of Labor's job creation claims. Instead, we see constantly the evidence of projects abandoned, half started or destroyed. We see all the evidence of a can't do and won't do Government—of an administration which, sadly, is not up to the task.

Before I go into the specifics, I say to the Government: what has its Department of State Development actually achieved? In eight months, apart from nursing projects that the coalition initiated, precious little has been achieved. Is it not a little sad, and perhaps pathetic, that the biggest project that this Government and this Premier can trumpet is the filming on the Gold Coast of some episodes of Baywatch? Does the Premier really think that he will achieve a 5% jobless rate with a bikini-led recovery? Unfortunately, that is just a symptom of the superficiality of this administration. It is all about trying to get some press, some column inches, rather than tackle the real issues and create the economic and policy parameters for the ongoing creation of sustainable jobs.

In the critical area of hospital rebuilding, a report issued last month by an economic forecaster pointed out that only \$77m in new Health capital works was commenced in the 1998 September quarter. That equates to just 12% of the Health capital works budget and compares woefully with the \$594m spent by the coalition in the last quarter that we were in Government. That indicates either that Labor is deliberately slowing down hospital spending because it has wasted money elsewhere—possibly on expensive ministerial office fit-outs—and does not have the money to spend, or it is just plain incompetent and cannot manage the capital works budget properly. Whatever the reason, the public is suffering because Labor simply cannot produce the goods. If one asks the many people on the ever-lengthening hospital waiting lists—many of whom are constituents of mine—what they think of the competence of this Government, one will get a very negative response. The last six months have seen a litany of job-creating capital works projects deferred, cancelled or

modified out of existence by the Beattie Labor Government.

In the critical area of water infrastructure, this Government has already cancelled the construction of three dams—the Finch Hatton dam, St Helens Creek and the Flinders River dam. It has frozen a decision on the Nathan dam, reneged on a commitment to have the Paradise dam near Bundaberg built within five years, and delayed a final decision on whether or not to raise the Walla Weir. All of those projects were essential for local economies and would have created many much-needed local jobs.

The record of Labor's job destruction is not limited to water infrastructure or, indeed, public hospital/public health infrastructure. The totally incompetent way in which this Government handled the acquisition of the International Flower Festival and Expo 2002 are cases in point. In both instances, the Beattie Labor Government sacrificed these projects. In the past four months alone, more than 20,000 jobs have been lost by this Government due to its failure to properly progress these projects.

The Briztram project is another case in point. When the election was held, this project of the coalition's was on track to be completed by 2001. The Beattie Labor Party said that it would scrap the project despite the fact that almost all the funding for it was to come from the Federal Government and the private sector. It said that it would scrap it despite the fact that many thousands of jobs were at stake. So when Labor got in, first it said that the project was deferred, then it changed its mind and went on bended knee to the Federal Government begging for the money which already had been pledged. Eventually in January the Federal Government said that it would give the \$65m to the project, which had already been promised in April last year. In the meantime, more than six months of uncertainty intervened and to placate elements in the Labor Party the link from the city to the university was abandoned.

I do not want to rain on any parade, but the way in which the Beattie Labor Government has handled this project and the very political and unprofessional way in which it has approached route selection has now put a cloud over the project's ability to attract private sector equity. If this job-creating project is destroyed on the altar of Labor expediency and duplicity, it will be another tragedy for Brisbane and the fault of this Labor Party Government.

We all know that we cannot bring down unemployment without committing to significant job-creating projects. However, the Beattie Labor Government has shown no such commitment. One only has to look at the Budget papers produced by this Government in its first Budget to see what a sham the 5% jobs target was. In the Beattie Labor Government's first Budget, economic growth in the next three years to five years is predicted to be between 3.5% and 4.5%. Yet unemployment in this State had not fallen in any sustainable way over the past decade when growth was less than 4.75%. On Labor's own figures, and very regrettably, it is more likely than not that unemployment will rise rather than fall over the next few years. Of course, nothing is ever constant, and hopefully things will improve. However, as I said, this Government is doing everything to stop job creation.

Apart from the litany of infrastructure projects halted or delayed and a drying up of capital works expenditure, we also are now seeing more systemic barriers being created to prevent job creation. In an endeavour to placate its union backers, Labor is now intent on winding back the clock on the industrial relations reforms that the coalition put in place. This Government wants to shackle small business—the major job-creating sector in this State—with unfair dismissal laws and a range of other imposts. Just a few days ago in Brisbane, the Federal Workplace Relations Minister, Peter Reith, said that he would be writing to the Premier about these reforms outlining his objections. He pointed out that this Government was going to add red tape, additional duplication and additional regulation to the Queensland system and queried who was going to pay for it. We all know who will pay for it—the struggling small business sector. If ever there was a dead hand on job creation, this is it—the policy of this Labor Government.

So what this Government has managed to achieve in just over six months is to harm business and investor confidence by failing to advance infrastructure projects and by moving to put in place regressive job-destroying, red-tape creating laws. It is a tragedy that we have a Government attempting to drive forward the economy when it still has its learner's plates on and shows all the signs of failing dismally.

It is instructional to compare this Government's record with the coalition's record. I think it is important to compare the record of the Beattie Labor Government with that of the coalition, because this Government was elected on the basis that it could do so much better. In terms of employment creation,

the coalition's record in Government speaks for itself. The statistics—and, of course, I am speaking about official ABS statistics—illustrate clearly that, during the Borbidge/Sheldon coalition term of Government, 97,700 new jobs were created in Queensland, overwhelmingly in the private sector. They were created not by the Government, but by the private sector. The figures also show that in the 12 months between May 1997 and May 1998, the coalition had reduced the absolute unemployment numbers by 19,600.

On the other hand, under the Labor Party in Government, between December 1989 and February 1996, 58,000 Queenslanders lost their jobs and unemployment increased by 65%. It is also worth noting that in March 1998 under the coalition Government, Queensland experienced its lowest unemployment rate of 8.3% in nearly eight years while on the other hand the Goss Labor Government gave Queensland its highest unemployment rate of 11.1% in July 1992—this being the highest unemployment rate since the Great Depression. It is also worth noting that the ABS statistics in June 1998 showed that employment under the coalition Government reached an all-time record of 1,616,100 people and that in the 12 months between May 1997 and May 1998, Queensland accounted for 33.2% of the nation's full-time employment growth and 41% of part-time growth—this despite the fact that Queensland has only 18% of Australia's total population.

So the record of the coalition Government stands alone and stands undisputed. The coalition Government adopted an across-Government approach to the issue of job creation and the results I have just mentioned speak for themselves. Of course, the coalition Government was not content to rest on its laurels and bask in the glory of the achievements I have just mentioned. Many specific policies were put into the third coalition Budget, to create even more employment incentives within the Queensland economy and, in particular, within the private sector of the Queensland economy.

For example, the coalition's job creation package within the State Budget contained payroll tax relief for businesses hiring unemployed people—something which, I am pleased to see, this Government is beginning to move towards. However, it was the coalition's policy. There was also a policy to restructure the workers compensation premium payment system. I was particularly proud to have been the Minister who recommended this initiative to the Government, for such an initiative would have lifted a burden on small

business cash flows by scrapping the current system of payment in advance for annual workers compensation payments so that those small businesses would be able to make payments in arrears on a monthly basis using actual wages figures. A third step was a further cut of 25% in business compliance costs over the next three years to be implemented under the auspices of the Red Tape Reduction Task Force. This initiative is something about which my colleague and former Minister the honourable member for Noosa can be very proud and should be forever boasting.

They are just three of the many positive policies that would have created real jobs, not like many of Labor's anti-small business policies that will, I believe, if implemented stifle employment growth and lead to the growth of the unemployment queues. The coalition was getting on with the job of encouraging job creation, particularly within the private sector of the economy, and no amount of distortions and untruths uttered by members opposite can gloss over or, indeed, cloud this achievement.

Of course, we now have a Labor Premier who basically is saying that he may not achieve his 5% unemployment target because of the Asian economic melt-down. I suspect that the Premier, when he was the Leader of the Opposition, refused very deliberately to take into consideration the impact of the Asian financial melt-down. At the time he was making his 5% unemployment promise, the Asian financial melt-down was occurring in a very dramatic way. These days, the Premier claims that he and the then shadow Treasurer and all of his now ministerial colleagues did not realise the significance of the impact of the very obvious Asian financial melt-down. Of course, he missed some very definite signposts of that melt-down, including the overthrow of the 25-year-old Suharto dictatorship in Indonesia, which was overwhelmingly precipitated by the financial crisis that engulfed that country—one of our most significant trading partners. So we have a Premier and a Government trying to distance themselves from that promise of 5% unemployment by claiming that they had no knowledge of things which, of course, they had knowledge of and should have taken into consideration when announcing that irresponsible policy, raising expectations and creating a lot of misconception within the minds of voters.

Within my contribution to the Address in Reply debate, I have been talking about the way in which we act in this place. Basically, it is an attempt to say to the Labor Party that it is

important that credit is given where credit is due and that we behave in this place in a way and in a manner that lifts the standard of parliamentary debate—of contributions—which will again help restore faith in this Parliament within the minds of the people. It is the type of political behaviour that we have been witnessing from the Labor Party Government since it was elected last year that I believe leads to much cynicism. It is really incumbent on the Premier to make sure that the standards which he espoused in Opposition and which, unfortunately, are falling away in Government, do not lead to further erosion of public confidence in the institution of Parliament. The Premier has a very real responsibility to live up to his promises of accountability and decency and honesty in this place because, if he does not, the political retribution that will be inflicted on him by the people of Queensland at the next election will be very severe indeed.

**Mrs PRATT** (Barambah—IND) (12.38 p.m.): I rise to speak in this Address in Reply debate and pledge my loyalty to the Queen and His Excellency, Governor Arnison. As the new Independent for Barambah, I wish to reinforce my desire, as previously stated, to represent all the members of the Barambah electorate regardless of political, religious or other beliefs.

Prior to the last election, Barambah was promised many possible projects. There was the extension to the Tarong Power Station and the possibility of a prison. The prison is something that the Yarraman people would dearly love to have whereas most other communities have spoken out against it. So that is the something that I would really like the Premier to consider. We still have one of the highest unemployment rates in the country. The Premier's statement that there has been a reduction in the numbers of unemployed is definitely not reflected in the Barambah electorate. We have had some tragedies over the past few months. I call them tragedies because nothing very much is happening in the Barambah electorate.

We have all heard of Cyclone Rona and the devastation that occurred in north Queensland. The electorate of Barambah suffered one of its greatest tragedies in living history in the recent devastating floods. The biggest tragedy, however, is that we have a Prime Minister and various Governments who do not demonstrate by their actions that they have confidence and pride in our primary producers. This is offensive to me and to many other Australians. We have a Prime Minister who willingly allows our pork industry to be

sacrificed regardless of the fact that other countries put in place high tariff barriers and subsidies to protect their own industries. Where is our support? We have no support from our Government.

We also have the peanut industry in Barambah. Our State Ministers have decided not to support this industry. Instead of insisting that imported peanuts match Australian standards in cadmium levels, State Ministers want to raise the cadmium level so that other countries—

**Mr Palaszczuk:** What about Parliament?

**Mrs PRATT:** But the Minister should be fighting it. Inferior peanuts from other countries will be allowed to be imported along with the possible health risks that high levels of cadmium may bring. Why must Australian producers be the sacrificial lambs to other countries and their industries? Why can't our Governments believe in Australia? These are man-made tragedies that have inflicted much devastation on industries in the Barambah electorate.

As I said, my electorate has been visited by a natural disaster in the form of devastating floods from Kilcoy Shire at one end to Murgon Shire at the other. We are very grateful that we were fortunate not to lose any lives. As the rapidly rising water tore through the area it swept away livestock, fences and, most devastating of all, the hopes of all residents with the loss of crops.

I have never before seen crops laid flat as though they were a piece of vinyl. Crops of sorghum were weighted down by water to such an extent that any vinyl layer would have been proud of the result. Cotton crops were beginning to burst with brilliant white cotton bolls but are now stained with muddy water. The value of the crops has been downgraded to the extent that the cost of production may not be recovered. The crops were looking very promising and were to be the first step in lifting land-holders out of the devastating years of drought, pestilence and low prices for stock and produce.

The Government's questionable help in the form of low-interest loans offers little to the people of flooded areas. Most of these people have suffered losses for many years and have loans on loans. It would not matter how low was the interest on Government loans; the only loan that would help the victims of this tragedy is a no-interest loan.

With the true understanding of their plight and that of other victims of nature's onslaught, in true Aussie battler style the people of

Barambah have begun to pull together as a team to work for the benefit of the community. In a very short time the people of Barambah have arranged a flood relief appeal and have put together a night of entertainment to raise funds for victims. The people of Barambah have shown their courage, their spirit and their belief in themselves. The news that there was to be a fundraising effort has resulted in many people offering their services and their talents free of charge for this vaudeville night. We have also received donations of goods and services for a celebrity auction.

Community is what we are all about. The community has responded to the needs of the less fortunate. In this day and age it is so common for people to take and take and keep on taking, but in all the towns in the electorate of Barambah we see an example of the true meaning of being an Aussie—giving people a fair go and standing by mates. In true Australian terms a mate is anyone who needs a helping hand.

This disaster is being recorded in a song. The song has been written by a local man named Scott Rowan.

**Mr Lucas:** Sing it for us.

**Mrs PRATT:** No way; I can't sing. Scott Rowan recently won the title of Songwriter of the Year. I have never been so proud to belong to a community. The effort in man-hours and dollar value cannot be calculated.

I would like to tell honourable members about a gentleman who spoke to me just before I came down to Brisbane. This man's words will be etched in my brain forever. He said—

"When the flood came, it was the last straw. I didn't even bother to go outside to see the damage. I had lost all hope of staying on the land. I was in utter despair. Then I heard of the support that was being rallied, and I cried. I think without it they would have found me swinging from a rope."

This man is in his seventies and has worked every hour that God has sent. He has been on the land all his life. How tragic that a man who has given his life to feed and clothe the people of this country should be reduced to the thought of swinging from a rope as his final act in life. The speed at which the community has come together to assist other members of the community is an example for all of us. This Parliament could ease a lot of concerns and solve a lot of issues for the people we represent if we followed the example of the people of Barambah.

**Mr KNUTH** (Burdekin—IND) (12.47 p.m.): I would like to raise concerns plaguing the sugar industry. I am glad to see that the Minister for Primary Industries is in the Chamber. The world sugar price is at its lowest level in 11 years—below US7c a pound. At this price, farmers are justifiably worried that if the price drops any further it will fall below the cost of production.

Government policy in Australia has forced sugar producers to sell domestic sugar at the world price. Basically, what this means is that we have farmers living under modern western conditions selling sugar at Third World prices. With the current situation of Brazil cutting the amount of sugar it converts to ethanol there is a dangerous threat of Brazil dumping more sugar. On an already generously supplied world market the price of sugar may fall below US6c a pound. Believe me, if that happens, many farmers will be out of business.

United States farmers and millers, through their system of assistance and support, jointly receive about 82c Australian for every kilogram of raw sugar they grow. Compare this to the Queensland growers and millers who receive, at the current world price, about 24c a kilogram and it is obvious that the international divide between the incomes of farmers is no better under the National Competition Policy and the so-called level playing field of sugar trade.

Indeed, this is stated in the canegrowers' organisation's own submission to the Federal Government Senate Select Committee on the Socioeconomic Consequences of the National Competition Policy dated 9 October 1998. Part of the submission reads as follows—

"Canegrowers believe that the application of the NCP principles to the Queensland raw sugar industry has meant that the industry is no better off. Indeed, from a total raw sugar industry perspective, the considerable costs, uncertainty and weakening of the grower-miller balance has left us worse off."

Let me now take honourable members to a letter penned by Canegrowers chairman Harry Bonanno dated 6 October 1997. This was written at a time when the tariff on imported sugar was being stripped from the industry. As part of the sugar industry review group, Mr Bonanno fought to hold the tariff and push for a non-operative tariff that could be used as a price support mechanism if prices went below US10c a pound. To this day that mechanism does not exist. Why?

Holding to a misguided belief in a level playing field of sugar trade, the Federal Government ruled that a variable tariff was

unacceptable to the General Agreement on Tariffs and Trade and could not be considered for implementation. What a sham! It is a sham because of the latest revelations by Colin Teese, Australia's former representative on GATT and the former Deputy Secretary to the Department of Trade. In an article in the News Weekly of 27 February this year, Mr Teese exposes the free trade myth as exactly that. Mr Teese stated—

"Whatever may have been asserted more recently by trade economists in Australia and anywhere else, the GATT was never intended to be the guiding light towards so-called free trade...The words 'free trade' or even 'freer trade' are nowhere to be seen in the GATT agreement."

Whom are we kidding? We cannot provide a safety net for our canefarmers, because it is perceived as not sporting on the trade level playing field. The Feds see GATT as some sort of game referee, and here we have a former GATT delegate wondering why that group is being linked to the term "free trade".

As representatives of our constituents, we must look at the solutions to the problem of dwindling farm incomes now. It is the responsibility of all levels of government to help the industry through these troubled times. Farmers believe that imposing an import quota of 10,000 metric tonnes on all sugar coming into Australia would help to ease the pain. This Government should remove the price control on the Queensland Sugar Corporation and allow it to set a realistic domestic price for raw sugar of around US15c a pound. If these recommendations were put in place, there would be an injection of \$165m into the sugar industry through domestic sales and an extra \$22m into the Burdekin region alone. Although I support low interest loans to farmers, that is only part of the answer.

The Queensland and Federal Governments must consider the impact that loss of tariff protection and price control has had on Queensland canefarmers. I am asking this Government and the Federal coalition Government to say enough is enough. This level playing field is only level at one end of the field, that of our competitors. If Europe, Japan and America wish to play "free trade", let them set the example. However, I wish to ask our Federal Government: why is Australia being used as a test case guinea pig?

If our competitors do not wish to drop their tariffs, we should relift ours. We are already the laughing stock of the world. Let us regain our farmers' credibility. This Government should

also be aware that its water prices, administered by the Department of Natural Resources, are another crippling barrier to farm sustainability. At an average cost in the Burdekin of \$27,000 to \$30,000 a year to canegrowers, water is a significant cost for farmers and something over which this Government has much control. I ask the Beattie Government to consider seriously cutting the cost of water in these hard times. Unlike a sugar refiner or supermarket, canegrowers have no avenue to pass on increasing costs of production. Fixed to the current dismal world sugar price, Queensland growers must watch increasing costs eat into their profits, should they be so fortunate as to have a budget slightly in the black. Refiners can charge stores more for processed sugar if their workers win a pay rise, and stores can charge their customers more for sugar if their building rental goes up, but there is no—I repeat: no—avenue for a farmer to pass on cost increases.

If we add the costs of harvesting, unseasonal weather, cane grub damage and the \$27,000 annual electricity bill the average farmer faces to run pumps and machinery, we do not have to be a genius to see that Queensland canefarmers need help and they need it now. In this month's Canegrower magazine, general manager Ian Ballantyne indicates that farmers will tighten their belts another notch and are looking to the sky for a fairer deal. I ask this Parliament not to let them down.

**Dr PRENZLER** (Lockyer—ONP) (12.53 p.m.): Firstly, let me say how proud and grateful I am to be standing here today as the member for Lockyer and to speak to the motion for the adoption of the Address in Reply to the Governor's Speech. Firstly, I express my loyalty to Her Majesty the Queen and to her distinguished representative His Excellency the Governor, Major-General Peter Arnison.

The biggest issues facing my electorate of Lockyer today are the growing dead hand of bureaucracy and the insane ideology of globalisation. Both are reaching into my electorate and uprooting the prosperity that has been the envy of people for decades. This growing problem and the chaos it is creating among ordinary working people is the prime reason I was elected to this Parliament; now I have the honour and privilege of addressing it.

My electors expect and demand that I put them first and represent them tirelessly and continuously from dawn to dusk in this Parliament, which I now know is not a stranger

to long sitting hours. My electors are Queenslanders who take their income largely from the soil. They proudly take their prosperity from beef, vegetables, dairy, grains, fodder and a host of other honoured products.

My electors live in a large electorate. Its boundaries begin at the New South Wales border south-east of Boonah, reach north to Greenbank and then swing west to skirt the southern fringes of Ipswich, continuing inland to the range below Toowoomba. As a result, its residents require the full range of vital Government services. Unfortunately, previous Parliaments have tended to neglect them. They feel let down, largely by forces beyond their control; but they are certainly forces that are within the control of this Parliament.

My electorate was one of the safest National Party seats in Queensland—but not safe enough. After the last election, nobody can consider their seat a safe one. The people are reclaiming ownership of their electorates, and every party had better recognise that the elector is supreme or else. My commitment to my electors is to put them first in all things, to represent them fiercely in this House, to communicate with them and to consult with them. The people must be heard in this Chamber and heard above the irritating and privileged voices of big business, big unions and big government. My electors feel that their voice has not been heard, but they made their voice heard at the last State election.

Another big cause of discord is the withdrawal of Government services to satisfy the demands of faceless bookkeepers in some dark hole in Brisbane. The slashing of services was started by the Goss Labor Party Government and left unaddressed by the Borbidge Government. It left a legacy of bitterness and neglect. In Lockyer, courthouses in Boonah and Laidley were closed. More seriously, contact was lost with sundry departments because staff and contact points were also withdrawn. Electors were forced to drive many miles to find equivalent services elsewhere, if they were lucky enough to have a car. The people felt let down. On another front, the DPI Warrill View research station was closed down by the Labor Party and sold by the former National Party Government. This diminished dairy and goat research capabilities in an electorate where dairy and primary industry concerns are of the utmost importance.

Globalisation and national competition policies over the past two decades have proved to be particularly hard on rural communities. Beef, dairy, pork, small crops

and grain industries are continually under attack. These policies have devastated rural and regional communities, resulting in marriage breakdowns, suicides, bankruptcies, loss of the family farm and rural youth moving to the cities for work. Those youth often do not find any work and then turn to drugs.

We have seen the opening up of our ports to world trade, and the so-called level playing field concept. What a joke! A more apt expression would be "suckers of the world". In reality there is no level playing field. It exists only in the minds of Federal politicians and their economic rationalist mates. We have only to look at the pork industry. Subsidised imports from Canada have devastated pork producers. The pleas for help from the pork producers have fallen on deaf ears. I might add that the Minister for Primary Industries, who has just left the Chamber, tried to support those producers as best he could, and I commend him for that.

A Federal Government inquiry has shown that the Government's stance was wrong. A protective tariff can and should be applied. It is even allowable under the current GATT agreement. Does the Howard Government listen? No! It offers the processors money. If a producer of pigs is destitute, the Government offers that producer a grant of \$45,000 to get that producer out of the industry. That results in the loss of another good farmer. He loses his farm and family pride. Often generations of family farmers are thrown onto the scrap heap.

**Mrs Lavarch:** Aren't there women farmers?

**Dr PRENZLER:** Yes, there are.

Let us look at the other rural industries influenced by overseas interests. In the beef industry, the prices paid to graziers are still less than they were 20 years ago. Grain growers are still receiving the same prices as 20 years ago. Soya bean and navy bean prices are being influenced directly by the cost of imports. The poultry industry is being threatened by imports. The list goes on. The worst thing is that these imports are often from countries with subsidies in place or low-cost Third World countries. Have producer costs in Australia dropped? No! Costs have risen, resulting in lower and lower margins to the producers until they do not exist or are in the negative. Have Governments listened? No! They bumble on in the belief that they will lead the world in fair trade and give absolutely no thought to the devastation that this has caused to the people of Australia—their own constituents.

Did they stop at policies such as those? No! They then embraced another famous report—the Hilmer report. Federal and State



Governments of all political persuasions openly embraced that policy, and this had led to what is now called the National Competition Policy, which is being administrated by the National Competition Council. This policy was envisaged to give consumers the most competitive prices for goods. In that area it has been an absolute failure. It has devastated communities. For example, shire councils have to compete openly with private contractors. This has resulted in many rural shires downsizing their work forces and selling off council machinery. That has directly impacted on the work available in communities. Often the standard of the work now performed has diminished also.

Rural industry has not been spared from the NCP. The egg industry has already been deregulated, and with devastating effects. The most recent industry to come under the spotlight of National Competition Policy is the dairy industry. Post farm gate deregulation has occurred. Hopefully, the Bill passed during the last session of this Parliament will protect producers for a little while, but I very much doubt it.

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

**Dr PRENZLER:** The overpriced Victorian dairy industry is about to deregulate. Once this milk enters the now deregulated market—milk trade across the borders—the market milk price per litre will find its own level. The price of milk per litre coming out of Victoria will probably be around the 35c per litre mark. This will force the Queensland farm gate price for market milk down from the current price of 58.9c per litre to somewhere around 45c to 46c per litre. Considering that the cost of production is around 20c per litre, this means a reduction in profit of market milk to the producers of around 33%.

This will absolutely devastate some producers, particularly those with high overheads and loans to repay. Once again we will see producers going out of the industry, loss of family farms and generations of dairy farmers, and without a doubt more rural suicides. In Queensland this may be up to 400 farmers. With the multiplier effect in the dairy industry of about 6 to 1, this means another 2,500-plus Queenslanders out of work.

I continuously ask myself: why are our Governments doing this to us? I do believe some of the answers lie in greed—greed of the multinationals and monopolies in this country who push and manipulate political parties to implement policies that favour them in their quest for the almighty dollar and squash any

persons or small businesses that may be in their way.

I believe we do owe our farming community a living. They pioneered this country. There is no reason that for their hard work and sweat they should not make a reasonable living. They should be in a position to pass on the family farm to the next generation, and we can do this with sensible policies on pricing and tariffs that can be applied sensibly—often in the guidelines as set out in the GATT agreements. We have to look at how other countries protect their farmers. We have to take into account the costs of production in these countries. If we do not, we will lose our rural industries. We will be at the whim of overseas trade and I do believe that the devastation that these policies have and will continue to cause if they are not changed could at some time in the future come back to haunt this country in a most sinister way.

These problems must be addressed and employment increased by the introduction of positive policies to protect the viability of rural industries, businesses and farming—policies such as One Nation's young Queenslander apprenticeship revival scheme. This allows for apprenticeships being provided at age 15 without the delays involved in further education. What is the point in higher education if, at the end of it, a person is too old to learn a trade such as plumbing, carpentry or hairdressing? Members should not misunderstand me. I am not trying to downplay the importance of education. The people of Lockyer certainly appreciate its importance.

Students at Boonah State High School have achieved almost twice the State average in top OP scores and I take great pleasure in putting that on record in Hansard and congratulating the teachers and students of Boonah State High School on a job well done. One Nation believes modern education must reaffirm the vital importance of the basic three "R"s plus two more. The first three, of course, are reading, writing, and arithmetic. The other two are respect and responsibility.

Even in country areas the days have gone when a person could walk away and leave their doors unlocked. The rise in crime is feared by everyone, especially the elderly. There is no longer any respect for age and it is too late to teach that respect to adults, or "veteran" teenage criminals. Instead, we have to demonstrate to them that disrespect in the form of criminal acts will not be tolerated in our society. This Parliament should acknowledge the violation of the fundamental rights of

victims of crime by ensuring that offenders face the consequences of their actions. There should be truth in sentencing. Ten years must mean 10 years. If you do the crime, you certainly must do the time.

The firearms legislation was another good example of Government going out of its way to upset a huge section of the voting public. The fact that Government even stooped to vilification really turned people sick. At that very moment, many of those members—not here today—shot themselves in the foot, and that shot was heard right around the State in every ballot box and has yet to run its historic course. One Nation will introduce amendments to the firearm laws to inject some sanity into an insane set of laws which are an abomination to a free people, to a free society.

As I said, people have felt let down; they have felt betrayed. Even long-time National Party people felt betrayed. Lockyer was the forgotten electorate. It could be ignored by the coalition because it was considered safe and would not rock the boat. It could be ignored by Labor for exactly the opposite reason: because it did not have a history of voting for Labor. For most of us it was our first election and we really learned on the run. We are still learning.

It would be remiss of me not to salute my wife, Christine, and my daughter, Heidi. Like all wives in politics, Christine suffered much inconvenience when her lounge was converted into a campaign headquarters and office. Phone calls came in at all hours of the day and night. People tramped throughout the house. Sometimes hordes of people arrived on our doorstep. Ever ready was a bottomless cup of coffee for visitors and workers and a friendly smile from my wife, daughter and supporters. Everybody was welcome at One Nation in Lockyer. To Christine and Heidi, I give my heartfelt thanks.

I turn now to two other issues that are of great concern to the people of Lockyer, water supplies and health services. Water is, of course, a vital resource for any rural-based electorate. Obviously, it is essential to have good supplies of this resource both for stock and irrigation. But the Lockyer Valley has a particular problem because it does not have large water storage facilities. So water supplied to irrigators is of prime concern, particularly during periods of drought.

Investigations are under way into the use of recycled waste water from the sewage systems of the communities east of the Lockyer Valley, around Ipswich and Brisbane. We will support the financing of these

investigations to see what can be done to improve the present situation. Towards the eastern part of the electorate, the Fassifern Valley is more fortunate in that it has the Moogerah Dam. Alas, this dam is not drought proof. The requirements of the Swanbank Power Station are also a drain on the dam with the result that farmers are cut back on their allocations. Swanbank can use water from the Wivenhoe Dam, but unfortunately it is more expensive. However, if Swanbank were able to use recycled waste water, it would go a long way towards helping to ease the problems of farmers. During my term in office I will be investigating all of the options to improve water resources in the Lockyer electorate.

Because the rural areas in my electorate are considered to be close to major cities, there has been a downgrading of some health facilities. Little thought appears to have been given to the disadvantages that this has created for people in these communities. To get to city hospitals, one has to be able to travel—a difficult thing to do when one does not have a car and public transport is either non-existent or very poor. The Labor Party closed the passenger rail service to Laidley and Gatton. Boonah Shire, too, also suffers from the lack of a rail service, while the Boonah-Ipswich bus leaves early in the morning and only returns late in the evening. Public transport in these country areas must be improved, and one such method is for the investigation into the electrification of the rail from Ipswich to Toowoomba, which would benefit many.

Before the State election, the consensus among the people of Lockyer was that Government had fallen on evil days. Politicians in Brisbane were operating a perverse presidential system in which perks were given and perks were withdrawn, depending on political colouration. The debacle of the firearms laws showed the dangers of Government by a Premier-dominated Cabinet and a Cabinet-dominated parliamentary sausage machine, all dominated from outside Parliament by faceless party hacks.

Parliament needs a second opinion: the voice of the people. One Nation has the solution in its proposal for community-based referendums. Queensland must get back to Westminster. We of One Nation are probably better placed than most because we are not encumbered with all of the baggage of party political intrigue and socialistic lunacy. I will not betray my electors. That is my solemn promise. I will not put Australia last as others do. I intend on being here for a long, long time. These are my principles, but the core of

these principles must always be to bring back democracy to Government.

**Mr SEENEY** (Callide—NPA) (2.39 p.m.): I appreciate the opportunity to take part in this debate. It is a little hard to hear the sort of rubbish some members contribute, but I hope I can make a more reasonable contribution than the one we have just heard.

At the outset, I must restate the concerns of some of my colleagues. It is eight months since this Parliament was opened by the Governor and members are still replying to the Governor's address. Understandably, to the casual observer of Parliament it would seem a little absurd that such a situation has been allowed to develop. It is, I would suggest, a true indication of the competency of the Labor Government. It cannot even run this Parliament in a reasonable manner. It cannot even get the procedural measures of this place completed in a reasonable time. What chance is there for the rest of the State under the management of this can't do Government?

**Government members** interjected.

**Mr DEPUTY SPEAKER** (Mr Reeves): Order! I remind members who interject to do so from their correct seats.

**Mr SEENEY:** We have just experienced eight months in which this Government has proven itself to be all talk, all about media management and all about image management. This Government has proven itself to be all about manipulation of information rather than about achieving anything of substance for Queenslanders in the Callide electorate and across the State. In short, we have seen eight months of talk and no action. I made my first speech here in this Parliament on 30 July 1998—

**Mr Schwarten:** A bloody beauty!

**Mr SEENEY:** The member for Rockhampton is right: it was a bloody beauty. I made my first speech on 30 July, the day after the Governor's address, as part of the debate on a motion of confidence in the minority Labor Government, a motion eventually supported by the so-called Independent member for Nicklin. What a fraud the Independent member for Nicklin has turned out to be.

In that first speech to this Parliament I reflected on the enormous achievements of the previous coalition Government, a Government that was in power for just two and a half short years. I reflected on the achievements that Government made in addressing the years of neglect that the

Callide electorate, along with the rest of rural and regional Queensland, had suffered. I also spoke about our hopes for the future—hopes that have been dashed in the past eight months—and about the enormous efforts made by many people to ensure a sound future for our communities and a better future for our children.

I said on that night last July that the people of Callide had absolutely no confidence that the task they faced would be made any easier by the election of a Labor Government. How well founded those fears have proven to be. It is appropriate today, eight months later, to look at what has happened on the ground, what has happened for real in the electorate of Callide in the term of this Labor Government.

**Mr Musgrove:** Haven't you already spoken?

**Mr SEENEY:** No. No better example could be found than the Callide C power station at Biloela. The new Government demonstrated complete contempt for regional Queensland and the people of Callide by repeatedly trying to kill the Callide C power project for its own ends. After intensive questioning at the parliamentary Budget Estimates committee it emerged that Ministers McGrady and Hamill had broken the law in a second desperate bid to kill the \$800m power generating project at Biloela. The two Ministers had given a directive in writing to public—

**Mr Hayward** interjected.

**Mr SEENEY:** The Ministers have never denied it, despite the fact that I have said it here a number of times, and I will continue to say it.

**Mr DEPUTY SPEAKER:** Order! I remind the member for Callide to speak through the Chair.

**Mr SEENEY:** Thank you, Mr Deputy Speaker. I reserve the right to respond to interjectors.

**Mr DEPUTY SPEAKER:** Order! The member may respond to interjectors, but he should do so through the Chair.

**Mr SEENEY:** Thank you for your direction, Mr Deputy Speaker. The Callide C project has the potential to provide a much-needed boost to the economies of Biloela and the whole central Queensland region, and the member for Rockhampton should be aware of that. It also will provide a very economical source of power for many years to come.

Ministers McGrady and Hamill were prepared to abandon those benefits. They were prepared to abandon our communities in

a desperate bid to help the Chevron gas importation project. It finally transpired that the Government could not stop Callide C, no matter how hard it tried. The Ministers reluctantly conceded to the Budget Estimates committee that the project would proceed in line with the original timetable set out by the coalition Government, which will see the first unit on line in May 2001.

The people of Biloela were then treated to the ultimate display in hypocrisy when in January the Acting Premier turned up on 12 hours' notice to plant a tree to signify the start of the project. He wanted to get himself on the front page of the local paper and claim credit for the economic benefits that are now starting to flow to the whole region.

The issue which has been identified as critical to the long-term economic growth and survival of the communities of the Callide electorate, and which I referred to extensively in my first speech to this House last July, is the provision of water infrastructure. It is in this area that this Labor Government has done most to destroy the hopes and the aspirations of so many of my constituents and so many of the communities in which they live.

There has been a cleverly orchestrated attack on water infrastructure generally by the current Minister for Natural Resources and his Socialist Left faction within the Labor Government. Among the main targets has been the proposed Nathan dam in the Dawson Valley. In their effort to discredit the project and the thorough investigation and planning work done by the previous Government, once again in two and a half short years, they have—

**Mr SCHWARTEN:** Mr Deputy Speaker, I rise to a point of order. The honourable member is misleading the House. The terms of reference of the previous Government's investigation into water infrastructure excluded the downstream users. I ask that the record be corrected accordingly.

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

**Mr SEENEY:** Of course there is no point of order. The member for Rockhampton is wrong. If he cared to read the original environmental report that was done by Hyder Consulting he would realise the error of his ways. He is repeating parrot fashion a lie that has been perpetrated by the Socialist Left faction of the Labor Party in cahoots with the—

**Mr SCHWARTEN:** Mr Deputy Speaker, I rise to a point of order. I am not a member of

the Socialist Left of the Labor Party. I am a member of the Old Guard.

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

**Mr SEENEY:** Of course there is no point of order. I never said that he was a member of the Socialist Left. I will repeat what I said so that he can understand it this time. I said that he is repeating parrot fashion a lie that has been perpetrated by the Socialist Left faction of the Labor Party, in cahoots with the anti-everything conservation groups—

**Mr MICKEL:** Mr Deputy Speaker, I rise to a point of order. There has been a long tradition that the word "lie" has been ruled unparliamentary. I ask you to rule in that way against the member for Callide.

**Mr SEENEY:** That is absolute rubbish, Mr Deputy Speaker. I did not call anyone a liar. I said that there had been a lie perpetrated.

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

**Mr SEENEY:** Of course there is no point of order. If the members opposite would like to make a speech—

**Mr DEPUTY SPEAKER:** Order! I remind the member for Callide to speak through the Chair and get on with the speech.

**Mr SEENEY:** I suggest through the Chair that if the members opposite would like to make a speech, they will have a chance when I am finished.

The dubious anti-everything coalition that was put together to attack this project enthusiastically embraced a leaked draft report from the Great Barrier Reef Marine Park Authority that nobody has yet seen. No-one has been able to read or validate this report, but they claimed it as validation for their emotive, negative fear campaign to stop the development of the Dawson Valley. In doing so they have surely destroyed whatever credibility they may have had to date.

I suggest further that members of the Government such as the member for Rockhampton have completely destroyed any credibility they may have had to date by their continued silence on this issue and by their continued lack of support for a project that will provide enormous benefits to the people the member for Rockhampton represents.

