WEDNESDAY, 24 MARCH 1999

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

ADDRESS IN REPLY

Presentation

Mr SPEAKER: Order! Honourable members, I wish to remind the House that His Excellency the Governor will be pleased to receive the Address in Reply at Government House on Friday, 26 March 1999 at 3 o'clock p.m., and I invite all honourable members to accompany me on the occasion of its presentation. Cars will depart the porte-cochere at 2.40 p.m. sharp.

PETITIONS

The Clerk announced the receipt of the following petitions—

Travel Concession for the Unemployed

From **Mr Connor** (456 petitioners) requesting the House to consider introducing a half fare travel concession for the unemployed.

Gaming Machine Legislation

From **Mr Nuttall** (47 petitioners) requesting the House to vote in favour of the Gaming Machine and Other Legislation Amendment Bill 1998 and protect the club industry from private entrepreneurial profiteering.

Similar petitions were received from **Mr Veivers** (238 petitioners) and **Mr Wellington** (113 petitioners).

Organ Donor Legislation

From **Mr Turner** (280 petitioners) requesting the House to support the organ donor Bill introduced by Mr Ken Turner, MLA, member for Thuringowa.

Gaming Machine Legislation

From **Mr Veivers** (143 petitioners) requesting the House to reject the retrospective gaming legislation 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.

Petitions received.

PAPERS

MINISTERIAL PAPERS

The following papers were tabled—

(a) Treasurer (Mr Hamill)—

Treasurer's Tax Equivalents Manual

(b) Attorney-General and Minister for Justice and Minister for the Arts (Mr Foley)—

Supreme Court of Queensland—Annual Report for 1997-98.

MINISTERIAL STATEMENT

Institute for Molecular Bioscience

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier) (9.33 a.m.), by leave: I have often spoken of my vision and my Government's vision of making Queensland Australia's smart State. Later today I will be announcing the winner of an international competition to design the Institute for Molecular Bioscience to be established at the University of Queensland. This announcement signals that one of the most important developments in the history of Australia, and especially Queensland, is moving into top gear. It is about developing industries and long-term jobs for the future. It will be the largest biological research facility in Australia, and home to 700 world-class scientists and support staff. And it is a crucial part of my vision of turning Queensland into Australia's smart State.

The biotechnology industry offers tremendous growth potential for Queensland well into the next century. Biotechnology is one of world's fastest-growing enabling technologies. It is regarded as the third great technology revolution—following the Industrial Revolution and the push for information technology. Biotechnology is used in research, development and manufacturing in a range of industries. It involves the application of scientific techniques using living organisms to make or modify products, to improve plants or animals, or to develop micro-organisms for specific uses. At the international level, the industry is currently estimated at $US20 billion a year, and it is estimated it will grow to be worth $US58 billion by the year 2000.

The Institute for Molecular Bioscience at the University of Queensland is truly a world

first and will be one of our nation's major engines of research and development. It places Queensland at the vanguard in biotechnology, resulting in new industries, new technology exports and jobs. It will bring together research efforts of existing University of Queensland research centres with those of the CSIRO's Molecular Animal Genetics Centre and Tropical Agriculture Centre, the DPI's Agricultural Biotechnology Centre and the Wesley Research Institute. It will also house the new national Australian Genome Research Facility, to which the Federal Government has awarded $10m for equipment. This will be the only genome research facility outside the US, Europe and Japan.

The decision to co-locate the CSIRO's Tropical Agriculture Division with the institute through redevelopment of its Cunningham Laboratories, St Lucia site, represents an additional injection of $20m to $30m into the institute facility and an opportunity to link the institute's activities with those of the CSIRO's Divisions of Tropical Agriculture, Plant Industry and Molecular Sciences. The agreement between the university and the CSIRO is a classic example of cooperation in the best interests of everyone. Government, the academic community and private enterprise have united to create this world-class facility that promises so much for the future development of Australia. In addition to financial and in-kind contribution by all of these organisations, there is also a large, anonymous private donor.

Further development of biotechnology in Queensland will result in demand for additional highly skilled researchers. There is a window of opportunity for Queensland to obtain significant investment through the formation of strategic alliances with multinational pharmaceutical companies if a policy framework can be developed for sensible and sustainable use of Queensland's vast range of natural assets. When the many natural resources in areas such as the Great Barrier Reef and the Wet Tropics are combined with our first-class research and development infrastructure, Queensland possesses a unique international competitive advantage. Many organisations have approached the Queensland Government for access to biological resources from State forests, timber reserves, conservation parks and other areas of Crown land within the State. Currently, the Herbarium is involved in the collection and provision of terrestrial and marine samples for drug screening.

Queensland currently lacks extensive pools of entrepreneurs with the skills to develop alliances, attract venture capital and bring advanced technology products to global markets. The Deputy Premier and Minister for State Development and I have been working to address the solution to this problem. As part of that, we are working on a five-year strategy for the future of this industry. In mid May, I will visit Seattle, in Washington State in the United States, to speak at the BIO '99 conference—the world's premier biotechnology meeting. I had an opportunity to discuss this issue with the Mayor of Seattle, who was in Brisbane recently. I will be spreading, as will the Deputy Premier, the message of Queensland's competitive advantages to build a biotechnology capability.

Queensland companies have already developed and exploited commercial opportunities in forestry, medical diagnostics and vaccines, and local companies are developing capabilities in a wide range of industries, including agriculture, food processing, forensics, health care and pharmaceuticals, environmental remediation and mineral processing. Universities and other research organisations provide not only the research and technological breakthroughs but also supply highly skilled work forces in the form of science and engineering graduates and doctoral and postdoctoral researchers.

The institute will expand the range of biotechnical skills developed in this State over the past decade and gear us well for the future. Last month, on behalf of the State Government, the Deputy Premier and Minister for State Development, Jim Elder, signed a funding agreement confirming the State Government's commitment of $15m to the institute. This State Government is right behind the institute and the future industry of biotechnology. It is appropriate that the project is attracting such a sizeable Commonwealth financial injection from the Federation Fund. It acknowledges Queensland's role—and Queensland's potential—in the field of biotechnology. It signals our part in the growth of the nation into the new millennium and the development of major new industries and jobs for the future.

MINISTERIAL STATEMENT

Employment

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier) (9.40 a.m.), by leave: My Government is determined to make a difference on unemployment. Under my Government, unemployment has come down from 8.9% to 8%, the lowest level since June 1990, in just under nine months. That is the

lowest level of unemployment in nine years. More than 30,000 new jobs have been created in Queensland. That is nearly a third of all the new jobs in Australia. I am proud to say that 27,000 of those jobs are full-time jobs. But we must do more. I accept that.

This Government is determined to provide young Queenslanders with the skills that they need to obtain and hold down jobs. They need skills to benefit from those job opportunities. Our policy to Break the Unemployment Cycle is creating nearly 24,500 apprenticeships, traineeships and job placements in four years. We created a $5.4m fund in the construction industry to create a further 3,000 apprenticeships. That scheme is being pursued vigorously by the Minister for Employment, Paul Braddy. The Government is playing its role in this process of developing skills.

In addition, this year's intake by Q-Build in the Department of Public Works of 140 apprentices is more than 50% up on last year's intake of 90 and is one of the biggest single intakes in our State's history. The apprentices officially started work last week at more than 20 centres across the State—from the Gold Coast to Thursday Island and west to Mount Isa. The Minister, Robert Schwarten, and I were there to welcome a number of those apprentices when they started work last week. Almost 60 of the apprentices are based in rural and regional Queensland. This is about jobs across the whole State.

The apprenticeships offered by the Government will give these young Queenslanders a chance to gain trade qualifications and improve their future career prospects. This will help build our State's skills base and will ensure these young people will always have a skill to obtain a job. The Q-Build apprentices have been engaged in a wide range of building trades, including carpentry, plumbing, painting, refrigeration mechanics, fitting and turning, joinery, glazing, wood machining, upholstery, sign-writing and stonemasonry.

In addition to the 140 full-time apprentices, Q-Build has initiated a pilot program which would employ five school-based apprentices. The Minister and I had an opportunity to meet two of them last week. The pilot scheme is being run in conjunction with high schools in the Ipswich/West Moreton region. It is anticipated that the five apprentices will attend school three days a week, TAFE for one day and spend the fifth day working with Q-Build. That means they not only secure valuable trade skills but they also earn while they learn. The number of applications for these 90 apprenticeships is a measure of how keen today's youngsters are to improve themselves and to find a job and why this strategy is very much on target. There were about 3,500 applications for the 140 positions. This strategy is part of our push for Queensland to become a skilled State and a smart State.

MINISTERIAL STATEMENT

Nelly Bay

Hon. J. P. ELDER (Capalaba—ALP) (Deputy Premier and Minister for State Development and Minister for Trade) (9.43 a.m.), by leave: I rise to update the House on the development of Nelly Bay on Magnetic Island. Honourable members would be aware that under the Borbidge Government this development was put in the too-hard basket and delayed until such time as the Borbidge/Sheldon Government lost office. An environmental impact study was released in late 1995—under the previous Labor administration—and given that nothing happened under the interim Borbidge administration, it was left to this Government to get the process going again by releasing a supplementary environmental impact study in November last year to deal with the changed nature of the development.

This attracted some 600 responses, of which about 400 were pro formas of various sorts, while the balance of the public submissions dealt with matters such as ferry operations, the safety of the harbour, what agency or other authority would be responsible for the management and maintenance of the harbour, and of course, the environment. I would like to advise the House that this week I will forward to my colleague the Minister for Environment and Heritage and Minister for Natural Resources the final environmental impact statement, which incorporates the public responses to the supplementary environmental study.

I will also be forwarding copies to Senator Robert Hill, Federal Minister for the Environment. There is a statutory requirement for the Federal Government to complete its assessment within 42 days and present its findings to Senator Hill. He will then make a recommendation to the Great Barrier Reef Marine Park Authority, which is the responsible Commonwealth agency for issuing permits required by this project. In the past few months, Senator Hill has made strong attacks on the handling and control of the Barrier Reef by various Queensland Governments. I hope

that in this case he resists the temptation to play politics and can simply assess this proposal on its merits. Similarly, the Environmental Protection Agency will present its findings and recommendations to the Minister for Environment and Heritage and Minister for Natural Resources. Cabinet will then consider the EPA's recommendations.

I give the House an assurance that any environmental safeguards necessary will be incorporated into relevant permits prior to their issue. I would like to stress that this Government remains committed to the development of a safe harbour at Magnetic Island and is supportive of the Nelly Bay harbour proposal. While I certainly will not pre-empt the findings of either the EPA or Environment Australia, provided that the Nelly Bay proposal does not present any unmanageable environmental risks, I anticipate that construction of the development will commence in the coming quarter. This is another example of this Government delivering where the Borbidge Government failed. This is subject to the Federal Government not delaying the process.

MINISTERIAL STATEMENT

Cultural Tourism

Hon. M. J. FOLEY (Yeronga—ALP) (Attorney-General and Minister for Justice and Minister for The Arts) (9.46 a.m.), by leave: Later this week, I shall be visiting Cairns to launch the first cultural tourism guide to far-north Queensland, entitled Art, Culture and Heritage Motoring Guide for Tropical North Queensland. A week ago, I also visited Townsville, a city soon to be one of the three main centres of the Queensland Biennial, in order to open the 1999 season of Dance North, one of Queensland's—one of Australia's—great performing arts companies. National media representatives attended the Townsville event; their brief: to write about north Queensland's arts and cultural attractions for the tourism market. They visited also the Cairns Regional Gallery, Paranella Park, Dunk Island and the Perc Tucker Gallery and saw Dance North in Townsville and were introduced to the forthcoming Queensland Biennial and Asia-Pacific Triennial—two major events in 1999.

Premier Peter Beattie's recent visit to Melbourne and Sydney set the agenda for a new cultural focus for tourism in Queensland. North and far-north Queensland have been a dynamic region for the arts and culture in our State. Our indigenous culture is unparalleled in Australia. Since the 1880s, artists have followed in the footsteps of Tom Roberts, Ellis Rowan and E. J. Banfield in pursuit of northern inspiration. That tradition thrives. The Cairns Regional Gallery staged the world's first exhibition of Torres Strait art and culture in 1998, and Dance North, 30 years old this year, commands international recognition in performances around Australia, Asia and Europe, where its youth company Extensions recently performed to great acclaim.

Such arts companies make a contribution not only to the State's economy but also to our social landscape, demonstrating the socially cohesive role that the arts play in our society. Later this year, Dance North tours its landmark work of reconciliation, Luuli, showcasing the indigenous dance of Mornington Island, around Australia. That helps build an interstate and overseas profile in the cultural tourism market for our State. Such companies are the cutting edge of Queensland's thriving arts industry, which provides employment in one form or another for 54,000 Queenslanders, many of them in the north. That is why one of Labor's first acts in office was to honour a pre-election promise to fund a far-north Cultural Industry Association office in Cairns to coordinate marketing and promotion of our northern artists and their products, many of which target the tourism dollar. In north and far-north Queensland, the arts industry has always been the leading edge of tourism.

The arts bring Queensland to the world, not least through films such as The Thin Red Line, shot in the Daintree region, and the newly released Paperback Hero, shot at Nindigully outside St George and in Brisbane. If film and television lure overseas tourists here, it is the art works of indigenous companies such as Tjapukai Dance Theatre and the Lockhart River artists, who won acclaim at the memento souvenir-design awards in Brisbane recently, the works of the far-north cultural industry artists—the gifted silk screeners, painters, designers, potters and musicians of Kuranda and Port Douglas—and great events such as the Queensland Biennial of Music and the Asia-Pacific Triennial of Contemporary Art, that those tourists will take home with them in their hearts and minds. The arts and cultural tourism are important elements of this Government's plans to boost jobs in Queensland.

MINISTERIAL STATEMENT

Police Resources, Laura

Hon. T. A. BARTON (Waterford—ALP) (Minister for Police and Corrective Services) (9.50 a.m.), by leave: In the last parliamentary

sitting I praised the member for Toowoomba South for his sensible approach to police numbers and police resourcing issues. As members will recall, I highlighted this particular quote from the member for Toowoomba South. He said—

> "The position I always take is to support the police in the first instance, and if there has been an inefficient use of resources, I have no doubt the professional mechanisms of the Police Service will rectify that."

I thought that at last we had one coalition member who understood how police resources are allocated and the petty bickering from the coalition about police numbers had become a thing of the past.

I am sad to say that I was wrong! Barely two weeks had passed since the member for Toowoomba South had made his enlightened statement before he blotted his copybook. Instead of relying on the "professional mechanisms of the Police Service", the member for Toowoomba South could not resist a cheap shot over police resources at Laura. He ignored the professional advice from the Police Service, the level of crime and the police to population ratio in the Laura police division—all of which consistently showed that at the moment there is no need to increase police numbers in Laura.

The member for Toowoomba South wanted an extra police officer stationed at Laura despite the fact that there are on average only 15 offences per year and the police to population ratio is 1 to about 400. This crime level and police to population ratio is much lower than it is in many police divisions in the member's own electorate, but he still wants police to divert resources to Laura.

I am not saying that Laura will never get an extra police officer, because we are increasing police numbers at record rates. However, at the moment, the Police Service has identified other areas of the State which have a greater need for police. But instead of relying on the professional mechanisms that he lauded a fortnight ago, the member for Toowoomba South wants the Police Service to overrule all of its resourcing criteria.

The calls for more police at Laura came to a head recently following an incident involving a large number of local residents. There seem to be differing views on how to describe this incident. Those who have been calling for more police have described the event as a riot. On the other hand, the Cairns Post on 17 March quoted Ang-Gnarra Aboriginal Corporation secretary Rhonda Henry, who said—

> "There was a fight between a man and his wife but there were a lot of community-minded people who tried to help the police officer. It's a bit exaggerated ... there were no mass riots."

Putting aside these differing views, the senior constable at Laura did the right thing. Instead of inflaming the situation, and faced with more people than he could adequately handle, he withdrew and called for back-up from Cairns. This was provided the next day and the situation was successfully resolved. It is unlikely that this incident could have been resolved quickly even if Laura had two police officers.

Under police training, officers are required to withdraw and monitor situations which involve numbers of people that are much greater than available police. They then call for back up. These are the same professional mechanisms that the member for Toowoomba South praised a fortnight ago.

The member for Caboolture has also criticised the Police Service for its recent decision to recruit a police liaison officer to replace the Aboriginal tracker at Laura who resigned recently. While a suitable person to fill the position has yet to be employed, the ironic aspect of the so-called riot is that if Laura had had a police liaison officer the incident could have been averted. PLOs across the State do a great job, resolving disputes and assisting police in preventing crime in their local communities. In addition, the PLO at Laura will have tracking skills to assist local police in searches. When this person is recruited it will be the best of both worlds for Laura. They will have someone with tracking skills to replace the tracker who left and they will have someone who lives in the community and who can assist the local police in resolving disputes and give police backup.

MINISTERIAL STATEMENT

Karawatha Forest Park; Intelligent Traffic Signal System

Hon. S. D. BREDHAUER (Cook—ALP) (Minister for Transport and Minister for Main Roads) (9.55 a.m.), by leave: The Southern Brisbane Bypass was a major road project initiated by the Goss Government to provide a four-lane extension of the Gateway Motorway south to the Logan Motorway and a duplication of the Logan Motorway west to the Ipswich Motorway. This $179m project, some 28 kilometres in length, was opened to traffic

in May 1997 and is contributing to the efficient movement of freight vehicles in the metropolitan area.

Both heavy vehicle operators and motorists are benefiting from this safe, less-congested access across the southern metropolitan area. However, the project has wider community benefits, particularly in the area of the environment. I am referring to the Karawatha Forest Park where the motorway route intersected with the western boundary of the forest. This is one of the remaining undeveloped parts of Brisbane's original green belt and the largest area of remnant bushland on Brisbane's south side.

One hundred hectares of additional property on the edge of the forest, which was originally earmarked for development, was purchased. In consultation with the member for Sunnybank, the Karawatha Forest Protection Society and the residents of Stretton, environmental management procedures were set in place. These involved minimisation of clearing, relocation of fauna, prevention of siltation and erosion, and rehabilitation of embankments and cuttings.

Particular care was taken at Scrubby Creek, where two rare species were protected through special measures with drainage structures. And now this Government is delivering. That 100 hectares of land will be gazetted as a reserve for environmental protection purposes and will be transferred to the Brisbane City Council as trustee. It is valued in excess of $26m. This decision will result in a significant increase in the size of the Karawatha Forest Park area, and hence increase the benefits to the community and to future generations.

My colleague the member for Sunnybank has been active in promoting this important decision and his electorate can be proud of this important step, but the benefits will flow to the whole community. The member for Sunnybank championed the cause of the residents in Stretton to ensure that the road alignment resulted in minimum social impact, while maximising the benefits to the environment. He was responsible for ensuring the purchase of one block of more than 18 hectares in area to meet a commitment given by the then Premier, Wayne Goss. This is an example of how a significant road project can lead to associated sustainable environmental outcomes, and it is an example of the strong level of cooperation that exists between this Government and the Brisbane City Council.

But that cooperation extends to wider interests. Yesterday the Lord Mayor of Brisbane, Jim Soorley, and I signed a memorandum of understanding on intelligent traffic signal systems. Presently, the Brisbane City Council and Main Roads operate different traffic control systems. With my encouragement and that of the Lord Mayor, Main Roads officers and those of the Brisbane City Council have been working for several months to ensure a better level of cooperation between the two traffic management authorities in Brisbane. The memorandum of understanding sets out the framework under which the Brisbane City Council and Main Roads will cooperate to develop and adopt a single intelligent traffic signal system.

Main Roads is enhancing a dynamic traffic signal system that will provide the basis for a single intelligent traffic signal system, and the platform for application of other intelligent transport system modules. There are significant community and organisational benefits arising from cooperation, including the delivery of a modern, dynamic traffic signal system for Brisbane; better public transport through the provision of bus priority at traffic signals and real time passenger information at bus stops; increased capacity for road network management through sharing real time traffic information; Queensland companies can capitalise on opportunities to develop and export goods and services; reduced development costs through sharing, rather than duplication, of technology; and use of a modular, open architecture which will allow the development of additional modules including incident management, passenger information, hazardous goods tracking, enforcement and parking to support the goals of both parties.

The memorandum of understanding foreshadows the development of a Cooperative Road Management Centre. This centre will manage road traveller information between Main Roads, the Brisbane City Council, Queensland Transport and other stakeholders, including the Queensland Police Service, other emergency services and various bus operators including Brisbane Transport. It will also encompass traditional traffic management activities and will operate 24 hours a day, seven days a week. In this way it will augment other local centres located throughout south-east Queensland.

When it comes to transport integration and coordination—the two key words in traffic management—this Government, working cooperatively with the Brisbane City Council, is delivering.

MINISTERIAL STATEMENT

Western Queensland Public Housing and Government Accommodation Airconditioning Program

Hon. R. E. SCHWARTEN (Rockhampton—ALP) (Minister for Public Works and Minister for Housing) (9.58 a.m.), by leave: I wish to advise the House of the implementation of yet another commitment made through the Beattie Government's Community Cabinet process. Honourable members will be aware that in October last year, a Community Cabinet meeting in Mount Isa approved my proposal to undertake a $12m, three-year evaporative airconditioning program for public housing and Government accommodation throughout western Queensland.

I am pleased to report that preparations have started for this program. Tenders are being called this week for the supply of the evaporative airconditioning systems. At the same time, tenders will be called for contractors interested in installing the units. The airconditioning program is expected to start next financial year after the existing program to install smoke detectors in public housing ends. But, by calling tenders and expressions of interest now, we will have in place a supply of airconditioning units as well as a list of prequalified contractors capable of installing them. Tenders for the installation of these units are expected to be offered in batches of 10 to 12 dwellings, making it more attractive for smaller local contractors to lodge bids. At the end of this multimillion-dollar program, airconditioning will be installed in about 2,000 public housing and Government employee dwellings in the hottest and driest parts of western Queensland.

This project will mean a better lifestyle for people living in public housing dwellings in the region and those in other Government accommodation. It will bring public housing in line with community standards in western Queensland where a large proportion of private rental accommodation already has evaporative airconditioning systems. Most significantly, by breaking the installation program into bite-size pieces this Government will ensure smaller contractors in western Queensland secure the lion's share of the work. Through this project, we will not only improve living standards for public housing tenants and Government employees, we will also generate jobs in rural and regional areas.

MINISTERIAL STATEMENT

Jigsaw Queensland Incorporated; Mr B. Penny

Hon. A. M. BLIGH (South Brisbane—ALP) (Minister for Families, Youth and Community Care and Minister for Disability Services) (10 a.m.), by leave: Jigsaw Queensland Incorporated is part of a nationwide network of Jigsaw organisations and was established in 1976. The organisation's work addresses the many issues relating to assisting persons involved in adoption, providing information, counselling and support for adopted persons, birth parents and adoptive parents. I would like today to express my thanks to all those at Jigsaw for their ongoing commitment to their work. I would also like to recognise the immense contribution of this and other community organisations in providing a level of support to the community which could not be provided by Government. The work of my department in the area of adoption is greatly enhanced by the work of Jigsaw.

I would like today in particular to acknowledge the special contribution of the immediate past President of Jigsaw, Mr Bradley James Penny. Brad Penny passed away on 1 February 1999 after a long illness. He was tragically only 33 years of age. Brad touched the lives of many people. He was known, loved and admired by many who knew him personally and also those who knew him in his capacity as a worker and later president of Jigsaw. Brad was adopted in October 1965. He had a happy and loving adoptive family and his deep affection for them was evident. The support of his family enabled Brad to start on his personal journey of reuniting with his family of origin. Brad's search for his birth family heightened his desire to assist other adopted persons to successfully reunite with their families, and this prompted him to begin his long association with the Jigsaw organisation, which commenced in the 1980s. He quickly embraced the work of the organisation with great enthusiasm. Brad had enormous energy, commitment and concern for people and from the outset worked tirelessly for those people involved in adoption.

Brad was elected president of Jigsaw in August 1992 and worked passionately towards enhancing that organisation's public profile and ensuring that, wherever possible, members experienced a successful reunion. The concern that Brad felt for the people with whom he came into contact through his work was evident in whatever he undertook. His enthusiasm about the issues that he dealt with

in his life and work will be long remembered by all those who knew him.

In 1997, when funding for Jigsaw was withdrawn, Brad worked tirelessly until that funding was reinstated in July 1998. I am very pleased that this funding will assist Jigsaw to continue the good work it does in adoption that gives so much support and information to assist adopted persons and their relatives in their personal searches.

What we have learned from Brad's story is that it is possible for an adopted person to have a happy and loving adoptive family and still need to know about their original family. Brad's experience mirrored that of many adopted persons who seek their family origins and simply need to know. This need to know does not lessen their love for or their bonding with their adoptive family.

Regardless of one's personal views about the often contentious and emotionally charged issue of adoption, the personal commitment and contribution of Brad Penny is beyond dispute. Even as he struggled with illness at the end of his very short life, he maintained his association with Jigsaw.

I would like to express my gratitude to Brad for all that he achieved in his work for adopted persons and their families. I would like to acknowledge the presence of some of Brad's family and colleagues in the gallery today and to conclude by acknowledging that I feel very privileged to have known this young man.

MINISTERIAL STATEMENT

Vegetation Management

Hon. R. J. WELFORD (Everton—ALP) (Minister for Environment and Heritage and Minister for Natural Resources) (10.04 a.m.), by leave: I wish to inform the House of an important step being taken by the Beattie Government to promote the sustainable management of native vegetation in Queensland. Our objective is a comprehensive system of vegetation management to achieve planning certainty for land-holders, industry and the community; the ecologically sustainable development of land; and the protection of our State's biodiversity.

In working towards a better approach to land management for the 21st century, this Government will provide fairness. There will be a clear, transparent and balanced process to guarantee sustainable development outcomes for the State and to satisfy the requirements of the Commonwealth Government, which it is determined to impose. I have recently appointed a new high-level vegetation management advisory committee to provide advice on strategies for native vegetation protection and sustainable management across Queensland. The committee, which meets today for the first time, will be chaired by Emeritus Professor John Holmes, formerly Professor of Geography at the University of Queensland and internationally recognised for his work on land use and land tenures. It will include key stakeholders—representatives from the Queensland Farmers Federation, the United Graziers Association, the Queensland Conservation Council, the Local Government Association of Queensland, the Urban Development Institute of Australia and the Landcare and Catchment Management Council. These stakeholder groups have welcomed our action and given a commitment to work through issues constructively.

The Commonwealth has also commended the Beattie Government's action. The Honourable Senator Robert Hill, the Federal Minister for the Environment, stated—

> "A legislated system of regional vegetation planning across all tenures, linked to clearing regulation would be a positive reform. I remain confident that, together with other trust outcomes, our Governments can deliver an historic improvement in the extent, condition and management of Australia's native vegetation."

I table that letter for the benefit of members.

Among other things it points out that, under the Natural Heritage Trust partnership agreement, Queensland's continued access to the millions of dollars of Natural Heritage Trust funding across our State is dependent on taking these important steps. The partnership agreement, which committed Queensland to develop an improved system of management across all land tenures to avoid unsustainable land clearing, was signed on 5 November 1997 by Messrs Borbidge, Hobbs and Littleproud. The previous Government established a vegetation management task force to develop clearing controls across all land tenures, both leasehold and freehold. However, this committee, which met for the first time on 28 November 1997, did nothing but continue uncertainty for our rural families and the environment. This was reflected by the Queensland Farmers Federation in its vegetation management issues paper of February 1998—

> "Current ad hoc vegetation management controls and a lack of planning certainty are upsetting this

> balance and leading to unplanned clearing which might otherwise not have occurred."

That was from the vegetation management issues paper prepared by the Queensland Farmers Federation in 1998.

People living in rural and regional Queensland are looking for certainty. Global markets have given our commodities a tough time in the past decade, yet our rural producers have performed magnificently. This Government will engage in a consultative process that will lead to certainty; guidelines for the protection of vegetation that will sustain the land in the long term for rural producers. Any changes will have a sound scientific base. They will involve proper planning and advisory mechanisms, a duty of care for the environment, and be fair and equitable. Any changes will be developed in tandem with rural producers to guarantee and underpin the long-term sustainability of pasture and rangelands. There will be a partnership approach with urban development interests to promote best practice in the creation of truly sustainable living environments where new development occurs.

The Queensland Government's new vegetation management framework will build on the increasingly sound land management approaches of the vast majority of land-holders, property owners and developers. All members of this House should support these measures to promote the responsible retention of native vegetation to achieve sustainable land management into the 21st century.

MINISTERIAL STATEMENT

Natural Disaster Mitigation

Hon. M. ROSE (Currumbin—ALP) (Minister for Emergency Services) (10.09 a.m.), by leave: The massive damages bill left by Tropical Cyclone Rona and widespread storms and flooding highlights the need for disaster mitigation. The Queensland Government's share of the bill to restore public assets and assist people affected by recent cyclonic weather and flooding was around $60m before the most recent far-north Queensland floods. The funding comes under Natural Disaster Relief Arrangements that have been activated seven times this financial year for affected communities in the south-east, south-west, gulf, north and far north of the State. The majority of the money will be spent repairing or replacing public assets such as roads and bridges, with other funds allocated for personal hardship, counter-disaster operations and concessional loans to primary producers and small businesses.

While it will be some time before we are able to gauge the full extent of damage to many areas, the total financial loss to affected communities will be astronomical when profit losses, wage losses and insurance payouts are taken into consideration. However, if Cyclone Rona had hit the coast in a different place or on a high tide, the communities of north and far-north Queensland would have experienced devastation on an even greater scale.

The floods that swamped south-east Queensland were the worst in a century in some areas. Some local governments will take months to restore roads and bridges to a reasonable standard. These same areas could flood again next year, or next decade. The big wet also has highlighted the need for an extension of Natural Disaster Relief Arrangement benefits to take in trading assets and public utilities such as water and sewerage and aerodromes, and events such as landslides. I discussed these issues at a recent meeting in Sydney with Federal Finance Minister, John Fahey. There are ways, however, to minimise the amount of damage caused by severe weather.

This Government advocates the establishment of a joint State/Federal mitigation fund to reduce the impact of natural disasters on property and on the lives of Queenslanders. Premier Peter Beattie first proposed the fund in discussions with Prime Minister John Howard and the fund was high on the agenda when I met Mr Fahey. Mitigation work may not be cheap, but neither is rebuilding what will, inevitably, be knocked down again.

By building bridges in places where they will not be washed away or by building levees or flood walls in vulnerable areas, we can minimise the consequences of natural disasters on people and on property. We can also work with local councils to ensure that future development does not occur in flood-prone areas.

This year the Emergency Services budget included $400,000 for disaster mitigation assessments in Cairns, Mackay and Hervey Bay, and for the implementation of a mitigation strategy for Murweh Shire, which has been devastated by flood in recent years. These assessments will lead to enhanced safety for Queensland communities through an increased level of counter-disaster preparation at the local government level.

The Government recently established a State Mitigation Committee to prioritise natural disaster mitigation needs across the state. However, we cannot implement mitigation strategies without financial assistance from the Federal Government. We may not be able to turn back floodwaters or send cyclones out to sea, but we can be prepared for the worst. Mitigation is an investment in Queensland's future.

COAL MINING SAFETY AND HEALTH BILL MINING AND QUARRYING SAFETY AND HEALTH BILL

Cognate Debate

Hon. T. M. MACKENROTH (Chatsworth—ALP) (Leader of the House) (10.12 a.m.), by leave, without notice: I move—

"That so much of the Standing and Sessional Orders be suspended to enable the Coal Mining Safety and Health Bill and the Mining and Quarrying Safety and Health Bill to be introduced and passed as cognate Bills for all of their stages—

(a) one question being put 'That leave be granted to bring in the Bills';

(b) one question being put in regard to the first readings;

(c) one question being put in regard to the printing of the Bills;

(d) one question being put in regard to the second readings;

(e) the consideration of the Bills together in Committee of the Whole House;

(f) one question being put for the Committee's report stage; and

(g) one question being put for the third readings and titles."

Motion agreed to.

PARLIAMENTARY CRIMINAL JUSTICE COMMITTEE

Report

Mr LUCAS (Lytton—ALP) (10.13 a.m.): I lay upon the table of the House a Criminal Justice Commission paper titled Criminal Justice System Monitor Series Volume 4. This publication is not a report of the CJC for the purposes of section 26 of the Criminal Justice Act 1989. The committee stresses that it has in no way conducted an inquiry into the matters 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.

NOTICES OF MOTION

Sun Metals Dispute; Gordonstone Mine Dispute

Hon. R. E. BORBIDGE (Surfers Paradise—NPA) (Leader of the Opposition) (10.14 a.m.): I give notice that I shall move—

"That this House notes and shares the grave concern of business, industry, and the general public over the threat to jobs, investment, and well being of the Queensland community as a result of the comprehensive "can't do" record of the Beattie Labor Government, particularly its failure to deal appropriately with illegal industrial action at the Sun Metals project and the Gordonstone coal mine.**"**

Rainwater Tank Rebate

Mr WELLINGTON (Nicklin—IND) (10.15 a.m.): I give notice that I shall move—

"That this House calls on the State Government to investigate and, if possible, make provision in this year's budget for a rainwater tank rebate program to encourage water conservation."

Anzac Day Trading Hours

Mrs LIZ CUNNINGHAM (Gladstone—IND) (10.15 a.m.): I give notice that I shall move—

"That, in order to ensure the necessary amendments to and notifications of changes to Anzac Day trading hours for 1999 can occur (including Proclamation if the Bill is passed), full debate of the Liquor Amendment Bill 1999 be conducted on Wednesday evening, 14 April 1999."

PRIVATE MEMBERS' STATEMENTS

Gordonstone Mine Dispute

Hon. R. E. BORBIDGE (Surfers Paradise—NPA) (Leader of the Opposition) (10.16 a.m.): Today we have seen further evidence of this can't do Government with the decision to import Bob Hawke from down south to do the work that should be done by the Government of this State. What we have is an incredible situation in which we are faced with the prospect not only of mothballing a $530m zinc refinery but also the fact that Stage 2 may not proceed, which means that

Townsville will not get a base load power station, which will then impact on the Chevron pipeline, which will then impact on Comalco in this State.

This Government is establishing two sets of rules. We have a Premier who has abrogated his responsibilities to the people of Queensland by seeking to import Bob Hawke to do the job that he and his Government should be doing themselves. The simple fact—and what the Koreans cannot understand—is that if the law is broken, why is the law not enforced?

This great strategy of the Premier can be likened to a bank robbery when the police know who the bank robbers are and where the bank robbers are located, and they appoint a negotiator to go along and talk to the bank robbers about how much money they will refund. That is precisely the strategy that is being embarked upon by the member for Brisbane Central, who presides over the first Government in the Western World to adopt a hands-free approach to public administration.

The people behind Korea Zinc and Sun Metals and those who are suffering at Gordonstone have every right to believe that the laws of Queensland will be enforced. We have a Premier and a Government who are going soft on the law-breakers. We have the news this morning that the unions are ready to embrace Mr Hawke.

Time expired.

Member for Clayfield

Mr ROBERTSON (Sunnybank—ALP) (10.18 a.m.): Yesterday the member for Clayfield made a number of scurrilous, offensive and unsubstantiated allegations against not only the Government but also the Taiwanese community in Queensland. In response to an article printed in the China News, he alleges a Labor Party plot. Well he might be offended by an article that he self-identifies with as a politician with links to Australia's white supremacist anti-Asian party. The honourable member's speech in this House not only condemns himself as that person but also is an attempt to divide the Asian community, and particularly the Taiwanese community, in this city and this State.