It stretches the limits of creditable belief that this report, apparently commissioned by the Great Barrier Reef Marine Park Authority, supposedly reaches the unlikely conclusion—the member for Rockhampton should listen to this—that a dam on the Dawson River at

Nathan Gorge, 300 kilometres upstream from where it joins the Fitzroy and 500 kilometres from the ocean, will somehow destroy the Great Barrier Reef.

As I said, this report is not yet available for public scrutiny. That has not stopped these groups from hysterically claiming it as reason enough to stop this \$150m infrastructure project, which will secure the economic future of the Dawson Valley and the regional centres which it serves, as well as provide permanent jobs and secure futures for thousands of people.

Initiatives like the whole of catchment Water Allocation Management Plan that the coalition Government developed and individual water users' own land and water management plans will ensure that any negative impacts can be identified and monitored and their effects minimised and mitigated, yet they are given no credit.

We need a Government that will take a sensible, rational approach to achieve sustainable economic growth and development in my electorate. The Minister for Natural Resources should be working with all genuine interest groups to ensure that any problems from projects such as these can be overcome to the benefit of the whole community, rather than using every single imaginable problem—real or otherwise—as an excuse for every project to be abandoned. The people of the Dawson Valley and central Queensland deserve every opportunity to build a sound economic future for themselves and their communities, and the key to that development in the Dawson and Burnett Valleys is a secure, safe, sustainable water supply.

**Mr REYNOLDS:** I rise to a point of order. I ask the member for Callide to stop yelling.

**Mr DEPUTY SPEAKER** (Mr Reeves): Order! There is no point of order. However, the member should calm down a little.

**Mr SEENEY:** I have to speak loudly so that I can be heard over the meaningless, inane interjections of the member for Rockhampton.

**Mr DEPUTY SPEAKER:** Order! The member for Callide will continue his speech.

**Mr SEENEY:** As I said, the key to the development in the Dawson and Burnett Valleys is a secure, safe, sustainable water supply. To achieve that, projects like the Nathan Gorge dam must proceed to fruition and not be held up by noisy minorities staging meaningless media events, or a Labor Government keen to appease factional

interests and looking desperately for excuses not to invest in rural Queensland. Any fair evaluation of the environmental impact studies done to date will recognise their thoroughness and the detail they contain. But for some interest groups and the politicians who are all too keen to pander to them, no amount of study will ever be enough. I welcome the Minister for Natural Resources to the House.

Continuing meaningless calls for more studies have become an excuse not to do anything. Any fair evaluation of the Water Allocation Management Plan document, which sets environmental flow objectives as the first priority, will recognise the degree of environmental protection built into this project from day one. The WAMP document also requires water users, as a condition of their licence, to develop a land and water management plan that will restrict water use to suitable soil types only and achieve a zero discharge of tail water.

It should be recognised that the WAMP document also requires a river management plan to be implemented as a safeguard to monitor water quality and the river environment to ensure environmental flow objectives are being met by the system. As I said before—and I will repeat it again for the benefit of the Minister, who has been kind enough to turn up—absolutely no credit has been given to the fact that those initiatives, developed by the coalition Government, are world-first, groundbreaking initiatives that will ensure that irrigation projects such as the one in the Dawson Valley do not repeat the mistakes that have been made in other areas in the past. These management systems should be given credit for the fact that they will ensure that those mistakes are not repeated, rather than pointing to those mistakes as an excuse not to do anything.

There are some problems with the draft document for the Fitzroy River WAMP, which has been available for comment for some time. I particularly support the Taroom Shire Council's contention that the outcome of the WAMP process has failed to recognise the very legitimate claims of the land-holders in the upper reaches of the Dawson catchment. Equity for these land-holders has always been an important consideration in the planning of this scheme. It is difficult to understand why land-holders above the dam site have been allocated such a small amount of water in the draft WAMP. Any fair evaluation of the situation should recognise the inequity of the proposal to allocate 11,500 megalitres to the region, which provides the catchment for the Nathan storage, while 150,000 megalitres is

allocated for downstream use. This allocation would provide water for only 7,000 hectares of the identified 48,000 hectares available for cropping in the shire but would provide a very significant economic boost for the Taroom area if it were increased to 30,000 megalitres, which is the figure that the Taroom Shire Council included in its submission to the department.

While development in this upstream area may take longer than in areas downstream where the irrigation industry is already established, it is critically important for sufficient allocation to be reserved in the WAMP process for the potential of the Taroom Shire to be realised in the future. It is only fair that the people of the Taroom Shire share in the economic benefits that will flow from the construction of the Nathan Gorge dam. All local stakeholders recognise the fairness of this issue as a once-only opportunity to achieve equity for the people of the Taroom Shire. The Minister must ensure that this issue is addressed in the final draft of the WAMP document.

It has become obvious that the present Government has absolutely no commitment to the implementation of the report of the Water Infrastructure Task Force, set up by the coalition Government, and the Nathan Gorge dam is only one example. It became obvious from the Estimates committee hearing that the funding for the construction of Category 1 projects identified in this report has been slashed from the \$21m proposed by the coalition to a disturbingly low figure of \$7m. \$7m will not build many projects or provide much in the way of badly needed infrastructure in regional Queensland. As I pointed out in my response to those hearings, that infrastructure is badly needed. It is badly needed to provide the jobs and the economic opportunities that come with irrigated agriculture.

A great example of how important the provision of irrigation infrastructure is can be seen in the community of Mundubbera in the central Burnett. Mundubbera, unlike so many other rural centres, is a growing town with many new houses, urban land development, new caravan parks and even a backpackers hostel, which is currently being constructed. It is all derived from irrigated agriculture.

It is particularly disappointing to see the extension of the Jones Weir at Mundubbera still being deliberately delayed awaiting the result of yet another study. The Minister advised the Estimates committee that no projects in the Burnett catchment will proceed until the catchment study and the WAMP

study are completed. This was the complete opposite of the coalition's position, which excluded the Mundubbera Weir from these studies.

As well as these two major catchment-wide studies under way at the moment, each project in the Burnett Valley has been studied individually. While nobody disputes the need for proper planning and studies, I believe there is a widely felt and growing frustration throughout my electorate that these studies have become an ongoing excuse to further delay these projects. No-one disputes the need for studies and public consultation to minimise the costs both in economic and environmental terms. But we as a community need to decide that the development, the jobs and the opportunities that flow from these projects are worth the costs incurred, and we must accept that there always will be costs—both economic costs and environmental costs. We need to do all that we can to reduce those costs, but eventually they will have to be incurred to provide a future for people—real people, who have been totally neglected in the decision-making process or, more correctly, the decision-making manipulation process of this can't do Government.

**Mr Welford:** How do you do that without any studies?

**Mr SEENEY:** I take that interjection from the Minister for Natural Resources. On a number of occasions during this address and in the public arena, I have said that nobody disputes the need for studies. Nobody disputes the need for these things to be done properly. What is happening at the moment, in this Government's attempts to appease factional groups and anti-everything groups, is that studies are being used as an ongoing excuse to do nothing. There will always be groups who will call for more studies.

As I said in my first speech in this place—and I now reiterate it—we in the Callide electorate believe that, in this world of economic rationalism, people matter, too. We do not believe, and we will not accept, that our families and our communities are expendable in the big-picture politics of globalisation. We will not accept that our future should be forfeited to powerful corporate giants and the law-of-the-jungle economic policies, and we will not accept that our future should be sacrificed on the mythical level playing field. We do not believe it is fair and just for our efforts to build a better future to be continually frustrated by single-issue minority groups. We do not believe it is fair and just for our future in rural

Queensland to be denied by yet another Labor Government that is more interested in pandering to single-issue minority groups and appeasing interfactional ideological debate.

In the eight months since the Governor addressed this Parliament, there has been a realisation that the answer to the problems we face in rural and regional Queensland does not lie and never has lain in some sort of regression to the past. The oversimplistic solutions and shallow wish list type policy positions of the Far Right, which would have seen us much worse off in a very short space of time, have been shown to be the false promise they always were. The people of the Callide electorate, like others in rural and regional Queensland, still face the challenge of building a better future for ourselves in today's world, and that challenge has been made incredibly more difficult by the first eight months of this Labor Government. Unfortunately, the all-talk, no-action, can't do Beattie Government is making this task more difficult. Their meaningless rhetoric is delivering nothing to the people of Callide and nothing to the people of Queensland.

**Mrs LIZ CUNNINGHAM** (Gladstone—IND) (2.59 p.m.): In commencing my speech to the motion for the adoption of the Address in Reply I reaffirm my allegiance to the head of State and her representative, the Governor. It is certainly a privilege to participate in a second Address in Reply. The first term in Parliament was unique to say the least, and I look forward to an interesting term of this new Parliament. I would like to take this opportunity to thank some very important people in the most recent election campaign: firstly, my electorate officer, Mrs Kitty McDonald, who works tirelessly for the people in the electorate of Gladstone. She works well in excess of her obligations, and I am thankful to her and her family for their support. I also thank Wendy Goobanko for her continuing support and, again, that of her family. Through her work she keeps the concerns and information flowing.

Many people were part of the process that has afforded me this honour. I would thank each one for their conviction that an Independent could hold the seat and their hard work to see that goal realised. To Wendy Goobanko for her organisation and to the team who assumed the financial side of the campaign, my thanks. To Denis, George, Rod, Lloyd and Val, and Peter and Kerry: thank you for your advice and practical support. On election day, the mammoth task of manning booths was made easy by those who volunteered to take on the responsibility. My thanks for your dedication and support. My

thanks, too, to returning officer Len Radnedge for his fairness and even-handedness in the counting that followed.

I could not have pursued any political aspirations without the support, generosity and patience of my husband and family. My special thanks to John, Wendy, Rebecca and Emma, as they are as much a part of the hard work involved as I, and yet the impact of my work on them is generally not recognised—as is the case for all members. Thanks also to my mum and dad, whose support behind the scenes is greatly appreciated. I would also recognise the many who over time expressed their support and prayers for us during the past term in Government and now. Your generosity and support are appreciated and essential for the responsibilities of this work. Thank you.

My electorate is made up of two local authority areas: Gladstone City and Calliope Shire. Gladstone City has a predominantly urban base, while Calliope is a mix of urban, rural and industry. The port development over the past decade has seen the inclusion of a world-class marina and plans to incorporate a container port facility to complement the coal and product-loading facilities already in operation. Of great concern to the port authority, and consequently to many in the community, is the increased return being required by Government—from 30% to 70%, and ultimately 100%. That financial obligation to Treasury will, to a great extent, affect the port's ability to respond in a timely manner to industrial and community needs. I would certainly encourage a review of that requirement.

Of significant concern in our community is our high youth unemployment rate of around 30%. In addition to Government initiatives, a number of local community leaders launched Jobs Plan '99 only a week or so ago. On the subject of youth unemployment, I would like to acknowledge the Minister for Public Works and Housing, who in one of his early jobs as Minister signed an agreement with the local group apprenticeship scheme to ensure that it received the appropriate number of houses so that that scheme could increase the number of apprentices in the construction industry. I thank the Minister formally for that.

In spite of the problems of youth unemployment, the Gladstone/Calliope community remains positive and supportive of responsible development that recognises the constraints of the area's airshed, watershed and land mass with regard to human, industrial and primary production emissions. Surrounding the City of Gladstone, Calliope

Shire is home to a diverse economy. This diversity has added greatly to the shire's stability throughout the prolonged drought, a drought which, in spite of the rain north and south of us, continues. Awoonga Dam, also in Calliope Shire, is the primary source of both domestic and industrial water supply and serves as an impressive water recreational site for water-based recreation. Previously I have spoken about concerns that the preferred option of the water board was to dam the Calliope River, the other major catchment in our region. Happily, just before Christmas it was announced that the preferred option had been reviewed and the preferred move is to raise the level of Awoonga Dam, which will ensure that sufficient water is available for domestic and industrial development into the future, but it will also protect that second water course in our region—environmentally, socially and in a number of other ways

Tourism is another important component for the region. Although industrial, the coastal and hinterland beauty—especially in good years—offers attractive holiday destinations.

Part of the strength of our region is attributed to our multicultural community—all add a vital dimension to the rich fabric of our past, our present and our future. I have a very active community and I congratulate them on the work that they do, particularly with regard to the multicultural festival.

One must acknowledge the stability of this region and its contribution to the State's and the nation's economy. However, to ensure continuing development it is imperative that diversification of the economic base, complemented by a broadening of the skills base, is planned and achieved. It is imperative that proposals mooted for the area—the PNG gas, Comalco's aluminium smelter, the mooted steel mills and importantly the light metals industry, as outlined in the Premier's statement this morning—are achieved. One looks forward to such an advance into value adding. It will certainly increase not only our job opportunities but our type of work available to a broad cross-section of the people living there.

The seat of Gladstone is a blend of the urban, rural and industrial ethos, with two distinct local authorities varied in their make-up yet cooperative in their activity, resulting in a successful blending of demographics and economics. Demographically my area would represent a cross-section of Queensland: non-skilled, qualified tradespeople, operators, technical officers, and those tertiary trained—the full spectrum of our nation's skills,

their expectations and aspirations. I believe our State's community is looking for—even demanding—representation which reflects the community will even more than the party political will. By that I mean that decision making must be community focused and not focused on that which will, or is perceived to, reinforce the party political agenda as opposed to the community good.

Each Anzac Day and Armistice Day we pay tribute to all who have been part of our many wars. It is my privilege today to again express gratitude for the great contributions made by our parents, grandparents and friends during times of conflict. Through their sacrifice we enjoy peace and prosperity. To those whose fathers, brothers, sons, mothers, daughters or sisters paid the ultimate sacrifice, we say: thank you. To those who are returned servicemen and women, we thank you, for you left our shores as idealistic youths filled with a desire to fight for freedom and democracy. This you did—and successfully—but you have paid over these many years with a torture of memory which we who have not been involved in war could never begin to imagine. To all involved in conflict to ensure our freedom and unfettered way of life: thank you again. May we live worthy of the legacy you have given us.

Over the past decade or so great advances have been made towards recognising the wonderful contribution made to our society by the physically or mentally handicapped. In the shadow of these people live those with a profound disability, and I would express my thanks to them, their carers, support workers and indeed to all who contribute to a better quality of life for these members of our community.

There are a number of issues affecting my electorate that I wish to raise. Developments have occurred as a result of planning by the previous Government and those plans have come to fruition recently. There has also been planning by the current Government for which we are certainly grateful—the high school, the police station, the courthouse and the Calliope pool have added to the quality of life of our residents. To both Governments, I say: thank you. There is still a need for a Calliope police station and I thank the Minister for Police, who has seen fit to accelerate the placement of a prefabricated police station similar to the one in Emu Park that will serve the needs of that community well.

One of the proposals that is currently before the Government is a multipurpose sports centre for the Gladstone area. It is



proposed to be built in conjunction with the PCYC. The previous Government had a submission for a different location and a different building. I know the current Government has now received a submission jointly with the PCYC for a development on that building site. The community will benefit from that in so many ways, not only in terms of sporting events but also social get-togethers; it will be a building where people can hold significant events. They are applying for funding under the national sports facilities program, and I commend that project to the Government.

In common with all communities, Gladstone has a significant ageing community. I have a copy of a petition that has been lodged with the Federal Government with over 3,000 signatures petitioning the Federal Government for funding for more aged care, particularly nursing care facilities, in Gladstone. I certainly support that. I would like to thank the Minister for Housing, Mr Rob Schwarten, for his support to date for a proposal to see land in Philip Street allocated for State Government aged care facilities. There is sufficient land there to see the community well into the future. It is a discrete block of land that will give the residents a high quality of life. It is close to facilities such as shops, doctors, chemists—all of those things that mobile, aged people will be able to access by foot. I look forward to that project developing, and I thank the Minister for his support.

**Mr Schwarten** interjected.

**Mrs LIZ CUNNINGHAM:** That is right. It is an ideal spot, yes. Another matter of concern to our community—and, again, this is a Federal matter—relates to fishermen in my region who have been greatly distressed by Senator Hill's recent comments over the Christmas period. He wants to strip the Queensland Government of the power to administer and manage fisheries. Fishermen have written to me and asked these questions: why has Senator Hill taken a big stick approach to implement a range of managerial changes that are already devised and being implemented by the Queensland Government? Senator Hill and his advisers must not care for the social and economic damage that his actions will have, and the fishermen have listed four: thousands of jobs gone, social displacement, family disorientation and the disastrous flow-on effects to the community at large.

Some of Senator Hill's press releases that I have read imply that nothing has occurred in Queensland in relation to trawl management.

Let me say that nothing could be further from the truth. Already implemented are size limits for fishing vessels, vessel placement restrictions, horsepower restrictions, mesh size limits on trawl nets, net size limits generally, species size limits, nil retention of certain areas and preservation zones. There are areas of the Great Barrier Reef Marine Park where there is no trawling allowed. All trawl vessels must have vessel monitoring systems on board. In certain areas BRDs and TEDs are now compulsory. The other consideration that ameliorates the impact of trawler fishing is the fact that windy weather and rough seas already prevent trawlers from going to work. I believe it is a fisherman's understanding and belief that the Queensland Government is managing that fishery acceptably and well and that the Federal Government should keep its cotton-picking fingers off it.

On numerous occasions I have spoken with the Health Minister about the need for a renal unit in my region. I know that the Health Minister has responded on a number of occasions. However, I reiterate that need. A lot of people in my area travel to Rockhampton to attend the renal unit. Not only does that dislocate those people as patients but they also have to have a carer to accompany them. It often means that if that carer is a spouse, that person cannot hold down a full-time job. Most people travel three days a week. It is a huge impost on them as individuals and as family units. If the renal unit is going to be some time in coming, I ask that people with chronic illnesses—those suffering the types of illnesses which involve a long recuperation period, if there is a recuperation at all—receive an additional travel allowance over and above the allocation made to those who travel regularly for medical treatment. I make that recommendation to the Minister.

Recently, announcements have been made—and I am not too sure by whom—about an intention to get older vehicles off the road. I would like to say on the public record that I oppose that. If vehicles are roadworthy and safe, irrespective of their ages, they should be allowed to remain on the road. The people who are going to be affected are the battlers—the ones who cannot afford a 1999 model Ford, Holden or whatever. They should not be disadvantaged. If their vehicle is sound—and it should be—then why should they not be allowed to drive around in whatever they choose and whatever they can afford? I find that notion to be incomprehensible and unjust as well.

In the final few minutes of my speech, I want to pay tribute to a lady who passed away

over the Christmas period. During my previous term in Government, there were times when things were not particularly comfortable. I would have to say that on every occasion that I met this lady she was courteous and polite, and I appreciated that. I refer to Mary Hanson, wife of Marty. I would like to quote from a eulogy that was given by her son, Patrick Hanson. He stated—

"Mary Elizabeth Hanson was born in her parents bedroom at Cairns Terrace, Paddington on the 13th February 1924, the second child of Ned and Elizabeth Hanlon. Her childhood home held fond memories for our mother. It was a poor neighbourhood of Irish Catholic relatives and friends where economic hardship could never quell the laughter and sense of community—a magical place where mum, as a little 3 year old girl, could sit on the back stairs and imagine she flew over the young city of Brisbane around the then tallest structure, the spiral on the top of the Greek Orthodox Church.

As the Hanlon family grew, with Hannah, Mum's elder sister, and Julie, Pat and Teddy, her younger sister and brothers, they moved out of their small cottage and into a three bedroom home at...Paddington which has remained to this day a Hanlon family home giving Mum great pleasure to return throughout her life where she was so lovingly welcomed by her brother Pat and his family.

Her life in those years was full of happy memories; robust political discussion and activity; and a growing involvement in the service of her community.

...

Mum attended Rosalie Convent and All Hallows College where she developed lifelong friendships which brought her so much joy and happiness. On leaving school she acquired a clerical position at the Department of Agriculture. She often recalled fondly her experiences working at the front desk, issuing milk allocations to vendors during the war. She especially recalled one bold young man who complained bitterly about his allocation and then tried it on by telling her if he didn't receive more, he would be taking the matter to his uncle, the then Treasurer Ned Hanlon!

In 1942, Mum began training in her chosen career of nursing at the Mater Hospital. She had a lifelong passion for

matters relating to health and nutrition. We were always in the best of care with Mum as our family nurse! In 1946, only three months after Ned became Premier, tragedy struck again when her mother died suddenly. Mum put on hold her nursing career and developing romance with young returned airman Martin Hanson of Gladstone, whom she had first met as a teenager at a GPS sports meeting, where Martin was a representative of Nudgee College. She set out to fill the gap left by her mother's passing, both at home and with public responsibilities as hostess for her father the Premier. She met royalty and people with desperate problems. As we now know, they can both be one and the same.

In chairing the Premier's welfare committee she was working with women of more mature years, wives of senior cabinet ministers and prominent citizens. Their respect and affection for her late mother fortified her, but she soon earned that for herself as she demonstrated her interest in and regard for people of every level."

I cannot read into Hansard all that I want to. Suffice to say that the eulogy outlines Mary Hanson's history and the fact that, in the days when there was not support in the electorate, when Marty became a member of Parliament, she fulfilled the role of electorate officer and companion to Marty with great determination and great success.

As Mary got older and become more frail, the eulogy states further that she—

"... returned to Brisbane, the city of her birth, and renewed many childhood friendships ... She never stopped placing others before herself, right up to and even beyond the time of her diagnosis with terminal illness."

The eulogy goes on to talk about Mary's commitment to her faith as unswerving—

"The truth that we are all children of God, each of us unique, each of us equal in dignity, was the foundation of her political life."

The eulogy to Mary received a great deal of support at her funeral. It was a big funeral, deservedly, and I would like to place on record my community's appreciation not only of Marty but also of Mary for her unswerving support.

I am convinced of the value of the role of Independents in Government. That is an obvious statement. However, the role of

decision making is a team job—a job of representing our electorates and our people, providing them with personal values, behavioural parameters and legislative guidelines which are clear, definable, just and achievable. I trust that as part of this 49th Parliament, we will be characterised by representative decision making, by consideration of issues based on community benefit and not introspective benefit. I trust that each one of us here is big enough to accept this challenge that the community has so clearly given us.

**Mr PAFF** (Ipswich West—ONP) (3.20 p.m.): I rise to speak in the Address in Reply debate. I pledge my loyalty to the Queen and the Governor. It is a great pleasure to be elected to this House by the electors of Ipswich West who saw fit to elect me in place of Labor and to end decades of Labor Party rule.

Democracy was dealt a severe blow in Queensland today when I was forced to resign from the Parliamentary Criminal Justice Committee for telling the truth about leaks from the Criminal Justice Commission. I decided to resign my post on the PCJC at the start of today's sittings of the House because I know that the Government and the Opposition had colluded to sack me. I could see that the Beattie Government and the Borbidge-led National/Liberal Opposition had decided to play a numbers game against justice instead of upholding the principles of law. Let us remember that those principles of law are supposed to protect all Queenslanders.

My electors saw Labor as simply an updated version of the old rump that ruled Queensland so badly for so many years—extreme, arrogant and totally without scruples. Under Labor, Ipswich West saw the closure of the Ipswich railway workshops. This resulted in the retrenchment of hundreds of workers and damaged the local economy. Mines have been closing after having been bought by the Japanese. Big business has been buying up Australian firms. All this time the Labor Party could not care less about workers and the city so long as it could push its extremist barrow of vilification politics.

The Labor Party does not have any policies except those of retrenchment and envy. Labor's only lasting policy is the policy of vilification. This is the policy it has vigorously applied to One Nation ever since Pauline Hanson exposed Labor's extremism, its slavish devotion to economic rationalism and its promotion of deceitful political correctness in this nation.

It is a wonderful situation that the heartland of the Labor Party is awakening to Labor's essential bigotry with regard to anything Australian and its almost incestuous love of anything non-Australian. Labor has been bad-mouthing Australia for decades and getting away with it because the coalition has not had the backbone to call a bigot a bigot. Instead, the coalition crawls into bed with the bigots.

Yesterday, a Labor member said that he wanted a foreign republic imposed upon Australia. However, only hours ago he swore undying allegiance to our Queen, her heirs and successors forever. Today he has forsaken those words for the words of an extremist betrayer—

**Mr Seeney:** Who?

**Mr PAFF:** That gentleman over there.

**Mr Seeney:** There are no gentlemen over there.

**Mr PAFF:** Thank you. You are right about that. His policy is that of the old Communist Party. How extreme can one get! Many members of this House must have been surprised to hear the outburst and the intemperate remarks of the member for Rockhampton yesterday. It is hard to comprehend what the honourable member says at the best of times, but the one thing I want to impress upon honourable members is that I do not attack the Police Service as do so many of those on the Labor side of this House. If the honourable member wants to do something worthwhile, he can go back to Rockhampton and do something to fix the city that is so run down under his care. Rockhampton is notorious for drunks lying about the streets. It is a city that cries out for a good paint job.

Labor was the party that tried to do away with the Criminal Justice Commission but it was shouted down by the coalition which screamed corruption. Similarly, the coalition tried to disband the CJC but it was shouted down by the Labor Party who again raised the tired old dirge about going back to the Joh years. Thank God that at that time Labor was in the wilderness with its child molesting leader, Keith Wright—also a member for Rockhampton. This so frightened the coalition that its members nearly collapsed into a heap of whimpering and quivering protoplasm.

**Government members** interjected.

**Mr PAFF:** Go back to school. It is a disgrace that the CJC has cost the people of Queensland some \$300m-odd, give or take a few million, in the last 10 years. What we have

today is a feather duster police force, fat solicitors, even fatter Labor lawyers and their accompanying barristers, and a parking ticket or two as a record of crime fighting. This is a total waste of public money.

We now have in place a Parliamentary Criminal Justice Commissioner, a crime section under an Assistant Commissioner for Police, a police professional standards unit and the Director of Public Prosecutions. It seems that in order to control crime and corruption in this State we need five bodies which cost the State some \$60m a year. However, the only result we seem to have achieved is that the State has a rising crime rate, a poor hospital system, local government councils crying out for resources and a CJC that is eating up ever increasingly large amounts of money.

It would appear that the CJC is now so politicised that the Government of the day wants to control its functions. The Government does so through its political mates. The Government uses the PCJC, its mates inside the CJC and its mates in the media.

**Mr LUCAS:** I rise to a point of order. I find the member's remarks offensive and untrue and I would ask that he withdraw them.

**Mr PAFF:** Which parts is he asking to be withdrawn?

**Mr LUCAS:** Reflections on the Parliamentary Criminal Justice Committee.

**Mr PAFF:** I withdraw the part about their mates inside the PCJC. The CJC leaks information like a sieve. When political information is involved, it leaks even faster. These leaks jeopardise the lives of many people who are critical to crime fighting in Queensland. These leaks have caused suicides and the destruction of families. But the PCJC, the Government and the CJC have done little or nothing to root out these party political leaks.

The people of the electorate of Ipswich West are well aware of the Labor Government's past. They are aware of its incredible record of failure. The previous Labor member for Ipswich West was universally known as "Lazy" Livingstone, the slowest gun in the west. Custer could not have wished for a better Indian. Labor did not do anything for Ipswich West because Labor took the electorate for granted.

I was happy to have Labor as an opponent. I am happy to serve the people of Ipswich West, to expose the extremism of Labor and to expose its disregard for the working man. I am pleased—

**Mr Schwarten:** I didn't go to work drunk on duty like you.

**Mr PAFF:** Are you a drunk? I do believe you are.

**Mr DEPUTY SPEAKER** (Mr Reeves): Order!

**Mr Schwarten** interjected.

**Mr PAFF:** I have seen you in that condition.

**Mr DEPUTY SPEAKER:** Order! The Minister for Public Works!

**Mr PAFF:** I am pleased to expose the essential failure of the CJC and its many tentacles. Thank you.

**Mr BLACK** (Whitsunday—ONP) (3.29 p.m.): Today I take the opportunity provided by the Address in Reply debate to pledge my loyalty to Her Majesty the Queen and also to pay tribute to the Governor and thank him for his blessing of this House. I thank the people of Whitsunday for having faith in me and electing me to this Parliament. After nine years of travail and the handicap of having a Labor representative, the people are now enjoying the dedicated representation of a One Nation member. I thank my wife, Veronica, and my adult family—David, Dianne and Sandra—for their support. I thank also my campaign manager, Frank Collingwood, and the many enthusiastic and hardworking helpers who made my election possible.

In addition to being one of the most beautiful areas in Queensland, the electorate of Whitsunday is possibly one of the most diverse in the State. Major industries in our district include tourism, cane growing, sugar milling, small crop growing, coalmining, power generation and beef cattle production. There is also a meatworks at Bowen, which was originally owned by Thomas Borthwick and Sons—a family company—which now of course is under Japanese control. It is quite an efficient meatworks, but the great tragedy is that, because of an ongoing dispute and the apparent reluctance of the company to negotiate with the workers, it lies idle, having cost the jobs of 400 local people. The ramifications are enormous not only for the retrenched meatworkers and their families but also for the employers and employees of the vast number of associated businesses and also the cattle producers from Proserpine, Collinsville and Bowen.

Climatic and seasonal conditions in this area can be very extreme, with droughts quite often followed by torrential rain and severe flooding. However, cattlemen are a resilient lot. They have an incredible ability to cope with

anything nature can throw at them and even most things that uncaring Governments have inflicted upon them. But they certainly do not need the added impost of extra transport costs when marketing their cattle further afield. The irony is that the same company owns the meatworks in Mackay, which is still operating and providing the same enormous economic benefits to that community that are now denied to the people of the Whitsunday electorate.

Tourism is another major employer in the Whitsundays, with major resorts on the northern beaches of Mackay, Laguna Quays at Midge Point, Airlie Beach, Bowen and the world-class resorts on the beautiful Whitsunday islands. I call on the Minister for Tourism to provide any assistance he can in developing the outstanding potential of these water-based tourism opportunities. The economic contribution to the region and to the State of Queensland that is derived from tourism in my electorate would be considerably higher than the State average of one job for every nine. The opportunities for ecotourism are enormous, and with support and encouragement it will be a major contributor to the regional and State economies.

Twenty years ago the resorts closed through the wet season, making tourism very seasonal. With aquatic facilities now complemented by land-based attractions, such as the ability to experience working cattle properties and other rural pursuits, we have attractions to suit anyone in basically all types of weather. The ecotourism sector needs a kick-start, and it is very important that this opportunity is not missed; as the Premier well knows, tourism means jobs, jobs, jobs.

It would be remiss of me not to mention the sterling efforts of Mario Demartini, the Mayor of the Shire of Whitsunday, and his councillors and staff; Mike Brunner, the Mayor of Bowen Shire, his councillors and staff; and Julie Boyd, the Mayor of the Mackay City Council, and her councillors and staff. Those three local government areas make up the electorate of Whitsunday.

All of our primary industries have suffered difficult times, both in terms of seasonal difficulties and declining commodity prices. Over the past six months, the sugar industry in particular has suffered greatly due to unseasonal rain, which has meant that a vast amount of cane has been left in the paddocks. The price of sugar is at an all-time low, and this means that fewer dollars will be spent.

The Bowen and Collinsville areas have available good farming land, but it needs

water. I believe that either the Urana dam proposal or the Burdekin channel need to be looked at urgently. The potential for jobs in this area is enormous.

**Mr HEGARTY** (Redlands—NPA) (3.35 p.m.): It gives me pleasure to speak to the motion for the adoption of the Address in Reply. I take this opportunity to reaffirm my allegiance and that of the people in my electorate of Redlands to Her Majesty the Queen and pass on my best wishes to her representative in Queensland, His Excellency the Governor, Major General Arnison.

I wish also to record my gratitude, albeit belatedly after the State election in June last year, to the people of my electorate for the confidence they have placed in me to represent them again in this House for a further term. Naturally, I continue to work hard for their benefit and interests, as I have done in the past.

The recent State election was a rather unusual one and also produced some interesting results. Putting that to one side, I acknowledge that the democratic process was carried out, and whoever is elected to this House represents the people in the electorate for which they stood.

I acknowledge the people in my electorate who assisted me in the State election campaign, particularly my campaign manager, Ken Smith, and his committee, who assisted me greatly in achieving my re-election. I wish to acknowledge my electorate officers Glenys Head and Elizabeth Hickey who provide invaluable support to me and my constituents. I wish also to acknowledge the support of my family—my wife, Joan, and my children, Tanya and Jason—for their assistance and support. It goes without saying that the partners of all members of this House play a fairly prominent role. To a large extent, their life revolves around the activities that we as members have to perform as part of our daily lives.

Historically, the electorate of Redlands has been a farming area. However, people familiar with the area would know that in recent times it is becoming urbanised very rapidly. Last year, the Redland Shire Council altered its strategic plan, enabling further farmlands to be developed into residential development. That is a sad thing for most people in the area, the farmers in particular. Some of them have not been able to maintain the income levels they would have liked due to competition from larger holdings further west and in the north of the State, which produce crops more cheaply because of their larger scale.

Fortunately, although we have seen the loss of some very good agricultural land in the Redlands, we have been able to retain a fairly large tract of bushland, which incorporates much of the southern part of the Redland Shire, which is in my electorate. It has been retained in its present form with the assistance of the current strategic plan and the State planning policy that was put in place by the former Goss Government and reaffirmed by the former Borbidge Government. That will provide some protection for that environmental area. It will create a buffer from residential development and provide a refuge for the flora and fauna inhabiting it.

Over the past two and a half years, the coalition Government of which I was proud to be a member made significant achievements of benefit to my electorate. It would be remiss of me not to mention a couple, not all of which are in my electorate but which service my electorate. Recently, I had the pleasure of attending the opening of the Redland Hospital, a \$47m project which increased the hospital's capacity from a 40-bed to a 144-bed hospital. It is providing a much-needed facility for Redlands residents. That hospital will provide a lot of services that previously people had to travel to the PA or the RBH to receive. Residents in the southern part of the shire do not have ready access to the rail network. Although the bus network is improving, people had to undertake a long journey to the city—that is especially arduous for the frail and elderly—to receive outpatient treatment at a hospital, for example, medication and supervision.

The hospital will also be expanding, owing to negotiations that were commenced under the previous Government but have just been finalised with the Sisters of Mercy. A private hospital is now going to be co-located at the Redland Hospital. It will again provide extra beds. The services will be able to be utilised by the public hospital and eventually, I understand, the private hospital will revert to public ownership in, I think, 30 years' time. So that is a great benefit for the State in its provision of medical services.

The police station and courthouse at Cleveland was also an initiative of the coalition Government. It was funded in 1996. Whilst it was only just completed in recent months and opened only last month, it will again provide a service for the Redland Shire, which incorporates my electorate. The courthouse is complementary to the police station, as I expect will be the trend in future developments of that type, which ensures a safe and secure passage of prisoners from the watch-house to

the courthouse via an underground tunnel. The police station itself is a much larger and more work-conducive premises than the old one was, the old one being an historic building that was added on to, with a temporary building added on to that. It has actually been said that some officers could not work inside during their shift because of the lack of space. That is a fairly critical situation, I think all members would agree, when we recognise the very hard and essential job that police officers in this State carry out.

I turn now to the southern Moreton Bay islands, which are incorporated in my electorate. A planning study was initially instigated by the former Goss Government and was carried on by the Borbidge Government in conjunction with the Redland Shire Council, which funded a study looking at the long-term potential development of those islands. For those members who are unfamiliar with that area, I point out that the islands are in the Moreton Bay Marine Park, a significant area bordering south-east Queensland which provides a lot of pleasure, not to mention a fair amount of economic wealth by way of marine produce not only for our own local consumption but also for export.

The history of the islands goes back to the early seventies when they were developed as Crown land and subsequently handed over to the Redland Shire Council for their administration. Unfortunately, as was common at the time I guess throughout Queensland and perhaps throughout Australia, the development requirements were not as stringent or as encompassing as they are today. As a result, those islands do not enjoy the facilities and infrastructure that is required today.

The Redland Shire Council has now adopted the recommendations that came from that study, which concluded last year. Some interest has been shown by the Federal Government in assisting to protect the marine environment in Moreton Bay. It is now being put to the Minister that he should accept the report and the recommendations and provide some funding for the council. The Federal Government has indicated its willingness to provide some financial assistance conditional upon the State Government taking the lead in that regard.

I have written to the Minister, the Honourable Terry Mackenroth, and I am pleased to report that I have received a reply just today. Whilst it does not guarantee his financial support, at least it acknowledges that his department is still working through the

issue. I take the view from that reply that the Minister is looking at it favourably. I would like to put on record that, while the study was being undertaken, the previous Borbidge/Sheldon Government gave a qualified indication of its financial support, depending on the outcome of the study. We now need some relatively quick response so that both the local council and the Federal Government can make budgetary provisions in their forthcoming Budgets to enable some of that infrastructure, land acquisition or whatever is required to be implemented.

The other issue allied with the Moreton Bay Marine Park, which I again will highlight to the Minister for Primary Industries, is the proposal to minimise the amount of fishing that has taken place there, especially by amateur fishermen. We realise that a lot of commercial fishermen depend on this resource for a living. Under the previous Government there was an initiative whereby we offered to buy back a number of licences to minimise the impact of that particular industry on a limited and, I guess, finite resource. The amateur fishermen are also having a fairly large impact on the fish resources of the bay.

Whilst we have to recognise that fishing is an activity that many people enjoy by way of recreation with perhaps a little bit of provision for their own consumption, the cumulative effect of that, of course, has almost as much effect as large-scale fishing. I understand that there are proposals to have a bucket limit or a weight limit per boat to try to minimise that. I think that most people in this House would realise that the average family can consume only so much in a certain space of time without having to give the produce to friends and neighbours or, in the end, just throwing it out if it cannot be consumed. I think that most reasonable amateur fishermen would accept that, yes, they can fish, but they have a responsibility to take only what could be regarded as a reasonable quantity for personal consumption.