The member for Clayfield tries to allege that the Taiwanese community is not the solid structure that we know it to be. Though not interested in his petty politics or the division that he attempts to create, they are interested in being part of the rich and vibrant community that has been provided under Labor Governments in this State. They have come here to invest in Queensland, to provide jobs and to promote business partnerships that benefit not only our State but also our nation. Their children are educated here to ensure the continuity of their dream to live and work in a State that provides them with new opportunities and allows all of us to enrich our culture.

More than that, they make a substantial contribution to the welfare of all Queenslanders. As a community, they strive to assist many worthwhile causes in this State. Were it not for the efforts of the Taiwan Womens League and the Taiwan Friendship Association, our hospitals and community facilities would be poorer places for every Queensland citizen. Yet in the face of this, the member for Clayfield seeks to divide this community on partisan lines. He seeks to take issue with the report of his and his party's activities during the extremely successful Asia-Pacific cities conference. I will leave it to our Asian community to provide him with the condemnation that he so richly deserves.

Mount Lofty Nursing Home

Miss SIMPSON (Maroochydore—NPA) (10.19 a.m.): The Labor Government's moves to evict 14 frail aged nursing home patients from their long-time home in Toowoomba smack of political payback of the dirtiest kind. This is one of the most diabolical and callous actions that this Labor Government could take against the most vulnerable members of the community. The Health Minister, Wendy Edmond, took away $350,000 in aged care funds from the Mount Lofty Nursing Home, which the coalition had allocated on the advice of the department to bring it up to standard. After seven months as Health Minister, Mrs Edmond has suddenly decided that there is an urgent need to close those beds, with no prior consultation with staff or patients, and no attempt to put in the money to maintain those much-needed local nursing home beds.

It seems that the Labor Government can find $600,000 for ministerial office upgrades, but when it comes to these frail aged men, who are all in their eighties and nineties, the Government has different priorities—the wrong priorities. The Government plans to farm out these elderly men to different parts of the district, even though there is only one other nursing home bed available in the district at the moment, which I believe is at Oakey.

There is still a need for those nursing home beds in Toowoomba. This comes only

two weeks after the sacking of the top three Health officials in Toowoomba. The Toowoomba community must be wondering what the Labor Government has in store for it next. Mrs Edmond is out of control in this portfolio. The Minister has shown how desperate she is by abusing patients who have had to wait too long for surgery, sacking staff and closing hospital beds, and now she is picking on the elderly in a most disgraceful act. Newspaper reports suggest that the Premier may overturn his Health Minister's decision. For the sake of these elderly men, we again urge him to do so.

Ambulance Service

Mrs ATTWOOD (Mount Ommaney—ALP) (10.21 a.m.): Last Friday I visited the Oxley Ambulance Station to listen to the concerns of staff and witness first-hand their operational procedures. The station officer, Steven Owens, and two ambulance officers—Adam Starr and Anthony Parsonage, a paramedic—explained the types of call-outs that are a routine part of their job. Most calls related to existing medical complaints that flare up, whilst others relate to alcohol and drug abuse, strokes, epilepsy and motor vehicle or work related accidents.

A small factor in their having to attend emergencies revolves around people not helping themselves. Families do take care of their children and each other, but there are situations in which the family unit is dysfunctional and care is not taken to maintain a healthy and emotionally supportive living environment. It is the acceptance of responsibility which distinguishes some family environments from others.

During my discussions with those ambulance officers, the emergency telephone rang three times. Within two minutes of the phone calls, the ambulance officers were heading towards their emergency destination with siren blaring. The best way to get an early response is to dial 000 in case of accidents, fires and other emergencies. Calls dialled on general lines may not be treated as urgent, but 000 calls go straight to the central communications centre and jobs are dispatched immediately.

We owe a lot to our dedicated ambos, who have shown me in a couple of hours how challenging their job can be. They do not know what situation will confront them at each call-out but are prepared with their medical training and people skills to save lives. Considering the life and death nature of the situations they face day or night, these heroes deserve the best conditions of employment and equipment that the Government and community can provide. I strongly encourage the younger generation to become ambulance subscribers, because we never know when we will need their service. For non-subscribers, the expense of calling an ambulance can cause financial embarrassment and add to the stress of the situation.

Mount Lofty Nursing Home

Mr HEALY (Toowoomba North—NPA) (10.23 a.m.): Health Minister Edmond's refusal to overturn a decision by Queensland Health to demolish a unit at Toowoomba's Mount Lofty Nursing Home has a whole community outraged. The Minister's pathetic attempt to put the blame on the previous Health Minister is equally disgusting. There was a line item in the coalition Health budget before the last State election which clearly allocated $350,000 in 1998-99 for the upgrade of the unit—$350,000 to bring the unit up to workplace health and safety standards. The Minister has stated publicly that this amount of money would provide only an adequate sprinkler system.

In last Saturday's Courier-Mail, Fair Trading Minister Judy Spence admitted that the $600,000 upgrade to her office was to accommodate 50 staff. The Government cannot tell me that $350,000 would not have been sufficient to upgrade a unit that accommodates 14 poor old men. But where was the $350,000 in the first Labor Budget after the election? Gone! Wiped out! These 14 men, one of whom is one of Australia's oldest surviving people with Down syndrome at the age of 64, are happy at Mount Lofty. It is their home; the wonderful staff have made it their home.

At a meeting that the member for Toowoomba South and I attended, the staff were so visibly upset that they were crying because of the Minister's decision. Not once in the six and a half years that I have been the member for Toowoomba North has one single staff member or member of the community approached me to complain that the unit in question at Mount Lofty was dangerous.

The Premier says that he is a compassionate man. Today's newspaper reports suggest that he will intervene. I make a plea to him to intervene in the situation, because the future and lives of those 14 men now depend on him and whether he is prepared to overturn this decision.

Queensland Film and Television Industry

Dr CLARK (Barron River—ALP) (10.25 a.m.): Yesterday in this House the Premier announced that Coote/Hayes Productions has chosen to locate TV productions worth at least $100m here in Queensland, generating about 2,000 jobs. The Premier confirmed our Government's strong support for the film and TV industry, which has seen films with production budgets totalling $889m shot in Queensland since 1992. The latest and biggest production so far, The Thin Red Line, with a budget of $65m, was shot primarily in the Cairns region.

I have great faith in the emerging film and TV industry in far-north Queensland, as do members of the Far North Queensland Film and Television Association. The association is working hard to attract more film companies to our part of the world, capitalising on our fantastic varied locations and peoples to create jobs and diversify the local economy. In fact, reviewers of The Thin Red Line have been quick to point out that the real stars of the show may in fact be the varied, beautiful and unique locations. Owen Glieberman, of Entertainment Weekly, wrote—

> "The expert use of stunning locations made the film a poetic and philosophical look at an island paradise plunged into war."

To capitalise on our natural assets, the association has produced a Film and Television Location Directory for the Cairns region in CD-ROM format, with financial assistance from all three levels of Government. The CD was launched officially by Deputy Premier Jim Elder in Cairns last week. The directory is the culmination of almost two years of planning and development, which involved photographing and surveying all areas between Cooktown and Cardwell. The CD contains virtual reality 360 degree images of locations, panoramic photography, sound files, and graphical images. There are over 3,000 different images in all, supported by a database of statistics about each location.

I congratulate president Tony Gordon and association members on their achievement. It is with great pleasure that I table a copy of the CD for members to explore the wonders of far-north Queensland from the comfort of their offices and hopefully to use it to promote our film industry whenever they have the opportunity. I had thought that this would be the first CD to be tabled in the Queensland Parliament but, as I discovered yesterday, the Premier inadvertently beat me to it when he tabled an information kit on the new EPA, which contained a CD. The Table Office has expressed some concern about this movement into the information technology age, but I have no doubt that, with your continuing support, Mr Speaker, it will rise to the challenge.

Time expired.

Mount Lofty Nursing Home

Mr HORAN (Toowoomba South—NPA) (10.27 a.m.): The mark of any society is its ability to care for the most vulnerable in it. The callous decision to slash $350,000 from the capital budget for the Mount Lofty Nursing Home has meant that 14 old men, institutionalised for the bulk of their life, will now be shifted from the only home they know—the place where they know the staff who love them and their visitors.

These are the same old men who, in the early nineties under the Goss Labor Government, were shipped out to a boarding house in Brisbane and had to be rescued by the staff from where they were sleeping in beds under a stairwell. The staff at Mount Lofty love these people. For these people it is the only family they have and the only place they know. We cannot move these people, who are in their eighties and nineties, in the sunset of their life.

I am appealing to the Premier. He has said that he will intervene in this matter. This is a humanitarian issue. Let us take the politics out of it. Let us put aside the $350,000 that the Government ripped out and start to spend some money to see that this place continues to be a safe and happy home for these 14 old men. Some of them are former diggers in their eighties and nineties. Their only asset is the staff who love and care for them and their visitors. They have nothing else. They were in Baillie Henderson years ago before they were shifted to Mount Lofty. If we are to have any measure of care in our society at all, it is important that we provide humanitarian intervention. Their home is the cottage at Mount Lofty. Their home is the people who care for them—the nurses and visitors. That is their only home. They do not have much time left. These poor old men should be left alone with their friends and loved ones, and the funding restored so that they can live safely and peacefully in their twilight years.

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

QUESTIONS WITHOUT NOTICE

Gordonstone Mine Dispute

Mr BORBIDGE (10.30 a.m.)**:** I refer the Premier to the judgment of Justice Moynihan yesterday in relation to the Gordonstone dispute concerning prima facie evidence of interference, nuisance, besetting, harassment and intimidation both on and off picket lines. In particular I refer to comments by Justice Moynihan. He said—

> "Threats of force, physical violence and abuse have been shouted—and gestures, the slitting of a throat and the use of a hand to indicate the pointing and firing of a gun, have been made. Despicable sexual innuendos have been shouted about at least one woman employee of the plaintiffs and about the wife of a male employee."

I ask the Premier: in light of these findings, does he stand by his Government's praise for the commitment of the member for Fitzroy to the picket as equivalent to the behaviour of Mahatma Gandhi and Nelson Mandela?

Mr BEATTIE: Let me make it absolutely clear to this House and to the people of Queensland that I want this dispute resolved. I want the dispute at Korea Zinc involving Sun Metals resolved. I do not support, nor does my Government support, behaviour on a picket line which is in the form that some have described as un-Australian. I support the right of people to picket and I supported, and I support today, the position taken by the honourable member for Fitzroy. I do not support sexist, racist or any other such behaviour on a picket line, but I support people's right to picket because this is a democracy. It is a right for people to organise a picket.

Having said that, the court yesterday made certain decisions in relation to Gordonstone. That is a decision of the Supreme Court of this State. That decision is binding on all the parties. As I have indicated, that is the law. As far as my Government is concerned, the law will be enforced. I just say to the Leader of the Opposition that these are difficult times, but these matters can be resolved. Gordonstone is difficult because it is under a Federal award. It is a direct legacy of the Reith industrial relations legislation that prevents the independent arbitrator—the independent umpire—having an opportunity to intervene and resolve these disputes. Had the law at a national level been as it should, that is that there was an independent commission, this dispute could have been resolved.

Mr Borbidge interjected.

Mr SPEAKER: Order! The member will allow the Premier to answer the question.

Mr BEATTIE: In terms of the Sun Metals dispute, again the industrial laws of this State are inadequate, and I have indicated to the Minister for Industrial Relations that we want the law changed so that the independent umpire can intervene and fix these disputes. Had the industrial laws of this State and this nation been effective, had they been the way that I have outlined, then these disputes could have been resolved. The resolution of these disputes has been impaired by the inadequacies of the law, and that is why I say to all Queenslanders today that in terms of the State legislation we will fix it, and we will fix it because we want the independent umpire—the arbitration commission—to have the power to resolve these issues.

Sun Metals Dispute

Mr BORBIDGE: I ask the Premier: in view of the fact that the Sun Metals dispute is under State jurisdiction and the agreement in question was signed under Labor's industrial relations laws when his current Attorney-General was Minister for Industrial Relations and that that agreement has effect until the year 2002, when will he accept responsibility for resolving this dispute instead of abrogating his obligations to Bob Hawke, a move already warmly embraced by the trade union law-breakers involved?

Mr BEATTIE: Let me correct one thing that the Leader of the Opposition has raised. As he knows, his Government changed the industrial relations laws in this State to reduce the power of the independent umpire. That power will be restored. I say to the House today that one of the reforms that will be coming forward from Paul Braddy on behalf of this Government is to restore the independent role of the industrial commission. That will be one of the reforms that we will introduce, and it will be given the power it should be given to solve these sorts of disputes. That is the first point.

The second point is this: the Leader of the Opposition simply wants to play politics. I want to resolve this dispute. I met with Sun Metals——

Opposition Members: Ha, ha!

Mr BEATTIE: Mr Speaker, I draw your attention to the attempt to disrupt my answer. I met with——

Mr Borbidge interjected.

Mr BEATTIE: Does the Opposition Leader want an answer or does he simply want to disrupt Parliament?

Mr Borbidge: We won't get an answer.

Mr BEATTIE: He will if he gives me a chance to answer the question. Last Friday night——

Mr Grice interjected.

Mr SPEAKER: Order! The member for Broadwater!

Mr BEATTIE: Last Friday night I had a meeting with Sun Metals, with the two senior brothers—C. J. Choi and C. Y. Choi. During that meeting I indicated that we had a strategy to resolve this matter and if the matter was not resolved by midnight tonight that strategy would be implemented. Yes, I have had discussions with Bob Hawke, because I want a negotiator to resolve this dispute. The Leader of the Opposition does not want to resolve this, he wants to play politics. Last night on television——

Mr Grice: So what are you playing?

Mr BEATTIE: Is the member going to allow me to answer or is he just simply going to be rude? Just let the record show who is disrupting this institution. Let the record show that I cannot even get an opportunity to answer a question without the member's interjections. I am happy to answer the question.

The position is this: the Leader of the Opposition went on television last night. Does he want a solution as we do? No! What did he talk about? He talked about bussing in police! Yesterday the member for Gregory was complaining on radio that police should be doing their duty in their own towns, yet we have the Leader of the Opposition wanting bus loads of police drawn in. Why does he want that? Because he wants confrontation! He wants politics. He wants to play cheap games. He does not want a solution.

Let me say to the people of Queensland that this matter is before the arbitration commission today. I urge all the parties to participate in that process in a meaningful way and resolve this matter. If it is not resolved by midnight, the strategy that I have spelt out to all the parties will be implemented and, yes, it does include the appointment of a negotiator because, unlike the Leader of the Opposition, I want this dispute resolved. I want it fixed. I do not want to play politics, and that is what the Leader of the Opposition is seeking to do. Not once did the former Premier——

Time expired.

Cypress Pine Logging

Mr SULLIVAN: I refer the Premier to media reports that the long accepted practice of allocating areas of State forest for cypress pine logging may contravene the Trade Practices Act and the National Competition Policy, and I ask: will he give an assurance that the State Government will put jobs ahead of economic rationalism?

Mr BEATTIE: Let me give a very clear assurance that we will. My Government is committed to the cypress pine industry. It is the lifeblood of many Queensland regional towns. I endorse the public position taken by the Minister for Primary Industries. Almost half of the cypress pine processed in this State is sold interstate or overseas, including to Japan and the United States. My Government, as you know, Mr Speaker, was elected on a platform of three central policies: jobs, jobs and jobs, and we will deliver on those jobs. I recognise the drive for National Competition Policy. I recognise that it is aimed at improving so-called service delivery, but I will never, nor will my Government, put economic rationalism ahead of jobs. That is what has gone on in this country for too long. That is why we need to be very firm about our position on this.

Let us deal with the question of the Trade Practices Act. I have been made aware that legal advice has been provided on this matter by Walter Sofronoff, QC. That advice is that the allocation system does not breach the Trade Practices Act, and that is the central issue here. It is important that all of us appreciate that there need to be significant changes to the National Competition Policy. I have been unable to get the changes I want because the Howard Government refuses to change. That is a coalition Government involving the Liberal and the National Parties in Canberra, and they will not change the National Competition Policy. The bottom line is very simply this: my challenge to the Liberal and National Parties in Queensland and in Canberra is to join with this Government and change National Competition Policy. It is within their power to change it, but they will not change it. Those opposite are so ineffective that they are taken for granted by their colleagues in Canberra and they are unable to bring about change.

To conclude, far from closing this important industry, the cypress pine industry, I can inform the House that the Department of Primary Industries and the Department of Natural Resources are assessing cypress pine reserves in the Tambo region with the aim of

establishing a mill in that region. This is an important industry.

Mr Schwarten: Another 15 jobs.

Mr BEATTIE: That is right, another 15 jobs as part of the jobs strategy. This industry is an important one and it has our full support. I simply indicate again the unwillingness of the Howard and Fischer Government to change National Competition Policy. I will be making certain that every Queenslander understands that we want change; the conservative Government in Canberra refuses to change.

Hospital Waiting Lists

Miss SIMPSON: I refer the Minister for Health to a letter, which I table, from a young mother who is awaiting open heart surgery at Prince Charles Hospital but whose surgery has twice been delayed by the hospital. This mother has been classified as a semi-urgent patient who should be operated on within three months, but she has been told that she now has to wait up to seven months for surgery, even though she runs the risk of another stroke. As the semi-urgent waiting list for Prince Charles Hospital patients has now blown out, with nearly 50% of cardiothoracic patients waiting too long under the Beattie can't do Government, will the Minister now admit that the financial crisis gripping Queensland's public hospitals and her mismanagement are severely affecting patient care?

Mrs EDMOND: Once again, I do not respond in the House to questions on individual cases, nor do I think it is appropriate. But I am happy to talk about elective surgery waiting lists. At this stage they are about half what they were at the same time last year. The most recent figures show clearly that more than 4,000 extra patients——

Miss Simpson interjected.

Mrs EDMOND: Clearly those opposite do not want to hear the situation. There has been an increase in demand in Queensland hospitals and, as a result of that, we have operated on more than 4,000 extra patients in the first seven months of the financial year than had been operated on at the same point in the previous year. That has meant that, as at the last figures I had, waiting lists are about half what they were at the same time last year.

Those opposite have to compare apples with apples, oranges with oranges. They should not pick a figure out of the sky and compare things with that. The January figures for this year were half what they were in the previous January, under the previous Minister and the previous Government.

Opposition members interjected.

Mrs EDMOND: Those opposite should just sit there and relax. They can get the figures. We see them paying $30 to get the figures under FOI. They still have not found out that the figures go out on a quarterly basis. The elective surgery figures go out to every GP. They are available in every hospital. The Opposition does not have to pay $30 to get them under FOI any more. It does not get selected leaked bits here and there comparing different places. We are making the figures available publicly so that people know. We are also operating on more people than ever before.

The member opposite keeps going around carrying on about the enterprise bargaining agreement that will give pay rises to hospital staff and about the dreadful effect that is having on the budgets of the hospitals. Staff have not voted on it yet; they are voting on it now. It has not had any impact and it is fully funded. The only EB that is having any impact on the budgets of the hospitals at the moment is the unfunded one of the previous Minister that left hospitals carrying a $25m overrun.

Mr Johnson interjected.

Mr SPEAKER: Order! The member for Gregory!

Mr Johnson: We haven't got the answer, Mr Speaker.

Mrs EDMOND: The answer is that elective surgery is being done at a faster rate than it was ever done under the previous Government. Four thousand more Queenslanders have had their operations than would have been the case if those opposite had remained in Government.

Solar Hot Water Rebate Scheme

Mr PURCELL: I refer the Premier to the State Government's Solar Hot Water Rebate Scheme, announced during last year's election campaign by the Premier, the Minister for Environment and Heritage and the Minister for Mines and Energy, and I ask: can the Premier provide details of the success of this scheme?

Mr BEATTIE: I thank the honourable member for Bulimba for his question, because this is a major initiative by the Government. I welcome the opportunity to provide the House with the information on this initiative. Members would have noticed prior to the election that it was a joint announcement by Tony McGrady,

the Minister for Mines and Energy, and Rod Welford, the Minister for Environment.

Queensland is ideally placed, as members would know, to take advantage of solar power. After all, we are the sunshine State. However, solar hot water systems are currently used by only 5% of Queensland households. We need to do better than that. I add that, until a few years ago, that figure was about 2%. It rose to 5% as a result of the rebate system introduced by the former Goss Government and pursued by Tony McGrady as the then Minister.

Unfortunately, the previous coalition Government tossed out this scheme. It greatly disappointed me to see the scheme dropped, because it had real benefits for electricity users and for the environment. The Government is determined to see usage of solar hot water systems increase substantially over the next few years. In order to achieve this, and in keeping with our election commitment, the Solar Hot Water Rebate Scheme has been reintroduced.

The Government will provide rebates of up to $500 to people who install solar hot water systems in their homes. That is a real initiative to encourage increased use of solar hot water systems. These rebates are designed to help overcome the initial high cost of these systems, which has been identified as the major barrier to their widespread use. We believe that the rebates are justified because of the associated benefits. What are they? Solar hot water systems can produce around 80% of their hot water using the sun's energy, resulting in significant savings in greenhouse gases—around 2.5 tonnes of carbon dioxide each year for each system. That is a significant achievement.

Installing these systems also results in real savings in the form of lower electricity bills. There is the potential for savings of about 40%—that is significant—on the average power bill. To add to these savings, minimum payment provisions associated with water heating tariffs are being reviewed and hopefully removed. This means that people who go solar will also make a further small saving on their power bills. Since the reintroduction of the rebate more than 1,750 Queenslanders have received a total of more than $750,000 for going solar. As I have already mentioned, that also means significant savings in greenhouse gases.

Major manufacturers of solar systems have reported excellent responses, with increased sales of about 30%. In fact, several of them have had to employ additional people in areas such as Brisbane, the Sunshine Coast and north Queensland. The Energywise centre is receiving about 70 applicants a week and has received thousands of calls regarding the rebate scheme.

Mr SPEAKER: Order! Before calling the member for Caloundra, I welcome to the public gallery four hearing-impaired students and two interpreters from the Miami State High School in the Burleigh electorate.

Optometrist Services

Mrs SHELDON: My question without notice is directed to the Minister for Health. Given that optometrists around many parts of Queensland are threatening to stop dispensing free spectacles for public hospital referred patients from next month—I will table numerous letters from concerned practitioners—and given that a review of the scheme was due to finish six months ago but is still ongoing, when is the Minister going to fix this looming crisis for Queenslanders?

Mrs EDMOND: This is another one of those issues that got put in the too-hard basket by the previous Minister for Health. When this was raised a year ago, what did he say—"We will have a review. We will promise them what they want and we will have a review." What did he promise optometrists? He promised them a review that was going to deal them a 300% increase in the amount they get to charge pensioners for providing spectacles. There is a review going on and there are a lot of issues to be worked through, but I have to say that I have some concerns.

Opposition members interjected.

Mrs EDMOND: He started it. It is a review of the previous Minister.

Opposition members interjected.

Mr SPEAKER: Order!

Mrs EDMOND: Mr Speaker, would they have me cut every single review he started? There were so many. I inherited not a bottom drawer but a whole cabinet full of unresolved issues on which he could not make a decision. We know that the only decision he could make was whether to stand in front of the camera. That has been a problem.

There are a lot of unresolved issues, and this is one of them that we are working through with the optometrists association. I have some problems with doing what the optometrists want and increasing the charges to pensioners for their spectacles, as I am sure many other members in this House would have. We have to work out what is a fair deal for pensioners.

Meat Processing Industry

Mr PITT: I ask the Minister for State Development and Minister for Trade: can he update the House on any practical outcomes of the Government's initiative to support the meat processing industry?

Mr ELDER: When we took office as a Government, the meat industry in this State was facing a very bleak future—a very uncertain future. In fact, if members read the report of the previous Government they will realise that it was a pretty terrible future indeed for meat processors. I remind members of the forecast of the meat processing committee which was set up under the Borbidge administration. It forecast that unless something was done in the meat industry, we would be looking at the closure of 17 abattoirs and the loss of 5,000 jobs in that industry in Queensland over the next five years. That was a report to the previous Government. What was its response? It did nothing! Nothing was done. And I imagine that, if members opposite were in Government now, they would be blaming political correctness, the trade union or, as the member for Keppel might say, the "Social Left". They may be blaming someone, but they would not be blaming themselves.

Mr Gibbs: They are very social.

Mr ELDER: They are social. By contrast, immediately upon getting into Government, the Primary Industries Minister and myself reviewed the entire industry. We put in place a meat processing initiative—a scheme to actually assist and grow those abattoirs that would be surviving to make sure that we had a long-term meat industry in this State.

Last week, I was in Toowoomba at Darling Downs Bacon. As a Government, we have put in place a support package of $1.8m for Darling Downs Bacon to support it with a new export abattoir. The abattoir and the accompanying facilities will represent a $37m shot in the arm for the region's economy and will provide another 75 jobs in Toowoomba with Toowoomba's leading private sector employer.

Mr Cooper: How much did the Feds put in?

Mr ELDER: The member was going to do nothing. That was his position. His Government was going to do nothing. The Federal Government——

Mr Cooper interjected.

Mr SPEAKER: Order! The member for Crows Nest will cease interjecting.

Mr ELDER: After we had taken the lead, the Federal Government finally supported the project, and I commend it for that, because it is a shot in the arm. It means 75 jobs, 300 construction jobs and 300 or more indirect jobs, and it provides certainty for those meat industry producers—the pig producers. That is something on which we have delivered. Members opposite failed them. We have delivered in relation to this project and in relation to the industry. Had members opposite stayed in Government, and had their support for the KR Darling Downs Bacon proposal and the QAC closure remained the same, the commercial arrangements that were in place, which would have seen that abattoir shut and those jobs lost, would have been unworkable, unrealistic and uncommercial. That was the view of the industry. It is now the view of the industry that there is only one saving measure for it, and that is to work with us as a Government to resolve the issues.

Mount Lofty Nursing Home

Mr HEALY: I ask the Minister for Health: as the Minister removed capital funding for upgrades for the Mount Lofty Nursing Home and callously approved the closure of 14 nursing home beds, which will result in the removal of 14 frail, aged and vulnerable patients from their long-term home, and given that there is only one nursing home bed currently available in the Toowoomba district, I ask: where is the operational funding for these 14 beds being transferred to in the State?

Mrs EDMOND: During private members' statements this morning, one member opposite made the statement that it is a measure of a compassionate society how we treat our frail aged. And is that not right! In January of this year, I received a report on the Mount Lofty Nursing Home—not all of the Mount Lofty Nursing Home; we are talking only about the cottage, a very old building. What did that report say? It said that the building is unsafe. It said that the upper storey of the building——

Mr Healy interjected.

Mrs EDMOND: The member has had his chance. He should just listen to what he was prepared to wear in Government.

Mr Borbidge interjected.

Mr SPEAKER: Order! The Leader of the Opposition!

Mrs EDMOND: This is how members opposite want to care for their frail aged. This is how they believe the frail aged people should be looked after: in a building the upper

storey of which is at risk of collapse during storms; part of the roof and the ceilings contain asbestos sheeting; under the terms of the Building Act, it should be considered only as a temporary building; there is white ant infestation; and the basement slabs are deteriorated, with severe cracking, and are no longer serviceable. In fact, the recommendation that I received was that those people should be moved for their safety as a matter of priority. The new administration team in the Toowoomba Hospital have supported me in this. We are working to look after those old people.

This report was done in January. I got it in February. But imagine my shock and horror to find that one went to the previous Minister in 1996—in February 1996—and he did not care. He was told that the building was unsafe and that those people should be moved immediately, and he did not care. What did he say? He said, "Put in the cheapest possible sprinkler system", for a couple of hundred thousand, when the rebuilding would cost $4m. Where was the $4m needed to rebuild it?

Honourable members interjected.

Mr SPEAKER: Order! The House will come to order.

Mr Borbidge: We were in power in February.

Mrs EDMOND: That is right. Members opposite were in power when this report——

Mr BORBIDGE: I rise to a point of order.

Mrs EDMOND: This report was ordered by the Premier, Mr Beattie——

Mr BORBIDGE: I rise to a point of order. If the Minister checks her facts she will find that it was a Labor Minister at the time, and I think it might have been the member for Brisbane Central.

Mrs EDMOND: I am glad that the Leader of the Opposition has raised that point. The member for Brisbane Central asked for the report, but it was released in February 1996, when members opposite took over. It was ordered by the previous——

Time expired.

Mr Johnson interjected.

Mr SPEAKER: Order! The member for Gregory will cease interjecting. That is my final warning.

Hospital Waiting Lists

Mr BEANLAND: I refer the Minister for Health to a leaked letter from staff at the Royal Brisbane Hospital exposing the crisis in the public hospital system. I table the leaked letter, which states—

"A category 2 gentleman"—

date of birth 1912—

> "was actually prepared for ... the operating theatre) when his operation is cancelled"——

Honourable members interjected.

Mr SPEAKER: Order! The Minister cannot hear this question because of the noise in the Chamber. I ask members to consider their own colleagues when a member is trying to ask a question. Would the member repeat the question?

Mr BEANLAND: I refer the Minister for Health to a leaked letter from staff at the Royal Brisbane Hospital exposing the crisis in the public hospital system, which states—

"A category 2 gentleman"—

date of birth 1912—

> "was actually prepared for ... the operating theatre) when his operation is cancelled due to no bed being available post operatively. Three persons cancelled, booked for serious cancer involved surgery, due to no bed available. This is just in the last week in one area of the hospital."

I table that leaked letter, and I ask: as the Royal Brisbane Hospital has closed more than 30 beds, with the Minister's approval, due to a $14m budget blow-out, and as this is the reason these patients are being sent home without their scheduled surgery, will the Minister and her can't do Labor Government now admit that they are a public health hazard?

Mrs EDMOND: The priority of patients for surgery is something that is determined at a clinical level, and that is quite appropriate. It is quite appropriate that the clinicians—the experts—determine the priority of patients for surgery. At any hospital at any time, an emergency may arise that causes the cancellation of surgery. That is always regrettable, but it happens. It happens because the patient with the most need at that time is the one who gets priority.

Once again—and as you would be aware, Mr Speaker—at Redcliffe, more patients are having elective surgery at the moment than ever occurred under the previous Government. Something like 4,000 more Queenslanders have had elective surgery in the last seven or eight months than happened during the same period under the previous Government. Every

health district in Queensland got increased funding in the last Budget, and that will continue. We will continue to run an excellent health service. If members opposite are complaining about us running an excellent health service because they cannot find anything else to complain about, they should go back and look at those unfunded commitments of the previous Government which have caused problems.

How much did the Royal Brisbane Hospital have to find in savings for the previous Minister? How much did the hospital have to find—which it could not come up with—to pay wages and give staff the increase in the EB2? The EB3 will come in and it will be fully funded because I do not believe it is appropriate that hospitals have to find those savings in order to allow hard-working staff to have a pay rise. The previous Minister said, "They are all greedy unionists", etc. He said that savings had to be made and wards had to be cut to pay for the EB2 savings. That is an issue and we will work through it. We will ensure that every patient receives treatment in the correct, clinically appropriate way.

Goods and Services Tax

Mr MUSGROVE: My question is directed to the Honourable the Treasurer. I refer the Treasurer to the Queensland Government's submission to the Senate tax inquiry, and I ask: what support has been expressed among Queensland senators and Federal members for the Queensland Government's position in relation to the distribution of GST revenue?

Mr HAMILL: This is a very important issue for all Queenslanders who are being asked to pay a GST and who will see an increase in tax to support the removal of taxes that we do not have in Queensland but which exist in other States. It is well known to all members in this place that Queensland stands to be short-changed by the Federal Government to the order of $465m if the Federal Government's proposals in relation to the GST are adopted.

That message has been presented to all members in this House and to all Queensland Federal members and senators. On two occasions, the Under Treasurer, at the request of the Senate inquiry, has appeared and given evidence. Despite the efforts of soon-to-be-former Senator O'Chee, it would appear that the Senate inquiry has understood the force of the argument put forward by the Queensland Government.

I have received a number of letters from Queensland members and senators thanking me for the information that they have received. A number of them have undertaken to raise the issue in the Federal Parliament. Unfortunately, there has been only deafening silence from another group of Queensland members and senators.

That is why I was delighted to read in the Sunshine Coast Sunday of 21 March an article containing the views of Mr Alex Somlyay, the Federal member for Fairfax and a former Howard Government Minister. The article refers to Mr Somlyay and reads—

> "... he agreed with Queensland Labor Treasurer David Hamill's assessment that the State could draw the short straw of GST revenue. Mr Somlyay has written to Queensland's Cabinet representative, Defence Minister John Moore and Treasurer Peter Costello, saying he could find no fault with the State Government's submission on GST funding prepared by Mr Hamill."

This appears later in the article—

> "Mr Somlyay said it was paramount that Queensland was treated with equity."

I could not agree more.

A Government member interjected.

Mr HAMILL: But wait for it. The article continues—

> "He is concerned that Queensland Liberal members of Parliament will come under increasing pressure to ensure the State gets a fair share of GST revenue from the outset."

Too right they will! Surely that is what representation is all about. It is about Liberal senators and members from Queensland looking after the interests of their constituents.

I believe that we should put the Defence Minister, Mr Moore, on notice. Not only should he be defending Australia's interests; he should also be defending the interests of his own constituents. I will be writing to Mr Moore again and drawing his attention to Queensland's case and asking for nothing more than our fair share. I hope that the Leader of the Opposition, his deputy, and the Leader of the Liberal Party in this Parliament will get on board with Mr Somlyay and other thinking Liberal and National Party members and defend Queensland's position.

Auctioneers and Agents Committee; Mr D. Kelly

Dr WATSON: My question is directed to the Minister for Fair Trading. I refer the Minister

to the legal proceedings instituted by the Consumer Affairs Commissioner and Committee Registrar, Mr Neil Lawson, in the Supreme Court in an attempt to overturn the committee's decision and, in particular, to the comments of Mr Justice Moynihan, who said—

> "I can see why there is concern. I mean, quite frankly, I find the course of events fairly extraordinary in terms of the representation and what took place in the light of the former membership and all those things. I can see why there is a basis for each concern."

I table a copy of the chamber transcript and related documents for the benefit of the Minister. I ask: does the Minister share the concerns of Justice Moynihan and, if so, can she inform the House why the committee disregarded the advice of Crown law, the Consumer Affairs Commissioner and Committee Registrar, Neil Lawson, his Deputy Registrar David Goddard, and Fair Trading Inspector David Cuddihy, all of whom recommended that Mr Kelly's claim be rejected? Does the Minister still support the committee's decision to disregard their very strong objections?

Ms SPENCE: I am very pleased that the Opposition has chosen to again raise this subject today because it gives me an opportunity to quote from a statement issued yesterday by the Chair of the Auctioneers and Agents Committee, Ms Sandra Deane. Ms Sandra Deane is a senior associate with a national law firm in Brisbane. Obviously those opposite fail to understand my role as Minister in relation to the committee. They have not taken the time to understand the workings of the committee. The statement reads as follows—

> "She said that she was satisfied that the Committee had conducted itself appropriately in exercising its quasi judicial powers in determining this relatively small claim against the fund.
>
> Ms Deane said that no preferential treatment had been afforded to this claim. In fact, Mr Kelly's claim was, if anything, more closely scrutinised given his daughter's previous involvement with the Committee, she said.
>
> She said that she was satisfied that Mr Vickers, Deputy Chairman, had acted appropriately throughout this matter, contrary to the Oppositions' assertions in Parliament today.
>
> The Opposition spokesman, Bruce Davidson, is reported to have said that the Committee ignored Crown Law advice in paying out $6700 to Mr Kelly. Mr Davidson is misinformed. The Committee did not ignore Crown Law's advice. It received submissions from both Crown Law on behalf of the Registrar and Mr Kelly's counsel and then obtained independent advice from a member of the private bar before finally disposing of this claim."