It has, however, been brought to my attention on a couple of occasions that there are certain elements in society who, whilst not actually being categorised as commercial fishermen and not having a licence to be one, operate in a semi-commercial way. In order to meet the requirement as to catch quantity, they are doing what the larger ocean-going fishing nations do, that is, having a mother ship arrangement. They will go out and fish till they reach their maximum allowable quantity. Then they will pass that amount on to a mother boat, thereby achieving compliance. With a fast speedboat, there would be a

chance of them not being detected by the Fisheries inspectors. We have to look at that. If we are going to regulate the vast majority, there has to be sufficient policing of the recalcitrants who are not prepared to play by the rules and who diminish the resource which is there for the benefit of everyone.

There is a problem arising in my electorate in relation to law and order. Responsibility for the southern Moreton Bay islands, which used to come within the jurisdiction of the water police operating from Redland Bay, has been transferred recently to the Cleveland Police Station. Whilst the officers there do an excellent job, it would be no surprise to members to learn that, in common with the rest of the State, they are fairly pressed owing to limited manpower. In fact, it has been highlighted by both the previous Borbidge/Sheldon Government and the previous Goss Government that the Wynnum Police District, which covers the Cleveland Police Division, has the lowest police to population ratio in the State. Of course, this was brought up on both sides as a reason for increasing police numbers.

I am sorry to say that the present manning levels in both the Cleveland and Redland Bay stations have actually been reduced because of transfers and people filling in acting positions at other stations. That is causing an enormous problem in my electorate and, as I said before, particularly the southern Moreton Bay islands. I ask the Minister to have the water police at Redland Bay instructed to resume responsibility for those southern Moreton Bay islands. The travelling time between Redland Bay and the islands is about 10 or 12 minutes, whereas from Cleveland it is approximately 20 minutes. That 8 or 10 minutes' response time can be quite critical in a number of cases.

The people on the islands feel fairly isolated. I think all members here would understand that if people who live on the mainland feel threatened or intimidated and they do not want a confrontation, they can easily move away. They can get in their cars and get away from the situation if it is in a residential location. People living on an island cannot do that. Everyone knows where everyone else is. For that reason, the people there require and are entitled to the degree of security and peace of mind that I think we would all expect in living our day-to-day lives.

In conclusion, I restate my thanks to the people of my electorate for supporting me at last year's State election and again assure them of my very best intention to work hard in

their interests to make the electorate of Redlands a better place to live.

**Mrs SHELDON** (Caloundra—LP) (3.50 p.m.): I welcome this opportunity to speak in the Address in Reply debate. At the outset, I express my respect and best wishes to our Governor, Peter Arnison, and to his wife, Barbara. They are to be congratulated on the work they do, on the role they play in our community, on the respect they have from the community and on the very professional manner in which they give considerably of their time. I think we are very fortunate to have such a great Governor and his wife doing the job they do for us.

I will concentrate on a number of issues pertinent to the electorate of Caloundra. I am very thankful to the members of my constituency that in the last election they saw fit to re-elect me with an increase in my majority of over 2%. I think that is a pretty fair result in light of the fact that the great majority of seats right across the spectrum lost quite considerable percentages.

Caloundra is a growing electorate. It is in one of the fastest growing corridors in the State. As such, there is a great need for services and for infrastructure. I have been very conscious of this since becoming a member of Parliament, and in Government I tried to correct the wrongs that had occurred when Labor was in Government. These wrongs were virtually to ignore the seat of Caloundra, to ignore justice and equity and to not give the people equity and their rights when it came to services and to infrastructure. In the time the coalition was in Government I tried to right that wrong, and we are currently seeing some of the fruits of that.

I will discuss the situation in regard to a possible rail corridor on the Sunshine Coast. Many years ago, when I was president of the Chamber of Commerce and Bruce Laming was a member of the Caloundra City Council, the concept of putting aside a rail corridor on the Sunshine Coast was put forward. It is a growing area and community. We knew that there would be a need and we wanted the corridor put down while it could be put down, through areas that were predominantly government-owned forest areas and areas where development may occur but at that stage had not. This would have caused minimum disruption to the people who lived in these areas all the way up the coast.

At that stage it was envisaged that the rail line would come in from Landsborough, go up through near Corbould Park, cross the highway, go into the multimodal corridor which

has been subsequently designated on the north side of the Caloundra Road, swing up through the back of Kawana Estate's development, go into the back area of Maroochydore and then go back out to the main Nambour line at some point.

As members would know, there was a railway to the Gold Coast. That has been put down again and subsequently reopened. It is obviously a very good service to those people. With the growth that is predicted to occur on the Sunshine Coast, it is vital that we have such a corridor and such a railway servicing the area. That is the background to this issue. Nothing had been done. When we came to Government I asked the then Minister, Vaughan Johnson, if he would speed up the process of putting down this corridor so that developers proposing developments and councils drawing up city plans would be able to say, "This is where the corridor will be when the time is right—when there is the need and when the population has grown to that level."

What was put in place then is commonly known as CAMCOS. That was a group of Transport officials and consultants called Ove Arup. Its charter was to consult with the community, as must be done under departmental guidelines, and find out what the people of the Sunshine Coast required and the best place for this corridor. It was certainly given a directive that there had to be absolutely minimum to nil interruption of the lives of people who currently live in that area.

It finally came back with three options. I will deal with the options as they affect the electorate of Caloundra. Other members may well wish to speak on how the corridor options would affect their north coast electorates. CAMCOS came back with the finding that there would be a rail corridor starting not from Landsborough but in fact at Beerwah. I know that the people in Landsborough were a little concerned about this because they felt Landsborough would be a reasonable place to start. They have a growing corridor town there. Possibly we need more information from CAMCOS about that. Currently, however, all the corridors would start at Beerwah. The contentious situation in Caloundra is that there are two or, in the consultant's words, two and a half corridors to be considered for the Caloundra part of this rail corridor.

I will give a brief outline of the proposed routes. The first would come in from Beerwah, go in at the back of Pelican Waters, go in at the back of Golden Beach, cross Caloundra Road near the Nicklin Way, go across—it would have to be on a gradient—industrial



land currently mainly owned by the council but also privately owned, tunnel through Sugarbag Road, which is predominantly rock and has residents on and around it, and then come out the other side into what is currently now called the Aroona corridor. When I first saw that option I had grave concerns, and I will discuss them further in a moment.

The other corridor option would come in from Beerwah, come through what is predominantly Government reserve forest and land that is owned by developers but does not have development plans currently approved—still, that is for the future—come near Corbould Park racecourse so that it could be accessed by the racing fraternity, which is very keen to have that there, cross Caloundra Road, hook into the designated multimodal corridor and proceed north.

**Mr Nuttall:** That is a better option.

**Mrs SHELDON:** It is a much better option. It would seem, though nobody will say so, that there is a preference on the part of CAMCOS for the eastern option, and that is the one that concerns my constituents. It is no wonder they are concerned. This Caloundra West/Aroona option, if that is what comes about, would affect a number of people in that area. These people bought their homes in the full knowledge—and it was told to them—that this was a very peaceful area. Many of them look out onto rainforest at the back of their homes. That area has been there for some time. Quite a bit of it is owned by the council and has been designated in the future to be park reserve. It is obviously park now. The home owners bought there for the reason that this is a lovely quiet, peaceful area in which to bring up their children. These are hardworking men and women who mostly have their life savings in their homes and are currently working to pay off their homes. Now they find that they may have a corridor in their backyards.

I do not believe that this injustice can be allowed to occur. I ask members to look at the process that has taken place. Their concerns and my concerns are that inadequate information has been given to those people. Yes, CAMCOS went through a prescribed form of consultation. Advertisements were placed in newspapers. There were also some advertisements on the radio. This went on over a period of time. But this was a three-staged development, and the third stage was to be when a corridor option was going to be selected. At that stage, people themselves personally had to be informed.

My concern was that we can put advertisements in newspapers, but a lot of

people do not buy newspapers. We can say things on the radio, but people will hear them only if they are listening to that particular radio program. Very little information was put on television. A shopfront was set up in Caloundra—because I asked for that—setting out the options on a map. But as for information to the individual constituents, that very obviously did not occur.

When we were in Government, I had various meetings with the Minister, with my director-general, with Vaughan Johnson's director-general and with operatives from CAMCOS. Both Vaughan Johnson and I expressed our concerns about how the Caloundra West/Aroona option would affect the lives of those people. We asked that they be adequately informed so that they could lodge submissions, but this just did not occur.

I had a meeting with CAMCOS on 18 December during which I raised my concerns about this. I asked could the homes that would be adversely affected be letterbox dropped. And by "adversely affected", I meant not just those under the railway line who will be paid out when their properties are resumed, but all the constituents whose homes border the corridor, who will be adversely affected by noise pollution, by visual pollution and by devaluation of their properties. Those people will get no compensation, and that is the great majority of the people who will be affected. I asked for a letterbox drop, which would include a letter from me, to be done to those people. I said, "If you can't do this, if you give me the information I will post it to every resident. You give me their names." I was told by CAMCOS that this could affect people in a 500-metre corridor on either side of the actual prescribed corridor. That came, in their own words, to between 700 and 800 people.

That letterbox drop was considerably delayed. The fact was that, when a newsletter went out, it stated that the cut-off time for when people could lodge submissions of objection would be 22 December. After consultation with me, CAMCOS and the Minister agreed that that would be extended to the end of January. By 21 January, there had still been no letterbox drop. So I asked for that to be extended to the end of February. CAMCOS then did a letterbox drop to those people and I wrote individually to all those people. That was when their real concerns started because, in their own words, that was the first time that they had been adequately informed and could lodge submissions and objections to CAMCOS.

I then asked for the time for submissions to be extended until the end of February, because the information did not arrive until the last week in January. At a public meeting of these residents—and the residents have got themselves into a very well-organised action group that does not want that corridor—they asked whether the process could be extended until the end of March so that they had adequate time within which to lodge their submissions. Let us face it, we are not looking at putting a rail line down there—in the words of CAMCOS—until the end of 2010 or 2011. That is an option that they see in the future.

What must happen is that these people must be listened to. It has been said—and it has been attributed to the consultants, but I have not been told this personally by them—that sometimes the minority has to suffer for the greater good. Frankly, I do not think that is good enough. I believe that when people have bought their homes in good faith they should not be told that, "For the greater good, you're going to have a railway thundering past your house." I would not like that, and I am sure that no member would. And I do not think that it is fair to those people when there is a perfectly good alternative option.

The latest thing that is being said, or the implication that is being made, is that if this is going to be too much of a problem possibly there will be no rail corridor. I emphasise that this is not an option. The Caloundra West/Aroona residents do not regard that as an option. They believe that they do need a rail corridor and a rail system but, naturally, they want it to be the Corbould Park option.

I have written to all residents who I have been told by CAMCOS could possibly be adversely affected by a corridor that went near Corbould Park. So far I have received only six replies from people who have some concerns about that. They are justifiable concerns, and I will follow them up with the consultants. But at a public meeting held not long ago there were over 300 people who were very concerned about their homes being affected in that Caloundra West/Aroona corridor.

I think that what has to happen is that the consultants literally have to do their job and consult; that prior preferences should not be put in place; that people should be listened to; and that their rights should be adhered to. The Minister has agreed to extend the option to 21 March, not 31 March. At a meeting in the council chambers, which was held between representatives of CAMCOS, the Minister, his adviser, myself and representatives of this

action group and the mayor, the Minister said that a decision in principle would be taken two weeks after the cut-off time, which is now 21 March, and that then detailed EISs, etc., would be done of the preferred rail corridor—only that corridor.

A flyer that was sent out only this week and letterbox dropped in homes now says that the Minister for Transport and Minister for Main Roads is expected to make an announcement on the corridor options by the end of March 1999. That is only one week after the close of submissions. It is not realistic. It makes the people in my electorate ask, "How genuine is this Minister and are these consultants if they are not even going to take two weeks to review the submissions before a decision is taken on which is the corridor option?"

I reiterate that there is no mad rush. This is not a railway that is going to be put down next week. It is going to be put down in the future. In the words of the consultants, it will be a double-line heavy rail gauge. There is concern that freight could come in on that line, although I think that is not the real intention at this time—and that should be said. Nevertheless, freight could be carried on the line in the future, particularly if the loop does eventually go out to the Nambour line. It is the consultants' considered opinion that eventually it will. They say that diesel trains will not go on the line. If they are on the main line north, certainly they can come in on that line. We are talking about in the future, when possibly those consultants will not even be around, but the people who have the railway will be.

A question was asked about a loop. Apparently this option was discarded due to the high-cost engineering constraints and impact on canelands. But, when asked at various public meetings did they think that a loop could occur in the future, the consultants certainly said that yes, they thought it could, and they thought that that would make more sense. And in many ways, it would. They talk about express services to Brisbane during weekdays, which is good; regular all-stop services for local commuters; and trains needing to run about half-hourly during peak hours and hourly during off-peak times. They talk about speeds of 100 km/h and having the tilt train on that line. All those things are good, but they are not good if they are running right next to one's home. That is why the Caloundra West/Aroona corridor is not really an option. The Corbould Park option is a very good option.

Some concern has been raised that this would draw business out of the Caloundra

CBD. Those members who are familiar with Caloundra would know that, even if the Aroona option went ahead, there would have to be a park and ride near the roundabout at Nicklin Way, actually near the current Caloundra Airport. So people are going to have to get into their cars and drive anyhow. It is only four minutes more—I have timed it—to Corbould Park. Why not do that and not create this problem? People are going to have to park and ride anyhow; they are not going to be able to walk from home to the railway or from the shops to the railway. So that is not an option that can be considered.

There are environmental concerns about the Aroona option, particularly how it would affect Bells Creek if it went near the back of Pelican Waters. Those concerns have been acknowledged by the Transport Department, but I do not know what is going to be done about them. There are obvious concerns about pollution from a rail service and there are environmental concerns about the destruction of a rainforest and of a naturally green environment that we need in a growing area such as Caloundra. It is essential that these concerns are listened to; but more importantly, it is essential that they are acted upon. The Minister has agreed to come to a public meeting on 22 March. I will be there. Unfortunately, it is after the time for submissions closes. I think it would have been more realistic if it had been before. But he has agreed to come. I ask him as the Minister to make sure that he is making this decision, not CAMCOS, and that he looks at justice and equity for the constituents in my electorate and does not just listen to the economic rationalists who may be in the Transport Department but who have very few concerns about how this sort of thing can impact on the lives of very genuine working men and women and their children.

I reiterate that no corridor is not an option. We need a corridor. Corbould Park is an obvious solution. I ask the Minister to give it his serious consideration.

**Mr SULLIVAN** (Chermside—ALP) (4.10 p.m.): I rise to speak in this Chamber in the Address in Reply. I acknowledge that we are replying to the Governor's address under the current status of a constitutional monarchy, and I will continue to work within the current framework while it remains so. However, I also indicate to the Governor and to the people in my electorate my desire for Australia to become a republic. Later in the year, I will be voting accordingly when the referendum is put before us.

I am disappointed that our Prime Minister, John Howard, has dragged his heels. With his approach he has tried to drag Australia back from the next millennium into the 1950s. He has done everything possible, such as appointing certain people to the Constitutional Convention, to slow down and to white-ant any change that would bring about a republic. I am disappointed in his retrograde steps. I hope that the people of Australia will move to change that. The question that he proposes to put, of course, has been worded in such a way as to introduce about five or six elements—all of which are opposed by some people. I believe that has been a deliberate attempt by the Prime Minister to undermine the republican cause. It is a shame that he does not see that Australia has grown up as a nation and can stand on its own feet.

Since this Parliament last met there have been a number of significant developments within the Chermside electorate. I will take a few minutes to detail some of them. The Chermside historical precinct is in the process of being established. This has been a combined effort of the Chermside and Districts Historical Society, the Kedron-Wavell Services Club, the Kedron-Wavell RSL sub-branch, Westfield, and local, State and Federal parliamentarians from both sides of the political divide in the Chermside area. The plan is to build on an already established area in 7th Brigade Park near the eastern end of Banfield Street where the old sea scout building is located. The sub-branch president, Jim Whalen, and volunteer workers did a tremendous amount of work to improve what was in recent years a dilapidated building. A Maori cultural centre has been established in that building.

In a very moving ceremony a few weekends ago, the traditional Aboriginal people of Australia and the Maori people of New Zealand, through their representatives, and the local community had a wonderful gathering where together we shared each other's culture and spiritual experience. This area will be for community use. There are currently major proposals to relocate a drill hall that had connections with the 9th Battalion of the 7th Brigade. That drill hall would be relocated within the historical precinct in the 7th Brigade Park.

The third element of the precinct would be the relocation of the original classrooms of the Chermside State School. The school was closed a few years ago when the population dropped to fewer than 60 students. The original school buildings are going to house the Chermside and Districts Historical Society.

This building would then be used as a resource for the local community and for the schools and other groups within the area to access local information. It has been a tremendous, cooperative effort from a range of people: politicians from the conservative and Labor side of Parliament and community groups of all sorts have worked together to try to advance the community. I congratulate and encourage everyone involved in that process.

I thank the Wavell Heights Uniting Church under the leadership of Reverend Bob Warrick for their annual Christmas lights program. Standing high on Rode Road at Wavell Heights and looking back over to the city, the display of lights that were erected there over the Christmas period were not only an inspiration to the local people of Wavell Heights but also literally shone their light to other people on the north side of the Brisbane. I thank them for their efforts.

The Wavell Heights Neighbourhood Society is a significant community group within the Wavell Heights area. With great pride and a sense of sadness, the community farewelled and thanked a gentleman who has given 47 years of unselfish service to the local community. Keith Boden has been the honorary manager of the society for almost five decades. He, his wife and friends have been working with the Wavell Heights Neighbourhood Society since its inception. It was almost like a second job for Keith; virtually every morning and every afternoon when he was working he would attend to jobs around the neighbourhood centre. Since his retirement from the paid work force, he spent part of every day at the centre assisting the many groups who use it. The hall is one of the few community halls in the Kedron-Wavell Heights area available for hire, and Keith attended that. As well, groups such as the scouts, the guides, the pigeon club, the orchid society, the karate club and the creche and kindergarten association located on the site off Edinburgh Castle Road. Keith has been a marvellous example to the rest of the community. I know that Councillor Kim Flesser and Federal member Wayne Swan join with me in congratulating and thanking Keith for his great service.

A second phase to the significant Kidspace program was also completed since I last had the opportunity to speak in this House. Under the leadership of the Lions Club of Aspley, but again with tremendous community support and the support of the business community—particularly Westfield at Chermside and Baker and Staff—a roof was

put over the play equipment. Some people might think that that happens in our local kindergarten—one needs half a dozen parents to roof the equipment. I explain to the House that that Kidspace area houses about 300 children at a time. The roof alone cost \$70,000. That community playground won the Lions national award for community participation. It won other awards from the Brisbane City Council for its contribution to community development and to community recreation. It is a significant structure, not only in terms of recreation for local families but, in fact, we found that during the closure of the Kidspace area when the roof was being put on, families came down from Toowoomba, the Ipswich area, Redcliffe and the near north coast to have birthday parties and other gatherings with their families. Again I congratulate particularly Terry Hampson, who not only marshalled the forces of the Brisbane City Council's Parks North but also his colleagues from the Lions Club of Aspley to bring to completion that tremendous project.

The south-western boundary of the Prince Charles Hospital has an area called Beneke's Bush. It is part of the only original bushland in the northern suburbs of Brisbane. For the past four years, Councillor Terry Hampson—a very dedicated environmentalist—and I worked with Neighbours of Huxtable Park, Men of Trees and other local groups to retain Beneke's Bush for future generations. Because of the redevelopment of the cardiac facilities at Prince Charles Hospital, it was not possible for the department or Ministers to give a final answer until they knew what shape the hospital development would take. With the final plan having been settled on in recent times, it then came down to the hard work of dotting the i's and crossing the t's to work out exactly what would happen.

I am pleased to have been at the ceremony at which the Health Minister, Wendy Edmond, and Councillor Terry Hampson signed a voluntary conservation agreement which will protect that property for the next 99 years. I thank the Minister who is beside me, Rod Welford, for the efforts of his department and the contribution and support that they gave to bring about the VCA. I believe that it has been a win/win all round. The Neighbours of Huxtable Park have indicated that they would be prepared to do work in that part of the area which will not be needed for medical or hospital services. It will provide not only a buffer for the heavy traffic on Webster and Rode Roads but also a beautiful outlook for patients who are recovering from cardiac medical services. I thank all of those people

involved and believe that those four years of hard work have ended in an excellent result.

As well, we have seen at the Prince Charles Hospital the recent opening of the extended care facility that replaced the old Jacaranda Village. I do not know how the nurses continued to work in Jacaranda Village in the past couple of years. They were dilapidated old buildings and it was extremely difficult for families and for the patients who needed extended care. Having spoken to some families recently whose loved ones have died in the extended care facility, they have nothing but praise for the staff, for the facilities and for the provision of first-class palliative care to people who are suffering from an incurable disease and who are in their last days.

Another facility which, again, was good in its time is the mental health unit, the Winston Noble Unit. Over the past couple of decades, it had deteriorated significantly. The medical and nursing staff faced a tremendously difficult task in trying to provide up-to-date mental health care for people in buildings that were designed in the 1950s. The recent opening of the new mental health clinic has meant that the staff will be able to treat patients in a world-class facility.

I do not wish to delay the House further so I conclude by saying that I am pleased to have regular contact with a number of schools and community groups in my area. The work that they are doing is significant and I will take the chance later in the year to detail some of that work—whether they be the Bernie Brae Senior Citizens or the Kedron-Wavell Services Club, and I will be speaking about their involvement in the World Firefighter Games at the next sittings. There is tremendous activity going on in what is a very small electorate—only 13.5 kilometres. It is packed with activity and is a major regional centre on the north side of Brisbane. It is certainly the focal point for commercial and community activity.

Motion—That the Address in Reply be adopted—agreed to.

#### ADDRESS IN REPLY

##### Presentation

**Mr SPEAKER:** Honourable members, the Address in Reply will be presented to His Excellency the Governor at a time and a date to be advised.

#### REVOCATION OF STATE FOREST AREAS

**Hon. R. J. WELFORD** (Everton—ALP)  
(Minister for Environment and Heritage and

Minister for Natural Resources) (4.23 p.m.) I move—

- "(1) That this House agrees that the Proposal by the Governor in Council to revoke the setting apart and declaration as State forest under the Forestry Act of those areas specified in the documents previously tabled this day, be carried out.
- (2) That Mr Speaker convey a copy of this Resolution to the Minister for submission to His Excellency the Governor in Council."

These proposed amendments to the forest estate make provision for the revocation of the whole or parts of certain forestry reserves which are located near Mackay, Blair Athol, Mapleton, Maryborough and Gympie. Careful consideration has been given to each proposal and in each instance detailed consultation has occurred with affected State and local government agencies.

The first proposal deals with the revocation of 35.85 hectares of land from State forest 679, which is located about 55 kilometres west of Mackay. In 1993, the Queensland Government gave conditional approval for the development of the Teemurra Creek Dam, with funding provided by the State Government, local sugar industry sources and the Sugar Industry Infrastructure Package. The dam has subsequently been constructed at a cost of some \$45m, with a further \$17m for associated irrigation works. It provides improved water supply to local sugarcane lands, it provides additional urban supply and it meets supply requirements for new industrial developments in the Pioneer Valley. The area now proposed for revocation from State forest 679 comprises part of the inundation area of the dam.

The second proposal involves the excision of about 28.382 hectares from State forest 117 near Blair Athol. In 1985, Queensland Rail sought to acquire three small areas of the reserve for construction of Stage 3 of the Clermont-Blair Athol rail line. Investigations disclosed that the proposed rail construction would have no significant adverse effect on the State forest and the then Conservator of Forests offered no objection to the transfer of affected forestry land to Queensland Rail's control. The line has since been constructed. Survey, amendment of affected grazing leases and other administrative dealings associated with the action have taken some time, and these proposed amendments to the State forest will regularise the situation that now exists.

The third proposal provides for the revocation of about 3.9 hectares from State forest 1239, which is located about eight kilometres north of Mapleton. In 1987, an adjoining land-holder applied to purchase about three hectares of the reserve for addition to his property. Investigations disclosed that the area was infested with groundsel and other weeds and the trees that remained were mostly non-commercial species. The land was isolated from the main body of State forest 1239 by the Cooloolabin Road and was external to the fire protection system of the reserve. The area was no longer required for forestry purposes and it was approved that action be initiated to exclude it from the reserve to allow it to be dealt with further under the Land Act. A case of priority could not be established in favour of the applicant and, therefore, following revocation from the forest estate, the land will be disposed of under normal Government land management system guidelines. In conjunction with this action, the area of constructed road is also to be excluded from the reserve.

The fourth proposal deals with the revocation of 43.994 hectares of land from State forest 431, which is located about 45 kilometres west of Mackay. In 1989, the lessee of part of State forest 431 applied to have three small sections of his lease revoked from the reserve for addition to his adjoining freehold land. The areas in question had been treated previously and partly cleared and had been managed for many years as part of his adjoining farming enterprise. In 1992, the department indicated that, provided the applicant met all costs associated with the application and Parliament approved the revocation of the State forest status of the land, it would be prepared to seek Executive Council authority for the sale of the areas to the applicant. Survey and other administrative processes associated with the action have taken some time and revocation of the affected areas from the forest estate will allow the action to proceed.

The fifth proposal involves the excision of 27.764 hectares from State forest 915 near Maryborough. The Maryborough Sugar Factory Limited has applied to the department to purchase or lease about 23 hectares of State forest 915 for sugar growing. Investigations have disclosed that the area in question is isolated from the balance of the reserve by the Walker Point Main Irrigation Channel and contains only a small quantity of landscaping timbers. It has no dedicated

access, contains no identified conservation values, is external to the fire management system of the reserve, and is no longer required for forestry purposes. Maryborough Sugar are the owners of adjoining land parcels and there may be grounds for a priority sale of the area to the company after its revocation from the estate. The total area of 27.764 hectares now proposed to be excluded from the reserve includes this area plus the area of the irrigation channel.

I should inform the Parliament that I have recently been advised by Maryborough Sugar Factory Limited that at this stage it does not wish to proceed with the acquisition of that parcel, primarily because of the low sugar price at the present time and the fact that there is not an immediate identified need for the additional land. However, because the land is isolated by the irrigation channel from the remaining part of the State forest and has no values of importance either in conservation terms or to the forest itself, I intend to proceed with the revocation for the time being.

The final proposal provides for revocation of the whole of State forest 1255 which is located about 20 kilometres north-east of Gympie. The State forest reserve containing about 4.25 hectares was gazetted in 1975 to protect a stand of Gympie messmate and for possible recreation use. The Cooloola Shire Council has applied for the area to be transferred to council control as a parks and gardens reserve. A management plan which specifies conservation of a stand of Gympie messmate and public education as the primary management objectives for the proposed reserve has been developed in support of the application. The plan allows for improved public access to part of the land with the balance of the reserve to remain undeveloped as a typical example of the natural forest cover of the region. It also allows for the land to be managed as an exhibition of farm forestry strategies and provides massive recreation opportunities for the local community and travelling public.

The proposed transfer of this reserve to council control will have no resource implications and the Department of Primary Industries Forestry has no objection to the proposal. Support for the conversion is high among local residents and the Cooloola Shire Council, which wishes to be involved in more active management and recreational use of the area. The Land Administration division has agreed that the area be gazetted as a reserve for park and environmental purposes under the trusteeship of the Cooloola Shire Council.

Native title issues have been considered in relation to all of the proposals referred to and in each case it has been determined that the action may proceed. The major part of the areas revoked from the forest estate under the third, fourth and fifth proposals will pass from State control. Disposal action will occur under normal Government land management system guidelines. The net proceeds of these disposals which are available to my department will be applied to the purchase of suitable alternative land for reservation as State forest. I strongly support each of the proposals and commend them for the approval of the House.

**Mr MICKEL** (Logan—ALP) (4.32 p.m.): I rise to second the motion moved by the Minister. In doing so I want to speak about two points within the revocation proposal. The first point concerns the Teemburra Dam proposal. This was an important part of the Sugar Infrastructure Package negotiated, as I remember, under the Keating Government in conjunction with the State Government. It was a \$62m project and was a very important project for the sugarcane farmers in the Pioneer Valley. This was a landmark proposal because, as I understand it, it was the first time that we had the sugar industry, the Government, and the sugar growers contributing to one infrastructure package. I understand it has been very successful. Today I have been advised that the dam is currently 83% full.

The farmers in the Pioneer Valley impressed upon us during the Goss Government years that they wanted assured and affordable water. This proposal was drawn up at a time when the sugar industry faced some very difficult decisions. The sugar infrastructure project was part of a package put together to help the sugar industry. That dam proposal has been very good. It is disappointing for the sugarcane regions that the world sugar price is very low at the moment. I know that that has an important flow-on effect on the Queensland economy.

Nevertheless, we should not overlook the significant—and I would say historic—contribution made by the former member for Mackay, Ed Casey, when he was Minister for Primary Industries. It was Casey's reforms that allowed us to have the largest area ever under sugarcane cultivation. We merely have to look at the area under cultivation around the Burdekin Dam. We must also look at the employment linkage effects that the sugar industry has historically had in this State.

I was interested to hear the Minister's comments about the Maryborough area. Maryborough Sugar Factory Limited had applied to purchase some land. When I was with Jim Elder some years ago, Maryborough Sugar impressed upon us the fact that it would like to purchase some land from Forestry. The Labor Opposition in those days was very sympathetic to the proposal. I understand from what the Minister is saying now that with the current world price of sugar, Maryborough Sugar can no longer proceed with that project.

I say to the Minister that we should keep an open mind on this because the sugar industry in Maryborough is an important employment generator—not just for the growers and the people who work in the mills but also for the people involved with transport. These people pick up the sugar and take it to the port of Bundaberg. For all those regional employment reasons I believe that we should always keep an open mind in order to assist the Maryborough sugar industry where we can.

I want to make a general point about forestry itself. I believe we have to look at forestry management issues because forests are a precious resource which, in some areas in the past, have been over-exploited. I know this is going to require careful management because it provides important employment opportunities in sawmilling towns. It is a precious resource and it needs to be managed.

I would like to see the Government develop a regional perspective to the industry. I notice that the member for Gympie is present in the Chamber. He could tell us about the important employment prospects that forestry offers to the City of Gympie. I would also like to see similar opportunities given to the people of Maryborough and Hervey Bay. I am well aware that that region could benefit from having better employment opportunities, particularly in the forestry area.

Over the next few years I would like to see the Government develop an incentive package to allow people who own private property to become involved in growing the timbers that we need to encourage import replacement and also to get into the hardwood timber industry. I know that a fair amount of timber is currently imported into this country and I believe it is being imported because of some bad environmental practices in some other countries. That cannot go on forever. If we position ourselves now by encouraging people to get involved in the hardwood industry, particularly by way of plantation industries on private property, we can become involved in

import replacement and provide a benefit to the Australian economy.

I urge the Minister to think about these matters. I know he is very committed to the industry in that sense. Obviously these proposals will need to be worked through with local government. I know that the Minister has met with local government, representatives of the industry and with the Australian Workers Union, the union that covers the major part of this industry. We have to recognise the importance of sawmills to some of these small country towns in Queensland. We must remember the important job opportunities that the sawmills provide. I think it is necessary that we look at areas such as Maryborough and Hervey Bay. Those two areas are historic sawmilling areas.

I am aware that no speech has been made in this House in relation to Hervey Bay. It was a different situation when Bill Nunn was the local member. He continually pushed the issue of employment opportunities in Hervey Bay. I know that that has been sadly lacking over the last eight months. We want the people in Hervey Bay to know that we are on their side and that we are pushing for them whenever we get the chance. We will do the important hard work that is not being done for them.

**Mr Dalgleish:** Worry about your own seat.

**Mr MICKEL:** I have a great opportunity today when I am talking about logs to recognise one of the great logs in this place—the member for Hervey Bay. If he was a millable resource he would make a very valuable economic contribution to the people of Queensland.

**Mr DALGLEISH:** I rise to a point of order. I find those comments offensive and ask for them to be withdrawn.

**Mr MICKEL:** I withdraw them if he finds them offensive. I simply say that Labor supports this revocation and I encourage the House to do the same.

**Mr STEPHAN** (Gympie—NPA) (4.39 p.m.): This afternoon I will not delay the House unduly. However, I wish to make a few comments about this issue. Every couple of weeks, Neil Buchanan comes into my office wanting to know how long this process is likely to take. Neil Buchanan has been very interested in this matter, and for a very good reason: he wants to be sure that the messmate part of the forest will be utilised and recognised. There is no place either around Gympie or possibly right throughout Queensland that would be better suited to

having local people looking after it. For example, forests could be grown at different stages and they could be nurtured for and by the people who will come after us. Neil is about 85 or 86 years old. In addition to his interest in forestry, he is interested in pursuing other opportunities around Gympie.

It gives me great pleasure to say thankyou to the Ministers who have been involved, the present Minister and the previous Minister, Mr Hobbs, who have both taken a lot of interest in this issue. I hope that the project will be as successful as we are expecting it to be.

**Hon. V. P. LESTER** (Keppel—NPA) (4.42 p.m.): We have examined all six proposals. They all make commonsense. On a personal note, I was interested to hear the Clermont-Blair Athol railway line mentioned. It was very dear to my heart when I was the member for that area. I happened to be in the Cabinet on a day when there was a bit of money to spare, and I was able to secure that link between Blair Athol and Clermont. It is great to see how it has progressed from there.

This issue is a commonsense one. I congratulate the Cooloola Shire Council for acting as the trustee, as mentioned in proposal No. 6. This plan is terrific. It specifies that education is a primary management objective for the proposed reserve. The plan will allow for the land to be managed as an exhibition of farm forestry strategies and it will provide passive recreation opportunities for the local community. People will also be skilled in environmental strategies. That is very good indeed. Certainly, it is great to see that this excision of 4.25 hectares of land in the forest will go ahead. I will leave my contribution at that, because the other members of the PCJC need me to be present at a meeting. I wish the House all the best in its endeavours.

Motion agreed to.

## CRIMINAL CODE (STALKING) AMENDMENT BILL

**Hon. M. J. FOLEY** (Yeronga—ALP) (Attorney-General and Minister for Justice and Minister for The Arts) (4.44 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill for an Act to amend the Criminal Code, and for other purposes."

Motion agreed to.

### First Reading

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



## Second Reading

**Hon. M. J. FOLEY** (Yeronga—ALP)  
(Attorney-General and Minister for Justice and  
Minister for The Arts) (4.45 p.m.): I move—

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

Showing foresight and compassion for the plight of victims of crime, a Labor Government made Queensland the first Australian State to make stalking a criminal offence. On 9 November 1993 a Bill was introduced by the then Attorney-General, the Honourable Dean Wells. Since that time, variations have been developed and enacted in all Australian jurisdictions. The time has now come to revisit this offence provision to keep it at the forefront of criminal jurisprudence and therefore of maximum utility to society.

During the last election campaign, honourable members may recall that our Government made a commitment to the people of Queensland to establish a task force to examine the impact of the Criminal Code on women in our society. Last September Cabinet established the task force. It has already done extensive work. I have travelled throughout regional Queensland with senior members of the task force to consult with women's groups, rape crisis workers, victims of crime and the legal profession on this important area of law reform.

The task force will present its report in September this year. However, the issue of stalking was identified as requiring urgent reform. On 30 June 1998 the Minister for Women's Policy, Judy Spence, and I released a discussion paper offering a number of options for reform. Subsequently, Cabinet gave approval for the Criminal Code (Stalking) Amendment Bill to be prepared as an exposure draft. Both the discussion paper and consultation draft Bill were distributed to over 450 interested parties for public consultation. Advertisements appeared in all major regional centres inviting comment, and both documents were made available on the Department of Justice and Attorney-General web site.

As a result of such wide exposure and consultation, numerous submissions were received and all were considered. Workshops were held with key stakeholders from several Government departments, the Women's Legal Service, the Gold Coast Domestic Violence Service and others. All respondents agreed that it was necessary to redraft or to amend the anti-stalking laws and there were divergent views about what needed to be changed and how to achieve it, but the amendments

proposed in this Bill have substantial support from key stakeholders.

The existing offence consists of the following elements—

1. The accused must engage in a course of conduct involving doing a defined concerning act. The same act must be done on at least two separate occasions to another person who may or may not be the victim of the stalking.
2. The accused must intend the victim to be aware that the course of conduct is directed at him or her.
3. The victim must be aware that the course of conduct is directed at him or her.
4. The course of conduct would cause a reasonable person in the victim's circumstances—described as those known or foreseen by the accused and those reasonably foreseeable by the accused—to believe that a concerning offensive act—which is defined as an unlawful act of violence against a person or property—is likely to happen.

Experience is a good teacher and experience has taught us that these elements do not always match the experience of victims or the methods of stalkers in our society. Therefore, it is proposed to make the following major reforms with this Bill—

1. The Bill will replace the requirement that stalking consist of a course of conduct—as I earlier described it—with a simple requirement that the conduct engaged in consist of the doing of the same or different acts on one protracted occasion or on different occasions.
2. The Bill will remove the requirement that the offender intend the victim be aware of the stalking conduct. Instead the Bill will require that the stalking conduct be intentionally directed at the stalked person.
3. The Bill will remove the requirement that the course of conduct would cause a reasonable person in the victim's circumstances to believe that a concerning offensive act—which is defined as an act of violence against a person or property—is likely to happen. Instead, the Bill will redefine the offence to require that the conduct would cause the victim apprehension or fear reasonably arising in all the circumstances, of violence to a person or property or, alternatively, that it does cause such apprehension or fear or

- another detriment reasonably arising in all the circumstances, to any person.
4. "Detriment" will be defined to include any serious mental, psychological or emotional harm. It will also include causing a person to refrain from doing something he or she is lawfully entitled to do, or causing a person to be compelled to do something he or she is lawfully entitled to abstain from doing.
  5. If conduct consists of an act or threat of violence, the new section will not require that act or threat be of unlawful violence. That requirement in the current section focuses on the legality of the conduct, not on the nature and purpose of the conduct. In the new section it will be the fact that violence or threats of violence are directed at a victim in such circumstances that a detriment is caused to arise, reasonably in all the circumstances, that makes the conduct unlawful as stalking. The Bill also provides that violence does not include any force or impact that is acceptable as incidental to social interaction or to life in the community.
  6. A power will be included to make restraining orders against defendants at the end of a trial, regardless of whether or not the person is convicted, if the court considers it desirable to do so. The criminal law will be advanced in this way because it will avoid the necessity for victims to make fresh applications and give evidence again before a different court, involving additional costs and time delays, when the same court that heard the trial will have most of the evidence it needs to make a decision. If it does not, it can remit the matter to a Magistrates Court.
  7. The maximum penalties will be raised from three years to five years' imprisonment for the crime of unlawful stalking and from five years to seven years' imprisonment for the crime of unlawful stalking with a circumstance of aggravation. These penalties will be the same as the penalties for stalking enacted in the Criminal Code 1995 and subsequently repealed under the coalition Government.
  8. Finally, the defences will be expanded, from the current protection for conduct engaged in for the purpose of genuine political and industrial disputes, to also include reasonable conduct for the purpose of the execution of a law, for a

lawful trade occupation or business or for the giving or obtaining of information in which the person has a legitimate interest. Also, the reversed onus of proof of the current section has been removed.

Our Government's work will not stop there. We propose to continue the development of laws designed to give protection to citizens from unwanted attention, threats or harassment. We will be closely examining the efficacy of current laws under the Peace and Good Behaviour Act 1982 and the Domestic Violence (Family Protection) Act 1989 and we will make any necessary changes.

Protection orders and restraining orders can serve as notice to a defendant that his behaviour is unwanted and that it is causing the victim to fear. Protection orders and restraining orders may deter a significant number of potential offenders from persisting to engage in inappropriate conduct. We will pursue these further reforms because our Government cares about the safety and welfare of the people of Queensland. I commend the Bill to the House.

Debate, on motion of Mr Springborg, adjourned.

## ATTORNEY-GENERAL BILL

### Second Reading

Resumed from 6 August 1988 (see p. 1736).

**Mr SPRINGBORG** (Warwick—NPA) (Deputy Leader of the Opposition) (4.52 p.m.): At the outset I indicate that the Opposition will be moving that this Bill be referred to the Legal, Constitutional and Administrative Review Committee for its investigation and report back to the Parliament and, in the event of the failure of that move, will be opposing the Bill.

The Opposition is not convinced that this Bill will in any substantive way enhance the role or the operation of the Attorney-General or his department. I am concerned that this legislation grew out of a personal vendetta by this Attorney-General against the former Attorney-General, Denver Beanland. The Attorney-General certainly has indicated as much as he has sought to justify the introduction of this legislation and also account for some of its perceived benefits.

**Mr Bredhauer:** He has got better things to do with his time.

**Mr SPRINGBORG:** It is fairly obvious that the member for Cook, the Minister for Transport and Minister for Main Roads has not

read some of the comments of the Attorney-General. He should probably keep playing with trains because he does not have much of an idea about this.

What is the independence of the Attorney-General? Does it mean an Attorney-General chosen from not amongst his political peers and not sitting in Cabinet, not being a member of the Executive Government, but a member of Government who provides fearless and impartial advice to the Government and is not open to political persuasion; or does it mean, as this Attorney-General wants us to believe, an elected member of the Parliament who is a member of the Executive Government, who sits in the Cabinet, who is still considerate of and bound by the political processes of his party and wants to seek to portray the image that he is independent?

I have long held the belief that sometimes when something has come about over many centuries, and sometimes even longer, it is far better to let the tradition, the convention and evolution rule the process. Sometimes the very act of enshrining or explaining in statute something which has been built upon convention, tradition and practice has the effect of diminishing and curtailing the existing system, which I believe is in many cases, and in particular in this case, working very well. The Attorney-General is the first law officer and is the guardian of the public interest. This principle has evolved over centuries and will be compromised and destroyed by the passage of this Bill.

For all intents and purposes Queensland has an independent Attorney-General or, at least when one considers the vagaries and the machinations of the political process, an Attorney-General who can be as independent as he possibly can in a political environment. The Attorney-General in Queensland is an elected member of the Parliament. The Attorney-General is a member of the Executive arm of Government. He sits in the Cabinet. He is a member of Executive Council. He participates in parliamentary debate. He is a member of a political party—a political party which has a certain philosophy or an ideology—and he invariably is a person who is involved in the development of policy and the implementation of that policy.

Unless we can take the political process out of the role of the Attorney-General and take the Attorney-General out of the political process and the Executive arm of Government, I think what the Attorney-General is seeking to achieve is probably a bit misleading and may, in fact, be a misnomer. If

the Attorney-General wants to achieve what he is espousing, he should change the system and become a non-executive member of Government, that is, he should not participate in the processes of Cabinet.

This Attorney-General has made much of the fact that the Electoral and Administrative Review Commission recommended in 1992 a draft Bill for the independence of the Attorney-General. It is also worthy of note and valuable to place on the record of this Parliament that the parliamentary committee responsible for analysing and reporting upon EARC's recommendation actually recommended against the introduction of a Bill similar to that which the Attorney-General is seeking to pass today, and it did so, I believe, for very, very good reason. The commission thoroughly investigated the issue and it took various submissions from very, very interested people—people who were experienced, I think, and very learned in this particular field—over a considerable period. It called those people as witnesses and cross-examined them during public hearings. EARC recommended that it was far more important to guarantee the independence of the Director of Public Prosecutions and also the Crown Solicitor. This was a theme carried through by PEARC. It recommended certain reporting provisions for any direction which the Attorney-General gave the Solicitor-General and the Director of Public Prosecutions.

In a submission to PEARC, Mr Ratnapala suggested—

"There are many conventions and common law rules associated with the office of the Attorney-General. It is not easy to codify all the relevant principles, and, indeed, it may be unwise to codify them. The office has evolved with the common law, and it may continue to do so in future. I am mindful of the fact that the EARC's draft Bill intends to preserve the Attorney's 'traditional functions, powers, prerogatives and privileges'."

That appears in clause 5(1)—

"However, the Act is likely to have a stultifying effect on the evolution of the traditions associated with the office."

That is on page 27 of the Review of the Independence of the Attorney-General.

I would just like to say that, even though the Attorney-General will indicate to this House no doubt later on this evening that he has made some moves in the legislation which he has before the Parliament to make sure that those particular powers can evolve from time

to time with convention and with tradition that may have been in place for many centuries, the mere act that the Attorney-General is going to pass legislation through this Parliament to codify the powers and conventions of the Attorney-General in many ways is going to stifle and stymie that particular important process.

I must say that I am very much a traditionalist when it comes to this particular matter and also many issues relating to the evolution of our parliamentary democracy; that is, when we seek to codify them, we do in many cases restrict and reduce at the end of the day the effectiveness and the way that our system has evolved and has actually worked over a long period.

I am not sure that we need legislation before this Parliament to seek to achieve some of the simple things that may have been recommended by the Parliamentary Electoral and Administrative Review Committee in 1993. In fact, at that time the committee concluded in Appendix D1, Section 5.8.13 that an Attorney-General Bill should not be adopted. Therefore, I think that it is absolutely paramount that we send this particular piece of legislation to PEARC's successor committee, LCARC, to see just what has changed and to look at it aside from politics and report back to the Parliament.

There may very well be some eminent sensibility in what the Attorney-General says he is trying to achieve, but there are some things that cause me to be suspicious of some potential political motivation on his part. I would like to take that out of the equation by having LCARC, which is the appropriate committee, look at these issues and look at the matters raised by the many expert witnesses who gave evidence before it in 1993 to see what has changed since that time. I think that is reasonable.

We as members of this Parliament have to be very careful when fiddling around with these things that we do not throw the baby out with the bathwater. We need to ensure that when we codify the powers and responsibilities of the Attorney-General we do so for good and correct reasons. We need to ensure that at the end of the day we do not restrict or in any way stunt the growth of this very high office which, as I said, has grown over many centuries into what we see today.

EARC recommended that the two statutory law officers, the Solicitor-General and the Director of Prosecutions, publish in an annual report all directions, references and guidelines given to them by the Attorney-

General on the basis that this would strengthen the independence of all parties involved and would protect them from innuendo of Cabinet interference. I think one of the motivating factors behind this piece of legislation introduced into and sought to be passed through this Parliament by the Attorney-General relates to the innuendo of Cabinet interference rather than to any real problem with the system as it has evolved over very many years.

The committee considered whether the very different functions of these two officials warranted a similar reporting regime. The Solicitor-General has no independent powers and is subject to the authority of the Attorney-General, unlike the Director of Prosecutions, who has the independent power to prepare, institute and conduct proceedings in the Supreme and District Courts. While it is not possible for the Attorney-General to override decisions of the Solicitor-General because of the nature of their relationship defined in the Solicitor-General Act 1985, the committee recommended that the Attorney-General's instructions to the Solicitor-General should be included in an annual report to Parliament in two particular instances: instructions to intervene in court cases involving the Commonwealth Constitution which may have implications for Queensland and instructions in relation to relator actions. That is a reference to the chairman's executive summary of the 1993 PEARC report.

Little is to be achieved and much will be lost if the Attorney-General has to report to the Parliament every time he uses his fiat or decides on a nolle prosequi. I believe this will politicise, not depoliticise, the high office of the Attorney-General. At the moment, the respect in which the office of the Attorney-General is held ensures there is little doubting the motivation or action of the Attorney-General when he exercises his discretion. I believe the requirement to report to the House matters relevant to the relator action or a nolle prosequi will in fact encourage political action.

The office of the Attorney-General is held in high regard because of the conventions that exist and the great discretion which Attorneys-General in Queensland have traditionally utilised over a long period of time. They are very careful and cautiously exercise discretion in the areas of relator actions, nolle prosequis and so on. People cannot underestimate that.

In the very great tradition that exists in the Westminster system—this Parliament is no exception—Attorneys-General are very much aware of their particular responsibility. If

Attorneys-General who have gone before could relay what they have done, I think we would find that they have very rarely, if ever, used this particular discretion. Sometimes the strength of an office is in the fact that it is there, that it is built on convention and tradition and that it is continually able to evolve. I believe that legislating will restrict that from happening in the future.

I submit that it may well suit political purposes at any time in the future to have a large swag of relator applications. This Bill brings more pressure upon the Attorney-General to consent to an application. If that is the case, the obligations placed upon the Attorney-General and his department are such that administrative costs involved in preparing the report as required by clause 10(2)(a) and (b) could be nightmarish. The role and powers of the Attorney-General have evolved and developed over many centuries. They have done that remarkably well and to great effect.

I will outline a brief history of the *nolle prosequi*. The Attorney-General of England has power in any criminal proceedings, on indictment at any time, to enter a *nolle* and thereby stay proceedings. The origin of the power is uncertain, but the basis appears to be that the Crown, in whose name criminal proceedings are taken, may discontinue proceedings. The first instance recorded was in 1555. Thereafter the court will not allow any further proceedings to be taken in the case nor, importantly, inquire into the reasons or justification for the Attorney-General's decision. I think that is extremely important. Therein lies the basis for the Attorney-General's discretion, I believe, in deciding not to go ahead with a prosecution. The *nolle prosequi* is not equivalent to an acquittal; it does not bar a fresh indictment for the same offence.

I must confess to a concern that after eight months in Government this is the Attorney-General's defining legislative glory. This is not a Bill which substantively addresses the main issues within the areas of Justice and Attorney-General that the community at large is very much concerned about.

Fine defaulters legislation—it will get people who should not be clogging up our jails out of those jails—could be reintroduced into this Parliament very soon. We could have seen also the introduction into this Parliament of legislation which comprehensively overhauls the Coroner's Act to ensure that the coroner plays a far greater and more proactive role in our contemporary society—making recommendations and overseeing the establishment of procedures which would

educate people in the ways of avoiding death and thus reduce the number of deaths.

I now refer to the Electoral and Administrative Review Commission report of 1992, when it investigated and made recommendations on the issue of the independence of the Attorney-General. Once again, I also refer to the report of the parliamentary committee which looked into and made recommendations on this matter. At the end of my contribution, the Parliament will quite clearly understand why it is my intention to move that this legislation be referred to the Legal, Constitutional and Administrative Review Committee for its attention and report.

I and many other members of this Parliament would like to know why the reasons which caused the parliamentary committee to be reticent and recommend against the introduction of a Bill in 1993 have changed. That is a fundamental issue. I would like to hear that answered by the Attorney-General. I believe this is something which can ultimately be answered only by a properly constituted parliamentary committee with the power and ability to thoroughly investigate these issues and make recommendations. Which circumstances are different today?

Is there an opportunity to ensure proper enhancement of this legislation? If the Parliament fails to refer the legislation to this committee, the Opposition will have little choice but to oppose this legislation for the reasons I previously outlined. Principally, we continue to be unconvinced about the need for this legislation. We are unconvinced that it will do anything to ensure a greater independence for the Attorney-General in Queensland. We already have an independent Attorney-General.

If one looks historically at the Attorney-General's role, one finds that, once again, it is as independent as it possibly could be, given the political system under which many democracies around the world operate. Quite frankly, by seeking to define and legislate the convention, I say again that we will be restricting and confining what the Attorney-General traditionally does—and does so, I believe, with a great deal of judicious discretion.

I would also like to know from the Attorney-General, when he replies, why Queensland is the only State in Australia which has sought to move to legislate the role of the Attorney-General. I understand that the Northern Territory and the Australian Capital Territory have both legislated the role of the Attorney-General. However, I would like to

know what is the principal reason that has deterred other States around Australia from going down a similar path and what, if any, difference exists between States and Territories in this particular regard.

I would also appreciate hearing from the Attorney-General any examples of other Westminster-type democracies which have moved to legislate the role of the Attorney-General. And if so, has their traditional role been the same as our role? By that I mean: is the Attorney-General a member of the Executive Government or separate from the Executive Government? I understand that in the United Kingdom the Solicitor-General and the Attorney-General are both drawn from the Parliament and are Ministers of State but are not, in fact, members of the Cabinet. I would also like to hear from the Attorney-General as to what he believes the benefits of this legislation are going to be for Mr and Mrs Average Queenslander. One cannot blame Queenslanders for being a little cynical as to the time frame in the introduction and the move to pass this Bill through Parliament. A question that I raise is: why is this now a priority when EARC reported on it in 1992 and PEARC recommended against the implementation of an Attorney-General's Bill at that time in 1993?

The Goss Government had three years in which to implement this, and during at least some of that time the current Attorney-General, who was the then Attorney-General, in no way acted to introduce a Bill to enshrine the so-called independence of the Attorney-General. Surely the reason that exists today must have been the reason that existed then, and the urgency which exists today must have been the same as the urgency which should have existed then. Or is the Attorney-General acting in a not very independent way, or a very considered way, in bringing legislation before this Parliament to, as I said, carry on his personal concerns and vendetta against the member for Indooroopilly?

The enactment of this Bill would result in unnecessary costs to the Attorney-General's Department by way of mandatory preparations of reports. I know that the Attorney says in his Explanatory Notes that the cost is nil. I must admit that I find it very difficult to believe that when one considers that there will be certain mandatory reporting requirements. Any mandatory requirements obviously tie up resources, with expert people with particular skills in certain fields putting together reports which will have to be tabled in the Parliament. I believe that that will, in effect, take away from resources in other areas.

More importantly, contrary to what the Explanatory Notes state, a power recognised at common law will continue to be exercised under the common law. I believe that the Bill goes to the very heart of those particular powers not to disclose the Attorney-General's reasons, places a mandatory impost upon the Attorney-General and disposes of hundreds of years of common law precedent and convention.

I believe that section 10 opens a conduit to more public funding of court actions to minority groups by intimidating the Attorney-General potentially. By that, what I am saying is that any action which actually makes the Attorney-General disclose his reasons for his very, very careful and judicious use of his discretion may bring it before the Parliament. I believe that the Attorney-General may find himself in a situation, because of the political imperatives that would exist on a particular day, and he would find it very difficult to stand back and say, "I won't do that. Regardless of my good reasons, I am sure that some people might not necessarily understand." So in some cases his hand could potentially be forced.

There is, in my opinion, no justification for this Bill in its present form or maybe any other form. I move—

"That the question be amended by omitting the words 'now read a second time' and inserting the words 'referred to the Legal, Constitutional and Administrative Review Committee with a direction that the committee undertake an inquiry into and public consultation on the Bill and report to the House on the Bill on or before 2 June 1999'."

**Mr BEANLAND** (Indooroopilly—LP)  
(5.14 p.m.): I formally second that motion.

**Mrs LAVARCH** (Kurwongbah—ALP)  
(5.14 p.m.): I rise to support this Bill. In all Australian Parliaments the Attorney-General holds the often contradictory position of being both an elected member of Parliament and the chief law officer—one position being party political and the other requiring the independent administration of justice. In giving advice on a legal matter to the Cabinet, he or she must act on a basis of what is just and separate the advice from any political considerations.

The member for Warwick has made much of the history and origins of the office of Attorney-General. But what he did not point out was that the origins of the office of Attorney-General can be traced back to medieval England. From the earliest times, the king could not appear in his own courts in

person to plead his case where his own interests were concerned. He filled this gap by using the services of an attorney or an agent to appear on his behalf. The earliest Attorney-General was appointed in the reign of Edward I from 1272 to 1307. As the Crown's representative, the Attorney-General was given the powers of the monarch to control the Crown's servants through the courts.

From the time of the existence of the House of Commons, there was a conscious decision to exclude from amongst its number the holder of great offices under the Crown, such as the office of Attorney-General. However, from the time of Sir Francis Bacon being appointed Attorney-General whilst a member of the House of Commons, and the inability of his opponents to find anything illegal in his holding of both offices at the same time, it became the common practice for the Attorney-General to be a member of Parliament. Of course today, in most Commonwealth countries the law officers are civil servants. But in both Australia and New Zealand, the Attorney-General is a Minister of the Crown. From its inception in 1860, the Queensland Parliament has included an Attorney-General in the Ministry. At a Federal level, the Attorney-General was one of the seven original Ministers in 1901.

The previous Attorney-General, the member for Indooroopilly, Denver Beanland, brought this office into controversy. The member for Warwick made much of his belief that the only reason that this Bill has been introduced is because of a vendetta. Nothing could be further from the truth. I believe that we have to come back to that controversy into which the member for Indooroopilly brought the office of Attorney-General to show that it is not a vendetta; it is the very fact of that controversy that requires this Bill. I do not think that anyone would have ever thought that that office would be brought into such controversy as the member for Indooroopilly brought to it. In the words of our now Attorney-General, I think that he well summed it up when he said that the member for Indooroopilly poisoned the wellsprings of justice.

In his second-reading speech, the Attorney-General stated that the Bill is part of a process of seeking to restore public confidence in the rule of law in the wake of an unprecedented vote of no confidence by the 48th Parliament in the then Attorney-General, Denver Beanland. The EARC report came about from a situation that was perhaps anticipated by Tony Fitzgerald in his report, which highlighted the need to introduce this Bill before the House. It must also be noted that

there was an obsession by the previous Government in trying to destroy the CJC, which was another recommendation of the Fitzgerald inquiry, and it was this obsession that led to the vote of no confidence in the former Attorney-General. That can be traced back to the Fitzgerald inquiry, as well.

I turn to the contents of the Bill, which largely follow the recommendations of the draft Bill of the EARC report to Parliament, report No. 21. The Attorney-General's office, as outlined, is an ancient office. The functions of the Attorney-General are derived from Crown prerogative and from the common law. It is an office that has wide discretionary powers that are to be exercised in the public interest. Those powers include the ability to initiate, prosecute or discontinue criminal proceedings. The Queensland Criminal Code gives the Attorney-General alone the power to lodge an appeal against sentences imposed in respect of indictable offences. In recent years, we have seen a great increase in the number of criminal decisions being appealed on the grounds of leniency of sentence.

The actual functions of the Attorney-General are probably a mystery to most. Locating the origins and precise meanings of the royal prerogatives or discretionary power can prove an exhausting task. I think this is central to the Bill that is being introduced to the House. The member for Warwick kept insisting that it was a matter of codifying those powers, but nothing could be further from the truth. This Bill is not a code. The Bill does not close off what the Attorney-General can do. In his second-reading speech, the Attorney-General spelt that out when he said—

"However, recognising the powers are rooted deeply in the history of the common law system, the Bill does not attempt to exhaustively codify them or the way they are carried out. This will ensure the Attorney-General's powers are not fixed in time and are able to continue to evolve."

A code will not allow them to evolve, but this Bill will.

I congratulate the Attorney-General for his initiative in introducing this Bill. As I have said on many occasions before, if we are to have access to the law it has to be able to be found. This Bill, in setting out clearly the various powers and responsibilities of the Attorney-General concisely in one document, meets the need for the law to be found.

The second and most likely the more important function of this Bill is to make the office, functions and exercise of the power of

the Attorney-General more transparent. It does this by providing for the Attorney-General to be accountable to Parliament for certain decisions about prosecutions and about grants of fiats in relator actions. Edwards in his text. The Law Officers of the Crown makes reference to the fact that the exercise of the power by the Attorney-General is overlaid with the responsibilities of the Attorney-General to the House of Commons. He states—

"It has been stated repeatedly, and needs underlining that Parliament is not an appropriate forum for judging the propriety of every decision reached by a Law Officer in the exercise of his common law prerogatives or statutory responsibilities. The same observation may be made at the Home Secretary's position when faced with questions after his advice has been tendered on the exercise of the royal prerogative in capital cases. Intransigence on the part of Ministers or members of the Commons when issues of this nature arise for debate is not calculated to enhance the prestige of Parliament or the administration of justice. So far as the Attorney, and Solicitor-General are concerned in suitable cases sufficient reasons should be given to convince the House of Commons that the Law Officer has considered all the relevant factors and has reached his decision with that impartiality of judgment which is the ultimate strength and protection of the constitutional independence of the Law Officers of the Crown."

In the Bill before the House, clause 10 imposes an obligation on the Attorney-General to report to Parliament if he or she refuses to grant a fiat to a person to bring an action to enforce or protect a public right, whereas clause 11 imposes an obligation to report if there has been an exercise of prosecutorial discretion by the Attorney-General himself or herself to indict a person or enter a nolle prosequi on an indictment. In the EARC draft Bill, this was expressed as a duty to report when the Attorney-General exercised his or her powers in prosecutions without agreement from the director of prosecutions by either overriding the director's decision or not first obtaining it. The present Bill expands this requirement and protects the director of prosecutions from being embroiled in political debates.

In moving his amendment, the member for Warwick asks that the Bill be put out for further public consultation and then be further considered by LCARC. The Bill was introduced

in August 1998, some seven months ago. While it is up to the Attorney-General to answer the member, it appears to me that it is very late in the piece—the day that the Bill comes before the House—to raise such issues. I have not heard similar suggestions from the member in the past seven months. This was part of the Labor Party platform on which we went to the last election and, therefore, I support the Bill because we are delivering on an election promise. I commend the Bill to the House.

**Mr BEANLAND** (Indooroopilly—LP) (5.25 p.m.): I second the amendment of the member for Warwick. I rise to speak in this debate as a former Attorney-General of Queensland and as someone who is gravely concerned about the intentions of the legislation. The Attorney-General Bill 1998 would have to be one of the most unnecessary and insulting pieces of legislation that has been before this Parliament. It is unnecessary because it does not change what has been in practice for hundreds of years. In fact, I believe that it undermines the common law and our Westminster system of Government.

The Minister's second-reading speech is a most interesting document. It is very big on rhetoric and very short on detail. It is a political speech that is conspicuously silent on significant issues. Certainly it is not of a standard that would be expected from our State's first law officer.

I do not think that there is any question in the mind of any member that the Attorney-General has special functions that he or she undertakes free from political interference and Cabinet control. This is a proposition that has been respected and upheld by successive Queensland Governments and other governments that operate under the Westminster system. Unfortunately, this Bill represents an attempt to codify the powers, functions and responsibilities of the Attorney-General and does nothing but undermine the many centuries of tradition that have contributed to making our parliamentary system strong and resolute.

Of course, if one looks at the section that spells out the specific powers of the Attorney-General, one will see the very point that I make, which is that, for centuries, this has been the traditional role of the Attorney-General. Therefore, this exercise in grandstanding cannot be seen to be anything but a cheap political stunt—unless, of course, the Minister is seriously suggesting that I for one broke the law when carrying out my



duties, having regard to clause 7 of the Bill which lists the specific powers of the Attorney-General. Is the Attorney-General suggesting that due consideration or due process was not followed with one or more of these issues? I think not, and it certainly was not the case.

The Attorney-General is playing a game of politics and if he plays it too often he will get burnt on some of these issues, especially in relation to this particular matter. I believe that my record as Attorney-General of standing up for the courts was impeccable. I recollect that Mr Justice Fitzgerald, as President of the Appeal Court, faced a complainant in the High Court in Sydney. The Solicitor-General defended him against what were quite outrageous allegations that were aimed at showing conflict and smearing his good character. Of course, performing one of the many roles of the Attorney-General, I had no problem in having the matter dismissed promptly. I believe that that is how an Attorney-General should act. That highlights just one of the many functions of the Attorney-General that are set out in clause 7 and, of course, there other functions that require an Attorney-General to stand up for the judiciary in the name of good sense.

I notice that this legislation was introduced on 6 August—it has been left to languish on the Notice Paper for seven months. It can hardly be of great or urgent moment if it has been allowed to languish for that time. When checking on the consultation that occurred in relation to this legislation, I noticed that the Explanatory Notes state that a copy of the draft Bill that was produced by EARC was circulated to the Bar Association of Queensland, the Law Society of Queensland, the judiciary, the Queensland Law Reform Commission and other stakeholders prior to the introduction of the Bill.

There is no mention at all about the feedback from those particular groups of people in relation to this legislation. I would like to hear something about that because it is tradition that the Explanatory Notes make reference to the feedback that one receives in relation to the legislation. One then has to ask if this was the consultation that has been circulated. I take it that there was no time for feedback and the legislation was introduced.

I suggest that there was really little or no consultation, apart from what occurred previously in 1993 with both EARC and the parliamentary committee that had oversight of EARC. I believe that the legislation should have been referred to the Legal, Constitutional and Administrative Review Committee—

LCARC—which has jurisdiction in this area. The member for Warwick has moved a motion to refer the legislation to that committee. That is where it should go, because it has been some six years since this matter was last discussed.

If the Attorney-General has problems with his Cabinet interfering in his role, he should stand up in this Parliament and tell us about his problems in that regard. I am sure that all good members will help him resolve those particular issues that he might have with his Cabinet in relation to his functions as Attorney-General.

The Attorney-General tells us that this Bill is based largely on the draft Bill introduced by the former Electoral and Administrative Review Commission—EARC. Although I have read the Minister's second-reading speech several times, I have not seen any mention of the fact that the EARC recommendations were rejected unanimously by the Parliamentary Committee for Electoral and Administrative Review. I might add that that committee was comprised of four Labor members and three coalition members, yet it rejected unanimously the EARC recommendations.

Likewise, nowhere in his speech does the Attorney-General mention that the Queensland Council for Civil Liberties and the Queensland Bar Association have called on the current State Government and the current Attorney-General to give up his powers to appeal criminal sentences. That is an issue which is rumbling around in the community and about which the community is concerned. However, no mention has been made of that matter. I would have thought that, since we are dealing with the specific powers of the Attorney-General, some reference might have been made to that matter. The Queensland Council for Civil Liberties and the Queensland Bar Association have called for the power of appeal to be limited solely to the Director of Public Prosecutions. I agree totally with my colleague the shadow Attorney-General, who has stated previously that it is an indictment on the Attorney-General that both the QCCL and the Bar Association have no faith in his independence.

The Attorney-General expects us to believe that the introduction of this Bill will make everything different. That is not the case. In its report titled *Review of the Independence of the Attorney-General*, tabled in December 1993, on page 31, the Parliamentary Committee for Electoral and Administrative Review recommended that an Attorney-General Bill should not be adopted at

that time. The committee even went further to express the view that legislation should not be enacted just to educate the public on the Attorney-General's proper role.

There is no question in my mind that the Attorney-General is introducing this legislation for all the wrong reasons. I believe that the Bill represents nothing but an attempt by the member for Yeronga to educate everybody about his own importance rather than about the functions and the role of the Attorney-General.

That is a great pity, because there are so many important issues that should be occupying the attention of the current Attorney-General and Minister for Justice. For example, I know that all members have been waiting with great expectation for the guardianship and administration legislation. However, the Beattie Labor Government has failed to address that particularly important Bill. That legislation would allow the families of those with impaired capacity to be appointed as substitute decision makers. That was on the drawing board and it would have been the first legislation that I would have introduced had I continued as the Attorney-General and Minister for Justice after the last election. It is a vitally important piece of legislation. It has been eight months now since the Government was elected, yet we have not seen that legislation. Nothing has been heard of it from this can't do Government.

There is also the fine defaulters legislation and the amendment to the Coroners Act. They are both very important pieces of legislation that one could have expected to see before the Parliament. However, this can't do Government cannot even get that legislation introduced.

**Mr Borbidge:** All too hard.

**Mr BEANLAND:** As the Leader of the Opposition says, it is all too hard.

I turn to some of the facts about this legislation. As I say, it has been some eight months since this Government came to office. In the first eight months of the former Government, the National/Liberal Borbidge/Sheldon Government, 37 Bills were passed. A further 20 Bills were passed during the ninth month of that Government. In the eight months during which the Beattie Government has been in office, only 22 Bills have been debated and passed by Parliament, and many of those Bills belonged to the former Government, such as the stalking legislation, which was introduced a little earlier today. I recollect having done a great deal of work on that legislation prior to

the election. I spent many hours going through that particular piece of legislation and getting it to the stage at which it could be put to the public for further discussion.

However, it would appear that the Attorney-General has afforded greater significance to this Bill and little importance to those other major pieces of legislation that I believe are of paramount importance to the public of Queensland. Certainly, I am contacted regularly by people asking me when the guardianship and administration legislation is going to come before the Parliament. The amendments to the Coroners Act, which relate to Aboriginal deaths in custody and other matters, are very important. A great deal of work has been done on that legislation; it has been in the pipeline for some time. Yet it has not come before the Parliament. As well, we often hear members opposite talking about wanting to keep people out of jail for fine defaulting. The fine defaulters legislation would certainly accomplish that particular task. It is a great shame to think that the Attorney-General sees his Bill as being more important than those other important pieces of legislation, particularly that guardianship Bill, which will assist families and allow them to be effectively appointed as substituted decision makers.

It is also a great shame that we see the partial codification of the powers of the Attorney-General and a legal recognition of his role as being more important than that legislation, particularly when the relevant parliamentary committee ruled it out unanimously. At that time there was a great deal of discussion on it. One would think that if the Minister considered law and order to be an issue he would be debating a Bill that would be far more important and relevant to that issue. I mentioned earlier the legislation that was introduced today. It is something that has been around for some time and, again, it belongs to the former National/Liberal coalition Government.

I am beginning to think that the current Minister has some insecurity that prevents him from doing anything of substance until he feels he has the full legal knowledge of his authority. Clearly, it demonstrates to the public a lack of policies. We get the Rumpole-like performances from the Attorney-General, but that is simply not good enough; we want to see some substance and real legislation coming forward into this Parliament. There is a great deal of it in the pipeline somewhere. It requires the Minister to work late at night, sometimes until midnight perhaps five or six nights a week. If one works hard and long enough at it, one eventually gets it right so

that one can get it introduced into the Parliament, get it debated and get it passed. Heaven help us: there has been very little parliamentary time in which to debate and pass legislation over the past eight months that this Government has been in office.

I notice that back in 1993 when this matter was being discussed, Mr Suri Ratnapala, a highly respected constitutional law lecturer at the University of Queensland, submitted that codification of the Attorney-General's functions could lead to problems with statutory interpretation and judicial review of the powers, role and functions of the Attorney-General. Mr Ratnapala also warned that there could be nothing more stultifying on the evolution of the traditions associated with that office. Those views are not isolated to one person: they have been expressed many times before about all types of attempts to write into legislation what has been accepted within the legal system for hundreds of years. The great value of our common law legal system is the way in which it allows the development of prerogative powers and, as a consequence, the evolution of institutions such as the office of Attorney-General.

In his second-reading speech, the Attorney-General stated—

"This Bill neither extends nor reduces the availability of judicial review in respect of decisions of the Attorney-General."

This statement is supported by clause 7(3)(b) of the Bill, which provides that a decision or proposed decision to exercise a power for a matter listed in clause 7(1) is not a decision of an administrative character under an enactment. If I have time, I might read out some of those matters that are contained in clause 7 so that anyone reading Hansard might be able to get the gist of what it is about. The Attorney-General stated also—

"... the Bill does not attempt to exhaustively codify"—

that is, the powers—

"or the way they are carried out"

and ensuring—

"the Attorney-General's powers are not fixed in time and are able to continue to evolve."

The mere fact that there has been an attempt to codify powers is of great concern just because of the way that it undermines the common law and our Westminster system of Government. Does the Attorney-General really have such a low regard for our common law system—for hundreds of years of

precedents—that he considers it necessary to implement a Bill that was rejected by a committee of the Parliament? This was a committee which expressed essentially the same reservations as the ones I have detailed in this speech.

I seek clarification on one particular matter. It is important to the debate to ensure that there is no confusion between the powers of the Attorney-General and the role of the Minister for Justice. As we know, the Attorney-General of Queensland has prerogative powers that are designated solely to the person who holds that office. In my experience, our Attorney-General operates in a totally independent and bipartisan manner which is free of political influence and Cabinet control. The independence of the Attorney-General is not, and never has been, in question. The role and functions of the Minister for Justice are, nonetheless, a quite separate and different matter. Commissioner Fitzgerald highlighted that in his particular commission of inquiry. He expressed concern about the independence of the Attorney-General and the "partiality accentuated by the effective amalgamation of the offices of the Attorney-General and Minister for Justice".

The Minister for Justice is a Minister of the Crown and, like all other Ministers, is bound by decisions of Cabinet. In this respect the Bill before the House today does not accurately reflect the intentions of Commissioner Fitzgerald. In 1989 the Ahern Government separated the office of Attorney-General from the office of the Minister for Justice but they were brought back together by the Goss Government when the member for Murrumba was appointed Attorney-General and Minister for Justice after the 1992 State election.

At that time, in response to an inquiry from EARC, the then Premier stated that—

"... the amalgamation decision had been taken as a result of practical anomalies created by the separation of the two portfolios."

This in itself did not undermine the independence of the Attorney-General. Indeed, all subsequent Governments have followed suit. However, in appointing the one person as Attorney-General and Minister for Justice the Premier exercised his prerogative to form a Cabinet as he saw fit.

Clause 3 sets out the ability for the Premier to separate those two roles. Certain functions are then set out in clause 5. I would like the Minister to confirm that some Premier down the track will be able to appoint a separate individual as Minister for Justice

because, if we look at clause 5, we might end up with a misunderstanding of the situation.

**Mr Foley:** You are quite correct.

**Mr BEANLAND:** Otherwise, I would be quite concerned if that was not the case. I believe it is important that we have a clear understanding of the role of the Attorney-General in relation to this particular area. Honourable members have indicated that some people are not aware of this situation. If it is spelt out clearly people will be able to understand the situation when they read Hansard. The Attorney-General's specific powers are set out in clause 7 and are as follows—

- "(a) present an indictment;
  - (b) enter nolle prosequi on indictments;
  - (c) grant immunities from prosecution;
  - (d) undertake to a person not to use, or make derivative use of, information or a thing against the person in a proceeding, other than in relation to the falsity of evidence given by the person in a proceeding;
  - (e) enforce charitable and public trusts;
  - (f) bring proceedings to enforce and protect public rights;
  - (g) grant fiats to enable entities, that would not otherwise have standing, to start proceedings in the Attorney-General's name—
    - (i) to enforce charitable and public trusts; and
    - (ii) to enforce and protect public rights;
  - (h) challenge the constitutional validity of legislation, (including Commonwealth legislation) that affects the public interest in the State;
  - (i) appear before a court to help the court in appropriate cases;
  - (j) advise the Executive Council on judicial appointments;
  - (k) start proceedings for contempt of court in the public interest;
  - (l) apply for judicial review to correct errors by courts and tribunals.
- (2) Despite subsection (1)(a) or (b), the Attorney-General may not direct or instruct the Director of Public Prosecutions to present an indictment or enter a nolle prosequi.
- (3) To avoid any doubt, it is declared that—

- (a) the Attorney-General may not grant immunity from prosecution for a future act or omission; and
- (b) a decision or proposed decision to exercise a power for a matter listed under subsection (1) is not a decision of an administrative character under an enactment merely because the matter is listed under subsection (1)."

I read those out only because there is some concern and I wanted to give people a simple way of relating exactly what we are talking about here.