To answer one of the questions raised yesterday, Ms Deane goes on to say—

> "The Committee agreed to bring on Mr Kelly's claim although it was not on the agenda. In order to assist the expeditious resolution of its business, the Committee routinely 'brings on' matters for consideration."

I am happy to table the media release issued by Ms Deane yesterday.

Those opposite should apologise to every single member of the Auctioneers and Agents Committee. Let us not forget that this committee of nine individuals is comprised of representatives of the real estate industry, the motor trade dealers industry and consumer representatives. These people come from a diverse range of industry groups. What those opposite did in this House yesterday was disgraceful.

This committee takes its job very seriously. Without the benefit of the facts put before this committee, those opposite decided to stand up here, defame those people and tell the House that their decision—a decision that they considered three times—was wrong. Those opposite should go outside and say that and see what the people on the committee have to say to them.

School Nurses

Mr WILSON: My question is directed to the Minister for Health. I refer to the Government's policy of introducing school nurses to help combat drug abuse among young people. Can the Minister advise the House of the status of this initiative?

Mrs EDMOND: I am delighted to advise the member that this policy, to which we made an election commitment, is going full steam ahead. What a great initiative it is! How popular it is! I know it is popular because many members opposite have also lobbied me to make sure that they have school nurses in their schools. In fact, the only person who seems to be opposed to this initiative is the member for Maroochydore, but we will ignore that. We are fulfilling this commitment. Already

the first 25 nurses in schools have received training, have been appointed, and are out there actively working in schools.

I think it was a measure of the success and the popularity of this initiative that we had over 300 applicants for those 25 positions around the State. I met with the first group of 25 when they were undergoing training at the University of Queensland. They were overwhelmingly enthusiastic and supportive of this initiative. They saw it as a great grassroots movement.

Mr Cooper: What about for Crows Nest? Did you get one?

Mrs EDMOND: I would have to check that, but there are more coming. When we were appointing these nurses, we put them in 51 schools across Queensland from Cairns to Mount Isa, to Dalby, to Kingaroy and to Southport. The schools were selected on the basis of need in cooperation with the Education Department. They are working in clusters of two or three schools, depending on the numbers. The most important thing is that the same nurse will work in the same school on the same day of the week so that they have continuity and they can get to know the kids and discuss a wide range of issues. We want to see these nurses educate young Queenslanders about drugs and prevent many of them from taking the risk of experimenting with drugs. They will also deal with issues such as smoking prevention and alcohol abuse, body image, nutrition, reporting of sexual abuse, mental health issues, violence, suicide awareness and prevention.

One of the things that we are making clear is that the school nurses will encourage students to discuss their concerns with their parents and their caregivers as a first response and refer them to the appropriate support. There has been an incredibly positive response to this initiative. More schools have applied for these nurses than we could fill in the first round. I thank members on both sides of the House for all the support that they have given to the initiative. I encourage members to get behind this initiative because, with the next Budget, there will be an allocation for another 25 nurses. Members should talk to their schools about the nurses. It may be that their schools were not among those schools that applied for the nurses, which is one of the things that we look at. If a school did not get a school nurse this round, members should make sure that it is supportive of the program and puts in an application for a school nurse. This initiative is a practical investment in young people's health. It is a preventive measure to try to get in there before trouble begins.

Sex Education

Mr FELDMAN: I direct a question to the Minister for Education. Whilst we support to a certain extent enlightenment of our youth to the reality and the implications of sex and sexual activity through education in our schools, most parents find it abhorrent to think that our children are to be exposed to the promotion of homosexuality through our schools. I ask the Minister: is it a fact that our children in primary school Years 6 and 7, aged between 10 and 12, will be subject to such an improperly weighted, positive slant to homosexuality and be exposed to posters of the Sydney Gay and Lesbian Mardi Gras and, in fact, will celebrate Gay Pride Day in our schools as part of sex education? This was depicted as a fait accompli in a Courier-Mail article and confirmed as a statement by the Family Planning School Education Coordinator, Judy Rose, of the Family Planning Association. The Minister was unavailable for comment, according to that Courier-Mail article, and I now ask the Minister: what is his response?

Mr WELLS: No.

Aboriginal and Torres Strait Islander Women's Task Force on Violence

Mrs LAVARCH: I ask the Minister for Aboriginal and Torres Strait Islander Policy and Minister for Women's Policy: what progress has been made with the Aboriginal and Torres Strait Islander women's task force on violence?

Ms SPENCE: I thank the honourable member for her question and I acknowledge her longstanding interest in this particular issue. I have to say how refreshing it is to receive a question on a matter of substance, a matter that affects the quality of life of all Queenslanders on a daily basis, particularly after the political minutiae that I have listened to from the Liberal Party over the past two days.

I am happy to talk about the Aboriginal and Torres Strait Islander women's task force, which has been established to advise the Government on issues of violence, particularly in Aboriginal communities, and how the Government might better implement its programs to counteract these issues. The task force is made up of 48 women who come from communities throughout Queensland. A working group of 11 women is travelling throughout Queensland undertaking very extensive community consultation and providing the Government with a first-hand look at what is happening in Aboriginal and

Islander communities. So far, the task force has been to places such as Charters Towers, Richmond, Hughenden, the tablelands, Mount Morgan, Rockhampton, Gladstone, Innisfail, Mackay and its surrounding regions, Townsville, Tully and Cairns. They have also been to Bundaberg, Longreach, Emerald and other areas in Queensland. Last month, I was very pleased to accompany the task force to Cherbourg, to Mornington Island and to Doomadgee where we had very successful, well attended meetings, particularly with the women who live in those communities.

From listening to Aboriginal and Torres Strait Islander people about these issues, one of the points that has been brought home to me is that the Government needs a variety of responses if it is going to seriously address the violence and alcohol problems in these communities. Time and time again, we have been told that the programs that we deliver are not culturally appropriate and that there is particularly a great need for indigenous counsellors. The people in those areas see domestic violence in a different light than I suspect does the non-indigenous population. There is a need to see the issue as a family issue. There is a need to involve men in the solutions. They are talking about strategies, such as establishing alcohol-free zones and changing the nature of the canteens on Aboriginal and Torres Strait Islander communities. They also talk particularly about the need to revitalise traditional Aboriginal and Torres Strait Islander cultures.

The working party is expected to give me an interim report by 30 April and a final report by 30 June. I am looking forward to receiving those recommendations.

Auctioneers and Agents Committee, Mr D. Kelly

Mr DAVIDSON: I ask the Minister for Fair Trading: given her repeated and self-serving statements regarding the separation of powers, can the Minister inform the House of how many occasions her Director-General, Ms Marg O'Donnell, discussed Mr Kelly's claim with the committee registrar, Mr Neil Lawson, and Mr Kelly's lawyer, Ms Raelene Kelly? Further, can the Minister confirm that Ms Marg O'Donnell actually met with Ms Kelly on at least one occasion during the period in question? How many times was the Minister briefed by Ms O'Donnell and Mr Lawson on this matter?

Ms SPENCE: I do not have that level of detail.

Gold Coast Public Housing Initiatives

Mr ROBERTS: I refer the Minister for Public Works and Minister for Housing to the upcoming Community Cabinet meeting at the Gold Coast, and I ask: can the Minister inform the House of public housing initiatives in the Gold Coast region?

Mr SCHWARTEN: I thank the honourable member for the question and I place on record his support for public housing in this State. One of the great innovations of our Government has been the Community Cabinet process. It has been welcomed.

Opposition members: Oh!

Mr SCHWARTEN: I hear the moans from the members opposite. The reality is that they are not listening to people. That is why they have room temperature popularity.

On many occasions, this process has afforded us the opportunity to listen to people at a grassroots level. The fact of the matter is that the Edmonton Cabinet process brought with it the Abbeyfield project at Babinda, the Manoora project, the Mount Isa airconditioning process—the list goes on. The Community Cabinet meeting at the Gold Coast will enable us to announce that some 200 dwellings of various types will be constructed on the Gold Coast, which will give a net return of about $15m for the building industry on the Gold Coast this year.

Over a period, I have had long discussions with the member for Currumbin, Mrs Rose, about her concern about the standard of seniors units in her electorate. As a result of this Cabinet process, we have been able to bring forward a project that will provide 18 seniors units to pick up the slack in her electorate. That will cost about $1m. I brought the tender date forward to May so that those units will be finished by the end of the year and will in no small way improve the standard of units that we saw built for our seniors.

There has been a lot of comment about how we judge people on how they treat other people. Let me tell members that the bed-sits built by the coalition in its 30-year rule prior to 1989 are nothing short of disgraceful. When I travel around the State, one can pinpoint the sorts of developments that were carried out under that Government. We are still trying to clean up the mess. Of course, we had another dose of them during the past three years, when they handed back $130m to the Federal Government. The raiding and clawing back——

Mr Johnson: What's the comparison between the old folk at Currumbin and those seniors at Mount Lofty?

Mr SCHWARTEN: It is about us caring and not having them in the sort of hovels that the coalition put those people in. I encourage the honourable member to take his tablets again. The legacy of 30-odd years of National Party rule is the hovels that they put old people in. The sort of units that we will build on the Gold Coast will be——

Time expired.

Illegal Prawn Harvesting

Mr HEGARTY: I refer the Premier to his recent statements offering unsolicited advice to the Federal Government on coastal surveillance in far-north Queensland, and I ask: how is it that while he is meddling in an area of Federal responsibility, up to 80 fishing boats a day are plundering local prawn stocks right under his nose in Moreton Bay? With reports of prawns being sold on the black market for $10 per kilogram and some fishers boasting a $40,000 tax-free income per annum, why has his Government not moved to enforce bucket limits for recreational fishers as proposed by the coalition almost a year ago?

Mr BEATTIE: I thank the honourable member for his question. In doing so, I refute the way he has dealt with the importance of the security of this State. I make it absolutely clear that the protection of our borders is not only a responsibility of the national Government but it should also be a matter of concern for all Queenslanders. I assure the House and the member that I am not prepared to see a lack of security continue in terms of the borders of this State. I would have thought that every member of this House would have stood side by side with the Government to make certain that we took on the issues of illegal drugs and illegal immigrants coming into the country. If the member for Redlands wants to make light of illegal drugs and illegal immigrants, let the record show it, because my Government will not.

The State Government is developing an in-possession limit on prawns retained by fishers who do not have a commercial licence. The Queensland Fisheries Management Authority is finalising a regulatory impact statement that will be considered soon by Cabinet. The in-possession limit envisaged is 10 litres of prawns per person per day.

Currently it is illegal for unlicensed fishers to sell prawns that they catch. The actions of unlicensed fishers taking large catches of prawns threatens the sustainability of prawn stocks and shows contempt for genuine recreational fishers and the commercial seafood sector. The previous Government acknowledged this problem but refused to act. The did-not-do Borbidge Government could only manage a frantic election campaign press release, but no action.

Mr Borbidge interjected.

Mr BEATTIE: This morning my office has received calls, as has that of the Minister, from residents who said that they raised the issue almost three years ago and saw no action.

Mr Cooper interjected.

Mr Veivers interjected.

Mr SPEAKER: Order! The member for Southport and the member for Crows Nest will cease interjecting.

Mr BEATTIE: The Government is acting on this matter. I will be having discussions with the relevant Minister, Mr Palaszczuk, a little later today. He has been reassuring callers that we will take action. This Government is acting swiftly and responsibly on this matter. The Government is determined to protect Moreton Bay. This Government is working towards a sustainable fishing industry, and it is about sustaining fishing for recreational fishers as well. We are in the process of sorting out what, for three years, the coalition Government could not.

Youth in Watch-houses

Ms STRUTHERS: I ask the Minister for Families, Youth and Community Care and Minister for Disability Services to please inform the House what measures the Government is taking to minimise the detention of young people in watch-houses?

Ms BLIGH: I thank the honourable member for the question. This is an issue that she has long held an interest in. The issue of children being maintained in watch-houses for unacceptably long periods first came to public attention in December last year when a 12-year-old boy was kept in the Mackay watch-house. In my view, this matter had not been the subject of extensive public attention in the past, but I am pleased to see it see the light of day now.

From the very outset, our Government has maintained a very clear position that while there will always be exceptions due to factors such as geographic remoteness, it is

inappropriate for young people to be detained in adult watch-houses for anything other than the shortest possible time. Well one might ask what the coalition's position has been and one will not be surprised to know that it was confused and slipped and slid all over the place. On 13 January this year, the member for Indooroopilly was reported to have said, "The Opposition had no problem with the practice of temporarily detaining juvenile offenders in police watch-houses." However, seven days later he said, "There can be no justification for keeping a juvenile in the watch-house for six nights." The honourable member might have said that in January this year, but in January last year when he was the Minister with responsibility for juvenile justice, what was the pattern? In the last six months of the former Government, no fewer than 34 young people were kept in watch-houses for five nights or more. Twenty of those children were held for more than six nights, six of them for seven and two of them for eight nights.

What have we done about it? In January we moved to set up new protocols between my department and the Queensland Police Service. I take this opportunity to congratulate the Queensland Police Service and officers of my department who have worked to implement those protocols. The outcome is that, in less than eight weeks, those protocols have almost halved the length of time that young people are spending in watch-houses. Since 25 January this year, 137 young people have been detained in watch-houses. Only 35 of those have been there for more than one night. That represents more than a 50% reduction in this time compared to the same period under the previous Government when the member for Indooroopilly had some responsibility in the area. Only 5% of the young people have been held for more than two nights since January this year, compared with 20% for the same period under the coalition. This time last year there were four times as many young people being kept in watch-houses for more than two nights. This achievement is just the beginning. I am pleased to advise the House that this evening my ministerial colleagues Matt Foley, Tom Barton, Judy Spence and I will convene a workshop to develop further programs to reduce this figure.

In the last couple of weeks there has been a lot of talk about can do and can't do. In relation to this issue, the member for Indooroopilly and his Government simply did not do. When they had a chance, they did nothing. They did not know where kids were in watch-houses; they did not have a clue.

Auctioneers and Agents Committee; Mr D. Kelly

Mr QUINN: I refer the Minister for Fair Trading and Equity to the payment made to Mr Bill Kelly by the Auctioneers and Agents Committee and ask: was she briefed regularly on this matter? Is it not a fact that this whole disgraceful affair has been comprehensively corrupted by conflicts of interest, preferential treatment and tainted evidence, and that this shonky compensation payment reeks of nepotism, cronyism and corruption? Further, is it not just another example of the Labor Government looking after its Labor mates? Finally, would she not agree that the buck stops at her desk as she is the Minister responsible for ensuring that the committee conducts its affairs in a prudent and proper fashion?

Ms SPENCE: I am surprised at the Liberal Party's ongoing interest in this matter. I clearly explained, via a ministerial statement that I made yesterday, my proper involvement with the Auctioneers and Agents Committee. I answered the Opposition's questions fully yesterday. Having failed to interest anyone in Queensland, particularly the media, in this issue, they are back here today making unsubstantiated allegations against the committee and me. In doing so, they have defamed nine good Queenslanders who give their time to serve on this very important committee. I challenge Liberal Party members to go outside the House and make the kind of statements that they have made against these committee members.

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

PARLIAMENTARY MEMBERS (OFFICE OF PROFIT) AMENDMENT BILL

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier) (11.30 a.m.), by leave, without notice: I move—

> "That leave be granted to bring in a Bill for an Act to amend the Legislative Assembly Act 1867 and the Officials in Parliament Act 1896."

Motion agreed to.

First Reading

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

Second Reading

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier) (11.31 a.m.): I move—

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

Today I introduce a Bill which directly impacts upon all members of the Legislative Assembly. Amendments included in this Bill are designed to allow all members to be able to better serve the people of Queensland. As members of Parliament, we have a duty to serve Queenslanders to the best of our abilities and efforts. This service is provided both within this Chamber and, perhaps more importantly, within our electorates. I believe that, with the combined experience and expertise of members, significant contributions can be made. I also believe that the manner and form in which we serve the State should not be unnecessarily restricted by ambiguities in the law.

As the law currently stands, serious restrictions are imposed upon all members of the Assembly who wish to contribute to the administration of the State by accepting positions or performing duties or services on statutory boards, committees, councils or other Government bodies. Under section 7A of the Legislative Assembly Act 1867 an appointment of a member to an office of profit under the Crown or to a position of the prescribed description may be null and void. In addition, section 7B of that Act prescribes that if a member transacts any business on behalf of the Crown the question of whether the member should continue as a member of the Assembly shall be determined by a resolution of the Assembly. Finally, the effect of section 5 of the Officials in Parliament Act 1896 requires that a member to be appointed to a Government body not be entitled to receive any payment to avoid the election of the member from becoming null and void.

For a member to be appointed to a statutory board, committee, council or other Government body and avoid these sanctions two options are currently available. The first is to obtain one and, in some instances, two resolutions by the Legislative Assembly, plus the making of a regulation. The second option is to pass an Act of Parliament requiring or expressly permitting the particular office of profit to be held by a member and for the business, service or duty to be undertaken by the member. The combined effect of section 7 of the Legislative Assembly Act 1867 and section 5 of the Officials in Parliament Act 1896 makes the appointment of members to an office of profit under the Crown costly, complicated and cumbersome.

The need for caution in respect of appointments of members to offices of profit under the Crown is not new. In 1993, the Electoral and Administrative Review Commission considered amendments to consolidate and simplify these provisions without arriving at any firm recommendations. The Legal, Constitutional and Administrative Review Committee's Interim Report on the Consolidation of the Queensland Constitution has also proposed a consolidation of these and other sections of the Legislative Assembly Act 1867 and the Officials in Parliament Act 1896 in its proposed Parliament of Queensland Bill. Successive Governments have recognised the issue through reference in respective Cabinet Handbooks.

The Crown Solicitor and the Solicitor-General have given advice over a number of years on various contemplated appointments of members to offices of profit under the Crown. Legal opinion is generally agreed that the construction of the restriction provisions for appointment of members to offices of profit is complex and ambiguous.

It is the Government's view that a member of Parliament should be able to serve on statutory boards, committees, councils or other Government bodies without the need for a complicated and costly series of resolutions, regulations or enactments each time a member is to be appointed to perform additional duties for or on behalf of the Crown. However, the Government is adamant that the strict accountability measures prescribing the appointment of members to an office of profit will remain.

The objective of this Bill is to amend provisions in the Legislative Assembly Act 1867 and the Officials in Parliament Act 1896 to allow members to perform additional duties for or on behalf of the Crown by accepting appointments to or performing services for statutory boards, committees, councils or other Government bodies—including university senates. Resolutions, regulations or specific enactments will no longer automatically be required for each occasion a member is to be appointed. However, the Bill prescribes strict rules which will apply for the appointment of a member to an office of profit.

Members will not be entitled to fees or other rewards. Members will be required to waive irrevocably, for all legal purposes, any entitlement to a fee or other reward. The waiver must also be provided as soon as practicable after the member becomes aware of the entitlement. A copy of that waiver must be provided in writing to the Speaker. Members will be allowed to receive only amounts payable on account of reasonable

expenses related to the performance of such additional duties performed.

"Expenses" in the Bill are defined as expenses actually incurred by a member, or on behalf of a member, on account of the member performing duties for the Crown. If the expenses are reasonable, the categories of expenses for which a member may be reimbursed, or the Government body may pay on behalf of the member, are to be restricted to expenses associated with performing additional duties for the Government body for: accommodation; meals; domestic air travel; taxi fares or public transport charges; and motor vehicle hire. In addition, the Bill maintains adequate safeguards against a conflict of interest between a member's duty to hold the Government of the day accountable and potential pecuniary benefit received in relation to the performance of additional duties on behalf of the Crown.

The current sanctions remain in operation should a member profit from the performance of a service or duty by receiving amounts in excess of reasonable expenses as defined or upon becoming aware of an entitlement and not taking reasonable steps to waive such an entitlement. If a member transgresses the office of profit provisions, the Legislative Assembly will maintain its oversight role.

I emphasise for the benefit of all members that, while this Bill introduces a degree of flexibility with the appointment of members to an office of profit, it will be incumbent on members to remain diligent and ensure that they only receive reasonable expenses as clearly defined and formally waive entitlements. Any failure to do so will see the member's future in the Assembly be determined by the office of profit exclusion provisions. To assist members to comply with the provisions included in this Bill, I propose that complementary amendments to the Members' Entitlements Handbook be made clearly setting out the duties and requirements for members who perform additional duties for Government bodies.

I would like to advise members that the amendments in this Bill do not extend to that recommended by the Legal, Constitutional and Administrative Review Committee in its Interim Report on the Consolidation of the Queensland Constitution. The Bill does not change or consolidate relevant provisions in the Constitution Act 1867 or the Electoral Act 1992. These matters will be examined further upon the committee's recommendations in its final report.

The current ambiguous state of the law severely restricts members from performing additional duties for the State due to the attendant risk of their appointments or elections becoming null and void. This Bill will clarify the law. Members will be able to receive only amounts payable for reasonable expenses within clearly defined parameters. This Bill will also obviate the need for cumbersome and time-consuming resolutions, regulations or enactments on each occasion that a member is appointed to perform additional duties for the Crown. I commend the Bill to the House.

Debate, on motion of Mr Borbidge, adjourned.

RETAIL SHOP LEASES AMENDMENT BILL

Hon. J. P. ELDER (Capalaba—ALP) (Deputy Premier and Minister for State Development and Minister for Trade) (11.38 a.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill for an Act to amend the Retail Shop Leases Act 1994."

Motion agreed to.

First Reading

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

Second Reading

Hon. J. P. ELDER (Capalaba—ALP) (Deputy Premier and Minister for State Development and Minister for Trade) (11.39 a.m.): I move—

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

This Bill represents the outcome of an interim review of the Retail Shop Leases Act 1994. Queensland introduced retail tenancy legislation in 1984 and this was extensively reviewed in 1994. Queensland's Retail Shop Leases Act has been acknowledged by the House of Representatives Standing Committee on Industry, Science and Technology Inquiry into Fair Trading and the Property Council of Australia as "best practice" in Australia.

The legislation establishes a basic framework to assist lessors and small retail lessees. It achieves this by seeking greater visibility of the obligations to be met by the parties. The legislation benefits lessors and lessees, and endorses the position under the

general law or the practice which prevailed before the statute came into operation. This facilitates greater equity and efficiency in retail leasing relationships and, more broadly, in the Queensland retail sector as a whole.

The retail industry is constantly changing and evolving. It is one of the most important sectors of the Queensland economy, particularly in relation to its significance for small business and employment. The retail industry is also the major employer and the only provider of a range of key services in some regions. In this context, it is important to ensure that the Retail Shop Leases Act maintains its currency in this dynamic and evolving sector. In March 1997, an issues paper was released calling for public comment on possible amendments to the Act. The amendments being proposed are a result of extensive consultation with industry and the community on matters affecting the operation of the Act.

The Bill is in keeping with the Government's overriding objective to nurture a positive environment for Queensland businesses and industry. The purpose of the Bill is to provide greater clarity and certainty for the retail industry and, in line with the Act's objective, will promote efficiency and equity in the conduct of retail businesses in Queensland. The Bill achieves this by amending mandatory minimum standards for retail shop leases and making the low cost dispute resolution process for retail tenancy disputes more effective.

The Bill codifies certain measures to improve the effectiveness of the Act. The amendments proposed by this Bill serve to—

clarify aspects of the legislation;

enhance the Retail Shop Leases Tribunal's ability to deal with disputes; and

prevent circumvention of the Act's current provisions preventing multiple rent reviews and provide greater certainty about the outcome of lease negotiations.

In general terms, the interim review of the Act has concluded that improvements were required to address—

uncertainty being experienced by industry in relation to the method and timing for rent reviews; and

the need to provide the Retail Shop Leases Tribunal with greater powers to deal with vexatious or frivolous claims.

With respect to the method for rent reviews, current provisions of the Act can be interpreted to read that only one basis of review can be used during the entire term of the lease. This contrasts with the original intent behind the provision to allow for multiple bases of rent review during the entire term of the lease but limiting each separate review to only one basis of rent review. This latter intent maximises the flexibility for both the lessee and lessor and permits parties to tailor their rent review needs.

The Bill gives effect to the original intent by amending certain provisions of the Act to permit the use of multiple bases of rent review during the entire term of the lease and limiting each separate review to the use of only one basis of review. This will assist both lessees and lessors by providing a clearer framework for rent review.

Under the current provisions of the Act, a lease must state the timing and basis for rent reviews. Generally, industry stakeholders agree that it is uncommon for reviews to occur more than once every 12 months. The Bill provides that, as a broad parameter to negotiations, rent reviews be restricted to a maximum of one review every 12 months. However, parties will have the option to negotiate more than one review in the first 12 months of the lease. This arrangement will enable discounted starting rentals to continue to be accommodated within the framework of the legislation.

This amendment provides a legislative framework for current industry practice. By doing this, lessors and lessees can have confidence with respect to the timing of rent reviews, providing a degree of certainty about the outcome of negotiations. Confining rent reviews to once every 12 months will limit the potential for lessees to be faced with multiple methods of rent review over shorter periods.

There is evidence that the Retail Shop Leases Tribunal is hearing a number of claims where the intention of a party is clearly to prolong and impede access to justice for another party. The purpose of the tribunal and its preliminary proceedings is to provide a low cost dispute resolution forum. These disputes detract from the function of the tribunal and can be the cause of protracted and costly hearings. Committing the tribunal's resources to claims which are of a frivolous or vexatious nature limits the time that can be afforded to genuine claims.

The Bill will give the tribunal power to make orders as to costs in certain circumstances, including—

a frivolous or vexatious dispute;

where reasonable prior notice of intention to apply for an adjournment of a hearing

or an appeal has not been given by a party; or

where costs have been incurred by a party because another party has defaulted in the procedural requirements.

The terms "reasonable" and "frivolous or vexatious" will take their meaning from legal precedent or discretionary powers.

The Department of Justice and Attorney-General has developed legislation for unified court rules, that is the Civil Justice Reform Act 1998, including the review of costs. The Uniform Civil Procedure Rules will be enacted on 1 July 1999. In accordance with the Uniform Civil Procedure Rules, the tribunal would have the power to make an order for costs on either the standard or indemnity basis.

This package is an important element in a range of measures being developed to assist the retail industry. My department has developed a range of support programs for the retail sector that will improve management skills and raise awareness of how IT can improve a retail business and enhance its merchandising skills. The Commonwealth is continuing to develop its package of assistance measures and is collaborating with State and Territory Governments to achieve practical outcomes. In addition, my department has commenced a major review of the Retail Shop Leases Act. A discussion paper was issued in November 1998 which called for public comment on possible improvements to the Act. Submissions have been lodged and are currently being analysed.

Queensland's Retail Shop Leases Act has often been acknowledged as the best of its type in Australia. This Bill will maintain that position, improve the effectiveness of the Act and maintain its objective to promote an efficient and equitable retail sector.

I commend this Bill to the House.

Debate, on motion of Mr Healy, adjourned.

COAL MINING SAFETY AND HEALTH BILL
MINING AND QUARRYING SAFETY AND HEALTH BILL

Cognate Debate

Hon. T. McGRADY (Mount Isa—ALP) (Minister for Mines and Energy and Minister Assisting the Deputy Premier on Regional Development) (11.46 a.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill for an Act to regulate the operation of coal mines, to protect the safety and health of persons at coal mines and persons who may be affected by coal mining operations, and for other purposes; and a Bill for an Act to regulate the operation of mines, other than coal mines, to protect the safety and health of persons at mines and persons who may be affected by operations, and for other purposes."

Motion agreed to.

First Reading

Bills and Explanatory Notes presented and Bills, on motion of Mr McGrady, read a first time.

Second Reading

Hon. T. McGRADY (Mount Isa—ALP) (Minister for Mines and Energy and Minister Assisting the Deputy Premier on Regional Development) (11.47 a.m.): I move—

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

The Coal Mining Safety and Health Bill 1999 and the Mining and Quarrying Safety and Health Bill 1999 will provide a modern legislative framework for the safety and health of those involved with Queensland's most important industry. They repeal the Coal Mining Act 1925 and Mines Regulation Act 1964 and replace them with legislation based on modern safety and health principles. The provisions of these Bills will clearly place responsibility and accountability for safety and health where it belongs: with the people in the best position to ensure that this is achieved—the mining industry itself.

While the legislation firmly places responsibility for safety and health with the mining industry, it also provides a clear role for Government through a strengthened mining inspectorate. A mining inspectorate will be established with appropriate powers to monitor and audit industry performance, to detect and prevent unsafe practices and to hold accountable those who fail to fulfil their safety and health obligations.

Major objectives of this legislation include—

protecting the safety and health of persons at mines and quarries and persons who may be affected by mining and quarrying operations;

requiring the risk of injury to any person from mining and quarrying operations to be as low as possibly achievable.

A lot of time, effort and thought has gone into ensuring these objectives could be met. Tripartite groups involving the major stakeholders—Government, unions and representatives of the mining industry—have deliberated over a considerable period of time to develop the proposed legislation.

In order to achieve the best legislation, we have consulted as widely as possible with other jurisdictions faced with similar tasks. These consultations have included overseas jurisdictions, as well as those in the major mining States within Australia. The objectives of the legislation will be achieved by—

imposing safety and health obligations on the mining industry;

requiring operations to have safety and health management systems;

establishing tripartite safety and health advisory councils to allow industry to take part in the continuous improvement of safety and health in the industry;

providing mine worker representation in safety and health issues which may affect mine workers;

providing a qualified and experienced and adequately resourced inspectorate with appropriate powers to overview the industry's management of safety and health and enforce the provisions of this legislation;

providing a means to ensure persons carrying out tasks at mines with safety and health implications, particularly to the safety and health of others, are competent to undertake those tasks;

providing a means for the mining industry to meet its obligations to have a satisfactory level of emergency preparedness and, for underground coalmines, mine rescue capability; and

providing a system for the health assessment of coalmine workers.

Included in the legislation are provisions to require a thorough investigation into mining accidents. All fatal accidents will be examined by the coroner, therefore allowing an external review of safety and health failures by a body independent of all agencies associated with the mining industry. Inquiry by the coroner will also allow more focus on the possibility of bringing criminal charges in cases of gross neglect of duty.

In circumstances where a major incident has occurred, the legislation also provides for a board of inquiry to be established. The board could also be established to investigate a disturbing series of events which may signpost a potentially significant deterioration of safety and health standards within the industry. This board does not supplant the coroner's inquiry.

In the mining industry, as elsewhere, structural and technological changes continue at an increasing rate. The current Acts concentrate on telling industry how things must be done rather than the standards of safety which must be achieved while doing the task.

It has been found throughout the world that change quickly makes the methods dictated by legislation outdated. Therefore, the new legislation focuses on the standards of safety and health that must be met and allows the mine operator to use the most appropriate methods and technology to achieve these standards. This is not to say that industry will be left to its own devices. As I have mentioned previously, in this legislation Government has a clearly defined role to monitor, audit and, where appropriate, correct the activities and systems established by industry and enforce the provisions of the legislation.

This is extremely important legislation for Queensland's major industry. It involves a major effort by all major stakeholders and I would like to thank them for the sustained efforts they have put into the development of the legislation over a considerable period of time. More than 95% of this legislation—probably closer to 99%—is the result of prolonged consultation with industry and unions and does have their wide support.

Two parts of the legislation have caused some comment, but I had very clear and compelling reasons for including them. Increased penalties, including provision for imprisonment, have been introduced for those who fail to meet their safety obligations resulting in an accident leading to death or serious injury. I inserted this part of the legislation to bring it in line with the Workplace Health and Safety Act. In fact, it mirrors that Act. I cannot believe there would be anybody in this House who thinks workers in the mining industry are worth less than workers in any other industry. We simply cannot justify an industry such as mining, with a high potential for accidents, having legislation which is weaker than that which covers all other workers in Queensland.

The inescapable fact is that the safety record of the mining industry is not good. There have been four major coalmine disasters in 23 years. Over the past 20 years there have been 56 deaths in the mining and quarrying industry and 49 deaths in the coal industry. I for one will not accept that situation.

I know that the validity of retaining statutory positions as part of this new legislation has also been questioned. In regard to the decision to retain statutory positions, I have to ask members of the House to cast their minds back to that terrible day in August 1994 when 11 men lost their lives in the Moura mine. The report that came from the inquiry into that tragedy contained a number of recommendations which I have insisted be contained in this legislation.

Statutory positions formed part of those recommendations and I am committed to seeing them implemented. They must form part of this package if we are to adhere to the spirit as well as the letter of those recommendations because, as the Moura report said, the statutory hierarchy should be directed to securing and maintaining safe working places and practices in the mine.

Those who question the need for retention of statutory positions are discounting the valuable role these positions can play in ensuring safety. I firmly believe statutory positions can be incorporated into modern safety management practices to achieve the total aim of providing a safe workplace. To do otherwise would be to indicate that we have learned nothing from the Moura tragedy, and I will not let that happen.

I am convinced that this legislation will represent a milestone in the improvement of safety and health standards in the Queensland mining industry. It is modern legislation and it is entirely appropriate for a modern industry. We can never become complacent about safety in mining.

Deaths and injuries occurring in the mining industry are simply not acceptable. I am pleased to see that all recent Governments, all unions and mining companies have resolved to change this. We have arrived at this stage after a massive effort by all involved. The result is world-first legislation which will contribute dramatically to improving health and safety in our mining industry. I commend it to the House.

Debate, on motion of Mr Mitchell, adjourned.

TRANSPORT (SOUTH BANK CORPORATION AREA LAND) BILL

Hon. S. D. BREDHAUER (Cook—ALP) (Minister for Transport and Minister for Main Roads) (11.58 a.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill for an Act about the acquisition of certain land in South Brisbane."

Motion agreed to.

First Reading

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

Second Reading

Hon. S. D. BREDHAUER (Cook—ALP) (Minister for Transport and Minister for Main Roads) (11.59 a.m.): I move—

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

In the early 1990s my portfolio identified the need to consider options for solving the ever-increasing transport demands of the Brisbane to Gold Coast corridor. In response, Queensland Transport in conjunction with Main Roads established an Integrated Regional Transport Plan for south-east Queensland. This is a 25-year blueprint for the transport system, with a key element being the increase in the proportion of trips taken on public transport in south-east Queensland from 7% in 1992 to 10.5% in 2011.

The South East Transit Project busway, at an estimated cost of $520m, is a critical component of the plan and is part of an overall Government strategy to reduce the number of private vehicle trips on the road system. This will have environmental benefits and free up road space to make industry more competitive. Particularly, the South East Transit Project busway is expected to—

meet community travel demands now and well into the future;

improve transport facilities for users by significantly improving the network and increasing the range of transport choices;

improve the level of service and safety to both through traffic and local traffic; and

reduce the cost of travel between Brisbane and the Gold Coast.

In August 1996 the South East Transit Project busway construction proposal was released, including the detailing of a two-lane, two-way dedicated busway between the Brisbane central business district and Springwood. The route extends across the Victoria Bridge through South Brisbane and along the South East Freeway from Woolloongabba. After the determination of an alignment, construction began in the South

Bank area on 28 October 1998 with the target date for completion of the works in this area being the end of June 2000.

The alignment of the busway has required the acquisition of privately held land which is within the South Bank area as prescribed under the South Bank Corporation Act. To secure the land, formal proceedings for its acquisition for transport purposes were commenced under the Acquisition of Land Act in February 1998 and concluded by decision of the Governor in Council on 11 June 1998. Two land owners affected (J. A. and G. P. Noble and T. and A. Elenis) sought declarations from the Supreme Court that the acquisitions were unlawful. The basic premise was that the South Bank Corporation Act controlled development of the South Bank area and, as a transport purpose is not consistent with the approved development plan, the acquisitions were unlawful. The State's legal advice prior to judgment indicated that there was nothing within the South Bank Corporation Act that excluded the land from acquisition. However, in a judgment delivered on 18 February 1999, Justice Moynihan of the Supreme Court determined that the applicants were entitled to the declarations they sought. The legal action has halted all work intended for the land and jeopardises the completion of the South East Transit Project busway.

Additionally, commitments given to complete the Woolloongabba link for the Olympic soccer tournament in 2000 will almost certainly be unfulfilled unless immediate action is taken. A Bill of Parliament is the only practical means for ensuring the timely acquisition of all land required for the South East Transit Project busway so as to enable construction to continue and be completed on schedule unhindered by legal challenge and community doubt. Options other than a Bill of Parliament have been thoroughly investigated and taken to their logical conclusion. However, each must now be discounted through uncertainty of outcome and/or the probability of lengthy delay to the completion of the busway. It should be noted that as a precaution against any problems with the Bill an appeal has been lodged prior to the closing date of 17/03/99. But it will not be sought to be expedited and will be dispensed with upon the Bill's passage.

In respect to the Noble and Elenis land, all attempts to negotiate a reasonable and fair settlement have been unsuccessful. Offers have been made based on market valuations of the land, buildings and the relocation of the Noble business. The gap between the last offer made and the claim of Noble and Elenis is substantial. The Government cannot be held to pay a premium which reflects anything beyond market valuation. It would be wrong and contrary to the Financial Administration and Audit Act. The door would be open to spurious claims for any future compensation payable as a result of the Government's desire to acquire land for similar significant State infrastructure projects.

A benefit of the judgment is that it is now realised that an anomaly exists in the operation of the South Bank Act and the Acquisition of Land Act. To accept a negotiated settlement now, in light of the judgment, would do nothing to redress the anomaly and would unduly expose the Government to future challenge over the validity of the acquiring of the corridor. The Bill proposes to retrospectively validate all of the notices of intention to resume and the proclamations gazetted for the acquiring of the busway corridor land falling within the South Bank area. By this measure it ensures the full effect of the Acquisition of Land Act in respect to this land, including the mechanism for the determination of compensation through the Land Court. In order to ensure that exposure to a similar judgment does not occur, opportunity is being taken to also exclude from the South Bank area land for the busway corridor which is yet to be acquired. The result will be the securing of the entire busway corridor within the South Bank area. The land, which is yet to be acquired, is not privately held.

The Bill departs from two fundamental legislative principles as defined in the Legislative Standards Act. They are—

whether legislation is consistent with the principles of natural justice; and

whether legislation does not adversely affect rights and liberties, or impose obligations, retrospectively.

The Bill departs from these fundamental legislative principles in regard to the retrospectivity of its effect in validating instruments made under the Acquisition of Land Act which the Supreme Court has judged to be unlawful in relation to the operation of the South Bank Corporation Act.

It is considered necessary to secure the South East Transit Project busway corridor land without delay and continued legal challenge to ensure the integrity and viability of the State's busway infrastructure initiative. This is a key component of the South East Queensland Integrated Regional Transport Plan, which is at the forefront of proactive measures adopted to deal with growth

projections for south-east Queensland into the new millennium. Any legal challenge has the potential to adversely affect jobs associated with the busway and hence the importance of dealing with the effects of the judgment in a comprehensive manner.

In closing, I wish to make it clear that since coming to power the Government has acted fairly and in good faith during the entire course of its dealings with all landowners affected by the alignment of the South East Transit Project busway in the South Bank area. The land acquisitions have only occurred through the Acquisition of Land Act. This Bill does not purport to take land; it validates processes undertaken under the Acquisition of Land Act. This was believed, through legal advice obtained at the time, to be a due and lawfully proper process. In responding through this Bill the Government is seeking to redress, not refute, the anomaly identified by the judgment. Compensation will be available to Noble and Elenis. The Bill, on balance of the options available, represents the only practical, legally comprehensive means for ensuring that all necessary land is available for the timely completion of the South East Transit Project busway.

Debate, on motion of Mr Johnson, adjourned.

FAMILY SERVICES AMENDMENT BILL

Hon. A. M. BLIGH (South Brisbane—ALP) (Minister for Families, Youth and Community Care and Minister for Disability Services) (12.06 p.m.), by leave, without notice: I move—

> "That leave be granted to bring in a Bill for an Act to amend the Family Services Act 1987 and another Act."

Motion agreed to.

First Reading

Bill and Explanatory Notes presented and Bill, on motion of Ms Bligh, read a first time.

Second Reading

Hon. A. M. BLIGH (South Brisbane—ALP) (Minister for Families, Youth and Community Care and Minister for Disability Services) (12.07 p.m.): I move—

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

There is no doubt that children in the care and protection of the State, and people with intellectual and other disabilities, are among society's most vulnerable. These people must not be subject to abuse by staff who are employed to protect them, and the Government has a clear duty of care to ensure that this does not occur. Much has been written about the abuse of people in the care of the State. The Forde inquiry and other recent discussions have highlighted the risks of sexual abuse and paedophilia within familial and institutional settings. His Honour Justice Stewart discussed the matter at length in his inquiry into the Basil Stafford Centre.

I am proud that the vast majority of staff in my department are honest and professional workers who strive always to protect vulnerable clients from harm. Unfortunately, this is not always the case. I must emphasise that I am talking about a very small number of individuals intent on pursuing their own gratification at the direct expense of the protection of our most vulnerable clients. Occasionally, it has become clear that employees of my department who were convicted of serious sexual offences had been previously charged with similar offences, but that these charges had not proceeded to trial, often because prosecution witnesses had withdrawn or were unsuitable. In the context of the vulnerability of some of my department's clients, the existence of these charges is surely a matter to be taken into account in making employment decisions. I have moved swiftly to address these serious issues by introducing this Family Services Amendment Bill into the House. The Bill will tighten existing procedures surrounding the conduct of criminal history checks. They will, however, be balanced by significant safeguards, which are the first of their kind in Queensland.

Criminal history checks are currently mandatory for all persons being considered for employment in any capacity within my department. Offences which are ordinarily sealed through the operation of the Criminal Law (Rehabilitation of Offenders) Act 1996 must still be disclosed because of the operation of an existing exemption to that Act. However, my department can only be provided with information about convictions—not charges. This Bill provides the police the power to provide information about a person's criminal history, including charges. This same power exists in relation to other sensitive employee groups, such as teachers, taxidrivers and casino staff.

There are a number of circumstances in which the presence of certain charges, even without convictions, is a relevant factor in making employment decisions within my portfolio. This is particularly the case in relation

to sexual offences against children, where convictions are hard to obtain. Often, even with compelling evidence, police are unable to obtain a conviction because the court considers a child witness too young to give evidence, or because a child may not be mature enough to withstand the rigours of an adversarial trial.

The Bill will go further, however, and require the police to provide information about investigations against a departmental staff member, if such investigations might reasonably lead to that person being charged with a serious offence. The Bill defines a serious offence as including serious violent offences, such as incest, rape and manslaughter, as well as the offence of possessing dangerous drugs. Such information must not be supplied if it could prejudice an ongoing police investigation, identify an informant, or affect the safety of a police officer, complainant or other person. Importantly, such information must also not be supplied if a completed investigation has not resulted in a charge, or an ongoing investigation is unlikely to lead to a charge.

As well as increasing the extent of information supplied by the police, the Bill also strengthens existing requirements concerning disclosure by departmental employees. Under section 13 of the Public Service Regulation 1997, a public servant charged with an indictable offence, or convicted of any offence (regardless of whether a conviction has been recorded or not), is required to immediately report the fact and circumstances of the offence in writing to the chief executive or delegate. The Bill will strengthen this existing requirement by requiring that all charges be disclosed, not just convictions, prior to a person's employment, and will increase the onus upon existing employees to advise the chief executive of charges for any offence during the term of their employment, not just indictable offences.

Finally, the Bill places an obligation upon prosecuting authorities, such as the police or Director of Public Prosecutions, to notify the chief executive where a person who they are aware is employed by the department is committed for trial on an indictable offence, convicted of such an offence, or where there is an acquittal, mistrial, or the prosecution process has been otherwise ended. Similar provisions are contained in legislation relating to the registration of teachers.

I am aware that this Bill contains serious powers which have the potential to impact adversely on individuals. I have carefully considered these issues, but have included major safeguards in the legislation to preserve the principles of natural justice for all concerned. I acknowledge that there is a potential for information provided to my department to be unproven and potentially erroneous. But by making the use of this information a matter of public accountability, decision-making processes for all concerned will be transparent and fair, rather than conducted under a veil of secrecy.

The Bill before the House today is a responsible and considered Bill, which reconciles these two conflicting imperatives, through the inclusion of significant safeguards for the individuals affected. Information supplied to the chief executive must only be used for the purpose of assessing suitability for employment in the department. When assessing suitability, the Bill stipulates the factors to be taken into account, such as the timing, nature, and relevance of the offence to the person's duties.

The Bill requires that these checks occur in an open and transparent way and that natural justice is provided to affected persons. It requires that persons being checked be informed of the nature and extent of the check that will take place, informed of any information supplied by the police, and requires that they be given a reasonable opportunity to respond. The Bill also incorporates strong penalties for the improper disclosure of this confidential and intensely private information about a person.

Finally, the Bill requires that guidelines, consistent with the Act, be developed to further flesh out these broad principles. These guidelines must be drawn to the attention of people who are affected by them, and provided to them on request. My department has prepared these draft guidelines, and I table a copy for the information of honourable members. I must also reinforce that the existence of charges or convictions will not automatically prevent employment within my department, but it may be a factor which will need to be considered.

This Bill responds to increased community expectation that persons employed by Government to care for and work with children and young people in care and persons with a disability have been properly screened to ensure that they are fit and proper for such employment. No longer will those people who look after children and other vulnerable people in the care of my department be subject to a lesser level of scrutiny than currently applies to

teachers, taxidrivers and casino staff, for example.

There has been some recent discussion in the media about the powers contained in this Bill. Even the member for Indooroopilly, well known for his commitment to the rights and liberties of individuals, thinks that I have gone too far. On the contrary, this Bill is consistent with the coalition's 1997 amendments to the Education (Teacher Registration) Act 1988 which responded to increased community concern on the issue of paedophilia. It is also consistent with provisions of the Child Protection Bill 1998 requiring the police to provide information to my department concerning convictions and charges against people being assessed as potential care providers for children in care and protection.

Let me be quite clear. There are only two things contained in this Bill which are not contained elsewhere in Queensland's statute book, whether in relation to casino staff, teachers or taxidrivers. Firstly, this Bill contains the power for the police to provide my department with information concerning investigations into departmental staff, or potential staff, concerning serious offences. The second thing contained within the Bill—but nowhere else—is a whole set of safeguards to ensure that the powers contained within this Bill do not impact unfairly on individuals.

My department often sends batches of criminal history checks to the police for processing. It might be that those checks revealed that a prospective employee had been charged with a substantial number of sexual offences, but that a successful conviction could not be obtained because of an absence of witnesses. Under the current law, the name of the potential employee could not lawfully be disclosed to my department. I ask whether those who would oppose this Bill are prepared to condone these circumstances?

This is a serious Bill with serious powers, dealing with a serious issue. The safety of vulnerable people in the care of the State must not be sacrificed. However, that being said, there must be no doubt that I am as committed to the rights and liberties of my department's current and prospective staff as I am to the rights and safety of my department's vulnerable clients. This Bill strikes a comfortable balance between the two. It contains significant powers to protect the clients of my department, but is balanced by significant safeguards to protect departmental staff and potential staff. I commend the Bill to the House.

Debate, on motion of Mr Beanland, adjourned.

GAMING MACHINE AND OTHER LEGISLATION AMENDMENT BILL

Second Reading

Resumed from 23 March (see p. 685).

Mr VEIVERS (Southport—NPA) (12.17 p.m.), continuing: This morning in the House I delivered petitions on behalf of the Southport RSL, the Southport Sharks Australian Football Club, the Southport Workers Club—a club with which I believe you, Mr Deputy Speaker, were involved a long time ago—and, of course, the surf-lifesaving movement in general. Representatives from that movement on the Gold Coast came to me. I have delivered their petitions.

In yesterday's debate the issue of compensation for some clubs but not others was discussed. The Minister has a five-year plan for some clubs and a two-year plan for others. I hope that there is no opportunity for some clubs to use the legislation through which the Minister will pay compensation to some clubs and not others. I hope that that part of the legislation is very tight, because it would be opening Pandora's box if a precedent were to be set.

We are debating this Bill, yet the public interest test results have not been made public. I am told that they came back on 22 March, but they have not yet been made public. I ask the Minister: does that make matters more difficult? Perhaps we should not be debating this Bill until the results of the public interest test have been released publicly. The Minister can answer my question in his reply to the second-reading debate.

I reiterate that I am not real sweet on retrospective legislation. However, in this case, I think the Government is endeavouring to go around it as best it can. Although most of the surf-lifesaving clubs need to be looked after and this is the way the Minister is doing it, he should ensure that other clubs cannot get on the bandwagon. We all know what it is like. Legislation must be airtight. When we put retrospective legislation through this House, once it has gone through Government House, it becomes the law of the land. There is no going back. There is no compensation unless it is expressly provided for in the Bill and is really airtight. In that way there are no loopholes. We left a loophole but we did not do it on purpose. However, advantage was taken of that loophole. That is what business is all about—getting around legislation.

Mr LUCAS (Lytton—ALP) (12.20 p.m.): I rise in support of the Gaming Machine and Other Legislation Amendment Bill introduced by the Honourable the Treasurer. This legislation is part of Labor's continuing and ongoing commitment to a vital club and hotel leisure industry in this State.

It is all too easy to forget the situation that we had in this State prior to the Goss Government's legislation in 1992 when we saw Queensland money going south hand over fist to clubs in New South Wales. We did not have gambling on poker machines in Queensland prior to 1992. Queensland money was going south to pay for facilities and tax revenue in New South Wales. It was not until the progressive Goss Government was elected in 1989 that we were able to introduce legislation that would legalise poker machines in Queensland under strict Government control and supervision.

I have a large number of clubs in my electorate and it is easy to see the tangible benefits that they have received from the legalisation of poker machines in this State. I specifically refer to the Wynnum Manly Rugby League club. I notice that the Minister for Tourism, Sport and Racing is in the House. He was a former player at the Wynnum Manly Rugby League Club. Clubs that were once bankrupt and in receivership are now vital clubs providing many services to the community. I intend to talk about these services a little bit later.

This legislation preserves the absolute essence of club membership. The essence of club membership is mutuality. It means that the profits of club membership and club trading stay within the club and do not go to third parties. The hotel industry and other corporations—who are in the industry to make a profit, and I have no objection to that whatsoever—accept the fact that clubs exist and that they are a vital part of our leisure and entertainment industry on the basis that they are not for profit and that any profits are retained internally. It has been mooted that we should establish surf-lifesaving supporters clubs. If we allow revenue sharing arrangements under such entities as TABCorp, we are creating de facto corporations for profit that put at risk the whole integrity of the rest of the hospitality sector. The Government cannot countenance that. The previous speaker, the member for Southport, generously conceded that point in his speech.

This legislation has the strong support of Clubs Queensland and the Queensland Hotels Association. The Government had to act, and act promptly, to cut out something that was happening which was totally against the spirit of the law.

Some clubs, in good faith, entered into agreements with TABCorp and other financial operators on revenue sharing bases and have incurred liabilities as a result. The Government is very sympathetic to that situation. It is very important that we preserve the financial viability of those clubs that have entered into agreements in good faith. I believe the Moreton Bay Trailer Boat Club is one club in my electorate that has found itself in this situation. I understand that amendments likely to be moved by the Honourable the Treasurer in the Committee stage will deal with that issue.

There has been an unfortunate suggestion circulating that the Beattie Government has not been sufficiently supportive of the surf-lifesaving movement in advocating this legislation. It is unfortunate that certain individuals would seek to say that because it is untrue. I find it hurtful and offensive. I am not the world's greatest swimmer. When swimming ability was handed out in my household my wife received about 99.9% of it, the kids got the rest and I got none. So if anyone would benefit—

Dr Watson: I might push you in the pool.

Mr LUCAS: If you push me in the pool I will kick sand in your face.

As someone who is not a strong swimmer, I can completely understand the great role that the surf-lifesaving movement performs in this State and in this country. It is one of those quintessentially Australian institutions. It is something that we only see in this country. It is not the idea of this legislation to in any way adversely affect the surf-lifesaving movement. If we look at what previous Labor administrations have done—indeed all administrations—to support surf-lifesaving in our State, we could not objectively say that.

In 1992 the poker machine legislation was introduced. My wife, my family and I normally spend our summer holidays on the Gold Coast. There is nothing better than having a nice steak and a beer at the Tugun Surf Life Saving Club.

Mr Gibbs: You are an outstanding specimen on the beach, I am told.

Mr LUCAS: Yes, my children and my wife are.

Poker machine revenue has enabled clubs such as the Tugun Surf Life Saving Club to provide those types of facilities to their

members and the public. Poker machine legislation introduced by this Government and the former Goss Government has supported surf-lifesaving. It is very instructive to note that in this year's Budget the Beattie Government has increased funding to the surf-lifesaving movement by some $600,000, bringing the total to some $3.1m. In other words, we put our money where our mouth was in the Budget before this was an issue. In that way we said what we really thought about the surf-lifesaving movement.

Prior to 1992 we had the situation in which a lot of clubs in Queensland were marginal. As I said before, the Wynnum Manly Leagues Club was essentially broke. Money was going to New South Wales to pay for the New South Wales club industry. There were two things that made the Wynnum Manly Leagues Club the strong, vibrant club that it is today. One of those things was the Goss Government poker machine legislation and the other was excellent management from the board of directors and staff of the club and the commitment of the local community. It was those two things in tandem that made the Wynnum Manly Leagues Club the organisation that it is today. As the member for Mansfield lamented yesterday, perhaps had Labor got into Government earlier and been able to institute poker machine legislation, the great Valleys Rugby League Club may not have vanished from the scene.

In considering the benefits to the gaming machine sector and the hospitality industry, I want to spend some time talking about two local clubs and one local hotel. It is not all beer and skittles. Problems do arise with gambling. Fortunately, we do not seem to have seen it in Queensland to the extent that it exists in Victoria. I am not sure why that is. Perhaps we have more things to do in Queensland. Perhaps that is why Victoria has bigger football crowds than we have. We all love our football, but they have nothing else to do but go to sporting events.

Dr Watson: More sunshine.

Mr LUCAS: More sunshine, as the member quite rightly points out. The fact is that there are serious problems with gambling which have to be addressed. I welcome the Government's inquiry into this matter. The vast majority of people use clubs responsibly and the vast majority of clubs treat their patrons responsibly.

First of all, I refer to the Wynnum Manly Leagues Club, which is under the excellent stewardship of its Chairman, Arthur Lovell; Manager, Geoff Crowe; and Executive Secretary, Peter Doyle. The Wynnum Manly Leagues Club takes its responsibilities very, very seriously to the extent that it was voted by Clubs Queensland as the best community service club in Queensland for two years in a row—1997 and 1998. That is an indication of how a club such as the Wynnum Manly Leagues Club takes its responsibilities. I refer to its record in detail. Between January 1998 and January 1999, it spent $369,931 in supporting local organisations, such as the Wynnum Seagulls Football Club and the Wynnum Rugby League Junior Football Club, which one would expect it to support and that support is well deserved, but also it supports other local organisations such as the Wynnum district primary schools, the Endeavour Foundation and the Wynnum Police Citizens Youth Club. We would be here all day if I read out the approximately 40 organisations that that club supported with that money. In terms of sponsorship, the club spent $284,382. Obviously, a substantial part of that, some $278,000, went to the Wynnum Seagulls Football Club—a great local club—as one would expect.

As I said, the Minister for Tourism, Sport and Racing formerly ran around the paddock for that club. It performs a great role in our community and gives many young sporting people a decent chance to enjoy their football. Not only that, the club also sponsors the Sylvan Woods Nursing Home and the Darling Point Special School, and on a number of occasions it has also put on free concerts for the elderly. The club funds a sports development program to the extent of $39,717 and hosts schoolboys competitions. I went to the Great Britain v. Australia schoolboys Rugby League match held at Kougari Oval.

The club also supports school sports expos. It provides the use of its functions room for free, at a cost to its revenue of an additional $47,280. The club provides the use of its grounds and facilities to a number of organisations, such as the Queensland Secondary Schools Rugby League, Queensland Softball, the Moreton Junior Cricket Club and the Point Lookout Surf Life Saving Club, to name just a few. The club gives prize donations totalling $2,315 to local schools, Basketball Queensland and the 4KQ Children's Christmas Party. I even noticed that at one stage it provided the free use of a room for the local Liberal Party shadow Minister, which is quite appropriate. It is a non-political organisation. I could never complain about the support that I get from that club, either.

The club has a fantastic record. It is no wonder that it won the community service club prize for two years in a row. That is not to mention the sorts of things that the club provides for its patrons, such as very cheap, good quality meals.

Mr McGrady: Inexpensive meals.

Mr LUCAS: Yes, and a free courtesy bus around the area. I will table the list that details the support that that club provides to local organisations. Of course, that is not to mention the $180,000 that the club pays into the Gaming Machine Benefits Fund.

The other organisation about which I want to speak is the Wynnum R.S.L. Services Memorial Club, which is another great local institution. It draws its great strength from the veterans and returned servicemen and women community, although it really is a community club as well, under the chairmanship of its President, Brian Turpin; its General Manager, Michael Day; and Lindsay Jemmott, the Secretary, Accounting and Finance. It supports organisations locally such as the Wynnum R.S.L. Sub Branch, the Manly Lota RSL and Legacy—great organisations that are very worthy of support. The club supports other organisations such as the Wynnum Manly Citizens Band, numerous local schools, Wynnum Netball and BABI Youth and Family Support, which supplies accommodation to homeless youth in the area. It does a fantastic job. The club also supports the Waterloo Bay Leisure Centre. The club also makes cash and kind donations of about $60,000. Again, I table that list for the benefit of the House. Of course, that club makes a contribution to the Gaming Machine Benefits Fund of about $150,000.

However, it is not only clubs that make this contribution; the hotel sector has a very important role to play in our community. Although it is no longer in my electorate—it was originally in the electorate of Lytton—I refer to the Colmslie Hotel and the McGuire family. In fact, the McGuire family are former employers of the member for Cleveland when he used to work at a drive-in bottle shop.

Mr Briskey: One of their star employees.

Mr LUCAS: He certainly was a star employee. He went from a star employee there to a star employee here.

Certainly, the McGuire family, as proprietors of the Colmslie and other hotels, have taken their role as community developers and sponsors very seriously. The Colmslie Benefit Trust, which has been going for many years and which was established under their support and guidance, does a fantastic job. Unfortunately, the Colmslie Hotel is no longer in my electorate; it is in the electorate of my colleague the member for Bulimba, but the McGuire family is a great family and great supporters of the community.

A Government member interjected.

Mr LUCAS: I certainly do have a talk to the McGuire brothers from time to time. They are great people: great Queenslanders and great supporters of the community.

Mr Briskey: They still support organisations in your electorate.

Mr LUCAS: They do, for example, the Moreton Bay Nursing Care Unit.

Of course, time permits me to cite only examples of the clubs and hotels because most hotels and clubs support their community actively. However, I want to refer to another hotel, and that is the Manly Hotel, which is run by the McDonald family. Unfortunately, I do not have dollar figures, but in recent times they have supported about 30 organisations, such as the Wynnum Vikings Australian Rules Club, the Point Lookout Surf Life Saving Club, the Incapacitated Servicemen and Women's Association, the Redlands Softball Association and the Wynnum Manly Netball Association, to name a few. Again, I table a list of the approximately 30 organisations that the Manly Hotel has supported. That demonstrates that that hotel takes its role in the community seriously.

This Government is taking legislative action to ensure that a system with the integrity to allow them to do that remains in place. I might add that not only does the Manly Hotel provide that support in the local community but it also employs a number of workers with disabilities under supported employment programs. It really plays a fantastic role in our local community, and I give full credit to the McDonald family for that.

In conclusion, it is very, very important that this Parliament supports the passage of this Bill. It preserves the integrity of a system that has served us well. It enables clubs and hotels, in the fashion that I have just demonstrated, to continue to support our local community. They are a vital part of the fabric of our society and we should never tolerate schemes, proposals or arrangements that can put that support at risk. That is why I would like to congratulate the Treasurer on his foresight in bringing forward this legislation. It is very, very important that we pass it today.

Mr SULLIVAN (Chermside—ALP) (12.37 p.m.): I rise to support the Bill before

the House. The House is aware of the changes that were made to the Act in 1997 and March 1998, which implemented a new gaming machine regulatory environment. This Bill will address some of the problems in the Act left by the previous Borbidge Government. We have seen the spirit and the objects of the Gaming Machine Act undermined by the actions of other parties, particularly TABCorp. This legislation will ensure that licensed monitoring operators and clubs continue to act in the best interests of the clubs and the club members. The changes in this Bill will prohibit entrepreneurial activities being conducted to the detriment of clubs and their members.

In 1992, I was privileged to be standing right beside the then Treasurer Keith De Lacy at the Kedron-Wavell Services Club when the first coin was dropped legally into a poker machine in Queensland. I have seen that club and many other clubs grow, and I have seen the benefits to the members because of the legislation that enabled that to happen. We are aware that grants in excess of $66m from the gaming machine taxes have been distributed through the Gaming Machine Community Benefit Fund. Something like 9,000 eligible organisations and their members have benefited. It is anticipated that in the 1998-99 financial year more than 2,400 projects totalling $18m will benefit from the Gaming Machine Community Benefit Fund. Local sporting, cultural and community groups and their members will benefit.

Therefore, the Government is rightly concerned that LMOs are seeking to play a much wider role than the Parliament envisaged when the coalition Government brought in amendments to the Act in 1997. We are aware also that the club and hotel industries have raised concerns about recent developments. I reiterate the point made by my colleague who spoke before me: clubs exist for the benefit of their members. While private firms will benefit from the purchase of goods and services from those clubs, the profits that are generated from those clubs must go back to funding the sporting, cultural, social or community activities of the particular organisation.

Queensland has a very proud record of giving support to the surf-lifesaving movement. This year, the Government will give $3.1m to the Surf Life Saving Queensland, which is the highest grant of any State. We have nothing to be ashamed of. In fact, we have much to be proud of for the support that we give to surf-lifesavers.

I will address some of the comments of Brett Williamson, the Chief Executive Officer of Surf Life Saving Queensland. Mr Williamson is a constituent of mine. We share some common interests, as we both attend the Craigslea State High School P & C Association where we work with other parents for the benefit of the students and the school. However, on this issue, we will have to agree to disagree.

It is a shame that the tone of parts of the correspondence sent to me and to many members of this Parliament by Surf Life Saving Queensland in recent months has been less than rational and somewhat confrontational. I am also disappointed that some of the details concerning the so-called "current situation" that Mr Williamson refers to in his letter are simply not accurate. It is not true that the real motive behind the prohibition of revenue sharing agreements is to preserve and enhance the profits of hotels and existing large clubs. That is not the reason why this Government is introducing the Bill and it is not why I support the Bill. It is incorrect that FOI shows that Mr Hamill was aware that the QOGR already had adequate powers to prevent externally controlled clubs from doing what they are doing. I take extreme exception to Mr Williamson's inappropriate suggestion that future deaths in the surf could be attributed to this legislation. That statement is unworthy of such a fine organisation. Certainly it shows a lack of appreciation of the correct situation and it is extremely unhelpful in the debate before the House.

I agree with the concerns that were raised by the Scrutiny of Legislation Committee about the retrospectivity of the legislation. It is always regrettable if retrospective legislation is to come about, but from the amendments moved by the coalition it is very clear that it was never intended that an LMO would be a profit taker as part of the revenue sharing arrangements with a club. That was never intended in the legislation. The fact that TABCorp has been cute or sneaky in getting this sort of agreement absolutely goes against the spirit and the purpose of the legislation.

TABCorp saw the surf-lifesaving movement as a soft target, because everyone supports the surf-lifesaving movement. We know that the clubs need financial assistance. TABCorp went outside the spirit of the law and the objectives of the 1997-98 Act to try to gain a financial advantage. It has put private profit ahead of the benefit of members. Under some of the agreements that TABCorp has entered into, member clubs will receive some side benefits, but other clubs will suffer as a result.

Why should the Sunshine Coast or Gold Coast bowls clubs, RSLs and sporting clubs suffer because the Victorian TABCorp group has moved in to grab a greater share of the profits through the surf-lifesaving associations? That is not reasonable. While there would be some benefit to the surf-lifesaving clubs in the immediate future, they will receive a much smaller proportion of the profits and their members will forfeit significant benefit to send profits interstate. For years we watched as, week after week, bus loads of Brisbane pensioners went to Terranora and the Tweed leaving in the New South Wales coffers money that should have stayed in the Queensland system. I do not want to see a repeat of that if TABCorp comes in through the back door.

The so-called supporters clubs that were going to be set up are not much more than a facade of respectability that would allow TABCorp to take extra business from existing clubs and send more profits down south. One that was proposed for my local area was the Lutwyche supporters club. The whole purpose of the establishment of such clubs is simply to install another 1,500 or 1,600 poker machines throughout the community, which would undermine existing smaller bowls clubs such as the Kedron sports clubs, the Kedron and District Pastime and Supporters Club and the bowls clubs. The Kedron and District Pastime and Supporters Club meets for the social and recreational benefit of its members. It supports the Kedron Junior Sports Club. That AFL club would not have survived and would not be in the thriving position that it currently enjoys without the assistance of that supporters club. However, no profit goes to some interstate group as a result of the supporters club entering into financial arrangements.

It is a shame that TABCorp used its financial muscle to hone in on a very soft target. Surf Life Saving Queensland does a great job. It has the support of this Parliament, the Government and all Queenslanders, but it has been suckered into a fairly cute financial deal where it will gain some benefit. However, the overall benefit to the State and the overall detriment that will accrue to others do not make those propositions worthy of support. The integrity of the gaming industry is absolutely essential if we are to regulate it properly. I believe that the Treasurer has done exactly what is needed in that regard. He was left with no other option because of the legislation that was before us. I congratulate him and I support the legislation.

Hon. D. J. HAMILL (Ipswich—ALP) (Treasurer) (12.46 p.m.), in reply: I wish to thank honourable members from both sides of the House for their participation in the debate on what is very important legislation. In a debate such as this, it is gratifying to have substantial and, in fact, almost unanimous support for the bulk of the Bill. Much of the content of the Bill deals with mechanisms designed to further enhance the operation of machine gaming in Queensland. Those are non-controversial measures. The thrust of the Bill—and I make no apology whatsoever for this—is to ensure that the industry that was established in this State some seven years ago can flourish and indeed prosper, and that participants within the industry have the ability to operate in a way that is consistent with the philosophy behind the introduction of gaming machines in the first instance. That point leads us to the areas where there has been some disagreement. Again, I suspect that in many instances those areas of disagreement are more apparent than real.

I wish to take honourable members on a little walk through recent history so that they can fully appreciate the consultations that were conducted in relation to the Bill and the fact that the Bill and the amendments that I will be moving in the House today are the product of that consultation. The white paper occupied much of the discussion of the member for Moggill. The white paper on machine gaming that he charted through numerous consultative meetings in 1996 is very much the genesis of many of the measures that we are dealing with here. It is a part of what is at issue in the Bill. It was interesting to hear the honourable member for Moggill discussing these matters, because he suggested that the white paper and the legislation that followed it were all about bringing in a much more competitive environment within the machine gaming industry in the State.

New structures and entities came out of that process, most notably licensed monitoring operators. There was a change in the role of the Office of Gaming Regulation, which hitherto had been the body charged with overseeing the operation of the industry in Queensland and also, importantly, was the owner of gaming machines in this State. As the role of the Office of Gaming Regulation was pushed squarely into that of a regulator, the ownership of machines was transferred to clubs and hotels. Ownership was placed in the hands of those who held licences in respect of gaming machines in Queensland. Therein lies the fundamental problem that has arisen. Even the Government that sponsored the legislation back in 1997 did not perhaps fully

appreciate the genie that was being let out of the bottle.

To be fair to the member for Moggill—and I always try to be fair to the honourable member for Moggill in these matters—I note that he said that he envisaged that there should be some revenue sharing arrangements whereby monitoring operators could enter into agreements with clubs and hotels and share in the spoils. However, the member for Moggill sees a problem when these arrangements are taken to the stage at which the monitoring operators become involved in, for example, building up club premises; his foreshadowed amendment suggests that he sees a problem in that area.

I listened very intently to the comments made both yesterday evening and this morning by the member for Southport, who sat at the very same Cabinet table as the member for Moggill. His recollection of the intention of the Government at the time that it sought to amend the Gaming Machine Act was somewhat different from that of the member for Moggill. Perhaps a couple of meetings were going on around the table! Cabinet secrecy would preclude the member for Moggill from informing me. The recollections of the members for Southport and Moggill are at variance in relation to this matter. The member for Southport stated—

> "When the former Government amended the Gaming Machine Act in July 1997 to allow licensed monitoring operators to broaden their activities within club structures by providing services such as linked jackpot sites, I can say quite honestly that it did so with the very best intentions."

I do not doubt that at all. He went on to say—

> "It was never the intention of the former Government that Queensland clubs should become tools for entrepreneurs to make profits. That goes against the whole spirit of the original legislation governing the operation of clubs in this State."

He continued—

> "The current Government has reiterated this philosophy, and I have to give it credit for that."

Then he went on to say nice things about me that would cause me to blush if I read them, so I will not read them into Hansard now.

Dr Watson: This is not inconsistent with what I said.

Mr HAMILL: I am merely stating that the recollection of the member for Southport was that the Government did not intend by its amendments to see the sorts of circumstances arise with which we are dealing in this legislation. The member for Moggill is conceding that point. However, I think the difference is that the member for Moggill saw a range of areas where revenue sharing could operate effectively, and I suspect that the member for Southport does not really share the same view.

This is where I must come back to the position of the Government. Quite a number of the members of this Government were part of the Cabinet which authorised the introduction of machine gaming in this State and remember well the public debate and the debate in Cabinet on this issue. First and foremost among our concerns was that we had to have an industry that was beyond reproach. Probity issues were very much at the forefront of the arguments of those who were against the introduction of machine gaming.

At that time we also believed that it was okay to have gaming machines introduced into clubs and hotels but that there was a fundamental difference. In the case of hotels, we were dealing with private profit centres. In the case of clubs, we were dealing with organisations that were non-profit by nature. They were charged with the responsibility of providing services to their membership and, in turn, to the wider community. That is why, when we introduced the framework, differing taxation measures were put in place that provided a financial advantage for clubs. It was for that reason that clubs were allowed to have a greater number of machines than hotels. Why was the Government prepared to tolerate that situation? It was because of the direction of the proceeds of the moneys.

Dr Watson: And we preserved that.

Mr HAMILL: It changed a bit, but in essence that was preserved. That is different from the situation that applies in some other jurisdictions where there is no distinction in respect of the taxation rates applied to pubs and clubs. Perhaps in those jurisdictions there was a different philosophy behind the introduction of machine gaming. We hold very firmly to the philosophy that we held to when those machines were first introduced. I suggest to all honourable members that that is why the Bill and my amendments are before the Parliament.

That leads me to make a couple of more general comments about the community debate on this issue. In this context, I wish to

take issue with the sort of sentiments that are typical of those appearing in the editorial of today's Gold Coast Bulletin, which seemed to single out the Bill as being an "anti-TABCorp" Bill. I suggest to all honourable members that it is not an "anti-TABCorp" Bill. Two licensed monitoring operators are caught up through their revenue sharing agreements. One is TABCorp and the other is the Queensland TAB. There are also a few other licensed monitoring operators knocking on the door. If the Government had not taken this action, other LMOs would also have been writing revenue sharing agreements.