**Mrs LIZ CUNNINGHAM** (Gladstone—IND) (5.46 p.m.): I want to raise a couple of questions with the Attorney-General. In his second-reading speech the Attorney-General talks about this Bill in part seeking to restore public confidence in the rule of law in the wake of an unprecedented vote of no confidence by the 48th Parliament in the then Attorney-General. That was a very specific issue. It was a vote of no confidence and I supported that vote of no confidence with a tag which I was unable to have amended. No-one on either side of the House would support an amendment to the motion that there be a vote of no confidence with the Attorney-General stepping down. The Attorney-General at the time chose not to stand down and I have no problem with that decision on his part.

At the beginning of his second-reading speech the Minister said that this Bill is seeking to restore public confidence in the rule of law. Given that that is the incident to which the Minister refers, I wonder how the Bill responds to that statement. I could not find anything in the Bill that addressed the incident that occurred the year before last. I would be interested to hear the Minister's response.

The Minister's second-reading speech also stated that the Fitzgerald report concluded that the proper performance of such functions is dependent upon impartiality and freedom from party political influence. The fact is that the Attorney-General is not proposing to step outside of the Cabinet or the party political. Therefore I would question how the Minister is achieving that stated aim.

The Fitzgerald report recommended that EARC implement and supervise reforms recommended by that report, including the establishment of an independent office of the Attorney-General; yet I note with some concern that PEARC, consequent upon that EARC recommendation, concluded that the Attorney-General Bill not be adopted. The Explanatory Notes state "at that time". I am not sure what circumstances have changed. I

wonder whether the concerns of the PEARC committee have been addressed in the legislation that has been brought forward today.

We see quite a specific list of powers of the Attorney-General in clause 7 on page 5. Clause 7 (1)(d) is not contained in any of the reports that I have been able to identify. This is important because the Attorney-General has been granted the power to "undertake to a person not to use, or make derivative use of, information". However, I would seek clarification as to the source of that addition to the list of powers. The list, minus that additional power, had been through EARC and PEARC. I understand that this addition is a derivative use of information and is often a protection for ordinary Australians.

This Bill has been modified from the Fitzgerald report and the EARC recommendations to take into account concerns about the EARC Bill expressed by the Parliamentary Committee for Electoral and Administrative Review, the Bar Association, the Law Society, the judiciary and the director of public prosecutions. The latter three are from the legal side of things. Submissions were also invited from the community. I did not have any information that outlined community concerns. I received a couple of letters from people in the community and before I sit down I will be raising concerns expressed in those letters.

I wondered whether the Minister could comment on the balance that he has maintained between lawyer/barrister-type concerns and ordinary community concerns. I know there is concern in the community at an over-influence by the legal profession on the Queensland Government and I would be interested to see how the Minister has maintained that balance.

In 1990 the then Attorney-General, Dean Wells, made a ministerial statement in relation to indemnities against prosecution. He said—

"While the common law has recognised that an Attorney-General has the power to grant a transactional indemnity, in Queensland to date there have not existed any objective standards by which an application for an indemnity against the prosecution may be assessed, nor have there existed any guidelines by which the ethics of a particular application can be measured. The whole issue of indemnities against prosecution involves not only a careful assessment of the facts but also ethical questions concerning the administration of justice. For reasons of public safety, or

other reasons relating to security, it is sometimes impossible to make public the details of indemnities or, indeed, even confirm that an indemnity has been granted. However, the criteria by reference to which these decisions are taken should be exposed to the clear light of day, not enveloped in a dark shroud of Government secrecy."

To me that statement indicates that in deciding on the granting of an indemnity there are facts and also circumstances that are difficult to list in an objective form that the Attorney-General must take into account.

This Bill proposes to codify the powers of the Attorney-General. I wonder whether we will be opening the way to more regular challenges of the decisions of an Attorney-General by listing the powers and responsibilities of the Attorney-General and codifying them in an Act of Parliament. I seek the Minister's response as to whether that may raise the spectre of solicitors, barristers and QCs challenging the Attorney-General's granting of indemnities or other exercises of his or her power—something that was not possible in the past. I understand that one response could be that codifying the powers creates a greater opportunity for accountability. For very good reasons, the former Labor Attorney-General, Dean Wells, specified that sometimes it is difficult to enunciate the reasons for granting an indemnity in very clear and precise terms.

In conclusion, I wish to raise a couple of issues brought to my attention by people in the community, one of which was along the same lines. The Legal Reform Group states—

"The mere fact that this Bill seeks to have so much committed to paper without specific protection from any rise in legal action against the Attorney-General rings alarm bells. The Attorney-General may never be taken to court, but the threat could always be there. This could limit the sensible action required to be taken by an Attorney-General in many circumstances."

I would be very interested in the Attorney-General's response to that point. Is there sufficient protection in the Bill to protect the Attorney-General from either malicious or vexatious litigation on the basis that the Attorney's powers will now be codified? Is there any opportunity either in the existing Act or in the proposed changes to allow members of the public who feel aggrieved by the actions of the Attorney-General to take action against the Attorney-General's exercise of his power?

**Hon. M. J. FOLEY** (Yeronga—ALP) (Attorney-General and Minister for Justice and Minister for The Arts) (5.53 p.m.), in reply: I will deal firstly with the concerns raised by the member for Gladstone. As to restoring confidence in the rule of law, this Bill deals in general terms with enshrining the independence of the Attorney-General—it does so on the basis of the report of the Electoral and Administrative Review Commission—rather than with the specific issues which caused the motion of no confidence in the former Attorney-General. The Fitzgerald report stressed the need for impartiality of the office of Attorney-General, and that is what led to EARC's report. The Labor Party went to the last election promising to introduce legislation along the lines of the EARC report, and it intends to honour that promise.

The question was asked by the member: what has changed since the PEARC report? What has changed has been a profound shaking of public confidence in the office of Attorney-General as a result of the former Attorney-General having had a royal commission struck down in the Supreme Court for bias and then demonstrating his contempt of this Parliament by refusing to resign, notwithstanding a motion of no confidence. The Bill seeks to strike a balance between what the honourable member refers to as the concerns of lawyers and the concerns of the community. Its concern is with the public interest as manifest in the terms of the Bill. As to the member's concern about whether it would extend the opportunity for malicious or vexatious litigation, the Bill makes it clear that it neither extends nor reduces the opportunity for judicial review of decisions of the Attorney-General. With respect to the question raised by the member for Indooroopilly, yes, the two roles of Attorney-General and Minister for Justice can be separate.

I thank the member for Kurwongbah, who spoke eloquently on this Bill. What has changed since the EARC report may be summarised in two brief matters. Firstly, with respect to the Director of Public Prosecutions, issues relating to potential conflict with the Director of Public Prosecutions Act 1984 have been ironed out, and I table a copy of a letter from Mr Royce Miller, QC, the Director of Public Prosecutions, dated 8 August, confirming that there is no conflict between any of the provisions of that Act and the final draft of the Attorney-General Bill. Secondly, with respect to the evolution of the office of Attorney-General, that is made clear from clause 8 and clause 9 of the Bill. If one looks at the Explanatory

Notes, in particular at clause 7, one notes that it does not operate as a code. With respect to consultation, there has been extensive consultation through EARC, PEARC and then initially upon the Government coming to office. With respect to the issue of precedents, there are precedents in the Federal arena in Canada, and I table the Department of Justice Act which sets out in section 5 certain powers, duties and functions of the Attorney-General. There are precedents in other Canadian Provinces.

With respect to the complaint by the member for Warwick that this would lead to the politicisation of the Attorney-General's office and the unnecessary debating in this House of issues such as the fiat, let me just say that that is pretty rich coming from the member for Warwick, who threatened publicly to bring on a debate in this House over the conduct of an appeal in a specific criminal case. He now comes in here and argues completely inconsistently that it might lead to the politicisation of debate in this House. That is pretty rich.

The Government opposes this delaying tactic on the part of the Opposition. Today is the first time that the Opposition has sought to refer this matter. It is a can't do tactic from a can't do Opposition. This Government has a mandate to introduce this Bill. It was an election promise and we intend to honour our promises.

**Question**—That the proposed amendment be agreed to—put; and the House divided—

**AYES, 42**—Beanland, Black, Borbidge, Cooper, E. A. Cunningham, Dalglish, Davidson, Elliott, Feldman, Gamin, Goss, Grice, Healy, Hobbs, Horan, Johnson, Kingston, Knuth, Laming, Lester, Lingard, Littleproud, Malone, Mitchell, Nelson, Paff, Pratt, Prenzler, Quinn, Rowell, Santoro, Seeney, Sheldon, Simpson, Slack, Springborg, Stephan, Turner, Veivers, Watson. Tellers: Baumann, Hegarty

**NOES, 44**—Attwood, Barton, Beattie, Bligh, Boyle, Braddy, Bredhauer, Briskey, Clark, J. I. Cunningham, D'Arcy, Edmond, Elder, Fenlon, Foley, Fouras, Gibbs, Hamill, Hayward, Lavarch, Lucas, Mackenroth, McGrady, Mickel, Mulherin, Musgrove, Nelson-Carr, Nuttall, Palaszczuk, Pearce, Pitt, Reeves, Reynolds, Robertson, Rose, Schwarten, Spence, Struthers, Welford, Wellington, Wells, Wilson. Tellers: Sullivan, Roberts,

Pair: Connor, Purcell

Resolved in the **negative**.

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

**AYES, 44**—Attwood, Barton, Beattie, Bligh, Boyle, Braddy, Bredhauer, Briskey, Clark, J. I. Cunningham, D'Arcy, Edmond, Elder, Fenlon, Foley, Fouras, Gibbs,

Hamill, Hayward, Lavarch, Lucas, Mackenroth, McGrady, Mickel, Mulherin, Musgrove, Nelson-Carr, Nuttall, Palaszczuk, Pearce, Pitt, Reeves, Reynolds, Robertson, Rose, Schwarten, Spence, Struthers, Welford, Wellington, Wells, Wilson. Tellers: Sullivan, Roberts

**NOES, 42**—Beanland, Black, Borbidge, Cooper, E. A. Cunningham, Dalgleish, Davidson, Elliott, Feldman, Gamin, Goss, Grice, Healy, Hobbs, Horan, Johnson, Kingston, Knuth, Laming, Lester, Lingard, Littleproud, Malone, Mitchell, Nelson, Paff, Pratt, Prenzler, Quinn, Rowell, Santoro, Seeney, Sheldon, Simpson, Slack, Springborg, Stephan, Turner, Veivers, Watson. Tellers: Baumann, Hegarty

Pair: Purcell, Connor

Resolved in the **affirmative**.

### MINISTER FOR RACING

**Mr HEALY** (Toowoomba North—NPA)  
(6.11 p.m.): I move—

"That this House condemns the Minister for Racing over his reluctance to consult with key racing industry groups on the future of the industry, which has resulted in the industry itself having lost confidence in the Minister."

It is with a great deal of sadness that I have to move this motion tonight. Never before in the history of Queensland racing has the racing industry itself been so deflated, so demoralised, so lost and so left out of decisions which affect its future. Never before have we had a racing industry that had its entire future sacrificed as some form of primitive offering to appease the union movement. And never before have we seen the racing industry's future so prostituted—prostituted to try to disguise the very real fact that neither the Premier nor his Racing Minister have the leadership to command majority support at an ALP conference.

This can't do Beattie Labor Government's handling of the racing industry has been shoddy, to say the least. The industry has not been consulted. And on the very rare occasion that it has been able to get the ear of the Minister, it has been dumped. In the eight months that the Beattie Government has been in power, there has only been one ray of hope for the racing industry in Queensland, and that ray of hope was both the Premier's professed commitment and the Racing Minister's professed commitment to the privatisation of the Queensland TAB. But that ray of hope has long since dimmed. This Government's policies and the lack of consultation have now left a very dark stain right across the racing industry.

In the beginning, the Racing Minister had assured the racing industry of his personal

support for privatisation and in the beginning the Premier had shown courage and leadership by endorsing his Minister. But in the end that leadership and that courage evaporated, and evaporated very, very quickly.

When confronted with the challenge of selling the message on the floor of an ALP conference, both the Premier and his Minister ducked for cover and buckled. They were not even prepared to fight for the racing industry on the floor of an ALP conference. Instead, they dumped the whole issue and orchestrated a very grubby and very misleading smear campaign in the media.

The Premier and his Minister claimed that they dumped the decision to privatise the TAB because the industry was being too greedy. That triggered the alarm bells about just how low relations between the State Government and the racing industry had plummeted. This in itself should have triggered the alarm bells about just how far the Government was prepared to go, how far it was prepared to smear in order to cover its own incompetence.

That alarm bell has been ringing loud and clear at racetracks right throughout Queensland. I have been travelling around this State—from the north to the western borders—talking to race club committees and to industry people who are concerned about their futures. The racing industry has not been quiet in its disgruntlement. Even as recently as two weeks ago the Queensland Principal Club, the key industry body of the thoroughbred racing industry and a significant player in the racing industry, told the Courier-Mail that it would have preferred to have been consulted by the State Government before it decided to raid \$5m from the Racing Development Fund to purchase the Deagon training centre.

In fact, the QPC's own racing calendar in January again raised very serious concerns about this Government's failure to consult. In the report from the chairman of the QPC in that racing calendar edition were at least 20 questions on the future of the industry which the Minister for Racing has failed to answer. They were not insignificant questions; they were fundamental questions such as who will own the TAB if the Beattie Labor Government falls short of privatisation, decides to go with corporatisation and stays there, and whether a corporatised TAB will be required to pay dividends to the State. Another fairly fundamental question was: who will have responsibility for determining which capital projects are pursued within racing? The answer to all of these questions is nothing more than a great big question mark.

Again the question could be asked: why do we need to go down the path of corporatisation at this particular time? Why do we need to do it at all? Why not try to convince Treasury to reduce turnover tax in the short term while the Minister continues to negotiate with the unions, as he has said publicly he would? I believe he is still confident that he can get privatisation through. Why not some relief to the industry that will enable value adding to the Queensland TAB?

The only information the racing industry believes is that some sort of submission will go to Cabinet and the racing industry will then simply be told what its future is. Such is the length to which this Government will go to make sure that the racing industry is not consulted in any way whatsoever. That is one of the great tragedies about the management style of this can't do Beattie Labor Government.

The racing industry is not some two-bit player in this State's economy. It is estimated that the racing industry contributes upwards of \$300m towards Queensland's gross domestic product. It is also estimated that it is responsible for the generation of upwards of 14,000 full-time jobs. Both the Premier and the Racing Minister could do very well to take the advice of racing industry experts and racing industry analysts. Indeed, they should read what some of the commentators are saying. An article I have here states—

"The racing industry is clamouring for change. In a state where the last two state elections have been closely fought contests, the racing vote has the power to change the government at the next state election."

The article also states—

"The industry ... is at a severe disadvantage compared to its competitors in other states ... and also compared to the competing forms of gambling such as casinos."

It goes on—

"Returns to the industry lag shamefully ... with a consequent loss of jobs, while big new investors have already put their cards on the table by setting up operations in other states ..."

In the very same article racing enthusiasts were asked to judge for themselves whether they thought the Government was prepared to act and save the industry. Was this article referring to Queensland? No. It was written in May 1997 about the future of racing in New South Wales. It is from an article in the

Bloodhorse Review titled Does the Carr Labor Government have the answers for NSW racing? The New South Wales Carr Government said yes.

I should point out: the Labor State Government did act. It privatised the TAB, just as the racing industry itself had requested. Unlike the nervous nellys in the Queensland Labor Party, the New South Wales Government had the guts to do what was needed for racing—and it did so with a coalition parliamentary team that also knew what was needed for racing. The New South Wales racing industry is now reaping the rewards and it is taking jobs away from the Queensland industry. The New South Wales industry is now attracting horses, trainers and jockeys from Queensland. They are being lured by higher prize money which the privatised TAB has been able to offer.

Let me also refer to this article which records an interview that was done on radio with Premier Bob Carr and Alan Jones. It also contains an interesting quote from a short transcript of part of the John Laws program in 1997. Let me tell members what John Laws said back then to Bob Carr. He said—

"The racing industry provides a lot of jobs throughout the State, carries a lot of political clout around election time. And I mean one good kick from one old nag would knock this government in the state of New South Wales over anyway.

You get the entire racing industry against you, Bob Carr, you're gone!"

That was a prophetic quote from John Laws.

So what did Bob Carr do? Bob Carr talked to the industry. Bob Carr got TAB privatisation. Where were the Janice Mayes and the ASU? Where was the union movement then? Why did the union movement agree to New South Wales TAB privatisation in a Carr Labor Government, and yet they cannot do it in Queensland? Because this is a can't do Beattie Labor Government and a can't do Racing Minister!

The Beattie Government stands condemned. The drive towards privatisation of the TAB was not something of the former Borbidge Government's making. It was a response to a direct request from people in the racing industry. They wanted the change. They wanted to take that direction. As far as the State Opposition is concerned, our policy is very simple. It has not changed. This is a clear message to the racing industry in Queensland: the coalition supports you. That is what we said when we were in Government: the



coalition supports you. That is the message to the industry from the Opposition.

Time expired.

**Hon. T. R. COOPER** (Crows Nest—NPA) (6.21 p.m.): I second the motion. As a previous Racing Minister who came through the two-stage process with the racing industry between 1996 to 1998, members can certainly imagine my disappointment and the disappointment of many people involved in the racing industry. Unfortunately, and sadly, this Government has mishandled the racing industry. A few Government members support privatisation. They wanted it, and they have said so. However, I am afraid that the majority ruled, and that meant the prospective demise of the Queensland racing industry and all that goes with it. That is tragic. For this Government to put its own ideology in front of an entire industry, and all of those jobs and the increased value that it was going to mean to the racing industry—and most Government members know that—is a disaster. People in the racing industry know that, and they will vent their spleen when the time comes.

Members can imagine my disappointment when I read in the newspapers and hear from people just how concerned the industry is that it is not being consulted. I am sure that they can imagine my disappointment and that of most people to hear the Minister, time and time again, putting hurdles in the way of TAB privatisation. He is putting hurdles in the way of protecting jobs in the Queensland racing industry.

When I was the Minister for Racing, I listened to people in the racing industry. It was their decision; it certainly was not ours. I said to all three codes of the entire racing industry, "It will happen if you can get your act together." It was a massive job. Uniting intra-code as well as inter-code was extraordinary. Ian Brusasco and others such as Kevin Seymour in the industry actually started to weld it together and got a unified, uniform decision from the racing industry. As the then Racing Minister I said, "It's not my decision, it's yours. You go away and sort yourselves out. Have all your meetings and come back with a common purpose", and they did. It was a miracle that they did that. I was proud of the industry—and I believe that most people were—that it could make that decision to proceed with privatisation.

It then fell to the coalition Government and the industry to work together to make sure that everything went smoothly, and we did. It fell to us to make sure that we protected the

developmental race clubs, and we imposed conditions to do just that. It fell to us to make sure that we protected the thousands of Queensland jobs from the prying hands of the then to be privatised TABs in New South Wales and Victoria. It fell to us to make sure that we had all the processes properly in place to ensure a smooth and successful transition.

After the State election, it fell to the Beattie Labor Government to take the last simple steps—and that is all it was—to see all that hard work come to fruition. But they failed, and they let down the industry. When confronted with that final decision, both the Premier and the Minister for Racing blinked. They allowed all of that work to go down the drain. They allowed the Queensland racing industry and its over 14,000 jobs to hang in jeopardy.

On 14 October 1997, the former Borbidge Government made a decision to proceed with the privatisation of the TAB. At the same time, Cabinet approved the two-stage package to ensure that the industry was properly restructured in time for privatisation to proceed. We put that package in place only after having worked hand in glove with the racing industry. As a result of that package, it was estimated that the level of TAB-sourced funding would jump from \$91m to \$109m, representing a jump of \$18m in one year.

As part of that package, we decided to change wagering taxation by implementing a staged reduction of the tax rate from 34% to 25%. This would have made the Queensland TAB more than competitive against the 28.2% tax level in New South Wales and Victoria. In other words, the Queensland TAB was not only going to make up ground against our interstate competitors, we were going to take the lead.

As I have said, during the time that we were in office, both the Racing Minister and the Premier, Mr Beattie, supported privatisation. That is the message that they have sent out to the racing industry. But unfortunately, as was mentioned before, people like Janice Mayes and others won, and they won against the odds as far as the racing industry is concerned, because the racing industry is feeling the effects of this and will continue to suffer unless the Government proceeds with privatisation. I honestly do not know why the Government is not proceeding with it. I know that it would like to. I just wish that it would on behalf of the racing industry. Then we would have an industry that not only was united but was successful and flourishing and could compete with Victoria, New South

Wales and other States. I believe that every member of this House knows that.

Time expired.

**Hon. R. J. GIBBS** (Bundamba—ALP)  
(Minister for Tourism, Sport and Racing)  
(6.26 p.m.): I move—

"That the motion be amended to delete all words after 'that' and be replaced with the following—

'this House endorses the Minister for Racing's commitment to the best interests of the Queensland Racing Industry and has confidence in his ongoing efforts to secure long-term economic viability for the industry and to protect the jobs of 25,000 Queenslanders.'

This attack by the member for Toowoomba North is like being savaged by a garden caterpillar. The poor chap is running around trying to take advantage of a situation at the moment. He knows that there is some unhappiness within the industry in relation to not being able to get an immediate decision on privatisation. However, he is way wide of the mark when he talks about a lack of consultation. There has been plenty of consultation with the racing industry.

I have had meetings with the chairman of the Harness Racing Board. I have had meetings with the chairman of the Greyhound Racing Control Board. I have had meetings with the chairman of the QPC, who was in my office in October last year, when I gave him a good briefing. I had a meeting with the three chairmen in the lead-up to Christmas, as I did with a broad representation of the whole industry—of the three codes—owners, trainers, strappers, vets, the whole lot. I had them in my office before Christmas to give them an idea of what we were doing and where we were going. I also attended and addressed a meeting of the industry last Sunday week at Doomben. I might say that it was not a representative meeting of the whole of the industry. There were very strong political undertones at that meeting, as the member for Toowoomba North would be very much aware.

There is an important point that needs to be made tonight. This is the difference between a Labor Government and a conservative Government. Sure, I am on record and I will not back off. I am committed to privatisation, and I will continue to battle within my party to achieve that in the lead-up to the conference of the party later this year. But the difference is this—and I accept this as being a fundamental right of people who are

employed at the TAB: we have to make sure that the jobs of employees at the TAB, under whatever process happens in the future, are protected.

I have made the point before that I do not know how one stops technological change in the TAB or in the racing industry. It is a fact of life, and nobody can stand in its way. And if they do, that will simply make the TAB even more non-competitive in the long term. The reality is that there are casual employees at the TAB, and many of them are middle-aged women who have given anywhere between 20 and 30 years' loyal service to the TAB in Queensland. Simply because they are casual employees, one must not say to them, "Because we've privatised and we've got new computers, we're sorry but you have to just walk out after 25 years, with nothing in your pockets." We are determined to make sure that there is a process of consultation and an agreement in place before we again go to the conference on this issue. Quite frankly, I believe that that is probably one of the major issues that stands in the way of privatisation at the present time.

Let us talk about corporatisation. As members opposite well know, because this was the very track that they were heading down, the first stage of the process is to corporatise the TAB. I am attacking that. I have said to the industry, "Be patient. I am not going to be stood over and bludgeoned by a little group of your mates who are trying to spearhead some crazy campaign." Tomorrow I have a meeting on this issue and I am trying to ensure that if we progress to the point of corporatisation, we get the very best financial deal for the racing industry in the interim period. I can tell members now that if I do not get what I want, I will not proceed with corporatisation. I will leave it as it is now, because I represent the industry and I will fight for the industry on that basis.

One evening last year, I walked out of this Chamber and, in the lobby, I said to the member for Toowoomba North, "You know, we've looked at the privatisation issue and the reality is that the package that has been offered to the racing industry is far too generous", because what was left for shareholders was approximately one and a half cents in the dollar.

Time expired.

**Hon. K. W. HAYWARD** (Kallangur—ALP)  
(6.33 p.m.): It is a pleasure to second the amendment moved tonight by the Minister for Racing, which states that the House endorses the Racing Minister's commitment to the best

interests of Queensland racing. Members should make no mistake: no-one doubts the Minister's commitment to the racing industry in Queensland, both as a Minister and a shadow Minister over the past 10 years and more. The Minister personally relates to the industry, he understands it and he has identified with it. What is more, people in the industry identify him with it.

I like to tell a story about the Minister. In March last year, I was at a boxing promotion with the Minister, who was then the shadow Minister. A prominent Queensland horse owner, and a fairly prominent punter, was present and he introduced the then shadow Minister to the assembled crowd as the Queensland Minister for Racing. Bob turned to me and said, "Ken, I'm not the Minister." I said, "Bob, they identify with you as the Minister." It was as simple as that. I can tell those who have an interest in racing that that man was the only Queensland rider who raced a horse in the Melbourne Cup this year. I will not mention his name, but if members have an interest in horses they will know who he is. As I said, the reality is that the Minister understands the industry and he identifies with it, and people in the industry identify him with it.

Let us look at the Minister's record under the previous Labor Government. He was able to modernise the Queensland racing industry by the reform of the archaic industry-controlled structures that existed. That move was opposed by the gang that used to run the show. They complained, they whinged, they whined, they went to the Opposition. They said this and they said that. They said things that were quite slanderous, but it did not matter because Minister Gibbs was able to drive that modernisation process through. He developed industry incentive schemes which meant that Queensland-bred horses were rewarded when they won races in this State. For the first time, he provided direct financial assistance to control bodies.

Of course, as representatives of all areas of the State, members would know that for the first time, under the former Labor Government, a systematic program of redevelopment of training and racetracks was devised for Rockhampton, Mackay, Townsville, Cairns, Toowoomba, Doomben and Caloundra. A systematic program was introduced right across the State. For the first time, a commercial TAB board was introduced which was focused on maintaining the wagering turnover. Under the previous Labor Government, radio 4TAB, which has been so important for the racing industry in this State,

was established. That was the legacy of the Labor Government and, in many ways, it was driven personally by the then Minister and current Minister. As I said before, prominent owners in this State never regarded him as the shadow Minister, even when we were in Opposition.

Let us now look at the record of the previous Government. Under the former Racing Minister, the previous Government squandered millions and yet achieved little. It is hard to imagine how they could have achieved so little in two and a half years in office. At the end of 1996, despite warnings from the TAB that the Queensland racing industry was in danger of being swamped by interstate rivals, Mr Cooper's only response was to set up endless industry consultation. There were more talks and more sop was given to the vested interests within the industry. Eighteen months and \$4m later, the Minister had still failed to take a submission to Cabinet supporting the racing industry. Millions of dollars were squandered on consultants for industry strategic plans and TAB reforms. All sorts of corporate people jumped on the gravy train to collect that money. In two and a half years, over \$4m was spent by Mr Cooper with no results. Of course, this philosophy of inaction became the norm for that never-never coalition Government. When people look back at the track record of the member for Crows Nest, they ask: what did he achieve? The answer is: nothing.

Time expired.

**Mr SANTORO** (Clayfield—LP) (6.38 p.m.): It gives me great pleasure to participate briefly in this debate, because I represent an electorate within which three of the biggest racing tracks in Queensland are located, these being Eagle Farm, Doomben and Albion Park. I have listened with great interest to the contributions made so far by Government members. It seems to me that the theme of their contribution is twofold: firstly, how much money the Goss Labor Government and now the Beattie Labor Government have given to the racing industry; and, secondly, the plans that the Minister has for the racing industry in this State. Very early in my contribution it is worth making the point, which was very ably made by the previous Minister and shadow Minister, that we are not talking about the Government's money when we are talking about money that is going to the industry; we are talking about industry money. The industry put the money into consultancies and the industry finances its own future. That point is recognised by everybody on this side of the House and, most importantly, by the industry.

In the contributions made so far by members opposite, we have heard that the Minister has a plan. I do not believe that the Minister has a plan. If any evidence was needed that the racing industry has no faith in the future plans of the Beattie Government and the Minister for the racing industry, one need look no further than an article that appeared in the Courier-Mail last Monday. In fact, the Queensland racing industry has so little faith in this Government's attempts to corporatise the TAB that it made an offer to purchase the TAB itself for \$80m—again, this is the racing industry speaking for itself. Such is the fear about the direction that this Government is moving in with its proposal to corporatise the TAB.

It is little wonder that the racing industry has these fears. Representatives of the industry have constantly asked the Minister for answers about the future of the industry, but the Minister has constantly failed to reply because he is not listening to the industry. A great number of those people live in my electorate and they constantly tell me that. They have asked such fundamental questions as: will the TABQ have an exclusive sports betting licence in Queensland? What will be the timing of payments by the TABQ to the racing industry? Who will have responsibility for determining which capital projects are pursued within racing? What will happen to the Racing Development Fund debt and the fund itself? Surely the Minister has a responsibility to answer these questions. Surely the Minister for Racing has a responsibility to consult with the racing industry. Instead, he intends to take a submission to Cabinet and then consult or, rather, dictate.

I heard the Minister say that he still favours privatisation; he favoured it from day one when he got into Government. The Minister did not consult; he just got rolled by the unions and by the Socialist Left. At least the Minister has the decency to say that he still favours privatisation. However, he should also have the decency to say that he got rolled and defeated. He should give some clear direction to the industry and let it get on with the job. The Minister should say that he cannot deliver rather than string along the industry and pretend that he favours and will implement privatisation. He cannot deliver on that one. The Minister may be able to deliver on other things, but he cannot deliver on privatisation, because the unions and his mates in the Socialist Left just will not let him do it.

It is no secret that the privatised TABs in New South Wales and Victoria are threatening racing in Queensland. That is the tragedy:

while the Minister dithers, the racing industry in Queensland is under threat. It is no secret that the Beattie Government has sacrificed privatisation and, therefore, sacrificed the racing industry to appease elements within the ALP and the union movement. Both the Premier and his Minister canned privatisation despite an earlier pledge to proceed with it. They did it because they just cannot deliver.

In one regional newspaper, the Racing Minister was quoted as saying—

"I believe we have no choice but to privatise the TAB if we are going to stay on equal footing with New South Wales and Victoria, and I have given my wholehearted support."

That wholehearted support that was pledged by the Minister turned into a wholehearted backflip. The tragedy of it all is that this Minister cannot deliver. The racing industry is absolutely without direction. In this instance, I think that it is important to quote the editorial of the Courier-Mail, which stated—

"Mr Gibbs should not adopt a Pontius Pilate stance; he is the Minister and it is his job to solve the problems. Party politics should not be put before the industry and state interests."

The Minister has a reputation for being a man of power, a man of clout, a man of influence. He should just get on with the job, convince his colleagues that privatisation is, as he believes, the best way for the industry to go, provide leadership, be effective and stand up to the unions just for once in his political life. It is then that the Minister will earn the respect of the people in my electorate whom I represent, and I represent many racing people.

Time expired.

**Mr NUTTALL** (Sandgate—ALP) (6.42 p.m.): The difficulty with this debate is that the Opposition needs to realise that the racing industry does not revolve around Eagle Farm, Doomben and Albion Park.

**Mr Healy** interjected.

**Mr NUTTALL:** The fundamental problem is that the Opposition is listening to the people from that area and it is not listening to people from the other parts of the State. The Opposition members should get out to those areas as this Government has done with its regional Cabinet meetings. The Minister has received deputations from people within the racing industry throughout the State. They are saying that the Queensland Principal Club is making decisions, yet it is not even talking to the rest of the industry. The trouble with the

QPC is that it is not listening to the rest of the industry.

**Mr Cooper** interjected.

**Mr NUTTALL:** As I said, one of the problems is that members opposite will not listen to the whole industry. They are being guided by the elite clubs and the elite stakeholders within the industry. What about the backbone of the industry? What about the jockeys? What about the trainers? What about the farriers? What about all of those other people? What about the other 25,000 people who work within the racing industry? They should have as much say in the racing industry and in the future of the racing industry as do the major clubs down here in the south-east corner. They are the people who should be listened to.

The Deagon racecourse is located in my electorate. The Minister acted decisively, listened to the industry and now the Deagon racecourse is a secure training facility for the trainers in the south-east corner of this State.

**Mr Cooper:** You lost all the trainees; they're gone.

**Mr NUTTALL:** No, we have not lost the trainees. That indicates the difficulty that the Opposition has with this matter. The trainees have not gone over the border. If the member opposite reckons that that is the case, I invite him to come to Deagon and have a look at the facilities. A large number of trainers have invested in stables and facilities at Deagon racecourse. They were in a quandary; they did not know whether the training facilities would be staying at Deagon. They had invested a lot of money, but they could not get a decision out of the racing industry. It took this Minister to make the decision to ensure that the training facility at Deagon within my electorate was maintained, simply because people within the QPC and other areas of the racing industry could not make a decision about that facility. That is one of the difficulties that we have.

It needs to be remembered that the 11-member QCPC board is controlled by the major clubs. That is the difficulty.

**Mr Healy:** It's controlled by the regional representatives.

**Mr NUTTALL:** As I say, there is no representation of the other people within the industry. They should have a say in the future of this industry. The members opposite talk about the privatisation of the TAB. I say to those members opposite who like a punt and go to the TAB on a Saturday to have a look at the tote odds. I go there and I have a look at the tote odds.

**Mr Healy** interjected.

**Mr NUTTALL:** It is not. If the member looked at the overall tote odds, he would see that the Queensland TAB holds its own against New South Wales, against SuperTAB and all the rest. In the main, it holds its own. The member should not look at just a few races; he should have a look at the full card.

**Mr Healy** interjected.

**Mr NUTTALL:** We can do that on the Internet. The member should not blame the sale of the TAB on that. The member knows as well as I do that if people want to have a punt, they can do that on the Internet. The member cannot blame it on that issue. Give us a break!

The privatisation of the TAB is not the be-all and end-all of saving the racing industry in this State. If the factionalised groups within the racing industry get their act together and, instead of looking after their own self-interest they look after the interests of racing, they will save the racing industry.

Time expired.

**Mrs SHELDON** (Caloundra—LP) (6.47 p.m.): At the outset, I pay tribute to Mr Des Scanlan, a past Chairman of the Corbould Park Racecourse. Unfortunately, Des passed away a short time ago. He was a champion of Corbould Park, of the racing industry itself and of all the people in it. He will be sorely missed.

At the beginning of this debate, the Minister, Bob Gibbs, intimated that he had a plan for the racing industry. I think that it might be like Baldrick's cunning plan in *Black Adder*, and it has about as much credibility. I am very much concerned about the Corbould Park Race Club, which is one of the regional race clubs that Gordon Nuttall said no-one was paying any attention to. I can assure him that I have paid attention to it, as did the former coalition Government.

That Government decided that we would allow Corbould Park to freehold. The history behind Corbould Park was that the council, Mr Corbould and the race club came to an agreement whereby the council would purchase the land from Mr Corbould and the club, which was then in its infancy and could not afford to buy the land itself, would lease the land back from the council. This was done only after agreement with Mr Corbould that that land would always be used as a race club and that it could not be sold by the club or the council or used for any other purpose. That was the signed agreement that was entered into.

That repayment to Mr Corbould is complete, because the last payment was to be in 1999 and I believe that it has been made. The club, through its lease payments to the council, has pretty well repaid any debt that the council owed to Mr Corbould. It is only fitting that the club now has that freehold. Cabinet, in a submission that was taken to it by the then Racing Minister, Russell Cooper, and which was supported by me, decided that Corbould Park be allowed to freehold, as had been done by a number of other clubs throughout Brisbane and was proposed for clubs in Mackay, Townsville, Rockhampton, Bundamba—which was the former Minister's own electorate, so we were not leaving that out—Ipswich and Clifford Park, Toowoomba. We also announced that the QPC would purchase Deagon, that it would be a long-term asset for the racing industry and that it would be used to train jockeys and undertake other general training.

Approximately \$5.5m was going to be made available to purchase Corbould Park and Deagon. This money was coming from the TAB reserve. The proposition had been put to us by the racing industry itself. That is where it came from. The TAB reserve money was reserved for the TAB and had always been used for the purposes of racing. The money was there. The industry said, "This is the way it should be spent and this is the way we would like it to be spent." As Treasurer I reviewed this matter, as did the Minister. We agreed, and so did Cabinet.

When the Labor Government came to power Mr Gibbs, who says that he is all for the racing industry, reneged on that agreement. He victimised Corbould Park. He would not go ahead with the freehold purchase of that club. He would not agree with it. The money was there. When I spoke to him in the lobby—

**Mr GIBBS:** I do not mind a bit of stuff across the Chamber—

**Mrs SHELDON:** It is true and you are wasting my time.

**Mr GIBBS:** Sit down, you shabby little creature.

**Mrs SHELDON:** I will not sit down. You are a very shabby Racing Minister.

**Mr DEPUTY SPEAKER** (Mr D'Arcy): Order! I will not tolerate that, Mr Minister.

**Mrs SHELDON:** Mr Deputy Speaker, what is very obvious—

**Mr DEPUTY SPEAKER:** Order! Have you a point of order, Minister?

**Mr GIBBS:** I rise to a point of order.

**Mrs SHELDON:** It is obvious that the Minister will not support Corbould Park.

**Mr DEPUTY SPEAKER:** Order! Will the member for Caloundra resume her seat? There is a point of order.

**Mrs SHELDON:** You don't support Corbould Park and I do. You haven't—

**Mr DEPUTY SPEAKER:** I did, and I chastised the Minister.

**Mr GIBBS:** My point of order is that there has been no victimisation by me against Corbould Park. I have always had an excellent working relationship with Corbould Park.

**Mrs SHELDON:** Mr Deputy Speaker, this is wasting my time and he knows it.

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

**Mr GIBBS:** I find the remarks offensive.

**Mrs SHELDON:** Mr Deputy Speaker, if it was not victimisation, why—

**Mr GIBBS:** I find the remarks offensive and I ask that they be withdrawn.

**Mrs SHELDON:** No, I will not withdraw it because you reneged on your agreement. You would not buy it.

**Mr GIBBS:** I ask that the remarks be withdrawn.

**Mrs SHELDON:** Oh, I will withdraw whatever he finds offensive.

**Mr DEPUTY SPEAKER:** Order! The Minister finds the remarks offensive. I ask that the member withdraw.

**Mrs SHELDON:** I withdraw whatever he did find offensive but the facts speak for themselves.

**Mr DEPUTY SPEAKER:** Order! I ask the member to withdraw unequivocally.

**Mrs SHELDON:** I did. I withdrew. The fact of the matter is that the Minister would not provide the money to buy the freehold. I am pleased to see that the Minister is laughing because the jockeys, the owners, the trainers, the strappers and everybody involved with the racing industry in Caloundra knows that the Minister duded them. That was supposed to be his commitment.

The \$6m was available in the TAB reserve when the coalition Government went to the election. When I spoke to the Minister later on about not providing the money he said, "The money isn't there." Where did it go? It could not be used for consolidated revenue. It was TAB reserve funds. If the Minister allowed Beattie and Hamill to use that money for other purposes he is reneging on his duty.

Otherwise, what did the Minister do with the \$6m?

Time expired.

**Mr REEVES** (Mansfield—ALP) (6.53 p.m.): If the Queensland racing industry should have anyone in its sights it is the coalition and the current and former leaders of the Liberal Party. I know that the club industry and the hotel industry also have them in their sights.

The member for Moggill presided over one of the most scandalous and irresponsible decisions ever undertaken by any Government. As Parliamentary Secretary to the Treasurer, Dr Watson gifted a Queensland gaming licence to TABCorp, the giant privatised TAB, for a paltry \$250,000. In effect, Dr Watson's decision gave TABCorp a licence to print money from poker machines in Queensland pubs and clubs in direct competition with our own Queensland TAB. It was done against the best advice of the coalition's own TAB without any consultation with the Queensland racing industry.

**Mrs SHELDON:** I rise to a point of order. The legislation is before the House. It should not be referred to in this current debate on the racing industry.

**Mr DEPUTY SPEAKER** (Mr D'Arcy): Order! There is no point of order, but I refer the member to the motion before the House.

**Mr REEVES:** They did not listen to the TAB. There was no consultation with the Queensland racing industry—

**Mrs SHELDON:** I rise to a point of order. It is an amendment to a Bill that is currently before the House. It was put in by the Treasurer, Mr Hamill.

**Mr DEPUTY SPEAKER:** Order! Yes. I ask the member to refer to the motion before the House. He should not be referring to a Bill that is before the House.

**Mr REEVES:** This decision to support TABCorp created a major problem for the Queensland TAB. The Queensland TAB should have had the rights to gaming machines in Queensland. That decision made by the former coalition Government has allowed the money to go to the Victorian TAB instead of the Queensland TAB. As a result, the Victorian racing clubs are benefiting from the money of Queensland consumers. The money paid by Queensland consumers is not going into our rural and regional racing clubs. If it was it would create employment and

continue the 25,000 jobs that are already in the industry. This money would have facilitated the improvement of facilities at rural racetracks which those opposite are supposed to support. All those opposite are interested in is the top end of the racing industry, not the rural or regional towns. Those opposite keep championing in this House that they support those towns. Last night the coalition did the same thing to the miners. This afternoon they are doing it to the racing clubs. The coalition is attacking the workers. Those opposite are attacking the farriers, the stablehands and the jockeys. They are not supporting the people who count. All they care about is the top end of town—the multinational companies and the Queensland Principal Club. They do not really care about regional or rural towns.

Time expired.

**Mr SPEAKER:** Order! For all future divisions on this motion the bells will be rung for two minutes.

**Question—**That the amendment be agreed to—put; and the House divided—

**AYES, 49—**Attwood, Barton, Beattie, Black, Bligh, Boyle, Braddy, Bredhauer, Briskey, Clark, J. I. Cunningham, Dalglish, D'Arcy, Edmond, Elder, Feldman, Fenlon, Foley, Fouras, Gibbs, Hamill, Hayward, Lavarch, Lucas, Mackenroth, McGrady, Mickel, Mulherin, Musgrove, Nelson-Carr, Nuttall, Paff, Palaszczuk, Pearce, Pitt, Prenzler, Reeves, Reynolds, Robertson, Rose, Schwarten, Spence, Struthers, Welford, Wellington, Wells, Wilson. Tellers: Roberts, Sullivan

**NOES, 37—**Beanland, Borbidge, Cooper, E. A. Cunningham, Davidson, Elliott, Gamin, Goss, Grice, Healy, Hobbs, Horan, Johnson, Kingston, Knuth, Laming, Lester, Lingard, Littleproud, Malone, Mitchell, Nelson, Pratt, Quinn, Rowell, Santoro, Seeney, Sheldon, Simpson, Slack, Springborg, Stephan, Turner, Veivers, Watson. Tellers: Baumann, Hegarty

Pair: Purcell, Connor.

Resolved in the **affirmative**.

**Question—**That the motion as amended be agreed to—put; and the House divided—

**AYES, 49—**Attwood, Barton, Beattie, Black, Bligh, Boyle, Braddy, Bredhauer, Briskey, Clark, J. I. Cunningham, Dalglish, D'Arcy, Edmond, Elder, Feldman, Fenlon, Foley, Fouras, Gibbs, Hamill, Hayward, Lavarch, Lucas, Mackenroth, McGrady, Mickel, Mulherin, Musgrove, Nelson-Carr, Nuttall, Paff, Palaszczuk, Pearce, Pitt, Prenzler, Reeves, Reynolds, Robertson, Rose, Schwarten, Spence, Struthers, Welford, Wellington, Wells, Wilson. Tellers: Roberts, Sullivan

**NOES, 37—**Beanland, Borbidge, Cooper, E. A. Cunningham, Davidson, Elliott, Gamin, Goss, Grice, Healy, Hobbs, Horan, Johnson, Kingston, Knuth, Laming, Lester, Lingard, Littleproud, Malone,

Mitchell, Nelson, Pratt, Quinn, Rowell, Santoro, Seeney, Sheldon, Simpson, Slack, Springborg, Stephan, Turner, Veivers, Watson. Tellers: Baumann, Hegarty

Pair: Purcell, Connor.

Resolved in the **affirmative**.

Motion agreed to.

Sitting suspended from 7.03 p.m. to 8.30 p.m.

## **CORRECTIVE SERVICES AND PENALTIES AND SENTENCES AMENDMENT BILL**

### **Second Reading**

Resumed from 27 August 1998 (see p. 2011).

**Hon. M. J. FOLEY** (Yeronga—ALP) (Attorney-General and Minister for Justice and Minister for The Arts) (8.30 p.m.): This legislation ranks amongst the most patently ill-conceived ever presented to this House. It is also a cynical attempt to appeal to the community's real concern about crime but without the substance to deliver what it promises. When the citizens of Queensland look at this legislation for workable solutions, how many will they find? None! When they ask, "Just how much consultation did the Opposition carry out before producing these outlandish proposals?", what will the answer be? None! When they ask, "How many ideas does this legislation contain to reduce the crime rate and make the community safer?", what will the answer be? None!

This legislation contains a considerable amount of posturing by the Opposition, but curiously none of that posturing reflects actions that the coalition was prepared to take when it had the chance when it was in Government. What we have seen is an attempt by the member for Warwick to cobble together a proposal with indecent haste. Why? Was this designed to attack crime or to attack the causes of crime? No! It was designed to prop up the public image of the coalition at a time when the temporary Leader of the Opposition found himself in a politically parlous state and in a policy vacuum. It is the old National Party tactic: when in doubt rattle the law and order can, try to pretend to be as tough as tough can be without making a serious attempt to do the hard policy homework necessary to attack crime or to attack the causes of crime. If this was such a great idea, why did the member for Indooroopilly, the former Attorney-General, not introduce it? Why? Because he well knows that this will do nothing to attack crime! This will

do nothing to attack the serious violent offences against which our community must take every possible action.

By comparison, the Beattie Labor Government's position is clear. We are tough on crime and tough on the causes of crime. We are taking meaningful, workable and practical steps to try to reduce the crime rate in Queensland.

**Mr Paff:** You are doing nothing.

**Mr FOLEY:** I note the interjection from either the members of One Nation or five nations or however many they may be just at the moment. It is precisely because of the insidious influence of One Nation in the lead-up to the last election and in the period straight afterwards that the member for Warwick produced this; not as a result of any serious attempt to attack crime or to attack the causes of crime, but because the National Party was desperate to make a political ploy to deal with what it saw as a political threat from One Nation.

The member for Warwick's excuse for lack of consultation on this Bill was breathtaking. He said that the consultation can take place after it has been introduced. This is a novel approach to the business of law making. The honourable member for Warwick simply—

**Dr WATSON:** I rise to a point of order. Madam Deputy Speaker, the Minister is misleading the House, because his colleague the Treasurer did exactly that with respect to the amendments to the Gaming Machine Bill before the House.

**Madam DEPUTY SPEAKER** (Ms Nelson-Carr): Order! There is no point of order.

**Mr FOLEY:** Madam Deputy Speaker, how far the standards of parliamentary debate have sunk when the Deputy Leader of the Opposition takes a frivolous point of order in order to interrupt debate upon what his own coalition held out to be the most important piece of legislation that it was bringing forward. The frivolous approach taken by the honourable member demonstrates what this is all about. They are not prepared to do the homework. They are not prepared to put in the work. They simply want to create a political flourish. They can run, but they cannot hide. When they come into this Chamber, their actions will be exposed to critical analysis.

Let us have a look at some of the flaws in this legislation. In his second-reading speech, the member for Warwick said—

"The Corrective Services and Penalties and Sentences Amendment Bill 1998 provides for 100% custodial



sentences for specified classes of violent offenders. It also provides for certain flow-on changes that are required as a consequence of this."

Isn't that interesting? Those flow-on changes began flowing only after the member for Warwick's original proposal was put forward. He will come to eat his words. I take the House to the article which he wrote on 15 July 1998, which appeared in the Courier-Mail, in which he said—

"This major reform of the justice system does not in any way militate against rehabilitation. It simply forecloses on the possibility of parole—in other words, freedom under what is often in effect very loose guardianship—for the worst offenders."

Originally, the proposal was under the banner of truth in sentencing—that 10 years meant 10 years. But when the folly of letting violent offenders out onto the streets without supervision was drawn to the honourable member's attention forcefully in public debate, he shifted his ground. Do you remember, Madam Deputy Speaker, that this was the Bill that was going to be brought into the Parliament on the very first day? Why was it not brought in? It was because the member for Warwick suddenly realised that his proposal would allow out onto the streets serious violent offenders without the benefit of supervision. In other words, it would be endangering the community and victims of crime. And so they had to go to plan B.

The honourable member, having abandoned a commitment to parole, had to cook up this scheme provided for under the Bill of a species of supervision. The honourable member took another month to bring it forward and it was tacked on simply because they had not done the homework, they had not consulted and they had not sought to deal with the realities of life in the criminal law and in the practice of the criminal justice system.

That rethink has produced a bizarre proposal, where prisoners would serve up to five years' community supervision after they have completed their sentence. It is a shame that the member for Warwick did not have a rethink about that proposal as well. One of the benefits of the current parole system is that parolees know that, if they do not behave, they will go back inside to finish their original sentences. Under this legislation there would be no step-by-step integration back into society of serious violent offenders—no assistance for readjustment. This poses a serious risk to society.

What happens to them if they do not behave under this legislation? This Bill provides that a breach of a community order is a simple offence, carrying a maximum penalty of 100 penalty units, or six months' imprisonment. That means the most dangerous and violent ex-prisoners could be taken before a magistrate only for a simple offence. There would no longer be the threat of having to serve out the rest of their sentence inside. The ill conceived community supervision aspect of this Bill would impose an ineffectual, cumbersome process on the courts and corrective services organisations.

Under this legislation the courts must decide if a person is likely to reoffend, but there is no provision in the Bill about the standard of proof required by the courts to make that decision. Little consideration has been given to the impact this legislation would have on our court system. For example, the community supervision aspects alone would take an uncalculated toll on resources for a system that is less restrictive than the current parole system through, for example, the need for litigation on any matters in dispute—court time; witness expenses and professional fees for court appearances; legal aid for impecunious prisoners; reports from prison staff, victims, psychologists, psychiatrists, social workers, police and others addressing the statutory criteria for an application; and, of course, the costs to the Office of the Director of Public Prosecutions of representation by their staff or private practitioners.

Significantly, the member for Warwick did not descend to do what everybody else has to do when they bring in legislation—to give some explanation to the Parliament of just how much it is going to cost. What are the economic impacts? Not there! Why were they not there? Because it was a rushed job designed to achieve a political end, not designed to achieve the proper end of law making!

**Mr Lucas:** Slapdash.

**Mr FOLEY:** As the honourable member observes, it was slapdash.

Another aspect of this legislation which obviously has not been considered properly is the impact on the judiciary. From the moment that the member for Warwick rushed in to try to give some political comfort to the temporary Leader of the Opposition, the proposal drew significant criticism, and I refer to the article published in the Courier-Mail on 9 July by former Supreme Court Justice Bill Carter. This article, of course, was attacked by the member for Warwick in his reply of 15 July. He showed

the disdain which he had for the arguments advanced when he said that it is a pity that so-called qualified people such as former Supreme Court Justice Bill Carter failed to understand the very essence of our justice system. What an extraordinary observation upon such a distinguished jurist!

There are further considerations with respect to the judiciary, and let us analyse them because it is plain that the Opposition has not done so. Judges would, if this legislation were to be passed by this House, be required to administer three concurrent sentencing regimes for prisoners who have committed serious violent offences applying to crimes committed prior to 1 July 1997, post 1 July 1997 and after the introduction of this legislation. When judges consider sentences now, they take into account parole provisions and their impact on the actual term of imprisonment. If this legislation were passed, that situation would not necessarily change. It becomes a question of what is the intent of the Legislature, and it is a well-known principle of construction of a criminal statute that the intent of the Legislature must be clear. But it is open on the construction of this statute, if it were passed, for a judge simply to take into account that an offender must serve 100% of the sentence rather than 80% and, thus, impose a correspondingly low head sentence.

**Mr Lucas:** The member for Callide is struck dumb in embarrassment.

**Mr FOLEY:** I thank the honourable member for his observation. Perhaps the honourable member for Callide is at long last being exposed to some of the true facts that surround this debate. One never knows just when enlightenment might strike.

That is not an idle speculation because it has occurred in other jurisdictions when the legislation which introduces this so-called truth in sentencing is insufficiently clear to spell out the intent of the statute. If there is one thing that this legislation could not be accused of on this point, it is clarity.

If, indeed, the judiciary were to reduce head sentences as a consequence, this could have a devastating impact on victims of crime, who may well ask the member for Warwick why on earth the sentences were being reduced. In fact, victims of crime would be the real losers under this legislation because of the chance head sentences could be reduced, the reduced level of supervision of ex-prisoners, the chances of a higher rate of recidivism and the added costs all taxpayers must bear for the administration of clearly flawed legislation.

In contrast, the Beattie Labor Government is taking practical steps—workable steps—to improve the situation of victims of crime. It is important that we draw attention to the reaction that we have had from senior members of the judiciary to these proposals. Let me table in this House press clippings, firstly, from Friday, 31 July 1998, from the Courier-Mail under this heading.

**Mr Nelson** interjected.

**Mr FOLEY:** The honourable member may have little interest in the observations of senior judicial officers, but I suggest to the honourable member that, if he were to listen to the opinion of judicial officers, he might find himself considerably better informed in this debate.

The report is headed "Top judges blast move to change sentencing", and appeared in the Courier-Mail on Friday, 31 July 1998. It says—

"Queensland Chief Justice Paul de Jersey and District Court Judge John Robertson have criticised truth-in-sentencing proposals and called for protection of the current system.

Justice de Jersey said truth in sentencing was one step away from fixed jail terms and mandatory sentences, which had been trialled in the past in Queensland and failed."

Justice de Jersey was launching a Queensland sentencing manual at the Supreme Court Library. That manual was written by District Court Judge John Robertson and Queensland University of Technology criminal law senior lecturer Geraldine Mackenzie.

**Mr Nelson:** Who makes the law—us or judges?

**Mr FOLEY:** The honourable member asks the question: who makes the law? Let me explain to the honourable member that it is the function of the elected representatives of the people to make the law. It is the function of judicial officers to apply the law. It is important that one should have regard to the facts of life as they occur in the criminal justice system because judicial officers have to deal with these laws, and the braying disregard that comes from the honourable members does little credit to them and demonstrates a patent lack of respect for the judiciary.

I table the article headed "Top judges blast move to change sentencing" and suggest it as reading for all honourable members. I table also for the benefit of honourable members a similar report appearing in the Queensland Times of

1 August 1998 similarly critical of the proposals in respect of so-called truth in sentencing legislation.

Let us contrast this with what the Beattie Labor Government is doing. It is taking practical, workable steps to improve the situation of victims of crime. What did victims of crime get under the coalition? Their compensation payments were cut arbitrarily by the Government of the day, which systematically reduced payments to victims of crime. Yet those opposite have the temerity to come into this Chamber and hold themselves out as champions of victims of crime. They should hang their heads in shame.

The Labor Government has created the Premier's task force on crime prevention, which is currently conducting meetings throughout the State to receive input from Queenslanders on how they think our crime rate can be reduced. The honourable Leader of the Opposition may think that consultation with ordinary Queenslanders is unnecessary. No doubt that is why those opposite did not even bother to consult before introducing legislation. The honourable Leader of the Opposition should get out and talk with some of the citizens of Queensland and learn from some of the Neighbourhood Watch and victims of crime groups about practical ways of attacking crime and the causes of crime. The Labor approach is to be tough on crime and tough on the causes of crime. It is attacking the causes of crime, trying to prevent offences from being committed in the first place. That is the crucial aspect of our approach.

In addition, we have progressed a number of reforms aimed at shifting the focus of our criminal justice system back onto the victims of crime. Already today the Parliament has received legislation relating to stalking. That will be debated in due course. The process of examining the position of victims of crime has been under way for a number of months. That has involved consultation throughout the length and breadth of this State. It is all about ensuring that victims of crime are treated with dignity and respect.

The Labor Government was the first to introduce the Criminal Offence Victims Act, an Act much criticised by the coalition but which it never sought to amend. It took a Labor Government to do the hard work, to introduce victims of crime legislation and to take up the cause on behalf of victims of crime so that they might be treated better in the criminal justice system. It took a Labor Government to establish the task force on women and the

Criminal Code to help make criminal legislation fairer for all Queenslanders.

The legislation before the House is ill-conceived. It is a political stunt. It is not designed to prevent crime. It is not designed to attack the causes of crime. It will not result in the commission of one less offence. It will mean an uncertain cost to the taxpayers of Queensland. It is a matter of great shame that the Opposition has blithely ignored any attempt to cost the proposals that it puts before the Parliament. It is not interested in a serious analysis of how to go about the task of confronting crime; it is interested in atmospherics. It is interested in putting something forward, without having done the basic work in order to make it an effective proposal.

The legislation is deeply flawed. I urge all honourable members of this House to reject the legislation and to work instead towards real and practical reform.

**Dr WATSON** (Moggill—LP) (Leader of the Liberal Party) (8.53 p.m.): I rise to support the Corrective Services and Penalties and Sentences Amendment Bill 1998, introduced by the honourable member for Warwick. I do not intend to speak for very long tonight, because it does not take very long to succinctly put the case for this Bill. Unlike the Attorney-General, the coalition has a clear idea of the kinds of things that are necessary to address the issue of crime.

The Attorney-General ought to understand that this Bill is an important part of a multifaceted strategy to fight crime in our society. We in this place all know—the Attorney-General should know—that there is not simply one solution to the rising crime rate. Despite what the Attorney-General said, this Bill does not pretend to be a cure-all. We know that the problem needs to be attacked from all sides, but I believe that the community needs to devote considerably more resources to developing policies and ideas that are genuinely aimed at crime prevention. There is absolutely no question on this side of the House that that is necessary.

Concentrating on prevention and early intervention should not mean neglecting the punishment end of the crime. That is what the Attorney-General seems to forget. For too long sentencing in this State has sent a mixed message. Law-abiding citizens have become frustrated and at times outraged at the inadequate time serious offenders actually spend in jail. A mixed message is also being sent to offenders and potential offenders. That mixed message is that, depending upon a set

of ill-defined circumstances, it is anybody's guess how long a person will serve for a serious violent crime. Perhaps for less serious, non-violent crimes there is some justification for such a response, but for serious violent crimes the time has come to provide certainty. The time has come to send a clear message. The time has come to get serious with serious violent offenders.

This truth in sentencing Bill is not just a simplistic version of the cry that "if you do the crime, you do the time". Rather, this Bill is a well thought out, considered response to a real problem. Contrary to what the Government, through the Attorney-General, tries to tell us—and I am sure other speakers on the other side of the House will also try to tell us—this Bill does not mean that serious violent offenders will be let straight back into the community without any supervision upon completion of their sentence. In fact, before the honourable member for Warwick introduced this Bill it was considered significantly by the policy committees of the joint parties and this issue was addressed. The Bill ensures that serious violent offenders will have to undergo community supervision upon release. Depending upon the prisoner's behaviour whilst in jail, this community supervision program will last between six months and five years.

The community wants and needs the certainty that this Bill provides. If the original crime is worth 10 years, then it is worth 10 years—not four years and eight months, not five years and two months, not six years and three months, but 10 years. We must send a clear, simple message to those people in the community who would commit serious violent crime. That message is that they will not be walking free and thumbing their noses at the community and their victims after serving half, three-quarters or seven-eighths of their sentences. They will do the full time for serious violent crime. The community has had enough of people not taking full responsibility for their actions. I commend the Bill to the House.

**Ms STRUTHERS** (Archerfield—ALP) (8.58 p.m.): I rise to oppose the Corrective Services and Penalties and Sentences Amendment Bill 1998. I do not oppose what the member for Warwick is trying to achieve in terms of safety, but the strategies are misguided and valuable dollars will be misspent.

Everyone wants to live and raise their kids in a safe community. Ideally, we would all like to live without fear of being assaulted or violated. We would like to sleep with our

windows open, rather than spend thousands of dollars putting steel bars on them. However, we do not live in an ideal world. Violent crimes continue to be committed daily. Even though offenders make up a small core within our community, the impact of their vicious crimes hits us all.

I have spent many years working to get domestic violence taken seriously—for it to be seen as a crime, not a private family matter. I have worked hard to ensure that the full force of the law came down on the cowards who assault their partners. Ten years ago, very few were punished. Police were reluctant to intervene. Times have now changed. Many of these violent offenders now do time in jail.

I have also worked with others to reform rape laws. Traditionally, many rapists have been acquitted or received relatively light penalties. I support the view that violent offenders—whether their crimes are committed against family members or strangers—must be locked away. I do not support the view in this Bill that offenders be locked away for the full term of their sentences with no incentive to rehabilitate themselves.

I would like the members of this House to think about some possible scenarios. Consider offender A. I will call him John. John has been a successful businessman. Generally, he has been a good family man and a good bloke. He had no reported criminal history. That was until last year when, in a drunken rage, he assaulted his wife. She fell over a balcony and is now a paraplegic. John's sentence: 14 years. Do we give blokes like John incentives to rebuild their lives, or do we harden them and risk that they will offend again? Changing the attitudes and behaviours of offenders will help to make us all safer, not producing hardened and bitter reoffenders. Not all offenders have the capacity to be rehabilitated, but by supporting this legislation we are cutting off early parole incentives for all people.

Don is the second offender. He is 55 years old. He has lived with his wife for 20 years on a small property in regional Queensland. He was well known as a kind, respectable community member. He was also a well-regarded National Party member. He has also just received a 14-year prison sentence. His crime? He could no longer cope with the period of unemployment he had been enduring. He could no longer cope with the threat of repossession of his property and equipment. He broke into a neighbour's property. When the neighbour leapt at John, he was startled and fired his rifle. His

neighbour was shot dead. I ask again: do we want first offenders, such as Don, to be locked away for 14 years—again with no incentive to rebuild their lives? Or do we need to take the individual factors into account and be given genuine options for rehabilitation?

The third offender is Jenny. She is 18 years old. She became addicted to heroin whilst at boarding school. Her family are wealthy, successful graziers. She has always been seen as a good kid. Not now. Jenny got hooked up with a young con man who encouraged her to join him on a car theft scam. To make quick money for her heroin habit, Jenny joined in the scam. Things went tragically wrong. Jenny drove a stolen car. She was off her face on heroin. She killed a school-age child. She also got 14 years for her drug and other offences. Again, I ask: do we give Jenny every opportunity to get off drugs, rebuild her life, repay her debt to the community, or do we throw away the key for 14 years? My guess is that each of us will come to know a John, a Don or a Jenny—someone who is a first-time offender but who, through a range of circumstances, ends up committing violent offences.

Incentives for parole within the corrective system enable offenders who have a capacity for rehabilitation to pursue that vigorously. Without this option, we overcrowd our prisons and spend billions of dollars at the wrong end of crime. Instead of giving priority to this Bill, the member for Warwick would do well to focus on crime prevention. Our Government is doing just that. We want to be tough on crime and tough on the causes of crime. We have developed a comprehensive crime prevention strategy. This is the way to go. Crime is complex. We need wide-ranging solutions. We will be safer, and we will feel safer, when we prevent crime from happening in the first place. We need solutions that tackle the complex factors that underlie criminal behaviour, not gimmicks or short-sighted grabs for a quick fix.

I call on the member for Warwick to be clever. He is said to be clever. I call on him to be creative in combating crime. This Bill is not clever. It is not an effective tool to fight crime. I say to the member for Warwick: put the talents that you are said to have to the front end of crime, not the back end. This Bill should not be supported. I urge all members to work actively towards creative and effective solutions to our crime problem, not gimmicks.

**Hon. R. E. BORBIDGE** (Surfers Paradise—NPA) (Leader of the Opposition) (9.04 p.m.): It is very clear that the can't do

Government is out in force tonight. What we have in this place tonight is a constructive proposal put forward by the Deputy Leader of the Opposition in respect of making sure that the legitimate aspirations of the people of Queensland are reflected in the statute law of this State.

**Mr Foley:** It's a political statement.

**Mr BORBIDGE:** I will come to the member in a minute. I am saving up for him. He should control himself.

**Madam DEPUTY SPEAKER** (Ms Nelson-Carr): Order! I cannot hear the honourable member.

**Mr BORBIDGE:** What a rabble they are, Madam Deputy Speaker!

The honourable member who preceded me obviously ignores two facts. Firstly, she is not aware of the contents of the Bill and, secondly, she ignores very much the principle of individual responsibility in our community. When the Deputy Leader of the Opposition introduced this legislation, he said—

"The Corrective Services and Penalties and Sentences Amendment Bill 1998 provides for 100% custodial sentences for specified classes of violent offenders. It also provides for certain flow-on changes that are required as a consequence of this."

**Ms Struthers:** How do you define them?

**Mr BORBIDGE:** If the honourable member had read the Bill, instead of parroting the brief prepared by her lamentable Attorney-General, she may have been able to make a more substantial contribution to this debate tonight.

The previous coalition Government inherited a situation from the Labor Party whereby, if someone was sentenced to 10 years, they were out in five, and very often a bit less.

**Dr Watson:** Less than that.

**Mr BORBIDGE:** Or less than that. If the full force of Labor's law was applied, they were out in about half the time. We increased that for serious violent offenders. We said that there was a very strong feeling within the community that Governments had to respond and do more. And in respect of serious violent offenders in the community—I repeat "serious violent offenders" for the benefit of the member for Archerfield—that was increased to 80%. We made a mistake. We should have increased it to 100%.

I make no apologies for the fact that, after some 26 months in Government, under the

coalition Government there were 2,000 more criminals behind bars than under Labor. After 26 months of coalition Government in this State, there were 2,000 criminals who, under Labor, would have been walking the streets of our cities and towns committing crime but who instead were behind bars in this State. That was part of a total Government approach to dealing with what had been an escalating crime problem. So we responded, and I believe that we responded largely effectively.

But whether or not we want to admit it—and the Attorney-General can be absolutely seized with high principle of the moment and with what is said from law societies, from the Bar Association and from other learned people of the law—the fact is that a lot of Queenslanders do not have a lot of faith in the criminal justice system at the present time. They see time and time again people back out on the streets when they should not be there.

I make the point that our job as legislators is to make the law and to make sure that the laws that are passed in this place reflect the community expectations and the views of the people whom we have the privilege to represent. The first obligation of any Government in a democratic society is surely the safety, security and wellbeing of its citizens in their homes, their places of work and public places around this State. Certainly I think it is fair to say that on both sides of politics there has been a growing recognition of this. Many good initiatives have been put forward over the years, some from the Labor side and some from the coalition benches. However, it is important to make the point that if we are going to be relevant, if people are going to have confidence in the rule of law, if they are going to have confidence in the criminal justice system and if they are going to have confidence in the Parliament as the institution that makes the laws, the Parliament must be connected and in tune with the people.

For some time I listened to the Attorney-General, and every time I listen to the Attorney-General and Minister for Justice I think that he makes a splendid Minister for The Arts. We heard another one of his contributions tonight. There is a certain irony in the fact that this week we saw the first law officer of the Crown encourage certain activity in respect of the Gordonstone mine and he said that it was okay to break the law in respect of a political issue, but when it comes to doing his duty he goes missing. Time and time again we hear, "Where are the constructive proposals from the Opposition? Where are the policies of the Opposition?" What we see tonight is the very clear

difference between the coalition parties in this Parliament and the Labor Party. People on this side of the House are listening to and people on the Government benches are ignoring what the people of Queensland are saying and are talking about. If we look right around the world, there is increasing statistical evidence to show that those Governments that are prepared to be tough on crime—but not tough on crime alone; tough on crime in terms of sentences but, at the same time, taking a whole-of-Government approach in regard to dealing with the issues of crime—are the ones that are winning. Those are the Governments that are reducing the crime rate.

Tonight, the contribution of the Attorney-General shows a Government that is bereft of answers, a Government that ridicules a constructive proposal, a Government that ignores the fact that when the coalition increased the penalties for serious violent offenders from 50% to 80%, it had an impact.

**Dr Watson:** The CJC report is here. There's the impact.

**Mr BORBIDGE:** As my friend the Leader of the Liberal Party points out, this has been acknowledged in respect of a report handed down today, I understand, by the Criminal Justice Commission titled A Snapshot of Crime in Queensland.

**Mr Foley:** I have seen everything now.

**Mr Springborg:** He's happy to have legal advice hidden in a safe.

**Mr BORBIDGE:** As the Deputy Leader of the Opposition interjects, the current Attorney-General thinks it is splendid when people hold and hide legal advices in a safe for eight months and complies in an attempted coup d'etat against an elected Government.

The facts speak for themselves. In the report that has been tabled today in respect of the rate of reported offences against the person per 100,000 population, we see that the initiatives of the previous coalition Government were having an impact. What the Deputy Leader of the Opposition seeks to say is, "Hey, this is working. Let's take it a step further."

**Ms Struthers** interjected.

**Mr BORBIDGE:** It was all very interesting that the honourable member for Archerfield recited a whole lot of cases about what happens when people commit crime, yet she did not speak once about the perspective of the victim. She gave case A, she gave case B, she gave case C. She recited a series of incidents where she took the side of the perpetrators of crime. In her contribution to this

debate, she did not seem to give a damn about the victims of crime—the people who, in those particular scenarios she recited, had lost members of their families, had lost children. She did not give a damn about individual responsibility in the community. Why is it that the Labor Party is great at making excuses for people who have no individual responsibility in our society?

This is a can't do Government that is full of excuses. Minister after Minister of this can't do Government stands in this place and supports the behaviour of people—their union mates—who act against the law of the State by stopping lawful Queenslanders from going to and from work, yet when the Attorney-General was given the opportunity to take a stand that matters, it was all too hard. Part of the problem that our society has in respect of the attitudes and actions championed by the Attorney-General is that he has forgotten all about individual responsibilities. Part of the problem in our community today is that people have seen the scales of justice tipped in favour of the perpetrators of crime and against the victims of crime. This legislation seeks to address that problem. As this debate continues, I and my colleagues on this side of the House look forward to widely distributing, in the electorates of those Labor members who oppose this initiative, their mealy-mouthed apologies for the perpetrators of crime in this State.

The Attorney-General and Minister for Justice has abrogated his responsibility. The Government is not prepared to take the hard options, the tough options. It is walking away from the primary responsibility of any Government in a democratic society, that is, the safety, security and wellbeing of the community. I would have thought that the objectives of this legislation warranted support from both sides of the House. The legislation seeks 100% custodial sentences for specified classes of violent offenders. What is wrong with that? We hear all this empty rhetoric from honourable members opposite that we cannot have that because we might find that the victims of crime feel that they are getting some sort of adequate satisfaction out of a criminal justice system that, whether we like it or not, unfortunately has seen a loss of confidence in recent years.

This will be one of a number of initiatives, private member's bills and issues that are coming before this Parliament that will differentiate the coalition and the Labor Party in this place.

**Mr Fenlon:** Couldn't do—wouldn't do—when you were in Government.

**Mr BORBIDGE:** I understand that the honourable member might be speaking later in the debate. When he left Government because he lost his seat at the last election, anyone who was sentenced to 10 years jail would have probably been out in four. In our two and a bit years in office, we increased that penalty by 60%. On the figures, that person would have been out before the honourable member got back into Parliament. They would have served their sentence and they would have been out doing it again before he got back here. That was his shabby, shonky, miserable little record when he was in this place last time.

**Government members** interjected.

**Madam DEPUTY SPEAKER** (Ms Nelson-Carr): Order! There is too much noise in the Chamber. I cannot hear the member.

**Mr BORBIDGE:** Madam Deputy Speaker, I know that you want to hear me. We know that the CJC has never been quick to praise the coalition. However, in a publication tabled this very day in this place we have a statistical report from the Criminal Justice Commission that showed that the initiatives that the coalition put in place in Government have been working. What we see from this Attorney-General is back to the future. This was the party that took six years and two and a half Attorneys-General to write a new Criminal Code. The coalition did it in 18 months.

**Mr Foley** interjected.

**Mr BORBIDGE:** My advice to the honourable member opposite is to stick to the theatre, because he is a good actor. When it comes to being the Attorney-General, the first law officer of the State, and when it comes to being the Minister for Justice, it is a bit bigger than defending the member for Fitzroy when he is arrested for stopping Queenslanders going to and from their place of work and home to their families. It is interesting to note that the only contribution that the member as Minister for Justice and Attorney-General has made is to support an alleged law-breaker and compare him to Mahatma Gandhi. In terms of the member's latest period of service as Attorney-General and Minister for Justice in this State, that is his contribution. It was interesting to note that, when the member was shadow Minister for Justice and Attorney-General, if someone wanted to lock a legal opinion in a safe for eight months, that was okay if that suited the purposes of the Labor Party and its Labor Lawyer friends at the Criminal Justice Commission.

This legislation has been an opportunity for the Labor Party to indicate that it has

learned something after its six failed, miserable years of administering the criminal justice system in this State. As we are seeing with workers compensation, as we are seeing with industrial relations, as we are seeing with standards in Government and as we are seeing with the general administration of this State, Labor has learned nothing.

I know that, as we continue to debate this Bill, the members opposite may have the numbers in this place on this particular issue, but they do not have the numbers outside. The people of Queensland support and support very strongly the legislation introduced into this place by the Deputy Leader of the Opposition. In the coming months, we look forward to making sure that the electors of the honourable member for Ashgrove, the honourable member for Archerfield and the honourable member for Greenslopes and all of those other members who have been so critical of this important law reform know where they stand and that when they had a choice they went missing and sided not with the community, not with the people whom they represent, but with policies that failed before under Labor, policies that are failing now under Labor, and policies that will continue to fail under Labor.

**Mrs LAVARCH** (Kurwongbah—ALP) (9.23 p.m.): I rise to oppose this Bill, because I believe that it is a cheap, shallow piece of political rhetoric. There is nothing in this Bill that will enhance community safety or reduce the crime rate.

Let me put some balance back into this debate. I would like to read to members a letter from one of my constituents to Premier Peter Beattie, and I hope that the Leader of the Opposition is listening. It states—

"Dear Premier,

I am writing to you, since the topic involves the interests of several Ministries.

I am deeply concerned at the trends under the previous Government towards reduced support for services designed to prevent the breakdown of family life, and consequent serious social problems such as domestic violence, child abuse and homelessness, often leading to degeneration into crime. My concern is aggravated by the parallel increased emphasis on punishment—more severe sentences and more prisons. Studies have shown that under present prison practices, drugs are readily available and rape of young males is common, with the result that first time inmates are being dehumanised, and made less able to

participate in the community. On that basis 'Corrective Services' is a gross misnomer.

Having written to the former Premier"—

who is now the Leader of the Opposition—

"on this subject, I was informed of the existence of a number of Interdepartmental Committees intended to ensure co-operation among the various jurisdictions concerned, e.g. Family and Community Services, Corrective Services, Education and Health. The outcomes outlined above do not inspire much confidence in the process.

Along with a number of our friends, my wife and I are actively involved in non-government agencies struggling to provide services to support those suffering under the stresses and strains of our increasingly fractured society. We are continually frustrated by the inadequacy of resources available, in relation to the needs. The frustration is aggravated by the knowledge that the proposed increased spending on prison construction is only the start, and that each inmate involves a cost of some \$45,000 per year.