This legislation treats them all on the same basis without fear or favour. However, it seeks to hold paramount the fundamental philosophy that licensed club operations should be operating first and foremost in the community interest and in the interests of the members. That is why I take issue with the writer of the editorial in today's Gold Coast Bulletin. In referring to me, the editorial writer states—

> "He says he wants the clubs to retain their independence and not to sell control to companies motivated by profit."

I did indeed say that, and I hold to those views. The editorial writer goes on to state—

> "Mr Hamill should acknowledge that clubs have not lightly relinquished control to outsiders such as TABCorp."

Not lightly relinquished control? Is that not exactly the essence of this debate? Many of the amendments before the Parliament are about preserving the control of the affairs of clubs in the hands of duly elected directors of those clubs and, in turn, the club membership. Why would we give advantages to clubs such as preferential taxation and so on but for the fact that those returns from revenue were going to be ploughed back into the community which those clubs serve? I make no apology for that. I ask the editorial writer from the Gold Coast Bulletin to take a close look at the philosophy behind the legislation, which I have outlined today, and to try to understand not from the point of view of any particular commercial operator but from the point of view of public interest what this debate is all about.

A number of members raised various issues about how the legislation would affect clubs, particularly clubs in their electorates. Again, it is necessary to recount a bit of history. Late last year, concerns were raised with me about revenue sharing arrangements—certainly arrangements that neither the member for Southport, as the former Minister, nor the member for Moggill envisaged. I had a Bill being prepared in relation to gaming machine governance matters, and it was highly appropriate to take the opportunity to address what I saw to be a rapidly growing concern. I would have been negligent in terms of my office if I did not move to quickly address what was a growing problem for the industry. Again, the record supports that statement.

Some 15 clubs are caught up in the amendment that I intend to move, which will give them a transition period. About half of a dozen of them had their agreements signed with TABCorp the day before the Bill came into the Parliament. If that does not indicate an acceleration of interest in these sorts of arrangements, I do not know what does. After the luncheon adjournment, I will recount a bit more of the history of this issue.

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

Mr HAMILL: Before the House rose for lunch, I was taking the Parliament through some of the history behind the legislation. I was making the point that there was extensive consultation in relation to this matter. There was actually a rush late last year to sign up a number of revenue sharing agreements which caused considerable concern, mainly out there in the wider community, but particularly among a number of members of Parliament. Therefore we introduced as part of the Bill—a Bill that I was already preparing at that stage—a measure which would deal specifically with this issue of revenue sharing.

As I stated at the outset, it has always been the view of members on this side of the House that revenue sharing was not a desirable development with respect to the operation of the machine gaming industry in Queensland. Yes, I put forward as part of the Bill a provision which would take the legislation back to the situation that was prevailing prior to the introduction of the 1997 amendments. I might say that that provision would have given clear effect to that which the member for Southport believed the former Government was happy to have as well even though, as I said, the member for Moggill has something of a different recollection and maybe a different objective.

I also stated, though, when I introduced the Bill on 19 November last year that we would conduct a proper public benefit test looking at any anti-competitive elements that the legislation may bring forward. As well as that, I would ask my Parliamentary Secretary, the honourable Darryl Briskey, the member for Cleveland, to consult in relation to relevant

matters on machine gaming. Both of those tasks have been fulfilled. I made it clear in a series of consultations with interested parties—Surf Life Saving Queensland, TABCorp, registered and licensed clubs or Clubs Queensland as they are now known, Queensland Hotels Association—that no action on the legislation would take place until that public benefit test was completed. There have been some inquiries in the debate about the actual document—the public benefit test. It is a public document. In case members have not seen it, I am happy to table a copy of it here and now.

The public benefit test highlighted, as indeed did the consultations that we conducted, that a number of clubs, some of which have actually been mentioned by members in the debate, had entered into revenue sharing arrangements in good faith on the understanding that it was quite permissible for them to do so and that those clubs or particularly their directors had, in a number of cases, actually taken on further financial liabilities. They had gone and borrowed money in cases to upgrade the premises on the strength of their understanding of what initial revenues would flow through those clubs as a result of additional machines and revenue sharing arrangements being entered into.

It was my view through the consultations that I had with the clubs, with the information that came back to me through my Parliamentary Secretary and also on the strength of the public benefit test and the concerns of the Scrutiny of Legislation Committee that the measures that had been foreshadowed in the Bill as it stood in November last year needed further consideration. I make no secret of the fact—in fact, I have been proud of the fact—that I promised further consultation. On the basis of that further consultation we have refined the instrument that we have before us today, and it is a much better instrument to achieve the policy objectives of the Government but not at the cost to individuals who acted in good faith.

So all of the concern that was expressed by some members opposite in the debate in here yesterday about suggestions of criminal liability and people being prosecuted and so on and so forth is a pack of nonsense. Just to underline the fact that it was a pack of nonsense, of course, none of that is relevant in the context of the amendment which I have foreshadowed and which I have circulated. So that there can be no doubt about what that amendment provides, I will inform the House in detail. From the consultations that we have had, there was a keenness on the part of clubs to come forward and provide details of their circumstances because of the provision that was in the Bill that was first introduced.

To my knowledge some 16 clubs had actually entered into revenue sharing agreements with licensed monitoring operators, 13 of them with TABCorp and three with the TAB. I found it incredible, though, that one of the agreements with the TAB was actually entered into the day after the Bill had been presented in the Parliament. I thought that that was just a little bit cheeky. I might say that that particular agreement is not protected in the transitional arrangements that the amendment provides, and nor should it be. I might say also that it only concerns about two machines out of 44 and it is not going to be a problem for that particular club.

But there were instances raised about a number of clubs—and I can give honourable members a list; I am happy to provide it: Sandgate Australian Rules Football Club, Moreton Bay Trailer Boat Club, Labrador Australian Rules Football Club, Yeronga Australian Football Club, Deception Bay Sports Club, Redlands Junior Rugby League Club, Kawana Waters Surf Life Saving Club, Maroochydore Surf Life Saving Club, Peregian Beach Surf Life Saving Club, Coolum Surf Life Saving Club, Ayr Surf Life Saving Club, Mermaid Beach Surf Life Saving Club, Ipswich Jets Rugby League Club, Greenbank Sport and Recreation Club and the Miami club.

As honourable members can see, surf-lifesaving clubs are well represented in that list. It makes a mockery, again, of the nonsense in the Gold Coast Bulletin when it says that the Queensland Government's proposed ban on poker machine revenue sharing is really directed towards surf clubs. It is not. It is not directed towards any particular set of clubs at all. It is a matter of policy principle. No-one is being discriminated against in relation to these measures. What we have done is to act responsibly to protect those who have entered into contracts in good faith on the understanding of what the law permitted them to do at the time.

The transitional arrangements allow those agreements which were on foot up to and including the date on which the original Bill was placed in this Parliament to run their course with one minor exception, and that is in relation to the Ipswich Jets. Let me explain the point. With the exception of four cases, all of the revenue sharing agreements of those particular clubs are to run for five years. That is the magic of the five-year transition period. We

allowed those clubs and TABCorp and the TAB to honour their agreements for a period of five years. That is five years from when the agreement came into place, and in most of those cases they have about four and a half years yet to run.

In one club the agreement was only going to run for 12 months. In two other cases the agreements were to run for three years and in the case of the Ipswich Jets, 10 years. I therefore considered it reasonable, given that the vast majority of those agreements were of five years' duration, that the five years, or whichever period was lesser according to the particular agreements, was a reasonable transition period. My confidence is bolstered in that view by remarks I read in my own local paper yesterday from the Ipswich Jets, who believed that five years was very reasonable and that they could cope with that very, very well indeed. They were not troubled by the fact that their 10-year agreement was being cut off at five years.

Importantly, of course, it means that there can be no options to further renew these agreements. It means also that it only operates on existing licensed sites. So there is no transitional arrangement for clubs that do not exist or clubs that do not have a licence for gaming machines. In other words, it is protecting the situation which was existing but draws the line. It draws the line and it does not depart from the fundamental principle, and that is that this Government does not believe that revenue sharing arrangements, albeit in one minor exemption—that is in relation to linked jackpots—are simply not appropriate.

I believe that the amendment I have foreshadowed is a very reasonable one. It protects the individuals and it protects those clubs that have acted in good faith, but it reinforces the policy direction of this Government. It reinforces the philosophy behind the introduction of gaming machines at the outset. I commend that amendment to the House.

I trust that the member for Whitsunday understands why the date of 20 November in the amendment is so important. Given the rush that was occurring among some players in the industry to get more and more revenue sharing agreements in place, simply allowing that circumstance to roll on and on until such time as this Parliament could get around to debating the issue and proclaiming the Act effectively would have opened the floodgates and undermined the very things that he expressed concern about and which he supports in terms of the other parts of the Bill. That is why the date of 20 November in the amendment I circulated is so important. That is why I will be opposing the amendment that has been put forward by the member for Whitsunday, well-intentioned though it is.

Let there be no mistake: this amendment will do away with the problems that were being expressed by clubs in relation to retrospectivity. There is now no retrospectivity issue in relation to this measure, because it is exactly like many other measures that have a commercial impact. That is, the Government says, "Because of the nature of this legislation, it shall start from the date on which the Bill was introduced into the Parliament. That way, nobody derives some sort of commercial advantage because of the knowledge of where the law is going to change." That is very important.

Before I close I will canvass briefly a number of particular issues raised by honourable members. Some honourable members raised an issue relating to compensation. If the amendment I have foreshadowed is adopted by the Parliament, there is no need for compensation. The amendment protects those who have acted in good faith in terms of the financial obligations those clubs have entered into over the last few months.

The member for Gladstone raised several issues, and I will touch on those quickly. She raised the issue of retrospectivity. I have already canvassed that. She raised the issue of the cost of licences. While the figure is yet to be determined, this relates to the fact that the licences will run for five years rather than two. It is not about obtaining a windfall. The figure that has been canvassed in consultation is around $150 at present. The current fee for two years is $100. All it does is administratively streamline the arrangements.

There was a question about why there is not jail for those who default on fines and so on. That is not our intention in this. The approach contained in the Bill—that is, establishing a penalty infringement notice scheme—allows penalties under this Bill to be accommodated very nicely indeed within the framework dealing with penalties that has already been canvassed earlier this week by my colleague the Honourable the Attorney-General. Unclaimed moneys will always be available to those who may be unaware of their entitlement now but claim them in the future.

I think the transition period has been made quite clear. Certainly in all the consultations I have had, clubs felt very

confident that at the end of that time they could move readily to normal commercial arrangements for the operation of machines in those clubs.

There were issues about renewal of licences and ministerial directions for the appointment of administrators. Frankly, there is no need for the ministerial direction to be tabled. It is very much an administrative matter. In fact, the Gaming Commission itself actually appoints any administrator that might be required.

The honourable member raised the issue of multi-site licences. She put it in the context that, if a club had multiple sites, why was each site not treated separately? Was it a tax grab by the——

Dr Watson: It was on the machine limit.

Mr HAMILL: It was on the machine limit as well. Although there are multiple sites it is the same club, and that is why the sites are treated effectively as one for taxation purposes. It makes good sense. In fact, I suspect what the member is actually seeking to achieve is better achieved by what is proposed in the amendments that are before the House.

In short, I believe that this is good legislation. It is legislation which embodies the principles that this Government held dear in the introduction of gaming machines. It ensures that the industry operates in a manner which is consistent with clubs benefiting their members and the communities they serve. It does not preclude TABCorp, TAB, AWA, Jupiters, or any of the other licensed monitoring operators for that matter, from providing financial arrangements which are commercially beneficial and entering into them with clubs. It does say, though, that they cannot get a share of the gaming revenue to service those agreements.

I have heard suggestions about potential sites that some of the LMOs would like to develop. If they want to develop these sites and lease them to clubs they can, but they cannot get a share of the gaming revenue—the profit, if you like, out of gaming. We are seeking to preserve that ethos and I suggest that the Bill and the amendments I have foreshadowed will achieve that purpose. I commend them all to the House.

Motion agreed to.

Committee

Hon. D. J. HAMILL (Ipswich—ALP) (Treasurer) in charge of the Bill.

Clause 1—

Dr WATSON (2.47 p.m.): I raise a very minor point which was brought to my attention by the Treasurer's reference to the Gold Coast Bulletin. I had not read the paper until he mentioned it, and I thank him for drawing it to my attention and to the attention of the rest of the Chamber.

When we were preparing the white paper, as I indicated in my speech at the second-reading stage, we had very vigorous and robust discussions with the hotels, the machine manufacturers, the clubs and some potential licensed monitoring operators. The important thing about that process is that, despite the fact that the discussions were robust and vigorous, at no stage did I or any of my colleagues come into this place and vilify any of the participants in that process.

I am not here to defend TABCorp or any other organisation, but it did strike me yesterday—I think the Gold Coast Bulletin picked it up—that there was, particularly from the other side of the Chamber, a vilification of TABCorp and perhaps, to some extent, the surf-lifesaving association. I can understand, therefore, the editorial writer thinking that it was an "anti-TABCorp" Bill.

It behoves each and every one of us to ensure that when we are discussing principles we do not end up trying to attack individual organisations, particularly individual organisations that were operating under the law that existed in this State at that particular time. For example, TABCorp is a publicly listed corporation. If I recall correctly, the Queensland Investment Corporation is the 10th largest shareholder in TABCorp. I suspect that members will find that many of their superannuation funds, which I think are administered by the Queensland Investment Corporation, are invested in that organisation. I raise that as a matter of interest.

As I said, it was acting within the existing law, and it was doing the job that a publicly listed company on the Australian Stock Exchange is expected to do, that is, to maximise the benefits to the shareholders. Members may disagree with the policy that it has adopted. And as members of this Chamber, and as the Government, they have the right to do so. There is no question about that—just as I have the right to disagree with a particular policy. But simply because one disagrees with a policy, that does not necessarily mean that one can vilify an organisation that is operating legally and with the interests of its shareholders at heart. That is the way that the private enterprise system in

this country works. Governments, of course, have the ability and the right—representing the citizens—to set the policy.

Mr Schwarten: I didn't vilify you.

Dr WATSON: The Minister for Public Works intervenes. But yesterday, a number of members, particularly on his side of the Chamber, actually did so.

Mr Nuttall: That's not right.

Dr WATSON: I am just responding to this article. I can understand how an editorial writer in the Gold Coast Bulletin would have reached that conclusion by reading and listening to what was said in the House.

It is unfortunate that some members also attacked the surf-lifesaving association. I received that letter, as did everyone else in this place. The letter that the surf-lifesaving association wrote, in my opinion, was very mild. Members should have seen some of the letters that came to me during the white paper process. Some members opposite might say, "That was fair enough. You should have got it." As I said yesterday, they should have been with me at 111 George Street facing 450 hoteliers. This is a democracy, and people have the right to express their viewpoints. But that does not mean that, in this place, we can attack an individual organisation for defending—in this case—its position when it was operating under the existing law and it was faced with a Bill in this Parliament which was retrospectively taking away its rights.

I understand that the Treasurer is going to introduce amendments right now. That is fair enough. But members should not suggest that these organisations were not operating within the law—within the expectations at the time. They have a right to defend the position that they legitimately and legally took. We might change the law here today, but that does not obviate the fact that they were defending a position that they understood was the law at the time.

Mr HAMILL: I could not agree more with the honourable member. Certainly, I respect the right of all parties to strongly put their points of view. It is their right to do so. That is why we have a consultation period. That is why we spend many hours sitting down with all sorts of groups to hear what they have to say. That is why also, at the end of the day, we have to hop off the fence and make a decision. That is what this Parliament is elected to do.

I can also understand the comments made by the member for Moggill. Certainly, I am sure that he has been subject to lots of vilification over the years—and rightly so. I can also understand other members in the Chamber not being used to such vilification—and rightly so. But I do think that, in a debate such as this, and in the public campaign that was waged, there is always a certain amount of hyperbole. A number of parties are guilty of hyperbole, and it would be better now for all those parties to perhaps collectively pull their heads in and get on with putting in place an industry of which we can all be proud and one which adheres to the very principles that I have outlined today and that were enunciated some years ago for the operation of machine gaming in Queensland.

Clause 1, as read, agreed to.

Clause 2—

Mr BLACK (2.54 p.m.): The Treasurer's amendment looks fine to us, so I withdraw the amendment standing in my name.

Mr HAMILL: I move the following amendment—

"At page 12, line 7, '1 July 1997'—

omit, insert—

'20 November 1998'."

I thank the member for Whitsunday for his support. I understood the force of his argument yesterday, I understood where he was coming from, and I had great sympathy for the argument that he was putting forward. I am pleased that he has seen the rationale behind this amendment. This also deals with the issue that exercised the minds of a lot of people in this debate—members in the Chamber and a number of the clubs, and certainly the clubs whose names I read into Hansard before—that they would be impacted upon negatively by retrospective measures. This means that the contracts of those licensees who have sites that are licensed for gaming machines up to and including 19 November last year, where they had entered into revenue-sharing arrangements with monitoring operators, will remain on foot. I commend this amendment to the Committee.

Amendment agreed to.

Clause 2, as amended, agreed to.

Clauses 3 to 76, as read, agreed to.

Clause 77—

Mr HAMILL (2.56 p.m.): I move the following amendment—

"At page 125, line 12, 'Section 98(1)'—

omit, insert—

'Section 98A(1)'."

This is a very minor amendment indeed. It is just a matter which was picked up as a minor typographical error in the Bill as it was presented to the House last November. It is a very minor matter, and I should not imagine it would generate any adverse comment.

Amendment agreed to.

Clause 77, as amended, agreed to.

Clauses 78 to 105, as read, agreed to.

Clause 106—

Mr HAMILL (2.57 p.m.): I move the following amendment—

"At page 139, lines 14 to 16—

omit, insert—

'(2) Section 176—

insert—

'(1A) It is a defence in an action to recover an amount mentioned in subsection (1), that is a penalty payable under section 171, from a person mentioned in paragraph (b) of the subsection for the person to prove—

(a) if the person was in a position to influence the conduct of the body corporate in relation to the matter from which the liability to pay the amount arose—the person exercised reasonable diligence to ensure the body corporate did not become liable to pay the amount; or

(b) the person was not in a position to influence the conduct of the body corporate in relation to the matter.'.

'(3) Section 176(2), 'under to'—

omit, insert—

'under'.'."

In consultation with the Scrutiny of Legislation Committee, and in consultation with a number of clubs—not only those that were involved in the revenue-sharing arrangements but other clubs as well—there was concern about the liability that was being extended in relation to directors. I wrote to the Scrutiny of Legislation Committee in response to its inquiry, undertaking to amend this clause to provide a defence for directors. That amendment appears before the Committee, and I commend it to members.

Amendment agreed to.

Clause 106, as amended, agreed to.

Clauses 107 to 112, as read, agreed to.

Clause 113—

Mr BRISKEY (2.59 p.m.): I would like to say a couple of words on this clause and remind the Committee and those in the gallery that this clause does not prevent TABCorp or any other LMO from building a clubhouse for Surf Life Saving Queensland and then leasing it to the club, nor does it stop TABCorp from entering into any other contracts with any other clubs for the provision of services or buildings on a fee-for-service basis.

What it does do is prevent any of those services from being done on a revenue sharing basis. There are many clubs in Queensland that are extremely successful. Those operations have borrowed funds to build facilities. Importantly, those clubs have grown through staged developments. There is nothing in this clause or in the Bill itself that would prevent Surf Life Saving Queensland from applying for a machine gaming licence and building and operating successful supporters clubs in Queensland. Indeed, all it needs to do is follow in the footsteps of many other successful clubs in Queensland, including many other successful surf-lifesaving clubs, and do that very thing.

I wish Surf Life Saving Queensland every success in the construction and running of supporters clubs in Queensland. I am sure that everyone in this Chamber supports Surf Life Saving Queensland. I wish it only the best with the good work that it does for Queenslanders all over the State.

Dr WATSON: I move the following amendment—

"At page 141, lines 15 to 19—

omit, insert—

' '(6) This section does not apply to an agreement entered into between a licensee and a licensed operator for electronically monitoring the licensee's gaming machines in conjunction with the supply of services relating to any of the following—

(a) the supply of gaming equipment, or ancillary or related equipment, to the licensee;

(b) the installation or maintenance of equipment mentioned in paragraph (a) on the licensee's licensed premises;

(c) the installation or operation of a linked jackpot arrangement on the licensee's licensed premises;

(d) the supply of information technology to the licensee for use with equipment mentioned in paragraph (a);

(e) the development and presentation of the licensee's gaming machine areas for maximising the licensee's revenue from gaming on the licensee's licensed premises;

(f) the giving of advice of a financial or management nature to the licensee about the licensee's operations involving a matter mentioned in paragraphs (a) to (e);

(g) the marketing or promotion of the licensee's operations involving the use of gaming machines.'."

For the sake of the record, I will state the intention of the original section when we first put it forward. When we put forward the white paper and the legislative amendments, it was always intended that there would be an opportunity for revenue sharing with respect to gaming activities—particularly machines—the area in which gaming was undertaken and associated services within existing clubs. That was the intention. This amendment reflects that.

As it stands, clause 113 in the existing Bill—forgetting about the amendment that the Treasurer has foreshadowed—effectively is retrospective legislation. I have already examined the fact that we are not in favour of that. Except for the amendments proposed by the Treasurer, we would have been against retrospective legislation.

The Opposition will not divide on this amendment. However, it shows quite clearly that we expected there to be revenue sharing in relation to gaming activities. We did not, as the Treasurer has noted in his reply and as I noted in my original second-reading speech, see this as being an avenue by which new venues would be established. That was never the intention. That was clearly stated around the State on a number of occasions and to a number of organisations. Certainly we saw this proposal as a mechanism whereby clubs—particularly smaller clubs and medium-sized clubs, which are to be subject to intense competition in the new century—could adjust and compete in the new century. This Government must understand that, by the beginning of the next century, many of the smaller and medium-sized clubs will come under greater competition from Internet gaming and interactive television. Unless the Government comes up with a mechanism to allow small and medium-sized clubs to respond to that technological change, it will find that in the future those clubs will be in significant financial difficulty and at a significant competitive disadvantage. The issues have been canvassed in my contribution to the second-reading debate and in the Treasurer's reply.

Mr HAMILL: I appreciate the comments made by the member for Moggill in moving his amendment. I believe his amendment only further highlights the problem that I alluded to in my reply at the end of the second-reading debate. The member for Moggill has said again that the framework of changes that were brought forward in 1987 opened the way to revenue sharing and that this amendment that he has just moved better reflects those objectives that were sought to be legislated at that time. I have already mentioned that the member for Southport has different recollections.

I want the member for Moggill to reflect on the amendment that he is moving. The amendment states that the section does not apply to agreements entered into between a licensee and a licensed operator in respect of a range of things: the supply of equipment, the installation or maintenance of equipment, linked jackpots—we agree with that; that is the same measure that we have in our amendment—supply of information technology. I will jump over (e) and go onto (f) giving advice on financial management and (g) marketing and promotion. They are the sorts of services that are readily available and can be readily obtained on a fee-for-service basis. That is the Government's contention. A revenue sharing arrangement is not needed by clubs to achieve those benefits and, presumably, to licensed monitoring operators in providing them.

The one that I believe undermines what has been put by the Leader of the Liberal Party, the member for Moggill, this afternoon is the inclusion in his amendment of paragraph (e). It states—

"(e) the development and presentation of the licensee's gaming machine areas for maximising the licensee's revenue from gaming on the licensee's licensed premises".

I think I understand what the honourable member is wanting to achieve there. That amendment does not achieve that goal. I believe that that subclause would be used to achieve the same sort of revenue sharing opportunities that the Parliament overwhelmingly is rejecting in this debate. "The development and presentation of the licensee's gaming machine areas"—what, for goodness' sake, does that mean? Could it not mean the total redevelopment of the premises of that licensee?

Dr Watson: Not unless they have wall-to-wall gaming machines.

Mr HAMILL: That is what the member says. But, by his own admission, sloppy drafting has caused the problems that we are trying to deal with. What we have here are entities that are, quite rightly, seeking to pursue commercial advantage. They will rightly do so. They will seek to achieve that commercial advantage by running as close to the letter of the law as possible. I suggest to the honourable member for Moggill that his amendment would open the floodgate yet again. It would undermine all his good wishes and all his high moral intentions and effectively bring us back to exactly the situation that we are trying to deal with. Although I understand the sentiment behind his amendment, I believe the amendment itself is flawed and ought to be rejected by the Committee.

Dr WATSON: I understand the concerns. As I indicated in the white paper and in my speech yesterday, the gaming activities of clubs and hotels—particularly clubs—must be considered as activities in the broad range of leisure and entertainment. If we are going to ask clubs, particularly smaller and medium-sized clubs, to participate in the broader entertainment and leisure industries, we must ensure that they have the presentation of their gaming activities in an appropriate fashion. Subclause (e) reflects the reality of what clubs are going to face. I will not debate this. We have a difference of opinion. With respect to the Honourable Treasurer, I point out that, when we brought the legislation into the Chamber, even he was not able to pick up the eventual ramifications of this issue. At that stage I was Minister for Public Works and was no longer Parliamentary Secretary to the Treasurer. This more clearly reflects the Government's intention at the time. Perhaps with a little foresight we would have specified it in more detail to try to minimise the chances of different interpretations arising. That happens with legislation and we modify things as we go along. However, it is not proper to throw the baby out with the bathwater, which is what, essentially, we are doing.

As I said earlier, I was interested in providing a platform for not only last year and this year but for the pressures that I saw would be on the clubs in the new millennium with the changes in technology. The Bill at that time reflected my concern. I say to the Government that that concern will come back and it will have to be dealt with in the not too distant future.

Mr HAMILL: I have already made my remarks as to why I believe the Opposition's amendment is flawed. I want to make one other point. I see this whole process as an evolutionary one. I recognise that enormous changes are occurring in the industry. That is why it behoves this Parliament to keep abreast of those changes and not to allow the industry to race off in a direction which is unacceptable to either the Parliament or the community. The Government has a responsibility to keep its finger on the pulse.

When I introduced the Bill last November, I foreshadowed that my Parliamentary Secretary would head a review of gaming in this State. I might say that that initiative has been applauded across the length and breadth of the State because there is community concern about where we are going as a community and what the impacts will be on individuals. It is a very important question. As I said, it is fundamental to the philosophy which lay behind the phased introduction of poker machines in the State in 1991-92. They were going to be introduced into the State to deliver significant community benefits. Mechanisms were put in place to deal with the down side. The review will examine the benefits, the down sides, and the effectiveness and adequacy of those measures. At the end of that process I hope we will come back with some other recommendations which enhance the regulatory regime that we have in relation to gaming in Queensland, and Queensland will be all the better for that. I reiterate that I will be opposing the amendment.

Amendment negatived.

Clause 113, as read, agreed to.

Clauses 114 to 121, as read, agreed to.

Clause 122—

Dr WATSON (3.13 p.m.): I move—

"At page 147, after line 3—

insert—

' 'Compensation

'232.(1) This section applies if—

(a) on or after 1 July 1997, an agreement was entered into between a licensee and a licensed operator for electronically monitoring the licensee's gaming machines in conjunction with supplying other services; and

(b) the licensee or operator incurs a loss or expense merely because of the amendment of section 189 by the

Gaming Machine and Other Legislation Amendment Act 1999.

'(2) The State must pay to the licensee or operator the reasonable compensation for the loss or expense that is agreed between the State and the licensee or operator or, failing agreement, decided by a court of competent jurisdiction.'."

This amendment deals with the issue of compensation. I listened intently to the Treasurer's second-reading speech. I want to ask a couple of questions before we move on. Is the Treasurer sure that there are no other clubs, other than the Ipswich Jets, which are affected by a term of five years or less? That is the term covered by the Treasurer's amendment.

Mr Hamill: Have you got a series of questions on it?

Dr WATSON: I have a couple of questions all dealing with the same subject.

Mr Hamill: I will deal with them all at the same time.

Dr WATSON: Is the Treasurer sure that the Ipswich Jets is the only club involved? I noted the Treasurer's assurance that the Ipswich Jets was happy with a five-year term. Is the Treasurer confident that that is the case? I guess it would be nice if we had representations on that matter. Is the Treasurer sure that there are no other aspects that we may not know about where clubs could be disadvantageously affected by a transition period of five years? Is the Treasurer sure that each of those clubs that have a term of five years or less will not be disadvantaged during the transition period?

Mr HAMILL: I preface my remarks by saying that for a variety of reasons I am formally opposing the amendment moved by the honourable member. I will endeavour, firstly, to respond to the honourable member's inquiries.

As I indicated earlier, I have received direct advice from the Office of Gaming Regulations and I am told that there are some 16 clubs—and I am talking about clubs which already had gaming licences—which had entered into revenue sharing arrangements with either the TAB or TABCorp. I will deal with the exceptions to the rule rather than the rule. The Peregian Beach Surf Life Saving Club advised the Government that it had an agreement with TABCorp for one year. The TAB contracts were of three years' duration. The Ipswich Jets had a contract which appeared to be of the TABCorp tier 3 type arrangement. This was the arrangement that was being foreshadowed for a whole cluster of other developments which were on the drawing board. These arrangements were of 10 years' duration and involved TABCorp somehow or other facilitating the premises.

The case of the Ipswich Jets involved a mirror lease with the owners of the site. The building had formally been a hotel and TABCorp had a lease on the site. The Ipswich Jets had a lease to TABCorp. All the other contracts were of five years' duration. There were options to extend those contracts on into the future—in some cases it probably added up to around 30 years. They were very long-term arrangements indeed.

The advice from the Office of Gaming Regulations—and this was derived from direct inquiries from each LMO—was that there were no other contracts; these were the revenue sharing agreements that the LMOs had entered into. As I said, other LMOs that were knocking on the door may well have liked to have got in on this. Golden Gaming would have been one of those. The Office of Gaming Regulations made direct inquiries of the LMOs and that was the advice received. On that basis the Government conducted consultations with those clubs.

The honourable member asks if I am confident of the Ipswich Jets' position. I suppose the honourable member refers to the Ipswich Jets because that club had a 10-year agreement with the monitoring operator. The Government has set no more than five years. The Ipswich Jets club is not in my electorate—it is in the electorate of the member for Ipswich West. Some weeks ago representatives of the Ipswich Jets sought a meeting with me. I was not quite sure whether they were meeting me as a local member or as the Minister responsible. I suppose there was a bit of both in it.

Present at the meeting were the two gentlemen who owned the premises and also representatives of the club itself. I gave no undertakings but I listened to what they had to say. A range of topics was discussed at the meeting. I was told that if the legislation were to be enacted by the Parliament in the form in which it was presented to the Parliament in November last year, the parties felt they needed some breathing space to allow them to be able to get into other arrangements with a financial institution so that they could acquire the gaming machines. They believed they needed at least six months, the reason being that in discussions they had had with financial institutions they were led to believe that they needed to be able to demonstrate some cash

flow over a period of time with a financial institution. In terms of its gaming revenue, the club had only been trading for a few months.

At the time, they said to me that they had a 12-month agreement and they wanted to see whether that 12-month agreement could be completed. They believed that that would be sufficient. That was the end of my direct consultation with them. As I said, for the reasons that I have outlined in terms of the length of agreements, most of those clubs had five-year agreements and five years seemed reasonable. I can only go on the expressed statements from Mr Savage from the Jets club both in yesterday's Queensland Times and in today's Queensland Times in which he indicated that they were very comfortable—"over the moon", actually, were the words that were attributed to him yesterday in the Queensland Times. He did not retract those words today, so in relation to this matter I can only assume that he is somewhere up there in orbit.

In terms of any other aspects, I want to foreshadow that I have slightly different wording in relation to the amendment that I intend to move to clause 122. I do not want to speak to that amendment just now, but the change in words is to safeguard against those who are protected by the legislation to move that licence to another site. There is provision in the Bill for multiple sites. In keeping with what the Government is seeking to do in protecting those clubs, I think that it is only fair not to afford them an unfair advantage over other clubs. I foreshadow that amendment. There is a new paragraph (c) in subclause 2 of the proposed new section 232, which I mention in passing.

I know that it is a long answer, but we have endeavoured to be very thorough in our research on this issue. I might say that had we not had such a draconian provision in the original Bill, a lot of the information that we have been able to garner would not have been available to us. However, in the Government's view it was imperative to make it very clear where we were coming from and what we were seeking to achieve. That is why I believe that, with the consultation that has occurred and the discussions that have occurred, not everybody is happy; everybody is a bit grizzly. Often that indicates that it is probably the right decision.

Dr WATSON: First of all, let me thank the Treasurer for his responses. Obviously, the concern that we have is, firstly, the retrospective nature of clause 113; and secondly, as I have said earlier, given the retrospective nature of the Bill, we have concerns that clubs that entered into agreements in good faith under the existing law at the time should not in any way be financially disadvantaged. That is the objective of this change. I am assured by the Treasurer's remark that, to the best of his knowledge, there are no clubs that are going to be adversely affected—except, of course, that they cannot continue ad infinitum—by the changes.

Mr Hamill: Are you withdrawing your amendment?

Dr WATSON: I will leave it there, because we are speaking about it. I am assured by the change that the Treasurer is also putting forward in clause 122 that that matter will be taken care of. I just indicate that, as I said, we were concerned that clubs were not going to be compensated for the change and, although we disagree with retrospective legislation, we definitely disagree with taking away people's rights and clubs' rights without due compensation. However, given what the Treasurer has said, I am assured by his response.

Amendment negatived.

Mr HAMILL: I formally move the following amendment—

"At page 147, after line 3—

insert—

'Continuation of certain agreements for stated period

'232.(1) This section applies despite the amendment of section 189(6) by the Gaming Machine and Other Legislation Amendment Act 1998, section 113 (the "amending provision").

'(2) Section 189(6), as in force immediately before the commencement of the amending provision, continues to apply to an agreement of a kind mentioned in the subsection if—

(a) the agreement was entered into before 20 November 1998; and

(b) the person with whom the licensed operator entered into the agreement is, and, at the time the agreement was entered into, was, a licensee; and

(c) the premises to which the agreement relates are, and, at the time the agreement was entered into, were, licensed premises of the licensee.

'(3) However, subsection (2) applies only for—

(a) if the agreement's initial term is not longer than 5 years—the agreement's initial term; or

(b) if the agreement's initial term is longer than 5 years—the period of 5 years starting on the day the agreement's initial term started.

'(4) Also, subsection (2) applies to the agreement only for the licensed premises to which the agreement related at the time the agreement was entered into.'.'."

As I indicated, there is another paragraph in that amendment to what was circulated earlier. For the benefit of the Chamber—maybe members have not had the chance to see it—I will read it. It states that the premises to which the agreement relates are and at the time that the agreement was entered into were licensed premises of the licensee.

In other words, it just reinforces the point, and this is the basis upon which the Queensland legislation is framed. It is different from what prevails in Victoria, for example, where the LMOs own the machines and can move them around at will.

Dr Watson: If it wasn't affecting the public.

Mr HAMILL: I will come to that. In Queensland, the licensing regime is always related to specific sites. One of the conditions precedent upon the issue of a licence is actually to have a liquor licence. This is a further safeguard against those clubs in the transition arrangements moving around the licence. I think that is only fair and reasonable.

I want to respond to the interjection made by the member for Moggill. Again, he was seeking to make the point that it was only in Victoria that the LMOs can move around the machines, not in Queensland. With due respect, I suggest to him that that is not correct. One of the features of a number of the agreements that I saw with licensed monitoring operators was that even though a particular licensee might be licensed for a number of machines on a site, of course it is not and it never has been the case that the full number of machines need be on that site. For example, we could have a licensed site with a licence to allow for 100 machines. There was nothing in the legislation that says that that site had to have 100 machines. One could have any number of machines up to that number. What was becoming a feature in a number of these revenue sharing arrangements was the right of the licensed monitoring operator to withdraw machines from non-performing sites, in other words, a hybrid of the practice that was occurring interstate where monitoring operators could move machines around to sites that were deemed to be better performers at the expense of sites which were not performing. Again, this is just another example of the loss of sovereignty on the part of clubs and their governance about which we were concerned.

I will make one last point in relation to this amendment. As I said earlier, the governance of gaming in this State needs obviously to be of an evolutionary nature. As circumstances change, responses to the circumstances changing must also change. I want to make this point very, very clear indeed to not only members of the Chamber but also anyone else who might be interested in this debate: we will be vigilant in relation to these measures. We want to ensure that the philosophies that we have been protecting here are indeed protected out there. As Treasurer, as the Minister responsible and speaking on behalf of the Government, I say that if we see practices arising with which we do not agree, then the legislation will be back in here and we will have another go, and another go, and another go, as members would expect. As I said, we are dealing with a constantly changing environment. We need to ensure that the legislation is keeping pace with the changes out there. I think that any responsible Government would have the same view.

Dr WATSON: I want to respond just quickly to the Treasurer. I think that the amendment that he has circulated to clause 122, proposed new section 232(2)(c), is an appropriate amendment to his amendment as originally tabled.

Mr Hamill: An enhancement.

Dr WATSON: An enhancement. I agree with the Treasurer. As he would know, in the white paper and in the legislation, the idea of the multiple sites was put forward for a particular reason. We certainly would not want to see that position exploited in a way which gave clubs with the risk sharing/revenue sharing arrangements a competitive advantage over other organisations. In trying to keep it as much a level playing field as possible, I think that is an appropriate amendment.

However, I return to the point that the Treasurer finished on with respect to the LMOs being able to move around machines. The difference between Queensland and Victoria was simply that the clubs have the right to use the machines for gaming activities. LMOs may own them, they may lease them, they may

finance them—do all of that—but they do not actually have the right to earn any gaming revenue unless it is in a site. So that remains with the club or the hotel. It is only clubs and hotels that have the right to have gaming machines on their premises to actually earn gaming revenue. How that came about or how the machines get there in terms of the financing activities is not particularly important.

It is true that under the legislation an LMO could withdraw machines from a club. That is true under any financing arrangement. If one forgets about risk sharing, it is even true under any leasing arrangement. That remains legitimate. One has to ask: why would an LMO move machines, because it would make a significant loss unless it had somewhere else to put them; in other words, it would have to have an agreement with another club or hotel.

Secondly, when a club has the rights to the machines—and the example was given of a club that has 100 machines but maybe not all of them are on site—it can actually contract with another LMO for the other machines. Nothing in the legislation prevents a club or hotel from contracting with more than one LMO. In fact, that particular issue was raised during the negotiation processes. I do not see too many economic opportunities for that to occur and I would not propose that it is a likely outcome, but it is possible. If a club was facing a situation in which one LMO was going to remove machines, under a risk sharing arrangement or a leasing arrangement, or whatever financing arrangement they had, that club still has the right to contract with another LMO. The important thing is that it is left in the hands of the clubs and the hotels to maximise the benefit to them and their club members in the case of clubs and, obviously, owners in the case of hotels.

Mr HAMILL: I take the honourable member's point and I hear what he says. I appreciate his support for my amendment. I do not wish to be too bold, but I dare to anticipate that this amendment will enjoy the support of the whole Parliament. It is the critical amendment that affords the protection that I think all members wanted to see. It is also the amendment that draws the line in respect of those sites that should enjoy that transitional protection.

Let me underline what that is: they are the sites that have been licensed to have gaming machines existing up to and including 19 November last year. That is the critical issue. As I understand it, all members here agree with that. Indeed, even the amendment that has just been rejected by the Committee, which had been moved by the member for Moggill, limited the compensation arrangements to that same category. Let there be no mistake and let there be no misrepresentation about any individual member of this Parliament having a set against any individual class of organisations, clubs or would-be clubs and so on. I thank the members of the Parliament for their support and I trust that we will see that unanimity in support of this amendment.

Dr WATSON: To clarify the situation, the Opposition will support the amendment, but we do so in the context of what happened previously and what we thought the position was. Given clause 113 as it now stands, the Opposition supported that on the understanding that the Minister was going to move an amendment to clause 122. That is not my philosophical position, but it is a practical suggestion and this side of the Chamber supports the Minister in that context.

Amendment agreed to.

Clause 122, as amended, agreed to.

Clauses 123 to 136, as read, agreed to.

Bill reported, with amendments.

Third Reading

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

CORRECTIVE SERVICES LEGISLATION AMENDMENT BILL

Second Reading

Resumed from 9 March (see p. 339).

Mr HORAN (Toowoomba South—NPA) (3.35 p.m.): In opening my address on the Corrective Services Legislation Amendment Bill, I give members a very strong warning, because this is one of the most important pieces of legislation to come before the House for some time. This legislation very directly and closely affects one of the most important Government departments and services, that is, Corrective Services, which is responsible for the incarceration and rehabilitation of prisoners, and the safety of staff and the community. The community wants to see that this system is modern, professional, safe and secure. If passed, this legislation will implement quite a substantial, if not a dramatic, change to the existing system of administration, organisation and management of the prison and corrective services system in Queensland.

In dealing with this topic, it is important that we look at the principles: the principles of security, the principles of safety, the principles of the working environment of the staff, the principles of rehabilitation and the principles that make up what the public expects of the corrective services system and what it is meant to do. From the Minister's second-reading speech, it is obvious that the real drive behind the amendment of the Act is the Minister's strong desire, as he put it, to have his hands on the levers. The driving force behind the Bill should have been those principles. Will this Bill, and eventually the Act if the legislation is passed, deliver more efficiency, accountability, openness and, importantly, increased professionalism, quality and security in terms of the service that is provided?

I start with that very strong warning, because the amendment to the legislation will mean a dramatic change. As the legislation evolves the Opposition will be watching very closely to see whether, as a result of these changes, Corrective Services is any better, and substantially better.

One of the key parts of the Bill relates to maximum security units. The Bill establishes a head of power so that the orders, instructions and operations of the maximum security unit can be quite clear. Previously, its power was general, and it is important that that power be spelt out very clearly. The directions that it can provide and the classification that is undertaken must be very clear. The Bill sets up a head of power to establish that. It also introduces some safeguards regarding the directions that can be provided by the general managers of the maximum security units or any other new units that are put in place, the length of time of directions and what particular processes have to be gone through.

I will speak about this issue only generally, because there is a matter before the courts at the moment. It is important for the community that this issue is debated and dealt with. The prisoners in our maximum security units are the most disruptive in the system. We are talking about prisoners who have committed serious violent offences, in many cases against other prisoners in the system. These prisoners pose a risk to the staff and other inmates. We are speaking about the prisoners who cause trouble within the system and who have attempted to escape. These prisoners are a danger to the entire system. There is virtually no sympathy in the community for these types of prisoners. It behoves both sides of the House to ensure that the systems put in place are straightforward and give the general managers clear-cut guidelines so that they can deal with these matters and so that society can feel assured that these prisoners—the worst of the worst—are locked away securely.

The other major aspect of this Bill is that it replaces the Queensland Corrective Services Commission, or the QCSC, Queensland Corrections, and the boards of both of those organisations, with a department. Finally, it also provides for an advisory council within the system so as to enable some community input.

This legislation marks a watershed in Queensland correctional services. I will return to the Kennedy reforms, which also represented a watershed for Queensland corrections. Back in 1988, when the Kennedy report was prepared, Queensland's prison system, as it was then called, could be described as abysmal. Morale was low and the facilities were outdated. For example, I understand that in the Townsville prison buckets were being used in the absence of a sewerage system. Prisoners were taking to the roof of the prisons and rioting, staff were being placed in danger and there was a huge level of community concern about how our prison system was operating. It needed to be brought into the modern era and made professional and accountable to the community.

I will recount briefly the history of the Kennedy report. The terms of reference asked—

> "What changes, if any, should be made in the organisation, administration and operation of the Queensland prison system, and what changes are needed in the public interest?"

There was consensus regarding the problems that the system was facing, and those problems were grouped into about five headings. The submissions argued that prison officers received hardly any training, had little support and received little recognition of their role. The parole system was seen to be unfair and inefficient. It was identified that parts of the Brisbane and Townsville prisons were built a century ago, and the submissions pointed out their lack of basic facilities.

Mr HEGARTY: I rise to a point of order. Mr Deputy Speaker, I draw your attention to the state of the House.

Quorum formed.

Mr HORAN: The Kennedy review found that at the time little real attempt was being made to do anything about prisoners other than locking them up; that there were token corrective services; that many prisoners who were released were worse than when they

went in; and that the management of corrections could be greatly improved. He went on to speak about various other aspects of justice. The commission of review examined all of those areas of complaint, and the recommendations of the interim report were designed to put in place a system that had the capacity to bring about and manage the many necessary changes.

The Corrective Services Commission, modern prisons, enhanced community corrections, better management, trained correctional officers, adequately funded prisoner programs, and a total commitment to professionalism were all seen to have the ability to add to a humane, fair and consistent approach to the provision of corrective services in Queensland. Interestingly, Kennedy predicted that, if the recommendations of that report and the interim report were followed, in a few years' time people looking back would see very substantial changes in the way in which corrective services operated in this State. He predicted that we would see a corrective services system that was properly resourced; that there would be a serious attempt to provide corrective services; that the services would be staffed by trained and professional correctional officers and security officers; and, importantly, that community corrections would be accepted as the preferred system of punishment for most non-violent crimes. He predicted also that competition would be introduced into the system and efficiency and economy would be substantially enhanced through some private sector involvement to complement the services provided by the Government through the QCSC.

Importantly, Kennedy's report stated—

> "These are changes that are needed in the public interest. The process of the review has been dynamic. It is not finished yet, and it may never be."

Some 10 or 11 years later, we are now seeing those changes, and time will tell whether they prove to be dynamic. We are certainly looking at a system that needs continual change and finetuning. As Kennedy said, because of the environment of prisons and corrective services, the process may always need some form of adjustment or review.

I will summarise the findings and recommendations of the Kennedy review, of which there were 65; I wish to touch only on some. Kennedy found that reform was overdue and that prisons, parole, probation and community corrections are closely related and should all be administered together by the one organisation. He stated back then that the Corrective Services Commission would be the best approach to take in administering corrective services for the next five years. The next review, undertaken five years later, found that the Corrective Services Commission should be continued for another five years. We are now five years further down the track and looking at legislation that finally sees the Corrective Services Commission being changed over fully to a department.

As I said, a great deal has been achieved, and I will point this out in some detail later on. We are taking a big step. Certainly, it involves some risks, and the Opposition will be keeping a watchful eye on those. Kennedy stated that the concept of the Crown providing all corrective services in Queensland was neither cost-effective nor sound. He also stated—and this is history now—that the new Borallon prison would provide an opportunity to call tenders for its operation by private enterprise, which would offer a realistic alternative to Government operation. History has shown that that did occur and that it provided some hybrid vigour, fresh ideas, changes and reform that perhaps would never have been achieved through a purely Government or departmental system.

Kennedy stated also that prisons should be called "correctional centres"; that they should be operated by general managers; that the term "superintendent" should be discarded; that prison, probation and parole officers should be called "probation officers"; and that greater use should be made of community corrections for non-violent offenders. In his recommendations he spoke strongly about the need for programs, which he said were poorly planned. He stated that the prison industry should be developed to provide work, and educational programs should be provided in prisons. He stated that operational and management audits were essential; that security in Queensland prisons was lax and needed upgrading; and that management should, where possible, be devolved to prison managers from the head office. He spoke also about the lack of computerisation, and in particular about ongoing training being essential.

Going on from that point of the Kennedy review and all that was implemented from it, what has been the result? What have we seen as a result of that? We saw the establishment of the QCSC. We saw a number of non-Government correctional services established, in particular two custodial services at Borallon and Arthur Gorrie operated by different companies. We saw a number of non-

Government services such as those run by St Vincent de Paul and others in the correctional services area, including rehabilitation in particular and transitional stages from prison to the community. We saw the development of a totally new culture, a more open culture and new professionalism. We saw rehabilitation brought in in a very substantial way. That came particularly from one of the privately managed prisons where the prisoners were provided with hours of rehabilitation and educational activities so that they were not idle. So the whole system operated in a far better way.

We saw the introduction of programs—programs in relation to education, alcohol rehabilitation and drug rehabilitation. The new system of prisons, particularly the non-Government prisons, brought in a testing standard, if you like, whereby it could be seen how one system was going compared with another in all the various facets. I look back at the previous ministerial portfolio of Health. For example, I look at the system at the Mater Hospital, which is run by a non-Government association, which provides that hybrid vigour—a different way of running things. The funding is provided under contractual arrangements, but again it is a benchmark. It can be seen how the Government system is going compared with the non-Government system and which has aspects that are better than the other and which one could be improved and so forth.

The changes from the Kennedy report saw the introduction of the WORC scheme—WORC camps—in parts of the community, particularly in the far west where people, particularly those with non-violent records or those showing good rehabilitation, are able to be useful to the community in times of need, such as the Charleville floods. They provide particular community needs and learn how to live in a community and learn how to live with some discipline and direction but outside of the custodial environment. An important feature was the introduction of training schemes for staff so that staff could be trained to work their way up, to achieve promotion. Despite the fact that they do work in an extremely difficult environment, the Corrective Services staff could then take pride and pleasure in knowing that there were job opportunities and training and that the organisation cared about them and their families.

As we have moved on through the nineties, I think it is important to put on the record the incredible improvements that were brought about during the two and a bit years of the coalition Government. On return to office, despite the improvements that had been brought about, the coalition was faced with a correctional system that was in disarray. The budgets had been slashed, there was critical overcrowding, staff morale was declining and escapes from secure custody were rife. The coalition Government took back control of the prison system and implemented a 10-year plan of record capital works and security upgrades which could rebuild the correctional system in line with the Kennedy recommendations and in line with the direction that had been set out as a result of the Kennedy reform.

The coalition Government put reform back on the agenda in Corrective Services. Deaths in custody fell, new ministerial guidelines for community corrections boards were put in place to keep dangerous prisoners out of the community, prisoners were going back to work with a new focus on prison industries, and amendments to legislation were introduced into Parliament to tighten security and reduce the introduction of drugs and contraband into prisons.

But the biggest neglect of all by the previous Labor Government was in capital works. In this area the coalition Government set about repairing the damage that was caused by six years of neglect by the previous Goss Labor Government. When the National Party left Government in 1989, there was a single cell for every secure prisoner. When the coalition returned in 1996, there was a legacy of 1,400 double-up cells in the system. In 1998-99, the coalition Government allocated a record budget for corrections of $466m, up 45%—almost unheard of in terms of increases in a Government department—with a massive $195m capital works component. That in itself is an increase of 113%.

In six years Labor provided just 226 extra beds in Queensland, despite prisoner numbers starting a rapid spiral in 1993. In fewer than two years the coalition produced almost 800 beds, with plans for another 2,100 to come online by the year 2001. The plan also included 1,600 in the following year, 1998-99. The capital works budget included funding to complete a 600-bed SEQ1 men's secure centre at Wacol, a 234-bed SEQ women's centre at Wacol, a 262-bed expansion of the Arthur Gorrie Centre at Wacol, a 130-bed expansion of the Borallon centre, a 108-bed expansion of Lotus Glen, a 96-bed expansion of Rockhampton, a 100-bed expansion of Townsville men's, a 25 open and 20 secure bed expansion of Townsville's women's facility, and two new youth detention centres—one on

the Townsville Correctional Centre reserve and the other in south-east Queensland.

The budget also included the expansion by 50 beds each of the low security Palen Creek and Numinbah correctional centres; a 350-bed replacement for the Rockhampton centre, with a capacity to be expanded to 600 beds; a women's annexe at Numinbah and a community-based custody work facility for women at Warwick; Queensland's first designated fine defaulters facility at Palen Creek; the expansion of community-based alternatives to prison, such as Aboriginal out-stations and an adventure-based training program attached to Palen Creek; and crisis support units established at Woodford, Moreton and Townsville Correctional Centres. In addition to the fully funded capital works program, there was a commitment for a further three 200-bed secure facilities in either Yarraman/Nanango, Maryborough, Roma or Inglewood.

In relation to security upgrades and drugs in prisons, the coalition Government brought about improvements in security in correctional centres and the reduction of drug use in prisons as a major priority. Some of the achievements of the coalition were the Mengler drugs in prisons inquiry, which established for the first time the extent of the problem of drugs in jails and made recommendations to counter the problem; the establishment of a proactive intelligence network to combat the introduction of drugs and to gather and analyse intelligence about potential escapes and criminal activity, again a recommendation of the Mengler inquiry; and a $22m upgrade in security, external and internal, for every correctional facility. That included the provision of the Hummer armoured vehicles for perimeter patrols and prisoner escorts, and protective clothing and weapon upgrades for officers. Millions of dollars was spent on training, equipping and protecting staff.

The coalition recruited 630 staff in two years, with another 642 expected during a second term. Labor's corrections policy promised only 50 extra staff a year. It also included the establishment of a proactive support group, a prisons security squad which was available and indeed involved in auditing security systems and the protection of prison staff and the community and the establishment of the ongoing security implementation task force, pulling together the skills and expertise of police, QCSC and correctional service providers to oversight and expedite security upgrades and improvements in correctional centres.

The coalition established a concerned persons register so that people on the register could be informed of offender movements, such as security classifications, centre transfers and parole date eligibility of criminals who had offended against them. For the first time there was the involvement of correctional staff in decision making through involvement in groups such as the implementation committee, set up in the wake of the Sir David Longland escape, and the Minister's standing committee to advise him on correctional matters. There was the introduction into Parliament of the Corrective Services Amendment Bill aimed at increasing security, combating the introduction of drugs and other contraband into prisons, protecting prison officers and allowing better management of dangerous and high-risk prisoners.

There was the review of the classifications of all high-risk escape and dangerous prisoners, with transfers effected where necessary to counter any risk to staff or to the community, and we saw a new Community Corrections Board with tougher guidelines putting the protection of the community above inmate considerations and ensuring that violent offenders stayed longer in jail.

There were some other highlights and achievements on top of all of this, for example, the corporatisation of the Queensland Corrective Services Commission to separate the purchaser of correctional services from the service providers in order to encourage more competition and efficiencies. That relates strongly to the Bill we are debating, because Queensland Corrections has changed from a corporate entity with a board to a business unit. This was achieved under the coalition Government through the establishment of Queensland Corrections under a seven-member board. This new public sector agency now competes with private enterprise for the delivery of corrective services in Queensland.

There were some major achievements on indigenous correctional issues. Queensland leads Australia in response to the Royal Commission into Aboriginal Deaths in Custody. There was an extension of the program of diversions from secure custody to involve community-based organisations in the management of indigenous juvenile offenders, an extension of the family support program for indigenous offenders, the development of a family violence intervention program in jails, and the establishment of specific Murri meeting places in correctional centres.

Each year since 1996 the COAG steering committee for the review of

Commonwealth/State service provision has produced a report on Government service provision, utilising the Commonwealth Industry Commission as a coordination secretariat. The latest report rated Queensland highly on a broad range of indicators for the services provided through our correctional services. Queensland was the most efficient service provider in terms of cost per prisoner per day for secure and open custody combined and for secure custody, and was the equal lowest with the Northern Territory for open custody.

Although the death rate for Queensland prisoners increased from 0.32% in 1995-96 to 0.36%, Queensland's death rate remained well below that of Western Australia, New South Wales and South Australia and below the national average of 0.38%.

The total escape rate in Queensland showed a considerable improvement, down from 1.2% in 1995-96 to 0.5% in 1996-97. The national rate was 1.24%. The secure custody rate dropped from 6.4% to 3.4%. The national average was 3.9%.

Importantly, the prison recidivism rate for Queensland fell from 31.6% in 1995-96 to 23.35% the following year, some 12% better than the next lowest, which was Victoria. Queensland had the second lowest rates for both prisoner on prisoner and prisoner on staff assaults. Queensland was the most efficient service provider in terms of cost per community supervision offender and had the second lowest community supervision recidivism rate.

These results were even more impressive when we consider the fact that prisoner numbers have doubled in Queensland since 1993 and overcrowding as a result of Labor's refusal to plan for the future led to an even more potentially volatile prisons environment.

Escape rates are often taken as a measure of how secure and safe the prisons system is. The rate of escapes and absconds dropped dramatically under the coalition Government. The following statistics show the improvements over eight years. I will set out the figures for adult centres from 1990 through to May 1998. The total escapes were: in 1990, 37; in 1991, 67; in 1992, 42; in 1993, 47; in 1994, 20; in 1995, 29; in 1996, 39; in 1997, 24; and to May 1998, nine.

I now set out escapes from secure custody for that same period. In 1990, there were 22; in 1991, 42; in 1992, 22; in 1993, 19; in 1994, eight; in 1995, three; in 1996, five; in 1997, eight; and for the year to May 1998, five. In terms of absconds, there are no figures for the first three years of the decade, but in 1993 there were 47; in 1994, 57; in 1995, 51; in 1996, 42; in 1997, 32; and for the year to May 1998, eight. In relation to absconds from juvenile centres, in 1994-95 there were 109; in 1995-96, seven; in 1996-97, six; and in 1997-98, one.

Earlier I mentioned the prisons that were to be built in three of four centres short-listed by the coalition Government under the SEQ2 program. Those centres were Roma, Maryborough, Yarraman/Nanango and Inglewood. I think it has been a great disappointment and a real slap in the face to the people of rural Queensland that Labor on coming to Government did not see fit to continue with that program. We heard the Premier of this State, Mr Beattie, continually saying that his is a Government for all Queenslanders, but here is a fine example that it was not and is not a Government for all Queenslanders.

Here was an opportunity to provide three 200-bed prisons—medium-sized prisons where the system of security and rehabilitation could have been outstanding compared with a prison of a large dimension with large numbers. In one respect it is like a school. The headmaster of a school with 200 pupils would certainly know the names of the students, would know what is happening, and would be able to keep a good eye on all that is happening compared with the headmaster of a school of 600 or 1,000.

Here was a chance to provide quality correctional services and quality custodial services. Importantly, here was a chance to do something for Queensland. Our strength is that most of our population lives outside of Brisbane. We are the only State in Australia in which the majority of people live outside the capital city. Our strength is the decentralised nature of our State.

Here was a chance to establish something that would have been a platform and a base for three of those four short-listed communities. It would have virtually drought proofed those communities from the ups and downs, the difficult times they face, and would have removed the necessity for young people and families to leave the towns in search of work. There would have been a requirement for 70 to 80 staff in those three centres and there would have been flow-on benefits to small business and industries.

As I said, it would have virtually drought proofed those communities and given them greater viability—the additional teachers, the additional health staff, the additional business operations. It would have made them just that

much stronger and able to stand on their own feet.

I think good Government has a responsibility to spread the Vegemite so that everybody gets a taste—so that everybody gets the opportunity to see their district and their community strengthened by the provision of Government services. The first responsibility is to ensure that those Government services are not weakened but only strengthened by being placed in a rural or regional area. There was that chance and opportunity to do this.

I say to the people of Maryborough: good luck and well done. They were selected and got a prison of some 500 beds. I think the people of Maryborough would realise that a prison of 200 beds would have still been a great boost to Maryborough, on top of their existing major industries—the sugarmill, timber and heavy engineering. It is a large city. The flow-on benefits from the provision of a 200-bed prison with 80 staff would have been good for Maryborough. As true Queenslanders, the people of Maryborough would have recognised that two of the other three areas—Roma, Yarraman/Nanango or Inglewood—would have been the recipients of a Government service being decentralised. It would have been given to not just one area but spread around so that some of those other families who do not have the benefits of substantial industries in their own particular towns could have benefited and been strengthened.

The other worrying factor about that procedure is that due process was not followed. The QCSC said—and put it in black and white—that there was a five-step process. One part of that process, which was about the fourth step, was that there would be full consultation with the short-listed proponents. That did not occur. There was a letter from the Minister to the Darling Downs Local Government Association saying that he would fully consult with the shires that were affected. In relation to the Darling Downs Local Government Association, that meant the Rosalie Shire and the Inglewood Shire. But again, that did not occur. It was obviously, at the end of the day, a set-up. Some of the mayors have said that it was a political decision. Instead of being a Queensland decision to see three of the four short-listed centres receive a much-needed boost to their economy, it went to one centre only. It made a farce of the whole process. Not even token recognition was given to those shires that had gone to great lengths to put forward their submissions and had been short-listed.

I believe that, forever and a day, that particular decision will put the lie to the Premier's continual comments that this is a Government for all Queenslanders. Queenslanders are becoming increasingly cynical, and that just drives home the fact that, judging by the performance that we have seen to date, this is certainly not a Government for all Queenslanders. There are people in rural and regional Queensland who got a slap in the face. They have been totally neglected and totally discarded. This Minister did not care about them.

Mr Barton: I did so. I met them all.

Mr HORAN: No, the Minister did not meet them at all. And more than that, I am led to believe that he had Yarraman and Nanango at the top of his list, but the Premier moved in and said, "No. We are going to have this other arrangement." So the Minister had to trot up to Maryborough and make that announcement. Once again, promises were made but they were not delivered. Good government has broken down. The opportunity to serve the people of Queensland in a good, balanced and fair way has been totally neglected.

The Kennedy report recommended that there should be a review every five years. There was a review in 1993. There is now a 10-year review. The terms of reference of the Peach report covered issues like the effectiveness of the operations of the commission and the board, the effectiveness of the division of the commission into two bodies, the sufficiency of accountability mechanisms, and the effectiveness and oversight by the commission of the privately managed prisons and community correctional centres. Those were the key terms of reference. I will not go through the others. I believe that there is no doubt that, in putting forward the terms of reference, the Minister has had a very great desire to get back to having a department. The terms of reference make it clear that there has been a push to get back to a departmental arrangement at all costs. The guidelines have been framed in such a way as to ensure that that happens. One has only to read the Minister's second-reading speech to realise his strong desire to get his hands on the levers.

The key recommendations are that the QCSC be replaced by a department, that a planned change management process be put in place, that the current permanent employees of the QCSC and Q Corr be guaranteed that they will not lose their employment with the organisation, and that there be a corrective services advisory council.

The role of that council will be to advise the Minister. But we are actually seeing a reduction in community involvement, because the council will be there simply in an advisory capacity; it will have no teeth.

The Peach report sets out how the council should be appointed and states that it should consist of no more than 10 people; that it should meet four to six times a year; that a cultural change program be implemented to develop a culture that values continuous learning, openness and transparency; and that the director-general of the new department will lead a broadly consultative process to develop and promote a vision for the future that aligns with the purpose of the system as stated in the new Act. The recommendations also considered the purchaser/provider division. This is where the Q Corr board was to be abolished and custodial corrections were to become a commercial business unit within the department.

This is only the very early stages. We do not know how the business unit will be established. I understand that that process will be undertaken in the future. But this legislation has been introduced into the Parliament, even though the Minister can only say vaguely that it is going to be a business unit. He does not know what particular model the business unit will follow. Treasury contains a number of business models, including one which pays a dividend to Treasury. It is a pity in a way that this process is not a bit further advanced. In saying that, I am not giving the Minister a box around the ears. I know that he has to go through this process in a staged way, but members are debating this particular legislation. All we know is that there will be a business unit. The details of it are vague. We do not know how it will operate. I would be interested to hear the Minister, in his reply, enlighten the Parliament as to how that business unit will actually operate.

Recommendation No. 18 is that a temporary new projects unit be established and staffed by a small number of contracted officers from outside the Public Service to manage the tender process and to ensure transparency and public accountability. This is basically so that when major projects like new prisons come forward—and I presume that projects like the Maryborough prison or the extension of the Woodford prison would have to be considered as major projects—a decision is made as to whether a design and construct arrangement is adopted, whether it is built by a non-Government or Government organisation and whether the operation of that particular facility is tendered to either the business unit or a non-Government organisation. I think that we will have to watch that one pretty closely to see that the new projects unit is genuine, that we do maintain genuine reform and that, if there is any tendering process, all parties can fully throw themselves into the tendering process knowing that the consideration of their tender will be absolutely impartial and that the decision at the end of the day will be what is best for Queensland and what is best for the correctional service that we provide.

Under accountability mechanisms, recommendation No. 21 was that the director-general develop and implement procedures to ensure that information collected through performance monitoring and auditing is used to hold service providers accountable and to assist them to improve their performance. That is a bit strange, because this Minister recently disbanded the PSG—the Proactive Support Group. One of its key functions was specialising in security auditing. I know that that sort of specialisation and professionalism should exist in every unit, because it is essential to their 24-hour-a-day operation. But it is important that an external audit is able to be undertaken so that, at all stages, the security and the systems are being run at the highest possible level. Sometimes it takes an outsider to be able to see what someone cannot see when they are working totally within the system and are seeing it perhaps every day of the week.

I turn now to the results of the Peach report. These are the risks that I warned about at the start. In the past decade, we have seen what was basically a dreadful system transformed into a system which, generally speaking within correctional services organisations, is regarded as one of the leading correctional services in Australia. The improvement in the Queensland system—and I outline what happened under the coalition—is regarded throughout Australia as the leading-edge, dramatic change. The figures speak for themselves. With all of that behind us, we are now taking this step which amounts to a watershed. Going back to a department carries some real risks. The Kennedy report was instituted under the departmental system and we have seen the Kennedy findings and the recommended changes.

I know that in the past 10 years there has been more accountability and more professionalism brought into the system. We have seen more programs instituted. We have seen the construction of different types of prisons in place of the brick walls. Mr Deputy Speaker, when you and I went to St

Laurence's we used to ride our bikes past the brick walls of Boggo Road jail. We were aware of the guard on top of the wall. All that has been changed with the construction of modern prisons. We have seen the introduction of rehabilitation programs.

Peach argues that the correctional services system is mature enough to accept this next step. Kennedy himself said that the QCSC may, in time, have to revert to another system. I repeat my warning to the Government that this is a big step. It is a step back to the original situation that brought about the problems in the past.

Under this new system we risk taking the community out of the corrections system. That was one of the important tenets of the Kennedy reforms. Under the Kennedy reforms we had a community board and later on the development of Q Corr. The community was involved in a very real way. The members of the board were in paid positions. They had monthly meetings. They had a real reason to provide the oversight of, the direction and the improvements to and the reform of the organisation. It was a very real and substantial organisation.

That system is going and we are now going to have an advisory council. I will have more to say later regarding the advisory council. It will have far fewer powers than the community board. The Minister appoints the members of the council and there is no Executive Council oversight. The Minister is able to appoint and dismiss personnel as he sees fit. As a result, we are seeing a lessening of community involvement in the corrections system. We face the risk of having less accountability because the managerial input of the board will not be available. We are facing the risk of less public scrutiny of correctional services. We are also facing the risk of ongoing prison reform and improvement being reduced.

Q Corr is to be a business unit. That may be a simple cosmetic improvement. We are yet to see how the business unit will be established. The real risk with only an advisory council is the potential possibility of a closed shop . That is the warning that I provide to the Parliament.

I started off by asking about the reasons behind this particular change in the system. The system currently in place is held in high regard. Did we need this dramatic change in order to allow the Minister to put his hands on the levers? The Minister may well have some frustrations, but Kennedy ensured that in the previous legislation the Minister could give written directions to the QCSC. It was obliged to reply to those directions. The Minister's power in that regard was contained in section 23.

When we have such substantial reform as this we want to see something better for society. The community expects to have a secure and safe system. One of the most important aspects of this debate is the staff. These people work in a most difficult environment. We want to see an improvement in staff conditions. These people need fair pay and security of employment. They need training in order to deliver a professional performance. It is most important that the staff have a safe environment in which to work.

The community looks upon law and order, justice and the prison system as being among the most important and compelling issues in society. Elderly people live in fear of people breaking and entering their homes. Young people come to live in Brisbane and find their houses are broken into and they lose their cassettes, their CDs and everything else. As a result, they live in fear instead of enjoying living in their homes. We see elderly people closing their houses up and locking themselves in at 4 o'clock on hot Brisbane afternoons because they are terrified.

People are also concerned about sentences handed down to criminals in our courts. Parliament legislates for penalties and sentences. This Parliament is currently debating a private member's Bill dealing with the issue of truth in sentencing of serious violent offenders. Over the past decade the prison population of Queensland has doubled from some 2,200 in 1993 to some 4,600 at the moment. The increase in the prison population is an indication of Parliament's acceptance of community concerns.

The public want to know that the prisons are safe and that escapes are kept to an absolute minimum. The public want to feel that the locking away of prisoners acts as a deterrent to other people who are contemplating committing crimes. Imprisonment must act as a form of punishment whereby criminals repay their debt to society. This is particularly essential for serious violent offenders. They must be taken out of society and not allowed to remain on the streets.

Society recognises the value and importance of rehabilitation. It is important that the 80% to 90% of offenders who have the potential and the capability to be rehabilitated are able to return to the community, make a contribution to society and not reoffend.

Today, we are talking about the principle of security and custodial services. We are talking about safety of the staff. We are talking about safety for the inmates of the prisons who could be attacked by other prisoners. We are talking about rehabilitation programs that exist within the prison system. We are talking about the working conditions of the staff. Staff members should be able to take pride in their job and know that what they are doing is making a difference to society. Ultimately, we have a responsibility in regard to rehabilitation.

Today in this Parliament we are taking a very significant decision on something that is of major importance to Queenslanders. The Opposition is issuing a warning. We are not going to oppose this legislation because, as I stated, the Kennedy reforms said that there should be a review every five years. This review has been undertaken by Mr Frank Peach. The Opposition will maintain a watching brief to ensure that these changes bring about an improvement in the situation. The Opposition's responsibility is to ensure that, whatever we do today, we end up with a better system.

In conclusion, although I have provided the warning about six times, I want to make this point: without a doubt, this step today is taking the community out of corrections to the extent that it existed before. Despite the growing maturity in the correctional services system in Queensland and the improvements of the past decade, this step that we are taking today has some potential to bring back some of the problems that existed before. That is the warning that we put in place. The Opposition will not oppose the Bill; it adopts a responsible position towards it, because there has been a substantial review undertaken. However, we have put that warning forward strongly. From here on in, our brief will be to ensure that what changes may occur here today are changes for the better.

Mr MUSGROVE (Springwood—ALP) (4.30 p.m.): I have always believed that personal liberty ends where public safety begins. This Bill, among other reforms, provides for the conditions under which a prisoner may be held in the maximum security unit at Woodford prison. The statistics of the prisoners held in the maximum security unit are: 55% of them have already committed a murder, one of whom is on remand on a charge of murder; 45% of them have been convicted for or are under investigation for murders within the correctional system; 75% have previously escaped, attempted to escape, or are alleged to have been planning an escape, including the infamous postcard bandit, Brendon Abbott; and 15% of these prisoners have committed more than one murder within the corrections system, although I understand that one of these is still under investigation.

While the miracle of life might begin in a cell, the sad reality is that public safety demands that some people must also live in a cell. The prisoners housed at the Woodford maximum security unit are the highest-risk offenders in Queensland and must be treated accordingly. The corrections system run by the previous Government was an utter disgrace. So-called fun runs were a regular event, where dangerous and violent criminals were left to roam in the community by a Government that could provide only knee-jerk reactions by sacking boards and setting up inquiries but was unable to give the community any peace of mind in terms of safety.