I would submit that funds allocated to well targeted and managed programs aimed at preventing breakdowns in society, would be a good investment in purely financial terms, quite apart from the social benefits in enhanced community wellbeing. In other words, I would urge a better balance between preventive/constructive programs, and those dealing with the failures in our social system."

That is what the Labor policy is about. It is about being not only tough on the causes of crime but also being tough on crime.

As a society, we have never really settled the question of why we incarcerate people. There are four reasons that one can point to as to why there is incarceration. Firstly, and probably foremost, it is punishment, or retribution for the crime. Secondly, there is an expectation that there will be some rehabilitation. Thirdly, it is for community safety that the person is incarcerated for a period so that the community is safe. Fourthly, it is suggested that it should be a deterrence. We know that, in reality, our corrections centres can deliver probably only two of those goals of society. One is retribution and punishment and the other one is time out. There needs to be much more resources allocated to



programming for rehabilitation within the prisons. We certainly know that prisons on their own are not a deterrent. The question would certainly be answered that, if prisons were a deterrent, we would have no crime today.

This tough on law and order stance and the auction that has been carried out in Australia over the past decade or so originated in America. The Leader of the Opposition spoke about looking at what happens in other countries. I suggest that he look at what is happening in America now. In 1992, there was a report prepared by the Edna McConnell Clark Foundation called *America Behind Bars*. Even seven years ago it was recognised in that report that with more than one million people in their jails, the United States was spending an estimated \$25 billion a year on the construction of facilities and the management of inmates. It was said in the report that from 1980 through to 1992 the numbers of Americans behind bars increased by almost 106%. Many of their institutions are dangerously overcrowded. Moreover, the statistics show that there is no clear relation between the crime rate and the growth in the number of prisons and prisoners. According to public opinion polls, the majority of Americans are dissatisfied with the criminal justice system. The increase in the number of persons in prisons, the stance of getting tough on crime, policies urging longer prison sentences and the large numbers of offenders being sent to prison have not reduced the instances of crime by any measure.

In that report the authors set out a number of findings from research and public opinion polls. It was found that too often key decision makers create laws and regulations based on what they think the public wants but they fail to ask the public directly for their view. It was found that there was an interesting similarity in findings in a number of public opinion polls conducted over the past decade. Those findings were that the community is not as punitive as legislators believe. The community expectation was, and is, that there be a reduction in crime. The community is looking more to rehabilitation and deterrent factors than retribution factors.

I think we can learn a lot of lessons from the so-called prison industry in America. If we do, perhaps we will not follow the same path. I commend the Beattie Government for looking at the front end of crime prevention and of community safety and for the measures being initiated in relation to crime prevention. We have to put in a lot more effort. The community wants to be safe. People do not necessarily want to be retributive or punitive.

I commend the current crime prevention task force that is operating in the State. I also commend the emphasis on victims of crime. I will be opposing the Bill.

**Mr SANTORO** (Clayfield—LP) (9.31 p.m.): I have great pleasure in rising to speak in favour of the Corrective Services and Penalties and Sentences Amendment Bill which, if enacted, will go a long way towards restoring some faith by the public in the criminal justice system of this State. The objective of the Bill is very short in compass. It is simply to ensure that those offenders who are convicted of serious violent offences serve 100% of the sentence that is handed down.

It should be emphasised that this is not a Bill aimed at all criminal offences. It is not even aimed at every offence where violence is an element. Certainly it is not aimed at offences purely of a property nature. Rather, it is aimed at those crimes and those criminals who pose a severe risk to the community. It is aimed at those criminals whose actions cause severe violence to others or through whose actions the basic social fabric of our society is weakened.

The Bill reflects the views and the wishes of not only the majority of the people of Queensland but the almost unanimous view of every hardworking and honest man and woman in this State. It is not a party political issue at all. It is, however, a measure which reflects the strongly held and broad consensus of opinion which joins together people in all regions, of all politics and of all ages. As I said, the basic proposition is simple. Violent criminals should serve all of their sentences in custody and not out on the streets.

I will deal with the various issues shortly, but this basic and fundamental proposition should never be lost sight of: you do the crime, you do the time. And the time is the time that the judge in question hands down.

The public want and demand two simple things as a matter of course. Firstly, they want the sentence to fit the crime. Secondly, they want the criminal to serve the time he or she was given by the judge. This Bill is aimed at the second of those goals, and I believe it is rightly aimed at that class of dangerous criminal who should not obtain the benefit of parole or remissions or the like. Discretionary administrative mechanisms to limit the period of incarceration have their place in the armoury of our criminal justice system. But they should not apply necessarily to all classes of criminals and they are, necessarily, a means to an end and not an end in themselves. The end that all of these measures serve is a safer society.

When the coalition amended the Penalties and Sentences Act in 1997 it ensured that one of the purposes of the legislation was to ensure that protection of the Queensland community is a paramount consideration in sentencing, rather than merely a consideration to be balanced against considerations of the appropriate punishment and the rehabilitation of offenders, as it was under Labor. After listening to honourable members opposite this evening it appears it is still their major objective. The protection of the community is to be paramount in "appropriate circumstances". The coalition was mindful of the sentencing of serious violent offenders, as well as that other class of offender who poses a particular threat to society, such as serious drug traffickers.

The 1997 amendments were complex but entirely consistent. The effect of the amendments was to put in place a regime which, from the viewpoint of sentencing policy as well as incarceration policy, introduced some truth in sentencing and sent a loud and clear message to violent criminals about the consequences of their actions. It is clear that the community supported that raft of policy reforms but still wants, in appropriate cases, felons who commit crimes which outrage society to remain behind bars for the whole of their sentences.

One argument that I have heard against this Bill is that it attacks judicial discretion; that it is a case of mandatory sentencing and that the fettering of the judiciary is a reason to oppose legislation. People who raise this argument obviously do not know what they are talking about. Neither the 1997 Act nor this Bill alter the maximum head sentences that are imposed. Neither that Act nor this Bill require the judiciary to impose a particular penalty.

What the 1997 Act and this Bill do is require prisoners convicted of serious violent offences to remain in prison for a certain percentage of the tariff sentence. Judges are at liberty to sentence a convicted felon to whatever term the law allows. All this Bill does is actually enforce what the judge has ordered.

The proposition that certain prisoners should serve their full sentences and that parole should not apply is not a novel or particularly harsh proposition. In fact, the view that prisoners should automatically get parole and remissions is of rather recent origin. It is of interest that parole was first argued for on the basis that it was desirable that certain dangerous offenders should be subject to an extended period of conditional release subject to supervision on parole. People suggested

that the protection of the community warranted this, especially for those offenders convicted of very serious crimes, recidivists, and those who had served long jail terms and who would have difficulties coping with a changed social environment.

Yet, as time went on and parole became more and more generous, disquiet began to mount. Firstly, a number of very serious offences were committed by persons on parole, and some argued that automatic parole for violent criminals needlessly exposed the public to harm. Secondly, lawyers became worried that the use of parole and remissions was increasingly usurping the court's sentencing authority and lessened the effectiveness of the sentence.

Then a number of reports came out recommending that parole be abolished. For example, in 1987 the Canadian Sentencing Commission recommended the abolition of parole, suggesting that it conflicted with the principle of proportionality in sentencing and undermined the role of the sentencing judge. The Australian Law Reform Commission, in its interim reporting on sentencing of Federal offenders in 1979, also recommended the abolition of parole for Federal offenders. In the United States—a country which has been often quoted here this evening by members opposite—many States have responded by introducing truth in sentencing statutes that require convicted felons to serve a certain proportion or all of their sentences. Just this year a number of States passed such laws into effect.

There is also a third reason behind the move for the abolition of parole for certain offenders, and that is the fact that discretionary parole is premised on the faulty notion that it actually promotes rehabilitation. Many would suggest that Parole Board members are just as incapable as most others of being able to accurately predict human behaviour and of whether, when or in what way a person may reoffend. In other words, parole boards take a calculated gamble in letting loose on society dangerous criminals before their time is up.

The argument I have heard against this Bill is that, if an offender is not given parole, when he or she is released the community will be at risk. As my friend the honourable member for Warwick has highlighted with this Bill, there will be no extra risk. In fact, there will be far less risk. That is so for two simple reasons. Firstly, under this Bill the prisoner will be behind bars for the full term of the sentence. He or she will pose no risk at all

under these circumstances to the community. He or she will be receiving the benefits of the rehabilitation measures that our corrective services people and others so often laud. Rather than being on the streets within perfect supervision, they will be in a secure environment under 24-hour supervision and with no gamble being taken with the lives and property of the community.

Secondly, under this Bill there is mandatory post sentence community supervision—the same type of supervision as would exist under parole. The big difference is that this supervision is after the prisoner has served the full time. There is a clear message in this provision within the Bill. Even after a violent criminal has served his or her time the community will be watching and guiding those persons to ensure that further offences are not committed. So the argument that the community is put at greater risk by this measure is totally misconceived. In fact, the community is at less risk as a result of the measures being put forward by the Deputy Leader of the Opposition.

Finally, what of the argument that there is no incentive to rehabilitate while in jail? Let me say quite clearly that it is a nonsense to argue in the first place that the authorities somehow have to almost bribe prisoners to be good. However, let me deal with this argument on its own terms. The incentive is plain. If a prisoner misbehaves, he or she will receive an extra sentence for that misbehaviour. If they obey the rules, they will be out at the end of their sentence. If they break the rules, they will stay in longer. It is as simple as that.

The new truth in sentencing provisions will apply only to those criminals serving terms of imprisonment on conviction of serious violent offences committed after the commencement of this Bill. There is no element of retrospectivity in this proposal, and it will apply only to future criminal conduct. Not only would it be unfair to apply these provisions to criminals already serving time; it would not achieve one of the fundamental objectives of this proposal. One of the objects of this Bill is to deter people from committing crimes, and that is not achieved by penalising those who are already in jail.

This Bill is intended to send a clear message to potential law-breakers. That message is both simple and very clear. It is that society is sick and tired of seeing criminals walk out of jail before they serve their sentence. People are sick and tired of listening to frightened victims on the television and radio venting their frustration at a criminal

justice system that fails to protect them adequately.

**Mr Foley:** Do you remember when the Liberal Party stood for liberal values?

**Mr SANTORO:** I take the interjection from the honourable member for Yeronga, the Attorney-General—the amateur Thespian. What the Liberal Party stands for first and foremost is the protection of citizens and their property. What this Bill aims to do is precisely that.

People are sick and tired of seeing violent offenders released into society and then reoffending. In short, they are sick and tired of seeing respect for our criminal justice system break down because it fails to punish criminals adequately. This Bill does not increase penalties for crimes. It does not take away any discretion from the judiciary. It does not make it any easier for the police or the Crown to secure convictions. It does not raise any barriers to people who have been charged with a crime defending themselves. All this Bill does is back up the judiciary and take away discretions from parole boards or the like.

I wish to discuss in a little more detail the system of community supervision outlined in this Bill. All serious violent offenders will be subject to an automatic six-month period of community supervision and reintegration into the community. In addition, the Queensland Corrective Services Commission, or whatever may replace it in the future, can apply to a judge of the court which originally sentenced the prisoner, between three and six months prior to his or her release day, to determine whether or not an order imposing community supervision for a further period of up to four years and six months should be made.

I will read directly from clause 196B, which outlines very succinctly the purpose of these orders. The objects are—

- "(i) helps those offenders successfully reintegrate into the community after serving their full terms of imprisonment; and
- (ii) serves to assure the community that individuals who commit serious violent offences are appropriately supervised after their discharge from prison and given support in their efforts to reintegrate into the community."

The Bill also sets out what a person on whom a community supervision order is imposed must do. I wish also to draw those to the attention of honourable members, as they

highlight the extent to which this Bill has been crafted to protect the community.

Such a person must—

- "(a) be under the supervision of a community correctional officer; and
- (b) abstain from violation of the law; and
- (c) carry out the lawful instructions of the community correctional officer; and
- (d) report and receive visits as directed by the community correctional officer; and
- (e) notify the community correctional officer within 48 hours of any change of address or change of employment; and
- (f) not leave the State without the written consent of the commission."

Any person who suggests that, by ensuring that a violent criminal has to serve all of his or her sentence they will be a greater risk to society once they are released because they are not under supervision, has only to peruse this Bill to see that those fears are without foundation. It would seem to me from listening to those members opposite who have already spoken that they have not even perused the Bill, let alone read it, and that what they are engaging in when they are suggesting otherwise is pure scaremongering.

I read the comments of the Scrutiny of Legislation Committee on this Bill in Alert Digest No. 7 of 1998. For the most part the committee noted that the Bill raises important policy issues that it is up to this House to determine. However, one paragraph in the report did catch my eye, and I shall quote it in full. It stated—

"It is of course, a fundamental aspect of our system of criminal justice that a prisoner who has served his or her full term of imprisonment has acquitted his or her debt to society, and is entitled to leave the place of detention and re-enter the community. The subsequent conduct and activities of such a person are not subject to any ongoing restrictions and the person is effectively restored to the position of an ordinary citizen."

I and all other right-thinking people would have no arguments with the basic thrust of that statement. This Bill, in fact, is in conformity with these sentiments. Under this proposal, a prisoner will be released from prison at the end of their term and will be given all proper encouragement to effectively re-enter society. The object of the community supervision order is to keep the released violent offender on the

straight and narrow. It is intended to ensure that the released violent offender does not re-offend.

I make absolutely no apologies for saying that, when it comes to an issue of either wanting to protect the innocent and law-abiding citizens on the one hand or restricting the civil liberties of violent criminals on the other, I will always favour the innocent and the law abiding. To further prolong my response to the earlier interjection by the Attorney-General, I point out that that is what the Liberal Party stands for and believes in.

When a person commits a violent crime and has served their time, that person remains a potential risk to society. It is foolish and an abdication of responsibility to assume that as soon as that person leaves prison society can assume that there is no need for further work. Parole was especially fashioned with that aim in mind. Whenever a person leaves jail they need assistance in some cases, or strict supervision in others, to make sure that they do not stray back into a life of crime. As I said, it is a mistake to confuse community supervision with punishment. It is not punishment. It is supervision to help former prisoners and protect society. Sure, the former violent offenders' civil rights are restricted, but that is a very—I repeat: a very—small price to pay for both helping the former prisoners and protecting innocent, law-abiding Queenslanders.

The violent offender has extinguished his debt to society by serving his time, but that violent offender must be kept for a short period under supervision so that he or she does not hurt anybody else at any time. I would say to the Parliament that it also a fundamental, if not the fundamental, aspect of our criminal justice system that the innocent are protected and the guilty punished. That is another principle for which the Liberal Party stands. This Bill has both principles in focus—both to properly punish violent offenders and to give real and ongoing protection to the innocent. All too often when people talk about the rights and liberties of individuals they focus on the rights and liberties of those who break the law. We need to balance their rights and liberties with those of us who pay our taxes, raise our families, obey the law and keep our society functioning.

I suggest that this Bill is a proportionate response to the threat posed by violent criminals and necessary if public faith in our criminal justice system is to be maintained. This Bill is aimed at the very worst of criminal behaviour and criminals. It will apply only

prospectively. It has a range of sensible protections and is aimed at making Queensland a better and safer place in which to live. It is a Bill that has been welcomed by the vast majority of Queenslanders and I submit that it deserves the wholehearted support of the House.

**Mr CONNOR** (Nerang—LP) (9.49 p.m.): I rise to speak to the Corrective Services and Penalties and Sentences Amendment Bill mainly because back about seven years ago I think I was one of the first in this House to start speaking about truth in sentencing. I want to speak very briefly just to show my support and to hark back on what things were like back then—seven, eight or nine years ago. Honourable members might remember the revolving door prisons and the 104 escapes in one year. There were many problems in the prison system and we were certainly looking around for some sort of answers to that. I am not suggesting for one moment that we are back in those days and that things have not improved. I think it goes without saying that probably the most important responsibility of an elected Government is to maintain law and order. This is what all this is about.

What we were talking about back then was trying to deal with a system that was breaking and we were saying that truth in sentencing should go across-the-board. I can accept the fact that this piece of legislation extends only to serious violent offenders and only to those who are sentenced to 10 years' imprisonment or more. I also accept that there is the cost involved in trying to imprison people across-the-board. As far as I am concerned, this is a little watered down. So it surprises me why the Government is not prepared to support it.

It is quite clear from the second-reading speech and also from the Bill itself that the provisions are not retrospective. They will apply only to people who commit a crime after this is put into place. It is only for serious violent offenders; it is only for those who have been sentenced to 10 years' imprisonment or more. Quite clearly, I think the public has an expectation that, if someone is sentenced to 10, 11 or 12 years, the prisoner actually serves that. Honourable members may also remember back in those days that a lot of those prisoners were getting out in about a quarter of the time. Again, I am not suggesting that that is the case now. They were getting out in about a quarter of the time and things had to be tightened up.

They had some amazing remission systems back in those days. If a prisoner

walked in the front door of the prison, they immediately got a third off their sentence. That was just for walking in the front door. Then they had a month remission if they were on a farm. They had a month a year remission if they were downgraded to below medium security. They got a remission for Christmas Day. They got a remission for this and for that. With all the remissions, no wonder they were called revolving door prisons. As I said, the Bill is not retrospective. It is a move forward. It is tidying up the prison system.

**Mr Foley:** You did promise to be brief.

**Mr CONNOR:** I will be very brief. As I said, the Bill does not remove the classification system. There are still incentives for good behaviour in prison. One knows that prisoners on the maximum classification have very limited privileges. As they go down to medium and low and into the open security, the level of privileges improves and, of course, as they get into the more open security prisons there is a great incentive there. As well, there is still supervision—this is one of the other criticisms—when the prisoners leave. As I understand it, all of the criticisms that have been levelled against—

**Mr Foley:** What about if you break the terms of your supervision? Under parole you go back and you do the rest of your time. Under this you commit a simple offence.

**Mr CONNOR:** A person can still be imprisoned. If they go back into court, they can still be imprisoned.

**Mr Foley:** But not for the rest of the term.

**Mr CONNOR:** But the supervision can be extended, as well. If it is a serious offence, they can still go back before the court and they still can be charged, convicted and resentenced.

**Mr Foley:** That would be a lesser deterrent.

**Mr CONNOR:** But they have already done the 10 years. The Attorney-General would have them back out on the street. Under the old system under the Goss Government, while the member was there—

**Mr Foley:** I see. Ten years doesn't mean 10 years; it means 12 years.

**Mr CONNOR:** No, what it comes down to is that in the past the 10 years meant three or four years. So those prisoners would have been out on the street for another six years. That was under the previous system. They should have been doing an extra six years. At least this is genuine. If they are sentenced to 10 years, they will actually do it, and that is

what it is all about—truth, honesty. The other criticism is that in some way——

**Opposition members** interjected.

**Mr CONNOR:** Can I speak here? I thought I had the floor. Mr Deputy Speaker, with your protection——

**Mr DEPUTY SPEAKER** (Mr Mickel): Order! Could the two members having a conversation continue it outside? I am trying to listen to the member for Nerang.

**Mr CONNOR:** That is very kind of you, Mr Deputy Speaker. I appreciate your concern.

As I was saying, another criticism that has come up is that this in some way removes or reduces the judge's discretion, but that is not the case at all because it is the judge who sets the sentence in the first place. We are talking only about serious violent offenders sentenced by a judge to more than 10 years' imprisonment. If the judge felt that it was unfair for that prisoner to serve more than 10 years' imprisonment, quite simply it is at the judge's discretion for it to be less than 10 years. If it is between 5 and 10, the truth in sentencing aspect is also at the discretion of the judge.

Again, I cannot understand why the Government is not prepared to support this piece of legislation. I have sat in this House for nine years listening to all of the arguments against truth in sentencing. This Bill has dealt with every one of the criticisms that I have seen lodged over that period. Again, the Government is still not prepared to support it.

**Mr Foley:** You promised to be brief.

**Mr CONNOR:** As I said, the Attorney-General keeps provoking me. If he stops provoking me, I will get through this.

In his campaign speech the then Premier, Rob Borbidge, made a commitment to increase the threshold to 100%.

**Mr Foley:** Threshold?

**Mr CONNOR:** The threshold was previously, if the Attorney-General remembers, 80%. We brought the truth in sentencing up to 80% and the idea of this is to bring that threshold to 100%. There was also the criticism in the past, he may recall, that this would dramatically increase the cost of building prison infrastructure because of the additional number of prison beds required by the increased number of prisoners who would end up in prison. As has been pointed out, I think, by Mr Springborg, the shadow Minister, only about 5% of the prison population fits into this category and, as I said before, the Bill is not retrospective.

On that basis, I would just like to repeat my support for this piece of legislation and express amazement that the Government is not prepared to accept it.

**Mr FENLON** (Greenslopes—ALP) (9.57 p.m.): It is a great pleasure to rise to oppose this Bill and, in doing so, we should really make sure that the Hansard record is absolutely clear. What we have in the Hansard record is just black words on white paper; they do not really show us the full picture. They do not give us the full visage of what is really happening here tonight.

The full visage when we stand back and look at it is something like this: we have the member for Caboolture, the Leader of the One Nation Party, who has on his knee the two puppets, the member for Surfers Paradise and the member for Warwick. There is not enough room on his knee for the member for Moggill, especially since the member for Warwick is a big lad and takes up so much room on the knee of the member for Caboolture. This is really what is going on. We have the puppeteer and the puppets. I was polite. I did not use the words "puppet dummies". I was not going to refer to anything like that.

Historically, what we have here is very clear. The National Party and the Liberal Party are in trouble. They are lost in the wilderness. They do not know where they are. They do not know where they are going. They do not know which leader will lead them out of the wilderness. So they are looking out there into the wilderness, and what do they see? They see the member for Caboolture, and they say, "We will sit on your knee. Take us away from all this. Find us our new path into the future."

What is that path? It is the simple One Nation path. Here we have the epitome of simple One Nation solutions. It is the daytime television, front page of the tacky Sunday newspaper solution. It is the simple solution. If we look at that simple solution we see a person who looks at a court case result and says, "Oh, dear. Wasn't that judge so soft on crime? Wasn't that judge terrible? He mustn't really know what is going on." The person who says that was not in the court to hear all of the evidence, to hear what mitigating circumstances there might be or to hear relevant case law and does not know the full facts of the matter.

**Mr NELSON:** Mr Deputy Speaker, I rise to a point of order. Can we have some relevance here, please?

**Mr FENLON:** The very simple One Nation solution is now being mouthed by the puppet dummies across this Chamber. The puppet

dummies are now following the lead of One Nation—when they are not looking for a new leader, anyway.

**Mr Littleproud** interjected.

**Mr FENLON:** I take the interjection. This week we have seen a good example of truth in sentencing. We wondered what punishment the leaders of the ginger group, the members for Gregory and Toowoomba South, would receive. We thought, "What will the leadership of the National Party do to the ginger group?"

**Mr SANTORO:** Mr Deputy Speaker, I rise to a point of order. I beg your indulgence with some clarification about the relevance to the Bill of what the honourable member is saying?

**Mr DEPUTY SPEAKER** (Mr Mickel): Order! I ask the honourable member to return to the subject of the Bill before the House.

**Mr FENLON:** The penalty was that those two members of the ginger group were made to sit next to the honourable member for Clayfield. That is real truth in sentencing.

It is interesting that this new line is coming from the conservatives opposite. Normally we expect more of the conservatives. Normally we expect general respect for all of the institutions in this liberal democracy of ours, but here we have a gesture of complete disdain for the judiciary. Those opposite are basically saying, "We do not respect the judiciary. We do not expect the judiciary to do the job they have been doing historically. We are going to take away from them the responsibility, powers and capacity to make decisions about the context and mitigating factors to provide some variation in punishment from case to case." In that sense those opposite are really destroying the very delicately balanced, finely tuned judicial system we have in this State.

Queensland should be aware. The member for Warwick has been taken away from tinkering on tractors out there on the farm and he is going to be allowed to tinker with the judicial system. It is a very academic tinkering, because those opposite were not prepared to even have a bit of a tinker when they were in Government. We heard all the hairy chested nonsense in the world, but they were hiding under the bed.

**Mr Schwarten:** Having a bit of a tinker under the bed!

**Mr FENLON:** Tinkering indeed. They were all hiding under the big coalition bed together, but they have come out now and they are trying to make out that they are——

**Mr Schwarten:** So they are having a tinker out in the open?

**Mr FENLON:** They are out in the open, but they can do this because they are not in Government. They are not in Government so they can be as hairy chested as they like and it does not make any difference to the public.

Those opposite failed to introduce these measures when they were in Government. It is interesting to see just how hairy chested they were when they were in Government. Let us go back to the Hansard record of when they did have a chance to be even more hairy chested than they purport to be—when the Criminal Law Amendment Bill was debated on 20 March 1997. At that time Mr Foley moved that assaults on any person who is 60 years or more and assaults on any person who relies on a guide-dog, wheelchair or other remedial device be subject to greater penalties. Who resisted that measure? We need to turn over only a couple of pages to see who voted against the motion. The name "Springborg" is very clearly listed as voting against that motion, along with all of his colleagues on the other side of this House. Those opposite had the chance to be tough and to be hairy chested when they were in Government, but the motion was passed only because the member for Gladstone was prepared to vote with Labor on that occasion. That just shows the double standards that exist in relation to this debate.

The other major fallacy in the argument advanced by those opposite during the debate on this Bill tonight is that somehow there is a correlation between locking people up and reducing crime. It has been shown time and time again that the correlation does not exist. We can spend as much as we like but nothing will change unless we really get down to attacking the causes of crime, as this Government is doing. The figures illustrate this.

Annual admissions to Queensland prisons rose by 98% from 1993-94 to 1996-97. What is the correlation? According to the CJC criminal justice system monitor of April 1998, crime levels in Queensland are generally around the national average. There has been no change. Despite the increases, the correlation is just not there already. So those opposite have not learnt from history. They have not learnt from the statistics. They are interested only in trying to recover their lost political ground. They are out there in the wilderness with simplistic solutions. They will continue with the mentality of looking at some court case and saying, "Look how terrible it is. I'm not interested in the facts of the case. I'm not interested in what really occurred. I'm not interested in the mitigating circumstances or anything else. I will adopt the most simplistic,

banal, backward approach possible and not be interested in the real facts of the matter."

**Mr Santoro** interjected.

**Mr FENLON:** I am very pleased that the honourable member for Clayfield has suggested that this is a matter for my electorate. Even at dinner time tonight I was out talking to people in my electorate about this issue. I told them that there are two ways of going about facing crime: the hard way and the easy way. The easy way is the tough boy, hairy-chested approach: lock them up and belt them up. That is the very easy way to do it. We are going about it the hard way because we are addressing the crime and the causes of crime.

Before the last election, I had all the hairy-chested, banal stuff in the world circulated in my electorate, but the intelligent people of Greenslopes saw right through it. They have had enough of that rubbish. They know that the way to address crime is by a systematic, intelligent method, not the hairy-chested, mad approach that we have seen from the Opposition. That is all over. So I am very proud to be opposing this Bill tonight and to—

**Mr Hegarty** interjected.

**Mr FENLON:** And even those old pensioners have more sense than the honourable member. They know that there are even better ways to address crime. It is not the simple solutions. There are better ways to do it than that.

**Mr Hegarty** interjected.

**Mr DEPUTY SPEAKER** (Mr Mickel): Order! The member for Redlands!

**Mr FENLON:** It is a great pleasure to support this Bill. I know that sense will prevail. Our approach to addressing the causes of crime will succeed.

**Mrs GAMIN** (Burleigh—NPA) (10.11 p.m.): I will try to bring back a little decorum to what should be a serious debate. The member for Greenslopes said that he had been out to dinner, and I think that we could have guessed that. He got a bit carried away.

**Mr Santoro:** However, he did finish on a strong note. He supports the Bill.

**Mrs GAMIN:** Did he?

**Mr DEPUTY SPEAKER:** Order! The member for Clayfield! I have asked the member to cease his persistent interjecting. He has had a fair go. He will allow the member for Burleigh to continue.

**Mrs GAMIN:** One of the key promises of the coalition in our platform for the State

election last June was to increase to 100% the time that serious violent offenders should serve in secure custody. We believed this matched community expectations. We believed this met the requirements of justice. We believed this met the requirements of community safety. And we still believe this to be the case. That is why my colleague the honourable member for Warwick has introduced the private member's Bill we are now debating. And that is why this House should pass this Bill into law.

When we were in Government, we increased to 80% of sentence the mandatory time a serious violent offender had to spend behind bars before being eligible for release. Our aim was both to make the real punishment match the real crime and to create a stern deterrent against violent crime. But it became obvious that even this strengthening of effective penalties against serious violent crime was not enough. People told us so. Ordinary, decent, law-abiding Queenslanders, the people who rightly fear violent criminals, told us so. They told us that the softly-softly approach to penalties and sentences favoured by the social engineers of the Labor Party and some lobby groups was not good enough. And we make no apologies for agreeing with that assessment. It is not good enough to excuse violent crime or to seek to explain it away as some aberration caused by some disturbance in the life of the offender.

Queensland is a caring society. I know my constituents in Burleigh are caring people. They want to care for their loved ones and for their neighbours. They also—rightly—demand that offenders pay properly for their crimes. They do not demand that law-breakers serve their time in conditions of deprivation, other than of their liberty and some elements of choice which free people—free, law-abiding people—are able to take for granted in this State, and certainly not in conditions of degradation. So let us hear no more on that score from the bleeding hearts who come out of the woodwork—and from the benches opposite—whenever somebody suggests that people should pay dearly for the crimes that they commit. And let us hear no more about the risk that passing the sensible 100% law we are debating here today will lead to awful overcrowding of our prisons.

Serious violent offenders—as defined by the law, as adjudged by the judges—are a small proportion of the prison population. Indeed, one of the aims of this Bill is to reduce that proportion even further by creating a stronger deterrent to breaking the law. We want people who commit vile crimes of



violence to know they will serve all of their sentence in secure custody.

Queensland is not a crime-ridden community. Against the standards of other societies, Australia in general is a safe and secure place for the law abiding to live unmolested by criminals. But we cannot be sanguine about our good fortune. Neither should we agree with the bleeding hearts who suggest that because things are not as bad here as they are elsewhere—as bad as they might be, say—we should make things easier for those among us who do break the law and commit crimes of violence. Our laws must be designed for our society. And we on this side of the House firmly believe that our society demands very stern penalties for people who bash or maim the victims of their crimes of violence—no ifs, no buts, and certainly no more of the maybes that we hear from those opposite where so-called social crimes are concerned.

I would like to turn briefly to another of the furphies that opponents of this legislation are putting about. There is nothing in the Bill put forward by the shadow Attorney-General and shadow Justice Minister which involves throwing people into jail and throwing away the key. We are talking only in terms of a 20% increase in time to be served in custody by offenders who have been designated serious violent offenders. For someone sentenced to 10 years, that means only another two years in jail. The intention of the legislation is that while such a prisoner is serving time, the normal facilities for education and in-jail rehabilitation will be available. Good behaviour while in jail will count towards a positive outcome of the new judicial review process we propose for the management of former inmates sentenced as serious violent offenders as they leave prison.

There is to be a minimum of six months' supervision in the community for every 100% per cent prisoner released. But it will be up to the authorities, based upon the decision of the judge who reviews a prisoner's record, what level of supervision is then required. A former prisoner judged to have been fully rehabilitated while in jail, and who is also judged not to be a further risk to society, might indeed have reporting conditions during that mandatory six months that would be very far from onerous. At the same time, it will be open to a judge reviewing a prisoner's record and rehabilitation to order community supervision for up to an additional four and a half years after release. It is possible that, for some prisoners, the reporting and other conditions of this supervisory period might be very onerous indeed. We see nothing wrong with this. In

fact, we believe the community wants to see people who are still judged to be a risk—however slight—to innocent people properly supervised after their release from prison. No doubt the courts will take these new provisions into account when imposing the original sentences. There is nothing wrong with that, either.

This Bill is not designed to impose conditions on the judiciary or on court or sentencing processes. The independence of the judiciary is a very important principle in our democratic system. This legislation proposes nothing that will change the threshold sentence level of 10 years for an offender classified as a serious violent offender. It proposes nothing that will interfere with the existing right of a trial judge to classify as a serious violent offender someone whom that judge still decides to sentence to a period of less than 10 years.

The issue of crime is an emotive one. It is particularly emotive where violent crime is concerned. What this Bill seeks to do is to remove the natural emotion as an issue that might impact on the community's response to a particular crime and a particular sentence.

I turn now to truth in sentencing. Ten years means 10 years. The coalition Government went to the polls in June on this policy. We believe very firmly that the Parliament which the people of Queensland elected—the Parliament that reflects the reality of the primary vote of the people, 62% of whom did not vote for the Labor Party—should vote for this legislation.

**Mr NUTTALL** (Sandgate—ALP) (10.18 p.m.): In terms of this debate, I honestly do not believe that there are fundamental differences in the way in which people in our community in general regard terms of punishment, regardless of which side of politics they support. In my view, it is the term of the punishment and how that punishment is served that is the real crux of this debate tonight.

In his second-reading speech, the shadow Attorney-General indicated that, when the National/Liberal Party coalition was in Government, they significantly increased to 80% the time to be served for custodial sentences. What has really changed in the three years since that legislation was introduced? Remembering that the Opposition was in Government for 32 years, what has happened in three short years to make the Opposition feel that it has to increase sentences from 80% to 100%?

**Opposition members:** Public opinion.

**Mr NUTTALL:** The interjectors just say "public opinion". I do not accept that in three short years public opinion has said that we have increased it to 80% and now we have to increase it to 100%. On that argument, the next logical step for the Opposition, the next time it is in Government, is to say, "Public opinion says we have 100% and that is not enough, so we now have to have the death penalty." That is the next logical step. Eighty per cent was not enough and 100% is not enough, so the next step is the death penalty. That is the way that the argument is heading. Blind Freddy can see that.

Not one jurisdiction in the world that has had either the death penalty or truth in sentencing has been able to reduce the rate of crime. That is a reality of life. If we look—

**Mr Nelson** interjected.

**Mr Knuth** interjected.

**Mr DEPUTY SPEAKER** (Mr Mickel): Order! The member for Tablelands! The member for Burdekin!

**Mr NUTTALL:** The reality is that if our society continues down this path, the next logical step is the death penalty. In my view and in the view of the majority of Australians, that is not the way that a civilised society should be heading.

Like many members in this Parliament, deputations of constituents have come to my office and said that they are the victims of crime or they have family members who are the victims of crime, and they do not believe that the sentence that has been imposed upon the perpetrator of the crime has been severe enough. I cannot say that they are right or wrong, because fortunately such things have not happened to me. This is an emotional issue, and people need to be aware of that. When a crime is perpetrated against a person, their emotions boil up and they want the severest penalty imposed on the criminal. There is nothing wrong with that and I am not arguing against it. I am arguing that the legislation does not solve the problem of crime. It does not stop people committing crime. Where is the solution?

The solution is not to put them in jail, throw away the key, put them in the electric chair and then bring on the next one.

**Mr Nelson:** Where's the solution?

**Mr NUTTALL:** That is not a solution because the crime will still occur. The member for Tablelands asks, "Where's the solution?" The solution is not to put people to death; the solution is to try to find either the right rehabilitation or, probably more importantly, to

build a society in which, from an early stage, people—

**Mr Nelson:** How many people have to die before you do something?

**Mr NUTTALL:** The member can wave those sorts of things in front of me every day. We all see that every day, but we also see a number of good things that are done every day in our society. You do not wave those in front of me, do you?

**Mr DEPUTY SPEAKER:** Order! The member for Sandgate will address his comments through the Chair.

**Mr NUTTALL:** Thank you, Mr Deputy Speaker. As I said, when one sits down and talks to the victims of crime or those who have been affected by crime, after the emotion has died down they will often say, "No, maybe they should not be put to death, but they need to be punished." No-one denies that people who commit crimes, especially serious violent crimes, should be punished. We all agree with that. But regardless of its length—whether it is 10 years, 12 years or 15 years—the sentence itself does not solve the problem of crime. What solves the problem is finding jobs, trying to give people worth and trying to create better communities. I like to think that all 89 members of this Parliament are here because we want a better quality of life for the people we represent. One does not achieve that by increasing punishment. One gets a better quality of life by giving people incentives and by giving people worth and value in their lives. As a Parliament, we need to try to find solutions to that problem. We must not stand here with a big heavy stick and say, "This is what we are going to do."

**Mr Littleproud:** You're strong on rhetoric, but not real strong on practicality.

**Mr NUTTALL:** Putting people in jail forever and a day is not a practical solution either. What does that cost society? Each and every one of us could give the hundreds of millions of dollars that we are pouring into the corrections system to a school, a hospital, a police station, a fire station, an ambulance station or any one of the many needy facilities in our electorates. Each and every one of us knows that we could put more money into those facilities, but the reality is that we just do not have the money.

**Mr Knuth** interjected.

**Mr NUTTALL:** I will come to that. The solution is not to keep pouring hundreds of millions of dollars into correctional centres so that we can throw more and more prisoners into jail. If our tax base does not go up, where

does the money come from? It comes from our schools, hospitals and all the facilities that we really need to be spending money on. At the moment, our State Budget is approximately \$16.5 billion. As I have said on many occasions, one could spend that whole Budget in the area of health and it would not be enough; one could spend the whole Budget in the area of education and it would not be enough. Basically, we all agree that money should be spent on those areas; but, as we all know, we do not have a bottomless pit of money. It is the same with corrections; we do not have a bottomless pit of money. The solution is not to build more prisons, build more cells and simply throw people in jail and throw away the key.