Of course, tracking down a prisoner once they have escaped can be a particularly expensive business. It is interesting to compare the cost of absconders under the Beattie Labor Government with the cost of escapees under the coalition. This is something that I know the member for Broadwater understands well when he said that the cost to police of searches had "drained budget dollars and diverted police resources from normal duties". An approximate cost of an investigation to recapture three low-security prisoners was a maximum of $13,000. In comparison, under the coalition the cost of one escape, that is Abbott and company, cost some $422,860, comprised of $34,500 for corrections and $388,360 for Queensland police. These figures do not take into account the cost of interstate agencies chasing escapees from the coalition's fun run.

It is these costs and these concerns for public safety that have prompted the Government to introduce this legislation to put in a properly managed regime for the maximum security unit at Woodford. It is absolutely imperative that we do everything that we possibly can to keep these particularly nasty characters safely behind bars.

Some civil libertarians have complained that the maximum security unit is in some way similar to the black hole operating at Boggo Road in the mid 1980s, which was subsequently closed. I point out that these two facilities are vastly different. The so-called black hole was roundly criticised for a lack of lighting with no windows or natural source of light, only artificial light controlled by prison officers. Their senses were deprived of both

light and sound and there was no review or complaint system. Prisoners were subject to solitary confinement. In fact, they could not even interact with any other prisoner. They were not allowed any visits and they lived on a diet of bread and water.

In contrast, the Woodford maximum security unit, while being equipped with the best security technology, does not breach international standards for the treatment of human beings. All the cells at the Woodford maximum security unit have access to natural light and prisoners can control their own lighting in their cells. All the cells include access to television, piped music and radio and have intercoms to communicate with staff.

Prisoners assigned to the maximum security unit do have access to a review of that decision. Under the Bill, a prisoner can ask for a maximum security order to be reviewed by an Official Visitor up to two times during a six-month order. Under the Bill, prisoners can make submissions to the chief executive if the renewal of a maximum security order is being considered and the chief executive must consider such a submission. In addition, other avenues of review are available via the Ombudsman and the Supreme Court under the Judicial Review Act. Prisoners in the maximum security unit are not subject to solitary confinement; they are allowed out of their cells between three hours and five hours a day where they can meet in small groups, depending on the management taking place at the time for them as individuals.

The general manager of the facility has the capacity to grant contact visits or non-contact visits and the food that those prisoners eat is the same as the meals provided for any other prisoner. Maximum security orders can be imposed only by a chief executive who considers on reasonable grounds that there is a high risk of escape, death or serious injury, or if a substantial threat to prison security and general good order exists. A maximum security order must include directions about the extent of segregation from other maximum security unit prisoners, including issues such as privileges, contact with visitors and directions about access to programs and services, including training and counselling. Prisoners entering the maximum security unit must be examined by a medical officer while they are in there. They are to be examined monthly and they will be examined again when they leave. I believe that these provisions provide an appropriate balance between the health and wellbeing of the prisoner without compromising the security of the community.

An important aspect of this Bill is the abolition of Queensland Corrections as a Government owned corporation. Members in this place may recall that in September 1997 the coalition created Queensland Corrections as a Government owned corporation. The fact is that the corporatisation has failed. It has not transferred risks away from Government, it has not transferred risks away from the community and, as members opposite in particular would have come to realise, it does not transfer political risks. The reality is that when the system deteriorates to the extent to which we were having regular fun runs of prisoners, then something must be done. The Government must act. The Government must seize control of the system to make it better. That is what the Minister for Police and Corrective Services has done with this Bill. Under corporatisation, the focus was on economic performance, not the core business of a secure and effective corrections system. In these days of economic rationalism, I congratulate the Minister on his bold step forward in this regard.

To realise fully the failure of corporatising Queensland Corrections as a service provider, it is necessary only to look at the relevant statistics for escapes, absconds and deaths in custody. In recent years, there has been a dramatic increase in prisoner numbers. Despite the continuing large increase in prisoner numbers since July 1998, there have been only 12 escapes and 10 absconds from custody. Every one of these has been from a low-security area. In comparison, during the last 12 months of the coalition Government from July 1997 to June 1998, there were 40 escapes and 13 absconds. Unfortunately, a large number of these were from high-security areas and by some of the very inmates the Government has now housed in the maximum security unit. During the previous Government's last 12 months in office, there were 11 deaths in custody, with only two of those being from natural causes. The remainder were classified mostly as murders or suicides. Since this Government took office, there has not been one high-security prisoner escape.

Looking back over the medium term, the coalition Government's record is an utter joke. Since the coalition Government came to power in February 1996, almost 130 prisoners have escaped or absconded from Queensland correctional facilities. Fifty-five of those have escaped from high, medium and low security units of the State's prisons, that is, they have escaped from secure custody—from behind bars. The remaining 70 prisoners are also escapees but are sometimes called

absconders to distinguish them from the first group. This group have escaped or absconded from community correctional centres such as halfway houses, like that which held disgraced former Police Commissioner Terry Lewis. It is important to note that, as bad as these figures are, they do not include prisoners who have violated home detention, parole or probation orders. They include only those who have escaped or absconded while serving time in a State facility under the coalition.

When the Goss Labor Government came to power in 1989, the prison system was a disgrace. It was the subject of one of the most damning reports that a Government could receive, the Kennedy report. There were 31 escapes during the coalition's final year in Government and escapes during the 1980s were the highest in Australia. The Goss Labor Government brought that figure down to the lowest in Australia and, in Labor's last year in Government, just four prisoners escaped from secure custody.

Some other highlights of the previous Government's mismanagement of our prisons include: in April 1997, prisoners rioted at the Woodford prison; in May 1997, five prisoners escaped from the Townsville watch-house by kicking out a brick wall; again in May 1997, a prisoner on day release absconded and raped two women, resulting in the sacking of the Parole Board by the previous Minister; in September 1997, two prisoners were murdered at the Woodford prison; and, of course, in November 1997 the postcard bandit, Brendan Abbott, and four other violent prisoners escaped from the Sir David Longland prison.

The Government knows that the buck stops with the Minister. While the previous Minister had proven over and over again to be inept and incapable of ensuring calm in prisons and incapable of stopping prisoners escaping into the wider community, this Government is returning the control of prisoners to the Minister and is taking the responsibility that that entails. With the election of the Beattie Labor Government and the appointment of the member for Waterford as the prisons Minister, once again Labor is bringing prisons back under control. The facts speak for themselves: only Labor Governments are prepared to take the necessary action to keep dangerous prisoners where they belong—behind bars. I commend the Bill to the House.

Mr LAMING (Mooloolah—LP) (4.42 p.m.): I intend to speak only briefly on this Bill, as the Opposition does not oppose it. I have some comments to make on staffing and I shall make an observation or two on the Minister's second-reading speech. I will also refer to the opening remarks of the Peach report. The Explanatory Notes to the Bill state—

> "The Corrective Services (Administration) Act 1988 provides for the functions and powers of the QCSC related to the administration of corrective services in Queensland.
>
> The Bill seeks to abolish the Queensland Corrective Services Commission ... and the government owned corporation Queensland Corrections ... The amendments also establish the Corrective Services Advisory Council and provide a head of power for the new Department of Corrective Services.
>
> ...
>
> The Bill also seeks to provide express head of power to support the placement and management of maximum security prisoners and to clarify the powers in relation to the segregation of prisoners by amending the Corrective Services Act 1988."

The report titled Corrections in the Balance was the propellant for these changes. It was tabled on 9 February 1999. The investigation was headed by Mr Frank Peach, whose work in Education Queensland is well known to members of this House. The report was a requirement of the Corrective Services (Administration) Act and Corrective Services Act 1988 to review the operations of Corrective Services and conduct a 5 and 10-year review of the effectiveness of the relevant Acts. The report is commonly referred to as the Peach report.

A primary finding was that a statutory authority with a commission and board structure is no longer required. Frank Peach claims that a departmental structure would provide better accountability and reporting relationships. It is stated that the role of the advisory council, which is to be formed under the Act, will be to represent stakeholder groups in corrective services.

Of those groups, people of Aboriginal and Torres Strait Islander descent and staff representatives have been considered for inclusion. I take this opportunity to ask the Minister: will women and ethnic groups, who seem to have been ignored, be considered for involvement? The Bill also states that the appointed members should, but need not, include these people of expertise. This

contradicts the Peach report, which states that they should be included. If these important members of stakeholder groups are not included, we will not see adequate and diverse representation or input from these community concerns.

The next question is: how is this council to be appointed? I read that no more than nine members may be appointed by the Minister. The chair is appointed, once again, by the Minister and the Minister may at any time end the appointment of a member for any reason or none. There will be no accountability for the actions of the Minister in removing a member of the council who, perhaps, does not conform. The Minister is able to justify his or her removal without any reason at all. Of course, the question is: does this contribute to openness and transparency if the decisions are made by one person. The Minister will certainly have his hands on the levers of control—both of them at the same time. This could well lead to instability within the council, instability that is not conducive to good performance.

The staff of our correctional services should also be provided with stability. I, and other members of this Chamber, have had the opportunity of visiting correctional centres. I visited a facility in north Queensland with the Public Works Committee. I take this opportunity to commend the staff of that centre, as well as others in the State. They do a marvellous job in very trying circumstances. It is not a job that I personally would like to have. The only time that the staff come in for any recognition is on those odd occasions when somebody escapes. That is a little unfair, because they have a very difficult job to do and I believe that they do it very well.

Stability of employment is very important and it can only be achieved by providing stable support to staff. I ask the Minister: will the Government retain all their services after the departmental start-up date, whenever that might be? Will a result of the amalgamation be surplus staff? The Government has advised the House that there will be no loss of jobs for the permanent staff of the two agencies. What about staff who are not permanent? How will they be treated? Will they have to reapply for their positions or will their skills simply be lost? It would be most unfortunate if this legislation resulted in any loss of jobs.

There is no certainty of retention for the director-general, who will become a public servant and whose expertise may be lost. It is important that we nurture the skills of our staff and not scatter them to the four winds. It is said that the public face of the organisation is the director-general. We cannot afford to lose those valuable assets. The chief executive officer of Queensland Corrections must also be concerned for his future. The Minister has said that these changes will be made with the least possible disruption, and will include stability for staff. What stability can these changes provide for them?

The Minister has also said that there will be no cost involved in the procedure. I find that very hard to comprehend. How can two departments be merged with title and staff changes, yet incur no costs? The Minister might like to refer to that aspect of the change in his reply. Any change, even a potentially beneficial change, comes at a cost, both financially and socially. We are dealing with human resources, with the emphasis being on people. We must provide adequate working conditions for the staff of Corrective Services, and this includes their security. Can we assure these people that their stability of employment will improve and that they will not be scapegoats when operational crises occur? How can constant changes in the senior ranks provide for the stability that is necessary? They are more likely to provide a clear message of uncertainty.

It is acknowledged that change is part of development; that with the ever-increasing number of prisoners in the corrective services system we must deliver custodial and community corrections effectively and adequately for the benefit of the community and the rehabilitation of those within the system. However, we cannot ignore the needs of the staff. We must move forward in our vision, not backwards, and provide intelligent responses to the challenge of change.

I wish to refer to one or two comments by the Minister in his second-reading speech. Firstly, following the Peach review, the Minister recognised that the QCSC board had accomplished the outcomes it had been designed to achieve. At this stage of the debate, it is appropriate to commend the board members for their contribution to corrections in Queensland. In common with the corrections staff, theirs is a pretty unrewarding task. The people doing that job should be acknowledged. Secondly, the Minister stated—

> "... the people of Queensland hold me responsible. As it stands, if there is an escape or a death in custody, it is not the board—the policy makers—who are responsible; it is me in my role as Minister."

This is a brave call. Opposition members will be watching to see whether the Minister handles that responsibility. Without wishing the Minister any misfortune, we offer him good luck in doing that. I hope we do not get the opportunity to remind him of that.

I turn to the Peach report. Oddly enough, even though I read it right through, the part that caught my eye was the introduction in the Executive Summary, which is on page 2. In relation to unemployment, Frank Peach states—

> "Unemployment, the emergence of an under-class, sensationalised reporting and an increased awareness of crime within the community have prompted successive governments to act by providing increasingly lengthy and punitive sentences through the courts."

That sentence caught my eye. I thumbed briefly through the report to see whether that comment was expanded on in the body of the report. Perhaps that was not one of Mr Peach's terms of reference. He did not appear to refer to that matter again. On another occasion I would be interested to hear more about his observation. That is something that perhaps we as parliamentarians do not address as often as we should. As the member for Toowoomba South said, we are debating legislation on truth in sentencing—I will not go into that any further, as it is before the House at the moment—and we are debating the parole provisions and alternative sentencing, particularly in respect of fine defaulters. That matter is addressed in another piece of legislation that will be debated shortly. Law and order is debated and referred to in this Chamber more than any other subject.

I do not believe we have enough debate on the causes of crime. "Debate" might be the wrong word. We ought to be having a discussion, because the word "debate" implies that there have to be winners and losers. Sometimes the adversarial nature of the Parliament does not enable us to take the opportunity to discuss issues. The Committee stage of Bills can be very productive, because members can chat across the Chamber in a less formal manner and we can make a bit more headway, until a vote is taken, on some of the more interesting aspects.

I do not think we speak enough about the causes of crime—where it all emanates from. We often speak about corrections and security—for example, housing security, security on the streets, road rage and general law and order issues. However, in this place we do not spend enough time addressing why people head towards a life of crime, be it minor crime or the more serious crimes that this Bill addresses. We perhaps do not speak enough about where these problems emanate from, be it because of family breakdown or a lack of parenting skills. The other day I heard someone say, "You've got to have a licence to do practically anything these days, but you can have children—the most important thing—without any training whatsoever." In this day and age, that is causing a problem. I do not believe we are providing enough assistance and support to young parents and teaching children of high school age not so much their rights but their responsibilities as young adults. As they grow older and reach parenting age, I think we can and should do a lot more to educate them.

Recently, both inside and outside this place there has been talk about examining the problems of drugs and gambling. We need to pay more than lip-service to these issues and become more hard nosed in addressing them. We speak about drugs because the problem is considered a bad one. Perhaps we need to look more closely at the effects of alcohol, which at the moment probably does more harm in society than hard drugs. Gambling is also causing concern and problems in families.

A lot of factors contributed to Frank's Peach comment about the emergence of an underclass. He used that term in the context of unemployment. As I said before, there would be few times when I have stood up in this Chamber and not found an excuse to speak about unemployment. Once again, I will take that opportunity today. Generally, when we speak about the unemployment rate, we look at the worst aspect. For example, if we had, say, a 10% unemployment rate, the media tends to ignore the fact that 90% of people who want a job have one. It sounds a lot more positive to speak about the employment rate as opposed to the unemployment rate.

The unemployment figures do not reflect the fact that a lot of people are severely underemployed. I am speaking about people battling along with half a job or a couple of casual jobs, or who are, for example, working one week and not the next. In many respects, those people are worse off than the long-term unemployed people who have developed the capacity to live within their budget. However, people who have lost full-time employment and who were paying off a house have to try to make do with part-time or casual work——

Mr DEPUTY SPEAKER (Mr D'Arcy): Order! I hope the member for Mooloolah is

drawing some conclusion with respect to the Bill.

Mr LAMING: Thank you, Mr Deputy Speaker, for bringing me back to the Bill. I was referring to the Peach report, which stated that we must not overlook the emerging underclass and the effects of unemployment, which causes people to run off the tracks and find themselves in the corrections system. Even though I might have been taking a very long detour—and I will come back to the Bill—I think we need to take on board the fact that we need to look at not only corrections and law and order on the streets but also at why people find themselves falling into the trap of breaking the law. That is a most important issue.

Mr LUCAS (Lytton—ALP) (4.58 p.m.): The Corrective Services Legislation Amendment Bill has two chief aspects. The first aspect is in furtherance of the Peach report recommendation to abolish the Corrective Services Commission and its board. The second aspect of the Bill—and a very important one at that—is the provision of a head of power for the management of maximum security prisoners within the correctional system.

Honourable members would be aware that an extensive review of corrective services in Queensland took place under the tutelage of Mr Frank Peach and his team. That extensive report was tabled in the Parliament on 9 February this year. I might digress for a moment and say that one of the recommendations of the report that we are not debating today was to extend the jurisdiction of the Criminal Justice Commission to private prisons. That is a very important recommendation, because I do not think it matters much to prisoners, to their security or to good order in prisons whether someone is in a private or a public correctional institution. Unfortunately, corruption can occur either in a private or a public institution. Therefore, it is very important that the same standards of scrutiny and rigour apply to private prisons as apply to Government owned prisons.

The Peach review had 58 recommendations for improvement to the Corrective Services Commission—and the Bill before us today is really just the first part of that—and they really will take some time to implement. The system has come a long way, though, since its pre-1998 days. When one looks at how correctional facilities used to be run, one sees that there were not the important safeguards that exist now: freedom of information, judicial review, stakeholder meetings and, very importantly, an official visitor regime.

The proposed structure under the Peach report encapsulated in the Bill makes it quite clear that accountability for the prison system rests with the Minister. Of course, the public has always assumed that, anyway. Even when we had the Corrective Services Commission, the public expected the prisons Minister, no matter what their political complexion, to be responsible for the system. So the structure will at least reflect the reality of the accountability as far as the public is concerned. If the public believes that accountability should rest with the Minister, it is important that the Minister should have some control over that system for which he is held accountable. That is why it is very important that this aspect of the Peach recommendation is implemented.

Of course, that does not mean that there is not an important role for members of the community and the various stakeholders to assist the Minister with advice. It is very important to note that the Bill establishes a Corrective Services Advisory Council to advise the Minister of community views about corrective services generally. That is broadly representative of stakeholders, business, legal and advocacy, community staff representatives, etc. and all other people who are vitally interested in good order and good government in our prisons.

Another very important issue is that, as part of the report and part of the Government's undertakings, as part of the restructure there will be no job losses for permanent staff in any agency. That is very important. One of the greatest concerns of the community these days is lack of job security. It is very important that the Government takes that message on board, and I am very pleased to see the acknowledgment of that fact. I note that the Peach recommendations will be subject to an implementation unit that Mr Peach will be part of, and that will be very much capable of community consultation.

The second aspect of that that I wish to discuss before the House this afternoon relates to the legislation with respect to the maximum security unit at Woodford. The member for Mooloolah indicated before that he had inspected a prison in north Queensland. I have been in prisons on a number of occasions in my professional capacity as a solicitor. Can I say that some people who are in jail are not very nice, and it is about time that some people in the community realised that. Indeed, there are about 264 people in our prison system who

have committed murder. There are about 4,790 people in prison in Queensland in total, though not all of those people are violent, thankfully. However, there are a number of people in the system who are not only violent, but are very dangerously violent and they are intractable.

People in the community expect that when one breaks the law one will be punished for that. But that is not the only aim of imprisonment. It is also to protect society—arguably most importantly to protect society. People of this State expect the Minister and the Government to take reasonable efforts to protect them and to ensure their security and safety. As I said before, there are some people in prison who are intractable. The escape last year from the Moreton Correctional Centre showed that some people are happy to shoot at others and, in other instances, kill to remain at large. That is a very sad fact of life, but a very significant one that the Government must take heed of.

Some prisoners are masters of escape and have escaped not once but twice and three times and, as I said before, are willing to take the lives of others in their attempts to do that. As a Government we owe it to society; to other prisoners to whom we have a duty of care; to prison officers, who are our employees; and also, in particular, to the community, who expect the Government to provide a safe society for them. It is against this background that facilities such as the maximum security unit at Woodford are very appropriate.

We have seen some hysterical claims about the unit at Woodford. Let us have a look at it in perspective. As I said before, there are 4,790 prisoners in Queensland; 264 of them have committed murder. There are 20 in the unit at Woodford. So that is four-tenths of 1% of the total prison population. It is hardly indicative of a Government that has a policy of being unfairly harsh. It is certainly indicative of a Government that sees that, in appropriate circumstances, one must take strong and firm measures. I do not think that anyone could argue that four-tenths of 1% represents the Government being unreasonable or in any respect conducting itself in a way that would leave it open to sanction either locally or externally.

I seek leave to incorporate in Hansard a table that sets out the details, in a non-identifying fashion, of prisoners in the maximum security unit and some of those statistics that I believe are very important.

Leave granted.

Prisoners in the Maximum Security Unit, Woodford

Number out of 20—Percentage: Offences

11—55%: Have committed a murder (One is on remand)

9—45%: Have been convicted for or are under investigation for murders within the correctional system

3—15%: Have committed more than one murder within the correctional system (one such murder is still under investigation)

15—75%: Have previously escaped, attempted to escape or alleged to have been planning an escape

Total number of murderers in entire Queensland prison system—264

Total approximate population of Queensland prison system—4790

Proportion of prisoners in maximum security unit as a proportion of total prison population in Queensland—0.41%.

Mr LUCAS: We have also seen some claims in the press that there is a possibility of a return to the Boggo Road black hole days. I do not know whether members here have actually ever been to Boggo Road jail, but I certainly have in my professional capacity as a solicitor. The suggestions that this maximum security unit is in any way like the black hole is simply untenable. There were no windows or natural sources of light in the Boggo Road unit. Artificial light was controlled by officers at the station. There was no access by prisoners to a review or complaints system. There were no visits allowed of any kind, and the diet was bread and water. The Woodford unit has vastly different facilities, including as follows: all cells have access to natural light; prisoners control the lighting in their own cells; all cells include access to television, music and radio; and the security order can be reviewed by the independent official visitor up to twice during each six-month order period. In addition to that, as well as the official visitor, there are avenues of review to the Ombudsman and judicial review.

I do not see how anyone could possibly say that that sort of regime is in any way arbitrary or capricious. It is certainly appropriate, but it has the appropriate safeguards. Four-tenths of 1% of the prison population is what we are talking about here today. In addition to that, non-contact visits are allowed, although contact visits are allowed only at the discretion of the general manager after taking into account security risks. Unfortunately, we have all seen before that sometimes inappropriate behaviour can occur during contact visits, whether that is of a

criminal nature or other inappropriate behaviour. Clearly, it is entirely correct and appropriate for that power to exist with the general manager. Of course, the food supplied to prisoners in the unit is identical to that provided to other prisoners in the prison itself.

We have also seen comment about what various United Nations conventions provide with respect to prisoners and their entitlements. I thought that it might be helpful for the House if I spent a little time talking about some of those conventions and comparing how the Woodford MSU measures up with those conventions. Principle 15 provides that communication of the imprisoned person with the outside world and, in particular, his family or counsel should not be denied for more than a matter of days. What is the case in relation to that at Woodford? Any MSU prisoner can receive visits from legal counsel, families, friends or relatives in similar frequency to other prisoners each week, but there may be some restriction to physical contact visits for security reasons.

Principle 32 requires a detained person to be entitled to take proceedings before a judicial authority to challenge the lawfulness of his detention in order to obtain his release without delay if that detention is unlawful. Answer: the Judicial Review Act applies to decisions to place prisoners under maximum security orders. Paragraph 8 of the UN human rights declaration on the administration of justice provides that different categories of prisoners shall be kept in separate institutions or parts of institutions, taking into account their age, sex, criminal record, the legal reason for their detention and the necessities of their treatment. Of course it is appropriate to classify prisoners depending on their security risk and that is entirely consistent with that paragraph. Paragraph 27 states—

> "Discipline and order be maintained with firmness but with no more restriction than is necessary for safe custody and well-ordered community life."

All those recognise the need to classify prisoners on the basis of security risk. The sheer minuscule percentage—four-tenths of a per cent—shows that the MSU management regime is a last resort measure for prisoners who have exhausted all other possible placements, including high security, within the centres.

The segregation of the MSU, which in no respect deprives prisoners of exercise, non-contact visits or television, or access to official visitors for complaints or medical visits, is justifiable because there is no other management option left which sufficiently protects other prisoners, prison staff and the community.

As I said before, it is a great tragedy in life that some people think they can use extreme violence and take other people's lives. Unfortunately, like any other society, we have our share of those people in prison. In the first instance we must ensure, while treating prisoners humanely, that we protect society, that we protect the community from the consequences of their escaping or being at large, that we protect the prison officers we employ and that we protect the welfare of other prisoners.

People do not just get sent to the Woodford MSU the first time they offend. It is a facility for hardened, intractable prisoners who must, for the protection of society, be detained that way but subject to appropriate treatment and also subject to appropriate review and legal counsel access on their behalf. I am pleased to commend the Bill to the House.

Hon. B. G. LITTLEPROUD (Western Downs—NPA) (5.11 p.m.): There are two issues I will speak about in relation to the Corrective Services Legislation Amendment Bill 1999. I note with some personal satisfaction that, in layman's terms, this represents more power to the Minister, and I fully support that. For quite some time I have held the view that if power is to be given to anyone it should be to elected people rather than to appointed people or appointed bodies.

Having been in and out of Government twice now in recent years—the same applies to the present Minister—I can understand where the Minister is coming from. In the early 1990s the whole concept of corporatisation came into being. I was never a great fan of that concept. On re-entering Government with corporatisation as a reality, it became embedded in my mind that it was not all it was cracked up to be when we were out there pulling the levers as a Government—certainly as a Minister in charge of some sort of corporatised body and certainly also as a Government itself.

I agree that we should make Government departments more efficient. It was thought that making departments more businesslike would automatically make them more efficient. I think we have learned now that that is not the case and that we should perhaps look for other ways of deriving more efficiency from Government departments and Government rather than saying that they should be conducted like a business. One of the things

Governments have to consider that very often businesses do not is the social aspect. That puts a different light on things altogether.

I draw the analogy of a business. If a person has bought a second business, very often they make one part of the business carry another part for a period of time for some specific reason. It could be until that part becomes productive or it could be because some particular aspect of the business has to be carried on or else the overall business will lose something in concept or focus. I think the same concept applies to Government in relation to social aspects. Some parts of the State need a bit of a hand. That has to be able to be done by a Ministry and a Government. It should not be left just to those people who are on appointed bodies, such as commissions, to take those things into consideration.

I know that the idea of community service obligations was written into the legislation. They sound good, but in my experience as a Minister they are not a keen enough tool for Government to use. On the other hand, it is very difficult for those in charge of appointed and corporatised bodies. They were asked to act as directors of a business, so long as they worked within the parameters set down in the legislation under which they operated. They had to remember that they were trying to make a profit and make things efficient. It was pretty difficult for them to take into account some sort of community service obligation.

The Government of Queensland and we as parliamentarians in Queensland should rethink corporatisation. I see that coming through in this piece of legislation. The current Minister for Police and Corrective Services wants to be a bit more in control.

One of the first things the Beattie Government did when it came to power was get rid of the Queensland fire board. I was not critical of that decision, because I could see what was going on. But I did raise my eyebrows when it was made known that an environment protection agency would be put in place, because that seemed to be rather inconsistent. There are environment protection agencies elsewhere in Australia, such as Environment Australia, that tend to tell the Minister exactly what goes on. It is a bit like riding a horse with a loose saddle: you do not know which way it is going to move underneath you. I question whether the Government is being a little inconsistent in allowing an environment protection agency to be put in place while giving more power to Ministers in other areas.

Perhaps I am being unkind to the present Minister for Environment. In fact, power will still rest with him, but I have a suspicion that too much of the power will rest with the agency rather than with the Minister. He may find that he gets rather frustrated from time to time.

The next issue I will speak about—I see the Minister looking up; I am sure he realises what I will talk about—is the Maryborough decision. Surprise, surprise! The Minister will get some relief when he hears me say that I was never in favour of Maryborough being considered as one of the sites. The honourable member for Maryborough will not like my saying that. The basis for the original concept was that there were inland rural centres of south-east Queensland that needed a bit of a kick along. Somewhere down the track—it could have been because of political considerations and the hope of winning the seat of Maryborough—suddenly there was a bit of sympathy for the region.

At the time I spoke out privately and today I speak out publicly. I think Maryborough has done extremely well out of successive Governments. A lot of money has gone into Maryborough for the rail service and they have a fine engineering works. A lot of State money has gone to the area. I do not begrudge it that, but I make a comparison. The same amount of Government money has not been put into some of the rural centres that were desperately crying out for a different dimension to be added to their local economy.

Too many of our economies are based on the weather, primary production, the way the markets are and the profitability of farming. We are seeing the population drift away from rural areas. There is not enough money going through the rural populations. I use my own town as a case in point. We have a wonderful high school. We rear good kids, but we send them somewhere else to make their careers. That is one of the social aspects I am speaking about. Government should have its hands on the lever to make some part of Government business compensate for another area that needs a bit of a hand.

When I spoke in the debate on the Budget I made the comment that I did not expect that the decision relating to the prisons of Queensland should rest entirely with the budget of the Minister for Corrective Services. When we talk about giving some sort of assistance to some disadvantaged part of south-east Queensland, it is a whole-of-Government consideration. I would hope that the Minister got some assistance from his fellow Cabinet Ministers but, knowing Cabinet

Ministers and the way they focus on their own departments, they are not always as kind as they should be.

Mr Sullivan: You would not have done that, though, would you, Brian?

Mr LITTLEPROUD: I am a pretty magnanimous sort of a bloke, but single-minded when it comes to trying to look after people in rural Queensland. Recently it has been said in New South Wales newspapers—it applies to Queensland—that we are in fact getting two States within one. There is the hustle and bustle on the coastal strip, where all the people live and all the money is being spent, and then there are the rest of us, who think we have made a magnificent contribution in the past but, because of the way business is turning and because of the industries we are in, who now find ourselves in stagnation and even in decline in some cases. We would like to think that we can get more equity in the way development is spread across the State.

I think the concept we had was right. Initially we thought about one prison in some inland area. Then Russell Cooper, the previous Minister, said, "Why don't we consider three?" I supported that wholeheartedly. I owe it to the people in my part of Queensland to express my disappointment that Maryborough got a guernsey and that Woodford, which is already in a part of the expanding south-east corner of Queensland, also got an expansion when the rural areas missed out.

I also put on record the fine work done by some of the councils in my area. The Chinchilla Shire Council and the Roma Shire Council put a lot of effort into their submissions. Chinchilla was not successful in getting on the short list of the then coalition Government. I am disappointed about that. Roma was successful in getting onto the short list. I know that Roma had special problems in terms of distance, but it deserves our credit because it was prepared to do something to make things happen and keep Roma a vibrant centre. I understand that the Minister is going out there next week. Those people will probably take the opportunity to express to him, eyeball to eyeball, that they are rather disappointed that the consultation they thought they were going to get did not come about. That is something for the Minister to handle. I owe it to those people to speak in this House and to say that I believe that their efforts in trying to do something for the local economy are to be commended. On their behalf, I express our disappointment that our concept of doing something for rural inland Queensland, which depends too much on primary product at the present time, was lost. It disappoints me that the decision that has been made for Woodford and Maryborough is going against us.

Mr ROBERTS (Nudgee—ALP) (5.20 p.m.): I am pleased to have the opportunity to speak to this Bill, particularly that aspect of it dealing with the abolition of the Queensland Corrective Services Commission and Queensland Corrections. I have noted a number of the comments made by members, particularly from the other side of the Chamber, in recognising that this, in effect, is giving Government a stronger hand on the lever in terms of controlling corrective services.

In particular, I want to congratulate the Minister on this decision—and what I believe is a sensible and sound decision—to wind back some of the changes that have been made to corrective services over the past few years. In this era of economic rationalism, it is quite unusual to see a decision of this nature. In my view, the significance of the decision has gone relatively unnoticed in the community. With respect to the role of Government in the provision of public services, I think it is probably one of the most significant decisions taken for some years. In effect, it is a positive step towards reasserting the role of Government as a defender of the public interest and, in this case, taking a more direct and interventionist role in corrective services. I believe that is entirely appropriate.

Over the past decade, there has been a move towards corporatisation and privatisation of Government-provided services, and corrections was no exception. Under the corporatised structure that was put in place, the Queensland Corrective Services Commission became, in a sense, the purchaser of prison services for the Government. The corporatised Queensland Corrections became the Government-owned provider along with other private sector providers of this service. That arrangement represents the classic purchaser/provider split, which was supposed to improve service delivery and facilitate competition between corrective services providers. But in my view, it was a flawed approach for a number of reasons.

Firstly—and not the least—we are not dealing here with a genuine market. Not many people really actually compete to get into jail. Nor is there a lot of profit to be made out of jailing people. Nor are there many organisations that are prepared to focus primarily on the public service of containing and rehabilitating offenders—which should be

the case—as opposed to focusing on the derivation of profit from their activities. Most private organisations that would enter this field quite rightly should be focused, first and foremost, on delivering a profit to their shareholders. Whereas that is commendable in a true market situation, corrections is not the classic market in an economic sense and, as such, focuses of that nature are not appropriate.

Under the current structure, day-to-day policy responses fell largely to the commission, its board and Queensland Corrections and its board. The problem with this, of course, is that whenever anything went wrong, it was not the commission or the boards that were held accountable by the public; it was the Minister. In effect, the structure shifted responsibility for the operation of prisons largely sideways to an invisible board, with the Minister almost reduced to being an interested bystander. The effect was that the Minister had indirect control but primary responsibility whenever anything went wrong. I am pleased that this Bill is finally addressing that quite significant flaw in that process.

I was pleased to note some of the comments attributed to the Leader of the Opposition—which have been quoted before, but I believe that they are worthy of quoting again—in the Courier-Mail of 24 October in relation to this issue. Mr Borbidge is reported to have said that—

> "There has been a tendency in recent years for Governments to hand control of the public administration of certain policies to unelected commissions or councils.
>
> ...
>
> They are not interested if the Government of the day has delegated responsibility to someone else because, at the ballot box, the someone else is not accountable.
>
> ...
>
> Governments have not had their hands on the levers and have paid the ultimate political price."

As I said earlier, I agree wholeheartedly with those sentiments. It was time that something constructive was done about it, and this Bill tackles that issue fairly and squarely. Personally, I believe that there are other areas of Government activity where similar problems exist. It is my hope that the experience of this decision will shed some light on how to address those problems in those areas in the future.

The key change arising from this Bill is the creation of a new department, with the establishment of a new commercial unit within the department to manage custodial corrections facilities. In my view, the changes in this Bill will improve accountability and the decision-making process. The person directly responsible for corrections, that is, the Minister, will be better placed to respond to issues and problems as they arise.

Many members have spoken about the corporatisation issue. I think it is fair to say that it is not an appropriate management model in all circumstances. I believe that experience has proven that, in the case of corrections, it is certainly not the most appropriate model to manage that system. There are sound arguments against the corporatisation of an agency which is primarily responsible for the curtailment of an individual's liberty, and also where severe sanctions are administered. Because the Minister will always be held directly responsible by the public for the administration of such facilities, it is appropriate that the Minister has actual and not indirect control.

There are, however, some positive changes made during the corporatisation process which will be retained under the new structure. In particular, the specification of service standards required within our corrections facilities will be retained in contracts that will be signed between the department and the service providers. Additionally, the retention of the commercial focus on the new corrections unit within the department will allow for the retention of a competitive tension to exist within that organisation. However, many of the decision-making barriers to which I have referred will be removed.

I commend this Bill to the House and once again congratulate the Minister on implementing what, in my view, is one of the most significant legislative changes so far introduced by this Government.

Mr HEGARTY (Redlands—NPA) (5.27 p.m.): In rising to speak to this Bill, I place on record also that I do not oppose the major thrust of this amending legislation. The legislation is to provide for the functions and powers of the Queensland Corrective Services Commission related to the administration of corrective services in Queensland. The Bill seeks to abolish the Queensland Corrective Services Commission, the QCSC, and the Government owned corporation Queensland Corrections, Q Corr, which was established in 1997. The Bill also seeks to establish the Corrective Services Advisory Council and

provide for a head of power for the new Department of Corrective Services and to provide an express head of power to support the placement and management of maximum security prisoners and to clarify the powers in relation to the segregation of prisoners by amending the Corrective Services Act 1988.