The solution is to intervene in the early stages of a person's criminal development. The challenge for us as a society is to reach out to people in the early stages and to try to make family values more important, and most of us believe in strong family values. Because that is hard, does that mean we should walk away from it? I do not think so. To take an example, six or seven years ago the road toll in Queensland was somewhere in the 400 to 500 bracket, which was an appalling blight on the State. Through hard work, determination and the implementation of programs, we have managed to reduce that road toll to approximately 275. Why could not the same logic be applied to the law-breaking citizens of the State? Why can we not focus on that instead of focusing on legislation that does nothing to assist the issue? It does nothing to help it.

**Mr Springborg:** Two—we're doing both.

**Mr NUTTALL:** We are not doing both, not by this legislation. The legislation does not give the alternatives. The shadow Attorney-General's legislation says that we are going to increase sentences from 80% to 100%, that we are going to throw away the key and that prisoners have to serve their full time. None of us here are judges.

**Mrs Pratt:** We know right from wrong.

**Mr NUTTALL:** We do know right from wrong; I agree with that. However, we do not know the particulars of a case before a judge. I have faith in the judges, and the shadow Attorney-General should have faith in the judges. I am sure that he does. We have to rely on their good judgment. They are put there because of their expertise and their experience. One would hope that judges impose jail sentences to fit the crimes, and I am sure that in most cases they do that.

I do not think that any judge who sits on the bench and listens to all of those awful court cases would say, "I do not really care. I will give this person a lenient sentence." They are humans just like you and I. I honestly do not believe that they do that. I think that they try to impose the sentence that they deem fit.

This legislation does not help us as a society. It is bad legislation. It is legislation that should not be supported. The legislation that we should be debating is legislation that will help us reduce crime, not increase crime.

**Mrs LIZ CUNNINGHAM** (Gladstone—IND) (10.30 p.m.): First of all, I would like to say that I appreciated very much the comments of the member for Sandgate. I think his comments were well intentioned and very sound. A lot of the comments made in the House tonight purport to be contradictory and purport to argue one against the other. However, I am not convinced that they do. I think that everybody in the community appreciates and supports a Government that acts at the front end of crime prevention and looks at ways of intervening, particularly in young people's lives when they are forming their values and their action patterns. Everybody appreciates a Government that legislates to intervene to make sure that those people make the right choice when they are given a choice.

I think that the community appreciates the work of the Crime Prevention Task Force, which has travelled throughout Queensland. That task force visited my electorate and I was gratified to see the number of people who turned up and the discussion that was held. Everybody I know in my community—and I am sure people whom other members know in their communities—supports victims of crime and the notion of providing for those people who have been devastated by the actions of another, 99% of the time without provocation. The community does support all of those positive actions. However, I am not convinced that the community, in supporting those positive steps, does not also carry with it a wish to see some of the current provisions enhanced or changed.

A previous speaker—I think it was the member for Kurwongbah—talked about concentrating on rehabilitation and deterrence, not on retribution. Again, I believe that the community would support that. However, in relation to this Bill, to my mind we are talking about what we do after the act has been committed. Under this Bill, a serious violent offender will receive a mandatory 10-year plus sentence. If a first-time offender—and I listened to the incidents that were cited by the

member for Archerfield; they were graphic incidents—comes into a member's electorate and speaks with him or her, that member feels a great deal of empathy and sadness for that person. I am talking about people who were pushed to the edge and stepped over, not because they necessarily chose to but because they felt they had no other option. We all hear of such incidents, whether they relate to Family Services, Education or Health—it does not matter—and the bulk of the guidelines cover the majority of the situations that arise. However, there are people who fall through the cracks, and that is what we are here for: we try to intervene for those people and try to make a difference for them or for their families.

The member for Sandgate said that we are not in the courts and we do not hear all the evidence, and we do not. However, we are also not the ones who sentence the offenders. It is the judge who hears all the evidence and all the mitigating circumstances who imposes the sentence subsequently. I remember the debate that we had about workers compensation and the amount of compensation paid in common law claims. It was argued that if we changed the basic structure, the judges would alter their payment structure to accommodate whatever changes we made in this House. If the judges felt that a sentence served 100% was going to be more onerous than the crime perhaps warranted, they have the flexibility to match the sentence with the crime irrespective of the class of crime. The judge who imposes that sentence is the person who hears all the evidence and who is aware of mitigating circumstances, not us.

The point that pushes me most strongly towards supporting this legislation is that, in all the time that it has been talked about—and truth in sentencing under all sorts of names has been around in the community for quite a long time; it has been discussed in all sorts of ways—and since the potential of this piece of legislation came to light, I have had only one call from a person who was opposed to it. That person was not from my electorate; she was from Noosa. That person was the parent of an inmate—and this is her description—who was a lifer on appeal. She did not want 100% sentencing. However, at the time the details of the proposal were not clear. The lack of retrospectivity in the Bill meant that her concerns, particularly about her own child, would not apply, that is, this Bill contains no retrospectivity. However, for everybody else in the community whom I have talked to, not necessarily about this Bill but generically, this is the most common response: "If they are

sentenced to 10 years, they should do 10 years. If they have killed somebody and it is premeditated, they should pay the price."

I recall the jail riot not so long ago when the prisoners burnt their mattresses. This may be an emotive statement to make, but people said to me, "Why did you go back and buy new mattresses the next day? Let them sleep on the burnt ones. Let them suffer the consequences of their actions." That is what the community was saying. Over a lot of years, people have been saying, "If they are given 10 years, particularly for serious violent offences and particularly for violent offences against defenceless people, they should do 10 years."

I supported legislation that raised the penalties to 80%. I also supported legislation that gave greater protection, because they deserved it, to people with disabilities or to people who were more defenceless, because they deserved it. This legislation may not reduce the crime rate, but I am not sure that not supporting it will reduce the crime rate either. It is intervention at the front end of crime that will reduce the crime rate. Again, we are dealing with the situation after the event. We are dealing as much with the perpetrator as we are with the victims. The feedback I have received from my community is that if someone commits a serious violent offence and is sentenced, that person should serve 100% of that sentence. I will be supporting the Bill.

**Mr LAMING** (Mooloolah—LP) (10.37 p.m.): Tonight, it gives me pleasure to rise to support this Bill put forward by the member for Warwick.

**Mr Foley:** Another Liberal sell-out.

**Mr LAMING:** It is interesting to hear the Attorney-General so quick to interject, because some of the points that I would like to raise are in response to the points that he raised in his response to this Bill. I made a note of them as best I could as he was speaking. He asked: does the Bill address the community's real concerns about crime? I hope that I have noted his comments accurately. I really believe that this Bill does, because ordinary Queenslanders are very, very concerned about sentencing. If one talks to ordinary people—and they have views on these sorts of things—one finds that it is not so much the length of the sentence that is actually given that they argue about, but rather when prisoners are given parole and they do not serve the sentence that the judge hands down.

The second point raised by the Attorney-General was that there was no consultation on

this Bill. I wonder what he means by "consultation". Does he mean going out and having meetings between 9 a.m. and 5 p.m. between Monday and Friday with select people from different interest groups who can get along to consultation sessions at that time when ordinary people are at work trying to earn a living? One's job as a member of Parliament involves listening to constituents, opening letters, reading the mail, answering telephone calls, talking to people over the back fence and talking to relatives.

**Mr Littleproud:** The member for Indooroopilly, the member for Crows Nest and I had a dozen meetings all around Queensland, and I can verify that the public said at night-time meetings that they wanted an answer.

**Mr LAMING:** Yes. The honourable member might recall that I attended those meetings, too. I remember them well.

**Mr Foley:** Is this a private discussion or can we join in?

**Mr LAMING:** I have not forgotten about the Attorney's remarks. There are a few more to come. The other claim that was made by the Attorney-General related to the claim that there was no step-by-step re-introduction back into the community. I think I have that one right. The Attorney-General is wrong again. There is a step by step reintroduction of offenders back into the community. The only difference between this legislation and the existing legislation is that the step-by-step re-introduction back into the community is done in the offender's time. After the sentence has been served there is exactly the same process so that former offenders are rehabilitated back into the community in their time and not during the time when they should be serving their sentences.

There is another claim that no economic impact study was prepared. I know there is plenty of criticism of what Governments spend on various things. I heard the member for Sandgate say that there is never going to be enough money to spend on health, education and many of the other very worthwhile projects with which Governments are involved. However, I think if we asked people in the street whether they object to money being spent on truth in sentencing, we would find that those same people would not object to it because they would see that spending as being well placed.

The Attorney-General quoted from and tabled a media document entitled "Top judges blast moves to change sentences". The Attorney-General then responded to an

interjection by saying that Parliament makes the laws. In referring to this media document, and tabling it, the Attorney-General then embraces judges who go on the public record criticising the legislation being debated. This comes from a worthy member who is often talking about the separation of powers. He cannot have it both ways. If the Legislature cannot interfere with the Executive and cannot interfere with the judiciary, neither should judges be interfering with our process. If there is to be separation of powers, it must apply equally to the three groups involved.

If we ask ordinary Queenslanders about what gets up their noses with regard to sentencing, we find that they say, "What can you do about those judges who give these parole periods?" People are referring to the legislation that existed before the coalition brought in the 80% rule. A lot of the previous sentences are still coming through the system. I am sure Government members find that most of the phone calls they receive in their offices come from people who say, "What are you going to do about these laws? What are you going to do about these judges who are giving these parole periods and who are not giving people truth in sentencing?" If Government members are honest about this, they will agree with me.

The Attorney-General suggested that we should go along and talk to the Neighbourhood Watch groups. I go along to a few Neighbourhood Watch meetings. Maybe the Attorney-General and I should go to the same meetings and ask the people involved what they think about these lengthy parole periods and whether they believe that there should be truth in sentencing. We could ask people whether they believe that offenders should serve the entire length of their sentences. We must bear in mind here that we are talking about serious violent offences. We are not talking about minor crimes. We are talking about people who have been found guilty of serious violent offences.

**An Opposition member:** Horrendous crimes!

**Mr LAMING:** Horrendous crimes. That is a good word. Thank you. I caught the latter part of the contribution from the member for Sandgate. I do not believe any member in this House would disagree with some of the points that he raised. We need to place a lot of emphasis on the input into crime. The member probably mentioned a few more things which I did not hear because I came in halfway through his contribution. I am sure he was talking about such things as education on

drugs and alcohol, problems with family breakdown and youth suicide. I heard him speak about unemployment.

It is very rare when I get up on my hind legs in this place that I do not talk about unemployment. I have a passion about it. I believe that we must do more and more to insist that people get every opportunity to make a contribution to the community. People are expected to make a contribution and in that way they have some feeling for the community. Employment takes people away from a life in crime because they feel that they are part of the community. I have no argument with the points raised by the member for Sandgate. I am quite sure that no-one on either side of the House would disagree with me.

Again I remind honourable members that we are talking about people who have been found guilty of serious and violent offences. Once people get to that stage—and it is a very sad state of affairs—a whole different set of circumstances comes into play. I believe it is the let-off provisions in the sentencing process that annoy people. We have to look at what sentencing is all about. It is all about protection of the community by incarcerating serious violent offenders. It is all about the punishment of the offender. We should not resile from that. It is about being a deterrent to future potential offenders. We should not resile from that, either. It is also about rehabilitation of cooperative prisoners.

If we examine each of those elements against the Bill put forward by the member for Warwick, we will see that the provisions are enhanced. We enhance the protection of the community by making people stay in jail for their full sentences. We enhance the punishment of offenders if we insist on making the punishment fit the crime and if we have truth in sentencing. We enhance—and this is most important—the deterrent aspect of sentencing if we make offenders serve their full time. If people think that they are going to have to serve a full sentence for a crime there will be a significant deterrent effect.

I suspect those opposite might suggest that the rehabilitation provisions contained in this Bill are not as good as those in the existing legislation. I do not accept that. The rehabilitation process is there and it is merely deferred and is undertaken during the offender's time and not during the community's time when the offender should be in prison. When we break the elements of this Bill down there is very little left in the Government's criticism of the Bill.

I appeal to Government members to consider voting on this Bill as if they were given advice by their own constituents. If honourable members opposite ask for advice down at the local club or pub or over the back fence—

**Mr Fenlon:** The local One Nation branch?

**Mr LAMING:** If you wanted to go along to the local One Nation branch you would find that you would get the same sort of advice there as you would get at your local branch meeting. I have not been to a Labor Party branch meeting but I imagine that a lot of good people in the Labor Party go along to branch meetings and they would agree with this legislation.

Have members opposite asked their branch members whether they agree with the truth in sentencing provisions contained within this Bill? It is unfortunate that there are none of them in the gallery tonight, because I might have taken a punt and asked them. I think they are over on Level 7. We might get them over here before the vote is taken and let members opposite ask them whether they agree with the truth in sentencing provisions in this Bill. One Nation branch members and ALP branch members—

**Mr Littleproud** interjected.

**Mr LAMING:** I suspect that, if honourable members took the advice of their friends and relatives and even their branch members and voted accordingly tonight, this Bill would pass tonight.

**Dr CLARK** (Barron River—ALP) (10.50 p.m.): Tonight I have been listening with interest to the debate. It is true that many of my constituents tell me the sorts of things that members opposite have been talking about tonight. Those sorts of comments have been expressed to me either over the telephone or at branch meetings.

**Mr Littleproud:** You just sunk your mate in Greenslopes.

**Dr CLARK:** I accept that.

I will continue, because this is a very emotive topic. We acknowledge that law and order is a very emotive topic. In a situation such as this we have a great responsibility to show leadership. That is the point that I wish to make in the debate tonight. We have a responsibility not to fool people into thinking that there are simple solutions to the complex problems that we are experiencing.

In relation to the proposal being put forward tonight, "truth in sentencing" rolls off the tongue, and slogans such as "do the crime, serve the time" are mere slogans and

simple solutions. People think, "If only we do this, things will get better. If only we can put people away for longer, if only we increase the sentence, that will fix things." When we take away all of the padding around this proposal, we see that it is really just about increasing the time that people will serve in jail from 80% to 100% or, if the sentence is 10 years', perhaps another five years will be added to that.

The question we have to ask ourselves is: will increasing the time that people spend in jail really give our society a safer environment in which to live? That is the question that we need to ask. Are we really selling a solution to people, or are we really just responding to their anxieties and assumptions? That is why I am saying I am concerned that we are encouraging people to believe in a proposition that is not necessarily true; it does not necessarily mean that, if we keep building more jails and putting people in prison for longer, we will have a better society. We look to America, but that is not an example that we really want to emulate.

Tonight we have heard that if we really want to address this issue and make our society safer—and I know that we all realise this—we have to address the causes of crime based in our families; that we have to get back to a situation where children are brought up knowing right from wrong. If we want the people in our criminal justice system to return to society and to make a contribution to it, we need to place more emphasis than we are currently on rehabilitation. The issue is not the amount of time people spend in jail, that is, unless one considers that just as a punishment. The issue is whether when people come out of jail they will be better people. Will they recognise that they want to live their life in a different way—in a way that will contribute to the community rather than creating victims in our community?

There is no doubt that we are not doing enough to ensure that we are rehabilitating people. We do not challenge people when they say, "You just do a bit of time and then you go on probation." We should be saying to those people, "We should put more emphasis on what happens when people are on parole or are in a halfway house, and we should offer them some really good programs." It is not easy and it is not as though they are getting off lightly. They are still being supervised, and we have an opportunity that we are not taking advantage of to give them the chance to get their life back on track. That is what we are really talking about—having a different kind of values system, being a responsible individual and making a contribution to our society.

In summary, my concern about the debate tonight is that we are encouraging merely simplistic solutions. We need to step back from that and show some leadership and educate the community to accept that there is more to solving this problem than just putting people in jail for longer.

**Mr NELSON** (Tablelands—IND) (10.56 p.m.): We should all bask in the light of the wisdom of the member for Warwick in putting forward this Bill. I am injecting a bit of humour, because this is an argument that makes me incredibly angry. I cannot believe that I am standing in a Parliament arguing whether or not a hardened criminal—a person who commits a violent crime—should serve 100% of his sentence. Personally, I find it ridiculous and abhorrent that bleeding hearts think that people of the calibre described in the article I am holding should not serve 100% of their sentence. I find it incredible that anyone can argue in this House that a criminal—a person who commits a violent crime—should not be punished for that crime.

We are not talking about deterring criminals but punishing an offender who commits an offence against another human being by either hurting, injuring, taking their life, raping or abusing them in some other manner. I am disgusted, to say the least, that people cannot understand that. I do not know what the inherent differences are between the Queenslanders who live on the Atherton Tablelands and the Queenslanders who live in Sandgate, but we are vastly apart. People, including card-carrying members of the Labor Party, have been into my office and have said those exact words to me.

Unlike the member for Sandgate, I have been a victim of violent crime. I have lost a very close personal friend to murder. It is not just for emotional reasons that we want to see people punished; it is simple natural justice—something that is being denied to the victims of violent crimes. I am pleased that the member for Sandgate has not been a victim. I am pleased that members of his family have not been subject to this type of horror. I will read something for the benefit of the bleeding hearts of this Parliament, and I will leave out the names. A newspaper article states—

"I walked around the side of"—

the young girl—

"and she said, 'You're going to kill me, aren't you?' "

These were the words spoken in a court of law not so long ago—

"I told her, 'Shut up' and I walked around the side of her and behind her and I started cutting her throat three or four times. As I was doing that she started struggling"——

**Ms Struthers:** Of course you lock him up.

**Mr NELSON:** At least I am talking about reality. The member was telling stories. The article continues——

"When I got her down, I held her down with my foot and tried to stab her in the throat. That didn't work, so I grabbed the knife with both hands and stabbed her in the chest area."

These are horrific crimes that are going unpunished in this society and which need to be addressed. It is time that we looked at the realities of this debate. On one side we have criminals who forgo their right to decent human treatment by their destruction of human life, and on the other side we have innocent victims—schoolgirls—who are tortured, raped and murdered violently after doing nothing more than walking down the street.

We have to understand that that is what we are talking about. I stand up in this House and I support innocent, law-abiding Queenslanders who, no matter what the laws of this State are, abide by them. On the other side of the House we have people who are only interested in the rights and the civil liberties of criminals and violent offenders such as that.

**Ms Struthers:** That's rubbish, and you know it.

**Mr NELSON:** It is not rubbish, my friend. It is the God-honest truth, and the member knows it. If the member bothered to listen to the people in her electorate instead of coming into this Parliament and spouting the party line, she would know and she would tell the truth.

Debate, on motion of Mr Nelson, adjourned.

### ADJOURNMENT

**Hon. T. M. MACKENROTH** (Chatsworth—ALP) (Leader of the House) (11 p.m.): I move——

"That the House do now adjourn."

### TAFE Queensland

**Mr SANTORO** (Clayfield—LP) (11 p.m.): Since it was elected in June 1998, the Beattie Government, the Premier and his Minister for Employment, Training and Industrial Relations

when challenged through a series of questions on notice have failed to provide objective, comparative evidence to back up their often repeated pre-election statements that the competitive agenda in TAFE Queensland proceeded three to five times faster in Queensland than in the other Australian States.

What they have provided is either Queensland-specific financial data or unquantified general interstate information about apprenticeships and traineeships. In his response to one question on notice, Premier Beattie makes the startling admission that Queensland does not record or maintain data relating to other States. This must make the development of interstate comparisons a real challenge.

It needs to be remembered that the Vocational Education and Training competition policy for which I was, and continue to be, criticised was a Labor creation. In Labor's three years of operation of this policy, the funds put out for competition increased elevenfold. The Opposition will claim that they were working from a low base. This is the case, but when they were running TAFE they sure didn't believe in progressing slowly and carefully so that TAFE staff could adjust to the dramatic change from a training monopoly to a competitive situation. An elevenfold increase in three years is a substantial change, irrespective of the base figure.

Though the rate of change over the coalition's two years was actually slower, Minister Braddy is quick to complain that we were hell-bent on some ideological policy of implementing competition three to five times faster than the other States. As I have already indicated, the ideological policy we were pursuing was their creation; it is their ideology, their policy. They are attempting to distance themselves from their policy and blame us for it, yet at the same time they are committed to maintaining it.

If Queensland opts out of the competition agreement signed between all States and the Commonwealth, it could forfeit its competition dividend which is worth, according to the former Labor Treasurer, more than \$2 billion over 10 years. Labor forgets to tell TAFE staff about this issue.

As for the rest of their claim, it is patently false. When I left office the latest available Australiawide figures were for 1996. They indicated that the percentage of vocational education and training funds put out to competitive tendering in Queensland was 6.6%, compared with 5.5% in South Australia,



5% in New South Wales, 4.5% in the ACT, 4% in Tasmania, 2.7% in Victoria and 12% in the Northern Territory. Figures for Western Australia were not available at that time. These statistics indicate that 88.4% of funding allocation to TAFE Queensland institutes still occurred through traditional budget mechanisms, not through contestable mechanisms. The comparative figures for the other States were New South Wales, 95%; Victoria, 91.3%; South Australia, 91.3%; Tasmania, 94.5%; the ACT, 95.5%; and the Northern Territory, 88%.

So, whilst the ALP claimed that we were progressing three to five times faster than other States, the only official statistics available indicate that though Queensland was, on average, making more use of competition for VET funding, the claims made by Labor bore little resemblance to the available facts. Of course, Labor will say that, though their claims—about three to five times the rate of funding contestability in Queensland—were not supported by nationally recognised interstate comparative statistics when the claims were originally made, later statistics have justified Labor's original claims.

ANTA's December 1998 newsletter Australian Training indicates that nationally more than 10% of VET funding in 1999 will be allocated through contestable mechanisms. The ANTA annual report for 1997, the latest available, indicates that in 1997 the States set aside 40% more for contestable funding than they did in 1996. Victoria budgeted 11.3% to contestable processes and plans to increase this to 30% by the year 2000. So the competitive training agenda throughout Australia is alive and well and will not go away.

The reasons are obvious and were obvious when the Goss Labor Party introduced the competitive training agenda into Queensland and include—

the indisputable fact that competition between providers—public and private—delivers more quality training for the same amount of dollars and individual private training providers deliver similar training to TAFE at a much lower cost per student contact hour; and

the growth of the private training market helps to bring the delivery of training closer to the marketplace and business enterprises which the training system is meant to be servicing.

It is for those and other reasons—including the desire of Government to maintain competitive pressure on TAFE Queensland in order to improve its efficiency—that the Beattie

Labor Government when in Opposition made the commitment to maintain the level of contestable training funding at the levels set by the coalition and as they applied at January 1998 levels, the very levels which the Labor Party criticised in Opposition and is now criticising in Government.

In other words, the Government adopted the coalition's competitive and contestable training policies—I stress that they did not reverse them—yet they criticised them and by doing so it demonstrates itself to be made up of politically expedient hypocrites. Training providers in Queensland, and particularly training staff in TAFE Queensland are not fooled. They will judge the Labor Party for the hypocrites that they are.

### **Head Lice in Schools; Member for Fitzroy**

**Ms NELSON-CARR** (Mundingburra—ALP) (11.05 p.m.): There is an insidious plague sweeping through the regions—a plague impervious to the usual remedies, a plague that has reached epidemic proportions and affects every primary school child, often on a regular basis. I refer, of course, not to One Nation but to those itchy, fast little suckers, head lice. They do not discriminate and they particularly love clean heads.

The out of control epidemic is the first agenda item to be discussed at P & C meetings, school forums and after-school care. It has hit the media, but still nothing can be done. We are told that any proactive efforts to clean up this epidemic once and for all are fraught with issues: health problems arising from treatment—highly unlikely—consent not exempting Education Queensland from liability, abrogation of parental responsibility and, of course, cost.

If we examine this issue in the real light of day, we are left with the glaringly obvious. The patriarchal system as we know it has always made the decisions. I wonder how many men in this Chamber have been informed that their child has head lice. I wonder how many men in this Chamber have had the frequent, onerous task of delousing, washing, combing and fumigating bed linen and then having to repeat the process a week later because of reinfestation. How many? I was going to say none, and why? Because women have always handled this "dirty" and contagious duty.

Governments have been involved in the papaya fruit fly eradication campaigns, brucellosis eradication and dengue fever eradication.

**Mr Fenlon:** Leptospirosis.

**Ms NELSON-CARR:** That one, too. These worthwhile programs have come at a cost of many millions of dollars to community and Government. The crucial two elements in both the papaya fruit fly and brucellosis campaigns were, firstly, a commitment and desire to fix the problem; and, secondly, the funds to do so. Without the commitment to instigate a campaign of eradication and the will of politicians and bureaucrats to institute a successful program, success will not be achieved.

Also, without the necessary finance, neither of these successful campaigns would have achieved their goals. We have to ask ourselves which of these two ingredients we lack which has so far made it impossible for us to tackle in a proactive way the frequent head lice plagues in our schools. There are ways of tackling this serious social problem. It is up to us as community leaders to pursue these avenues in a cohesive and committed manner. We have a national Clean Up Australia Day. A national head lice day must be on the agenda.

I would like to take the opportunity of adding my congratulations to Jim Pearce, the member for Fitzroy, for his display of great loyalty to his electorate and to the many miners and their families. Jim has shown that he represents his constituents without fear or favour and, unlike many of the politicians on the other side of this room, Jim puts core beliefs in supporting the rights of trade unionists in his electorate in front of personal ambition and gain. Jim Pearce is an example of a traditional Labor parliamentarian who acts in accordance with his own principles and core values.

The good citizens of Fitzroy must be proud to have such a fearless and courageous fighter for the working man working for them in Parliament. It should be acknowledged that, while the Opposition benches are awash with graziers and farmers, trade unionists and working-class people are under represented. The fact that Jim Pearce's participation in a peaceful protest resulted in an alleged breach of the law is unfortunate, but if Jim felt it was necessary to make this statement then honourable members should consider that more of a statement about Peter Reith's industrial relations legislation than about the good member for Fitzroy.

While Gordonstone mine is a considerable geographical distance from my electorate of Mundingburra, the former workers of the Gordonstone colliery can count on my support for as long as their picket line remains

peaceful and non-violent. My first-hand experience with the MUA picket line highlighted the hardships these families face. While the spotlight always focuses on dissent rather than the picketers and their families, at the end of the day this is Peter Reith's brave new world where the power of the commissioner has been drastically reduced. I have to say thank God for men like Jim Pearce who have the guts to stand up for social justice for all.

### **Justices of the Peace Training Courses**

**Mrs GAMIN** (Burleigh—NPA)  
(11.09 p.m.): Funding for justices of the peace training courses at TAFE colleges is normally allocated after negotiations between the Departments of Training and Industrial Relations and Justice and Attorney-General. It is extremely disappointing and indeed of grave concern that the Gold Coast Institute of TAFE has now totally shut down justices of the peace training programs due to unavailability of funding in 1999. This has recently been brought to my attention by Dr Keith Tronc, who is not only a highly respected lecturer at various institutes of TAFE which have offered training courses for justices of the peace but also the original architect of the JP reform process and the author of all the official training manuals.

I should not have to stress to Government the importance of justices of the peace to community structures in this State. Legal requirements are such that all Government departments, especially the Queensland Police Service, as well as almost every citizen will at some time or another require the services of properly qualified justices of the peace.

Although there are several other justices of the peace in the Burleigh Heads CBD, my electorate office alone handles up to 10 or more requests for JP services almost every day of the week. Reforms to the justices of the peace system have been welcome and the extension of the moratorium training period to June 2000 was set in place to ensure that as many people as possible are given the opportunity of upgrading to Justice of the Peace (Qualified), of qualifying as a new Justice of the Peace (Qualified) or of becoming a Justice of the Peace (Magistrates Court).

Although Justice of the Peace (Qualified) can be achieved by studying the manual and sitting the examination, I strongly urge all such candidates who come before me to undertake the TAFE training course, and most of them do so. They are uniformly high in their praise of

these courses and find them extremely beneficial. There can be no doubt that the training courses play an important and integral part in improving the quality of justices of the peace, which was the reason that the reforms to which I have referred were initially put in place.

As a member who has nominated many constituents for appointment as justices of the peace and who communicates regularly with all justices and commissioners for declarations in my electorate, I am very sensitive to the importance of this vast body of community-minded citizens who offer their services in a voluntary capacity.

I am aware that the Queensland Law Reform Commission has made certain comments on the future role of justices of the peace and has raised certain questions about the powers of that office, but what would replace the system of justices of the peace? As far as I know, there are no plans to establish some other system and no plans to replace the role played by justices of the peace in the justice system of this State. Until some other methods are devised, justices of the peace will continue to be a necessary part of the justice system in this State, and training courses for existing and intending justices will continue to be a necessary part of the justice system in this State.

I deplore funding cutbacks which will preclude existing and future justices from acquiring the necessary training if the training courses are abandoned. Two years ago Dr Keith Tronc warned that south-east Queensland would be greatly affected by funding cutbacks—including the Gold Coast, South Bank and Brisbane Institutes of TAFE. The shutdown is now happening on the Gold Coast, with no courses being offered at the Gold Coast Institute of TAFE in 1999 because no funding is available.

I understand that in 1995 some 5,875 places were made available in TAFE colleges as part of the State training profile allocation, and 3,202 places were taken up by people seeking JP training. Similar figures were seen in 1996. In the following year, 2,908 places were offered in 11 TAFE colleges.

I have made the strongest possible representations to the Minister for Training and Industrial Relations and to the Minister for Justice and Attorney-General that funding immediately be restored to enable justices of the peace training courses to continue at those institutes of TAFE, particularly the Gold Coast Institute of TAFE, where they have been offered in the past. Justices of the peace play

such an important and voluntary role in our justice system that they deserve all the support, assistance and training back-up Government can provide.

### Gympie Floods

**Mr STEPHAN** (Gympie—NPA) (11.14 p.m.): In the past week or so I have had the honour of representing my electorate in relation to the recent floods. Some of the people involved are to be commended for their attitude and for their actions. For example, Sergeant Terry Kennedy of the Imbil police was very much to the fore. He stated that the creek peaked at 10.6 metres on Tuesday, tearing a path through the eastern side of the town. The 85-metre timber bridge over Yabba Creek, which is the town's major link with Gympie and the rest of the world, bore the brunt of the flood's force. School transport operations used that bridge and an enormous amount of timber went across it. As a result of damage to the bridge, traffic must travel another 15 to 20 kilometres. The cost of that is yet to be determined.

Putting aside the political decisions that have been made, I believe we can look forward to a decision that will have Imbil working as it has done in the past. That is something we should all work together to achieve. The previous Government put aside some money for bridge works. If nothing else, the flood has put paid to the suggestion that the bridge needs repair. Certainly we see now that the bridge does not need repair but replacement.

I know of one dairy farmer in the area who reached the end of his tether when the waters were rising, as I am sure we all would in that situation. All the cattle on the property were forced into an area of about 100 square metres. The milking also had to be done, but under these conditions it was very difficult. The milking sheds were themselves under water and the milk vats had to be filled with water to try to keep them on the ground. One thousand tonnes of silage also went down the river, never to be seen again. I could go on.

I mention the situation of a young married couple who came into the area. They looked around and liked a house that they saw. They asked whether the river would ever come up to the house and they were told that it would not. They looked around and could not see any river, but when the river reached about 15 metres water came into their home. It is not their fault—they were given certain information—but certainly people have to be

careful. I believe it will take a long time for them to forget that.

Time expired.

### **Dakabin Jobs Pathway Program**

**Mrs LAVARCH** (Kurwongbah—ALP) (11.20 p.m.): In the last Adjournment debate of last year, I brought to the attention of the House the great work being done by the combined efforts of the high schools in the Pine Rivers area. I spoke of the Pine Rivers State High School, the Bray Park State High School, the Albany Creek State High School and the Dakabin State High School joining forces to form a committee to bring schools, industry and business together to enhance vocational opportunities for their students. I also advised the House of this group's success in obtaining funding to operate a Jobs Pathway Program for school leavers.

Tonight I want to take this opportunity to pay special tribute to the extraordinary efforts of the team who have made Dakabin's Jobs Pathway Program the great success that it is. It is called the Dakabin Jobs Pathway Program because the location of the program is at the Dakabin State High School, but it is the combined efforts of all the high schools in the Pine Rivers area.

In less than three months, the Jobs Pathway Program has assisted 149 Year 12 school leavers from 1998 to gain full-time work. Sixty of these positions are traineeships, with a further 30 being apprenticeships—apprenticeships which, in a very difficult youth market, are a credit to the marketing by the Jobs Pathway Program with employer groups; and apprenticeships and traineeships which have, in some instances, been the direct result of the Breaking the Unemployment Cycle initiative of the Beattie Labor Government.

This program has made a real difference to the lives of young people in Pine Rivers and across Queensland. The people of Pine Rivers, the parents and those involved in the Jobs Pathway Program have specifically asked me to pass on thanks to the Minister responsible and to the Beattie Government for making these opportunities available. The benefits of the Breaking the Unemployment Cycle program can never be underrated. This shows that good government can and does make a difference to people's lives.

The Jobs Pathway Program team are very conscious of the fact that the job market does not have a glut of trainee positions and that they have been able to acquire for their participants more than their fair share. But their

success is no accident. It has come about through the commitment of many—and quick actions—in having the program up and running by the end of last year. This included the speedy appointment of the Jobs Pathway Program coordinator, Mark Clark, and the prominent promotion by each school principal of the Jobs Pathway Program in their school community, together with the coordination of a registration process by each school's head of department senior schooling and the involvement of guidance officers from each school—to list but some of the cooperation.

From the time of the official launch in November last year, it has been all systems go. All of this has taken massive energy and practical support, which has been readily forthcoming. I understand that this is the only Jobs Pathway Program in Queensland—and maybe Australia—that has been operated by personnel within high schools. This has seen the coordinator and those involved in the program being able to marry up information between their school leavers and employers and meet the needs of their school leavers more readily.

I wanted to bring to the attention of the House that the Jobs Pathway Program was a program initiative within Working Nation under the Keating Labor Government. It has been one of the programs that the Howard Government has continued. Yet I believe that that program is now under threat, and I ask all members of the House to get in contact with the Jobs Pathway Programs in their electorates, find out what is happening and advocate the continuation of this program. It is one program that truly delivers and gives support to school leavers.

### **Springwood Business Centre; Springwood Electorate Busways; Rochedale State School Site**

**Mr MUSGROVE** (Springwood—ALP) (11.24 p.m.): I rise this evening to inform the House of a significant jobs and business boost given to the Springwood electorate by the Beattie Labor Government. Springwood business will benefit from new signage planned for the southbound exit of the South East Freeway. The sign proclaiming the Springwood Business Centre is a new initiative and represents a major coup for the Springwood business community. Members would be aware that the South East Freeway carries up to 100,000 vehicles per day, and this sign represents potentially millions of dollars for the Springwood business community.

Springwood has been identified as the largest service centre between Brisbane and Newcastle in New South Wales. Springwood will now be able to enjoy an increased slice of the action from the Brisbane-Gold Coast traffic. Over a period, many local businesses have contacted me about their frustration that the Springwood Business Centre has not been previously advertised on the South East Freeway. Indeed, I was also recently made aware that many local businesses and individuals have been fighting for the past couple of years to have this signage provided on the South East Freeway.

The previous Government, which proclaimed itself to be the party of business, and the previous member, who proclaimed himself to be from the party of business, were unable to deliver on this most simple but worth while of initiatives for the Springwood business community. I believe, as the member for Springwood, that it is about time that Springwood was recognised as a major business centre in Queensland. I am pleased that the Beattie Labor Government, with the assistance of the Minister for Transport, Steve Bredhauer, has now placed Springwood firmly on the map.

This initiative will couple very, very well with the decision of this Labor Government to extend the dedicated busways from the Eight Mile Plains interchange down into Springwood. The plan by the previous Government to stop these busways in the middle of a cow paddock at Eight Mile Plains at the Gateway Interchange was a gross insult to the good people of Springwood, who deserve a quality bus service. They deserve to have dedicated busways down into Springwood like those provided for the people of Brisbane. This will have significant impacts in terms of the mobility of employment and the mobility of consumer markets and will expand the potential retail and consumer trade for the Springwood business community. Of course, the Government has also announced that this busway will be running directly to a new \$20m integrated bus station with state-of-the-art technology, complete with all the things that

the folk of Brisbane have enjoyed for many years.

I also inform the House of an initiative in my electorate of the Minister for Environment the Honourable Rod Welford, who has been so kind as to come to my electorate and scrap the plans of the previous coalition Government to turn the Rochedale school site in Minutus Street, Rochedale—the unused Rochedale school site, which is virgin bushland—into a housing development. This site contains some 6.4 hectares of virgin bushland and supports a significant koala population, brush-tailed possums, seven species of reptiles, and red-necked wallabies. Also present on this site are over 70 plant species, including the particularly rare Epripah Wattle. In addition, there are some 20 species of birds in that area.

After listening to the concerns of the local community about the proposed housing development planned by the previous Government and the previous member, I raised these issues with the Environment Minister, who agreed with me very strongly that this housing development should not proceed because it would not only endanger the native flora and fauna but would also have a particularly detrimental impact on the people in adjoining housing, who had paid a premium in their housing prices to have that bushland adjacent to their properties.

This is another decision of the Beattie Labor Government which arises not out of the decisions made in the ivory towers of George Street and in this place but from listening to the genuine concerns of the people of Springwood. I know that, through my efforts of doorknocking around the electorate and from talking to people, the residents of Minutus Street, Passerine Drive, Danaher Drive, Willmott Place and Exilis Street are tremendously grateful that the Government has scrapped those plans—in fact, torn up these plans—to make sure that we protect the lifestyle that we all enjoy in Springwood.

Time expired.

Motion agreed to.

The House adjourned at 11.32 p.m.