Historically, prisons and the treatment of prisoners have changed in their design and function as society and its attitudes towards imprisonment have changed over time. Subtle changes, such as the description of "prisons" being changed to "correctional centres" in some instances, reflect the focus of rehabilitating prisoners wherever possible to be returned to society at some future point in time as productive citizens. At the same time, there is an element of the prison population who do not want to be rehabilitated under any circumstances, and their influence can have a detrimental effect on those who are not so hard nosed and want to correct the behaviour that landed them in prison in the first instance. This Bill will identify that disruptive element. By segregation it will remove them to maximum security units where they can be better contained and controlled to enable their prison term to be served without disruption or threat to the majority of the prison population.

The catalyst for these changes was the report tabled on 9 February this year, Corrections in the Balance. The report was a requirement of the Corrective Services Administration Act and the Corrective Services Act 1988 to review the operations of corrective services and conduct a five and a 10-year review of the effectiveness of the relevant Acts. The report is commonly referred to as the Peach report, after its author. The primary finding of the report is that a statutory authority with a commission and board structure is no longer required. The original identification and the formation of those boards was at another point in the history of the management of prisons, when it was felt that that was a good step following the administration of prisons until the late 1980s. We are now a decade further down the track and this report has identified that perhaps the control should be brought back under a department and the Minister responsible. I support that view.

In his second-reading speech the Minister said that the formation of a department responsible for corrective services will not have any effect on human resources, that there will be virtually a transfer from the two current organisations into the one department, with no permanent job losses. One certainly hopes that will be the case. I am sure that that is the intention of the Minister. Of course, the Public Service has many employees in temporary positions. Although they are classified as holding a temporary position, to all intents and purposes they fulfil a full-time role. Will the people in those particular positions be retained under this one umbrella, or will they be removed in an attempt to make the new department appear lean and efficient in order to make the new department appear lean and efficient in meeting its requirements without having surplus personnel? On 9 March the Minister stated that all assets, liabilities and staff of the two agencies will be transferred to the new department. The Government has made a commitment that no permanent staff will lose their jobs as a result of the restructure. I ask the Minister to give the House some reassurance that he has done some detailed work to assess current manning levels so that he can indicate what impact there will be on all people currently employed under the present structure or to give an indication of when he feels such an assessment will be done.

In his report, Mr Peach noted that some senior staff expressed concerns about a lack of job security when rising to management positions. One only has to think about the two organisations currently running Queensland prisons to realise that when the two organisations are amalgamated under one umbrella there obviously can be only one CEO. Obviously, there will be duplication of some middle management positions, which will not continue. What will happen to those long-serving members of the Public Service who no doubt have given long and faithful service to reach the senior positions they now hold? Will they be assured of future employment? One would hope that there will be no requirement for resumes to be dusted off to meet the budgetary and economic constraints that all Government departments face in their operations.

The other matter is community consultation. The Explanatory Notes state that community agencies were consulted in relation to the implementation of policy for maximum security prisoners. However, the community agencies were not consulted in relation to the contents of this Bill. In all aspects of public administration and the bringing in of legislation, public consultation has become a very fundamental and expected part of the legislative process. I would be very disappointed if, in the need to implement this legislation quickly for the better management of Queensland prisons, the consultation process were paid only lip-service in certain respects. I ask the Minister to refer to that in his reply.

The board structure, which was designed to act as an independent committee to provide community input into the development of correctional policy, will be removed. In doing so, perhaps inadvertently community consultation could also be removed. One does not want to move so quickly that the good things that have been put in place to date are lost.

The advisory council that the Minister intends to put in place will represent the community and the very important interest groups—those interest groups who are in constant touch with the community—and the victims of crime. The question is: will they be truly represented? This is of particular concern when we examine the appointment of the council. There will be nine persons appointed by the Minister. The Chair will also be chosen by the Minister. One hopes that the broad representation that exists currently will not be replaced by a select group of people who may not have the broad community experience and broad community acceptance of the impartiality displayed by the members of the old board. The proposed advisory council will have fairly large shoes to fill. I hope the Minister is very judicious in the selection of the people he has in mind to fulfil that very important role.

As the Minister is effectively taking over full control of all aspects of the department, including the appointment of the council, will he at his whim be able to just dismiss those members, perhaps for not complying with some of his wishes? If things go wrong, as they are apt to do, especially in a portfolio like Corrective Services—I am not wishing any ill on the Minister; I hope it runs very smoothly and we fully eliminate any problems, break-outs or riots that have been highlighted in recent years—if the board fails in its duty as perceived by the Minister, will he be rather harsh and dismiss those people who, dependent upon the issue of the time, may have a different viewpoint to his? Of course, that does not give much security to those people who may be inclined to take up an offer to sit on the council. What sort of tenure will they have? Normally when people are appointed to boards, they expect a term of two or three years. That feeling of security and worth may be removed by the Minister's control of the board to the extent outlined.

Have women and members of the ethnic community been fully consulted and considered in the composition of the advisory council? In the Minister's second-reading speech he said that the Bill will further enhance the avenues of community input by the establishment of the advisory council. However, if a broad cross-section of the community is not included, can it adequately reflect the community's needs? I ask the Minister to give some clarification on that in his reply.

Another concern is the cost of the amalgamation process. It has been said that no additional cost will be incurred.

Mr Barton: You are reading Bruce Laming's speech.

Mr HEGARTY: No, these are the broad thrusts of the issues. The Opposition is not opposing the Bill per se. However, there are some concerns and I am reiterating them.

Mr Barton: I've already got the answers for Bruce and you are obviously asking the same questions.

Mr HEGARTY: Obviously, like-minded people come up with the same concerns. I am concerned with costs even down to such fundamental things as office stationery. All these things are currently duplicated. The Minister is obviously not going to top and tail the stationery. It is a fundamental expense, and a fairly minor one in the large budgetary picture, but it is something that needs to be looked at in the context of departmental costing.

The Opposition recognises the need for regular reviews of the prison system and it recognises the need to address ever-changing issues within the community and the treatment of perpetrators of offences. However, the Opposition cannot condone a return to the days of old of no openness, no transparency and no accountability. In supporting this Bill the Opposition needs assurances on these issues.

The Minister was correct when he said in this Chamber that we cannot afford to relax in the eyes of the community. We have to ensure that we will have a Corrective Services department that will be accountable to the community and to constituents. I wish the Minister well with these amendments to the Act. The Opposition will be supporting the legislation. I ask the Minister to pay attention to the concerns I have raised in this brief contribution.

Mr SANTORO (Clayfield—LP) (5.42 p.m.): The Corrective Service Legislation Amendment Bill has two main objects. The first is to do away with the Queensland Corrective Services Commission and Queensland Corrections and return to the traditional departmental structure as the mechanism for administrative control. The second object provides a legislative head

of power to support the placement and management of maximum security prisons.

This legislative initiative flows from the recommendations of the Peach commission of inquiry which was presented in January. The report covered a range of matters which are not dealt with in this legislative package, but from reading the Explanatory Notes circulated with the Bill it appears that there will be a second round of amendments later this year which will result in the amalgamation of the Corrective Services (Administration) Act and the Corrective Services Act.

I must say that it was pleasing to read in the Peach report the finding that, whilst the commission and the part-time board were no longer considered necessary, there was a pressing need for the maintenance of joint public and private sector delivery of corrective services. Frank Peach found that the introduction of private providers had resulted in much-needed competition and had assisted in sharpening operational management practices. The report recommended—

> "That the use of service contracts for public and private providers of corrective services be retained."

I suggest to all honourable members that this is a key recommendation and I would hope that, despite some rhetoric from the Labor Party in recent years, there is now a recognition that the introduction of private providers was one of the most forward thinking policies ever implemented in this State. For this, all credit should go to the member for Crows Nest who, while he was Minister for Corrective Services in the late 1980s, introduced and oversaw the biggest and best overhaul of our prisons this century. I pay credit and tribute to the honourable member who happens to be in the Chamber listening to this debate.

Throughout that time, and since, there have been constant rumblings from the prison officers and their union. But it is now recognised that without the introduction of private providers of prison services many, if not most, of the innovative and positive reforms to correctional services would never have occurred in this State. In saying this, I direct my comments to the Minister. He will recall that on 22 October last year, in response to a question from the member for Ipswich West, he hedged his bets on private prison providers. He acknowledged the need to adhere to existing contractual arrangements but was quite proud that the replacement Rockhampton correctional facility would not be facilitated by private sector funds. He also referred in his answer to the Peach inquiry.

Now that Mr Peach has highlighted the virtues of private capital in our prison system, I hope that the Minister and his Government will stop approaching this matter from an ideological mind-set which is decades old. In addition, I am also pleased that Frank Peach recommended that the application of the purchaser/provider concept be retained. Whilst I was Minister for Industrial Relations, that concept was introduced in my department with conspicuous success. We cannot obtain the necessary efficiencies and get value for money for the taxpayers without the introduction of new cutting edge ideas and practices. We cannot return to the mentality of the 1950s, especially in an area as sensitive and strained as corrective services.

It is clear that our prisons do require ongoing close supervision. The growth in prisoner numbers has been very significant and this is due in part to legislation which has ensured that those people who need to be kept behind bars are in fact there and are not out in the streets creating more harm to innocent law-abiding citizens. The Peach report indicates that the number of people in custody in Queensland has increased at the fastest rate in Australia. In 1997-98, for example, prison admissions were 36% higher than in the previous financial year. In that one year alone there was a net increase of 627 adult prisoners. The growth in prison numbers in fact started in 1993 and has increased with each successive year.

As at 30 June 1998, the adult imprisonment rate in Queensland was 189 per 100,000, which was significantly above the national average of 134 and, in fact, was the highest rate of any Australian State. As at 31 July last year, there were 4,485 prisoners incarcerated in Queensland prisons. Of those, 462 were serving terms of 10 years or more. We have 264 prisoners serving life or indeterminate sentences. Of the 4,485 prisoners in jail, some 2,194 have been sentenced for the following violent offences against the person: homicide, assault, sexual assault, robbery and extortion and general crimes against the person. As I said, part of this rise is due to tougher legislation but it is also due to Queensland's fast growing and youthful population.

Some people complain about this and, from an idealistic point of view, it is tragic that so many people are in jail. However, if people break the law they must bear the consequences of their actions. I hope we

never reach a stage in this State where we shy away from protecting the community by jailing law-breakers simply because it costs a lot of money to do so. When we read that as at 31 July 1998 there were 409 people in jail who had been convicted of homicide and 645 who are behind lock and key because they were convicted of sexual assault, we can readily understand why there is a need for the community's safety and interest being placed first.

The coalition recognised that, and during the term of the Borbidge/Sheldon Government spending on corrective services grew from $246.3m to $437.4m, or an increase of 78%. No matter what anyone may care to say about the coalition, it can never be said that when we were in Government we neglected corrective services. Much credit should again be directed to my colleague the member for Crows Nest, who over the decades was an outstanding Minister in this most difficult of portfolios.

Despite the increase in funding, it has to be recognised that there is a serious problem with overcrowding in our correctional institutions. The overall occupancy rate increased from 113% in 1997 to 124% in 1998. This is a particular problem at the Brisbane Women's Prison which by 1998 had reached 149% capacity and in the Sir David Longland facility which was at 143% capacity.

Of course, there is only one way to rapidly decrease the number and rate of prisoners and that would be if this Government acted with some haste and supported the member for Warwick's legislation to keep fine defaulters on the street, paying their monetary debt to society. More than one-half of all the persons serving time have been convicted of crimes that entail no physical harm at all.

According to figures released by the Criminal Justice Commission, more than 25% of all people admitted to prison during 1997-98 were fine defaulters, almost a third of whom were of Aboriginal or Torres Strait Islander descent. Admissions of fine defaulters to prison have increased from 1,315 in 1994-95 to 2,721 in 1997-98—a rise of some 107% in just three years. In that same time the number of fines ordered by both the Magistrates and SETONS Courts increased by only 47%.

It is outrageous to learn that fine default admissions alone averaged 227 per month, with 150 in our prisons at any one time. In contrast, and this is the telling statistic, New South Wales had an average of only two—and let me repeat that—only two fine defaulters in prison. Over the past eight years successive Labor Justice Ministers have claimed that they have had the answers to the jailing of fine defaulters and each one did next to nothing to actually solve the problem. As these figures show, the problem has reached ridiculous proportions.

At a time when Queensland's prisons are holding almost double their intended capacity, this Government has dithered for almost eight months and done nothing to address in a practical way the question of fine defaulters being in jail. We have had the ludicrous situation of the Attorney-General now claiming—after pontificating for eight months—that he has the answer. He announces a slightly revamped coalition Bill and then says that it will not be ready until June.

If this Government was serious about reducing prison numbers and about relieving the stress on our correctional system, it would be acting right now to prevent any further fine defaulters being sent to our prisons. It is abundantly clear that if we had the same success rate as New South Wales, the immediate problem of prison overcrowding would be substantially addressed. The issue of the overrepresenation of indigenous people in our jails would, indeed, be dealt with head on. So I say to our Attorney-General and I say to the Minister responsible for this Bill that they should be supporting the member for Warwick and ensuring that the coalition's legislation is passed by this Chamber quickly so that more than 200 fine defaulters per month are not needlessly placed in our overtaxed prison system.

I think it is also worth mentioning that Frank Peach found that Queensland has one of the most efficient prisons systems in Australia and that in recent years real advances have been made in efficient prisoner management. Often the focus of the debate on correctional services is on the failure of the system—the escapes and attempted escapes, the murders, assaults and suicides by inmates or the occasional riot or disturbance. It is pleasing that every now and again some credit is given to the many men and women of our correctional services who often perform very dangerous work and who, in most instances, do it professionally, courageously and efficiently. Mr Peach found that corrective services in Queensland are operating effectively relative to other State jurisdictions. He was of the view that there was ample evidence that a statutory authority with a commission and a board structure was no longer required. The report suggested that a departmental structure would provide much simpler accountability and reporting

relationships while reducing a range of imposts associated with the operation of a board.

The current corporatised structure had its genesis in the Kennedy report of more than a decade ago and, again, I give credit to the honourable member for Crows Nest for that report. I would be the last to disagree with the proposition that the existing structure has a number of drawbacks. If there is one thing that I would agree with the Minister about, it is that the community looks to the Government of the day when problems occur in our prisons. When prisoners are released on day leave, for example, and then go out and commit crimes, sometimes heinous ones, it is not the commission or the board that the community blames, it is the Minister and the Government. In this regard, I quote with approval from the Peach report—

> "The extent to which the QCSC Board can distance the Minister from sensitive or contentious operational issues has been questioned by staff and community groups. These groups expressed the expectation that it was the Minister, not the Chairman of the Board, who was publicly accountable for the operations of the corrections system.
>
> Given the propensity for crises within the corrections system, it is reasonable to expect that the Minister and the Queensland Government would want to direct policy and publicly respond to operational matters giving rise to community concerns. The community and indeed the majority of staff and stakeholders regard the Minister as primarily accountable for corrective services, and expect a leadership role in dealing with significant issues."

The argument that public accountability would be better served by reinstating a departmental structure would have less appeal if the commission and the board were performing an essential role, which would be degraded by their abolition. Yet, as the Peach report seems to indicate, most of the reforms undertaken or overseen by the commission and the board were driven by inquiries and other agencies. They had their genesis in external factors and could have been made irrespective of the organisational structure.

So far as the board is concerned, Mr Peach found that its aims had been largely achieved and it was generally reactive to the commission and not proactive. In fact, it is rather depressing reading when one sees that Frank Peach, in effect, concludes that $650,000 per annum spent on the board is mostly a waste of money. It is very instructional to read that part of the Peach report that details that. It is a bit depressing to read that, despite the expenditure of more than half a million dollars a year, Peach found no compelling evidence to conclude that the board adds value to the development, management and operations of the corrections system. Certainly, he was of the view that a departmental structure would ensure that accountability was vested in a director-general rather than a part-time board and that decisions would be made overtly by officers with direct operational experience in corrections. In fairness, Peach did conclude that many individual board members and senior corrections executives had made significant—and I stress, significant—and very positive impacts on policy development. On that point, I am sure that all of us in this House would concur.

I am always a little reluctant to see the wholesale dismantling of existing structures, especially in an area as sensitive as prisons. My reluctance is only exacerbated when I recall the problems that existed when we used to have a Prisons Department, and that many of those problems were overcome once we implemented the Kennedy reforms. For all of its faults and drawbacks, the current structure has largely worked well. If we can debate who was responsible for the reforms over the past 10 years, even the Peach report recognises that Queensland has achieved parity with many national standards as demonstrated by the performance indicators for corrections. These are set out in Appendix 3 of the Peach report, and I recommend them as very good reading to all honourable members.

Accordingly, while I agree that the current structure has probably outlived its usefulness and while I certainly agree that it is an impediment to proper ministerial accountability, I only support the Peach recommendations with a degree of hesitation. I suggest to the Minister, and this is meant in a bipartisan way, that great care will need to be taken when setting up the new structure and overseeing its operations. Much is at stake, and at this critical juncture in the history of our correctional system no major mistakes can be afforded.

In this regard, Frank Peach made the following comments about the implementation of his recommendations—

> "Careful planning is required to implement these recommendations due to the significance of the proposed reforms and their ramifications for corrective services. A change

management team is needed to oversee the process of implementation."

Obviously, the Minister and this Government have not heeded this particular recommendation of Frank Peach. We now know that none other than Jacki Byrne has been employed as part of the unit that was set up to implement the Peach recommendations. Here is a prime example of Labor again looking after one of its own. As I understand it, Jacki Byrne is being employed on a three-month contract and is being paid at the equivalent of SES 3.4. That equates to a superannuation salary of $4,169.70 per fortnight. Ms Byrne was not part of the review team but was subsequently added on.

When the Minister dealt with a question from my colleague the member for Toowoomba South on this matter on 4 March, he implied that it was Frank Peach who had initiated her appointment. I must admit that I find that very hard to believe. I find it hard to believe because Ms Byrne is a very controversial individual. If one read the whole decision in her anti-discrimination case, one would discover that the only reason that she received any damages was that she was sacked too early. The presiding member found that there were, in fact, grounds for sacking her because of her quite inappropriate involvement in the Mundingburra by-election.

I am not interested in tipping a bucket on this person, but I find it almost beyond belief that this Government would appoint her to such a sensitive area. It is not as if she is on the ministerial staff of a Minister or the like where her political background might help. No, she is placed on the most sensitive of implementation teams in an area that requires the utmost discretion and bipartisan support. All I can say is that her appointment to this particular position at this point in time is wrong and cheapens the change management process. I hope that, at the end of her three months, her contract is not renewed. If Labor feels that Jacki Byrne is owed something, then let them appoint her to a political position on a much reduced salary. If she is so great a public servant, then let her apply for a position and compete on the basis of merit and equity. Unfortunately, this is yet another example of Labor looking after one of its mates and another example of the taxpayer picking up the tab.

Finally, I would like to comment briefly on the provisions dealing with prisoners being accommodated in a maximum security facility. There has been quite a deal of publicity given to a number of people and groups who have attacked the use of maximum security facilities in light of treaties, including the International Covenant on Civil and Political Rights, which has been ratified by the Commonwealth. It has been contended that solitary confinement is a breach of human rights and that the discretion given to the chief executive is too broad. Speaking as a citizen who regards the first duty of the State to protect the innocent and ensure that those who pose a grave threat to society are prevented from causing any further harm to the community, I understand the rationale behind these provisions. If we ever reach a stage at which people run around and say that because this or that treaty, which has been signed by the Federal Government, precludes a State Government from acting to protect the safety and property of its citizens, then it would be a very sad situation and day indeed.

I must say that I think that the Bill has been drafted too broadly. In particular, I am a little concerned that, although a prisoner can request an official visitor to review a maximum security order made by the chief executive, the chief executive is not bound by the finding of the official visitor. In fact, all that the official visitor can do is make a recommendation. Having regard to the controversial nature of these provisions, I think that it would have been very prudent to have at least some real review mechanism.

My concern is compounded by the absence of any rights given to a prisoner to actually present any submission to the chief executive before an initial maximum security order is made. This point is dealt with by the Scrutiny of Legislation Committee, and perhaps the drafting of section 43B has been too broad and without this intention. Certainly, to prevent further concerns about these provisions, it would be sensible to give prisoners this basic right. As I indicated, strict measures are required, especially with dangerous and violent prisoners, to ensure that the safety of other prisoners, prison staff and the community is safeguarded.

In conclusion, I hope that the Minister gives consideration to these matters, because I raise them in an endeavour to improve the Bill, and with reservations I support the Bill.

Debate, on motion of Mr Nuttall, adjourned.

SUN METALS DISPUTE; GORDONSTONE MINE DISPUTE

Hon. R. E. BORBIDGE (Surfers Paradise—NPA) (Leader of the Opposition) (6 p.m.): I move—

> "That this House notes and shares the grave concern of business, industry, and the general public over the threat to jobs, investment, and well being of the Queensland community as a result of the comprehensive "can't do" record of the Beattie Labor Government, particularly its failure to deal appropriately with illegal industrial action at the Sun Metals project and the Gordonstone coal mine."

There is no more damning evidence of the can't do style of this Government than the way in which it is allowing the Left Wing of the Labor movement, notably the CFMEU, to run rampant in this State, putting vast investments and many thousands of jobs at very grave risk and with barely a whimper. It has been a disgraceful, destructive, inactive and impotent performance, particularly in relation to the two major industrial actions that are under way in this State, despite the fact that both are now illegal.

The very best that we have had from the Premier in relation to the Sun Metals dispute is some photo opportunity advice on picket line etiquette—another effort to appear to be doing something when he is actually doing nothing—coupled with an observation that at midnight tonight he will import yesterday's Labor hero to do the work that Queenslanders expect today's Premier to be doing. In relation to Gordonstone, we have simply heard heavy praise for a member of his Government for getting himself arrested on the CFMEU picket line.

The sordid ground to this incompetence and toadying to the extreme Left Wing of the industrial movement is this, and it is time that it was spelt out: during the life of the last Labor Government in this State, a major battle waged between the Left Wing and the Right Wing of the industrial Labor movement. Bill Ludwig of the totally dominant AWU faction made a major effort to enhance the influence of his union, and he succeeded. At the expense of Left Wing unions like the CFMEU—indeed, particularly the CFMEU—he carved out enhanced supremacy for the AWU. Mr Ludwig fronted up to workplaces throughout the State and signed off on enterprise agreements left, right and centre, so long as he got exclusive coverage of the site and so long as he could muscle the likes of the CFMEU aside. For most of the Goss period, the Left copped it because the Ludwig and Goss control of the party was unassailable.

However, the resentment finally boiled over in 1994 when we saw the full acrimony of that battle come to the surface via the likes of leftists like Ian McLean and Jimmy O'Donnell from the Clerks Union who finally said that enough was enough. It was then that the Left Wing of the Labor Party in this State vowed that it would never again allow itself to be dudded by any dominant clique, and particularly by the AWU or by any Labor Premier. The next time round, it was going to demand a big piece of the action. We see the evidence of that everywhere in the performance of this Government today, which is cowering in acquiescence to the determination of the Left. We have a Premier who is essentially powerless. The tail now wags the dog.

The member for Brisbane Central cannot control the party and he cannot control the Government, because he cannot knock the Left. At the same time, his support from the Right is a mere fraction of the base his predecessor enjoyed, so he is in double jeopardy. He can only play media games to give the impression that he is tough. He will attack the picketers at Sun Metals for sexist language and bad behaviour, but he will not actually do anything substantive; he cannot because he is not allowed to. He is a hostage to the CFMEU and the Left Wing of the Labor movement in this State.

That is what is really going on in relation to this Government's management, mismanagement or lack of management of the current industrial turmoil in Queensland. That is why we are not getting action. That is why workers at Gordonstone are being held to ransom by professional picketers who are being flown in on fully loaded DC3s. That is why picketers on that site feel that they can thumb their noses at the Supreme Court. That is why the Premier is impotent in the face of what is happening at Sun Metals, where the strikers have been ordered back to work by the Industrial Commission. We have had anti-jobs variations to the workers compensation scheme, because the Left wanted them. Changes are being made to the building industry, because the Left wanted them. There is the row over the privatisation of the TAB, because the Left does not want it. That is why the regional forest agreement process under this Government is a farce. That is why we will get legislation in this House that will take industrial relations in the State back to the 1950s.

The price to the State of the Premier's lack of authority within the Labor movement will ultimately be massive. There is a domino effect at work here. For example, Gordonstone is owned by a Rio Tinto company. Another Rio

Tinto company is considering building what could ultimately become a $4 billion-plus alumina refinery at Gladstone, which will be the biggest single industrial investment in the history of our State. It will not do that if it cannot have a productive industrial relations format. Yet this Government has praised one of its own for being on the picket line at Gordonstone, supporting the same action that Justice Moynihan condemned in his judgment in the Supreme Court yesterday and protesting against the sort of industrial arrangements that the company that wants to invest $4 billion in this State reckons it needs—indeed, must have—to deliver the goods and get the bottom line.

Then we have the incredible situation where, rather than using the influence and the power of his office, the Premier is now going to import Bob Hawke from down south, allegedly to try to fix a problem that the Premier and his Government have the power to deal with if they wanted to. If we want to talk about leadership, did we not see Premier Beattie shown up today? He was shown up by "Rodeo Ron" at Townsville. I pay tribute to that individual who works at the Sun Metals construction site. He is a former rodeo star turned carpenter. He is determined to cross the picket line tomorrow and he is encouraging others to do so. He has said, "Everybody who wants to work and who wants to go on site, meet me out there at 6 o'clock because I'm going through." More power to "Rodeo Ron"! I hope he is successful, because he is showing the sort of leadership that has been abysmally missing in this State and in the Labor Party.

Mr Reynolds interjected.

Mr BORBIDGE: Does the Premier's Parliamentary Secretary from Townsville back "Rodeo Ron"? Does he back Korea Zinc? There is silence, because he knows that he is on the nose for the way that he has abandoned this project and the people of Townsville in order to pay his union dues. He took an oath of office as a Parliamentary Secretary, but he has betrayed that oath of office and he has betrayed Townsville. Is it not a pity that he did not show a little of the leadership that his successor, Tony Mooney, has shown by supporting Sun Metals and the Korea Zinc project?

On this issue, we see an abysmal lack of leadership. We see a Premier and a Government that is held hostage by the CFMEU. We see the member for Fitzroy determining Government policy, whether it is Gordonstone or whether it is Sun Metals. We have a situation which I see the member apparently finds humorous, that if Sun Metals is mothballed and if we do not see a Stage 2, we will not see a base load power station at Townsville, we will not see a Chevron gas pipeline and we will not see an alumina smelter at Gladstone. Whose fault will that be? It will be the fault of a Government that betrayed its trust and its responsibility to the people of Queensland. It is a can't do Government in a can-do State, and it can only do anything at all for its union mates. It is all very easy and simple for the Premier to say, "Naughty boy, shouldn't do that", but what has he done? Has he called in the CFMEU? Has he spoken to the unions?

Mr Reynolds: Division and hatred—that's what you want.

Mr BORBIDGE: Has he taken a proactive role in making sure that the laws of the State of Queensland will be enforced? He has not! He has rolled over to the likes of the honourable members down the back who interject. Then we hear these porkies from the member for Brisbane Central, ignoring the fact that the Sun Metals agreement was signed under the industrial relations laws of the previous Goss Government of which he was a member—industrial relations laws passed through this Parliament by the current Attorney-General.

Time expired.

Dr WATSON (Moggill—LP) (Leader of the Liberal Party) (6.10 p.m.): I rise to second the motion. No issue better sums up this can't do Premier than the situation with respect to Sun Metals. Let me simplify the Sun Metals dispute by using a railway analogy. I have chosen a railway analogy, because it is something that the Premier, as a former State Secretary of the Queensland Railway Station Officers Union, ought to understand.

A Government member: A good union.

Dr WATSON: It may have been a good union back then.

We had a locomotive called Sun Metals powering along, creating over a thousand jobs and creating a new industry for north Queensland. Three carriages were hitched up to this locomotive. Those carriages were called the AWU, the AMWU and the CEPU. For two years this train just powered on. In fact, in those two years the train was stopped for only half a day. That is right; in two years at the Sun Metals site only half a day was lost through industrial trouble.

The train was powering along so well that some other carriages that were not going anywhere got very jealous. Those carriages

were called the CFMEU and the BLF. They decided they had to be part of this gravy train. But the courts ruled—twice in fact—that they could not be part of this gravy train. So what did the two jealous carriages do? They derailed the whole train. In the process, they derailed Queensland's reputation and they may well have derailed our future. Even if Sun Metals decides to stay in Townsville, the damage has been done. A powerful message has been sent to overseas investors: in Queensland the unions are above the law.

This morning in the House we saw a disgraceful performance by the Premier. He tried to make out that the reason the Sun Metals dispute could not be resolved was that the independent umpire did not have enough power. As Ron "Rodeo" would say, bull, bull, bull. This dispute is not the fault of the independent umpire. Twice the independent umpire has told the CFMEU and the BLF to play on another track. Purely and simply, this dispute is about jealous unions that will do anything to widen their power base.

For the sake of Queensland, I call on the Premier to have the courage to shunt the CFMEU and the BLF out of this. If he does not have the courage to do that, he should at least make sure the laws of this State are upheld. What is he going to say when he jets off to the boardrooms of Korea or Japan? What is he going to say when they ask, "Mr Beattie, can you uphold the laws of your land?" They won't even bother to ask him whether he can keep the unions under control, because they know that he cannot even keep his backbenchers under control. At Gordonstone we had "Mahatma" Pearce breaking the law. At Sun Metals we have Lindy Nelson-Carr supporting the illegal picketers. What will Labor christen her? Mother Teresa!

Mr Mackenroth interjected.

Dr WATSON: The honourable member should listen to this.

The people of Queensland should know what sorts of people are running the Sun Metals picket line. I understand that 500 T–shirts have been printed for sale on the picket line. On the front of those T-shirts is printed "Townsville Zinc Workers United Picket Line 1999". I cannot read all of the words printed on the back, because that would be unparliamentary. However, I will read all but one of them. It reads "We run amok, don't give a"—expletive deleted—"because there's not a boss we can't toss!" Those T-shirts are made in China. If Sun Metals is derailed, a lot more things will be made in China, because precious little will be made in Queensland. There will be precious little investment in Queensland and, therefore, precious little job creation.

I call on the Premier to have the courage to save Queensland's reputation. He should have the courage to save Townsville's future. He should have the courage to tell the CFMEU and the BLF to get out of town before Sun Metals decides to get out of Townsville. I warn the Premier: no Sun Metals means no base load power station for Townsville. No base load power station for Townsville means no Chevron gas pipeline. No Chevron gas pipeline means no alumina refinery at Gladstone. And that means no chance at all of ever getting within a bull's roar of his 5% unemployment target.

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier) (6.15 p.m.): I move the following amendment—

> "Delete all words after 'House' and insert—
>
> 'Supports the State Government's moves to resolve the disputes at the Sun Metals and Gordonstone projects and notes the Government's successful attempts to encourage business and industry investment and development.' "

What we have seen from the Leader of the Opposition and the Leader of the Liberal Party is a fairly crude attempt to try to use industrial relations as a political football. The bottom line is this: the Opposition does not want this dispute resolved. It would prefer it to continue so that it can use it as a cheap political football. That is all it wants. It is not interested in a real solution.

Mr Borbidge interjected.

Mr BEATTIE: We heard the Leader of the Opposition and the Leader of the Liberal Party in silence, but the Leader of the Opposition continues to interject. Do honourable members know why? It is because he does not want me to place on the record of the House exactly what we are seeking to do to resolve this dispute.

Yes, I have spoken to Bob Hawke. I have spoken to Bob Hawke because I want this dispute resolved. I want this dispute resolved, because this is an important project. The Leader of the Opposition has set out to denigrate Bob Hawke. Let us be very clear about this. He is involved in a personal attack to seek to denigrate Bob Hawke. We have to ask: why would he do that? The Government of the day is seeking to involve a negotiator to resolve this dispute, yet the Leader of the Opposition, who claims that he wants the

dispute resolved, seeks to denigrate the person we are appointing as a negotiator to resolve it. Why?

Mr McGrady: Sabotage!

Mr BEATTIE: Yes, that is right; it is about sabotage and undermining any real attempt to resolve this dispute. It confirms what I have said. The Leader of the Opposition and the National and Liberal Parties do not want this dispute resolved, because they want to play political games. What did Mr Borbidge, the Leader of the Opposition, say yesterday after the Supreme Court handed down its decision in relation to Gordonstone? He spoke about bussing in police. He was simply washing away his responsibility to play a constructive role. He wanted confrontation. We could almost see him rubbing his hands in glee; he wants confrontation.

My Government is about resolving these issues by negotiation and discussion and through a sensible, constructive approach. The Leader of the Opposition sought to attack not just Bob Hawke. Honourable members may recall that, when we established a fund to assist people in the Central Highlands in Queensland to help young people get jobs, the Leader of the Opposition attacked Rio Tinto, or Pacific Coal. He is on record as attacking not only the company——

Mr Elder: "More fool them."

Mr BEATTIE: That is right; "more fool them" were the words he used. The Leader of the Opposition is on the record attacking Rio Tinto, or Pacific Coal—the people seeking to run the Gordonstone mine—and then he attacked Bob Hawke. The Opposition is not about a solution, it is about trying to prolong this dispute; it is about political point scoring.

Today a compulsory conference was convened in Townsville by Commissioner Bloomfield. In attendance were representatives of the company, the QCCI, the union signatories to the agreement and the ACTU, represented by John Thompson and Wally Trohear. Eric Porter from the Minister's department also attended as an observer. The conference has been meeting all day, and considerable progress has been made in resolving the issues arising from the present agreement. They are not totally resolved, but considerable progress was made today. The commissioner will reconvene the compulsory conference tomorrow morning in an attempt finally to resolve two outstanding matters.

The parties are sitting down through the commission to try to resolve it. In common with everyone else, I am hopeful that at 10 o'clock tomorrow morning that will be resolved. I had indicated to Korea Zinc and the other parties that I had a strategy that would be effective from midnight tonight. There is a time line. I will be making a ministerial statement tomorrow morning in more detail about that time line and Bob Hawke's involvement. We intend to use the services of Bob Hawke as a negotiator to resolve this dispute, if that is still necessary after the discussions tomorrow. However, I point out that Bob Hawke may or may not be available at a certain time, and I will be outlining that time tomorrow. The bottom line is this: we will doing everything we can to resolve it. We are about providing a real solution.

Hon. P. J. BRADDY (Kedron—ALP) (Minister for Employment, Training and Industrial Relations) (6.20 p.m.): I rise to second the amendment moved by the Premier. I take up at the point that the Premier finished on in terms of what is occurring and what has occurred today in the compulsory conference in Townsville. One of the things that is most evident in this whole matter is that what is occurring has been done with considerable support from the Premier of Queensland and the Queensland Government. I want to contrast that with the hypocrisy and lack of action by the coalition Opposition both now and when it was in Government.

First of all, we have been attacked and the Premier particularly has been attacked as having done nothing. Prior to this conference occurring today, the Premier and I—and, on occasions, the Deputy Premier—have met with the company representatives; the Premier met with them again in Townsville; we have met with all the union representatives and we have made it clear to them that we believe that this dispute is a very serious matter and must be settled in the national interest, the interests of Queensland and the interests of the people of Townsville. We have made that absolutely clear.

Of course, when the parties reconvene today, they can reconvene in the context that that support has been given to them, where that direction has been given to them by the Premier, the Deputy Premier and me. They know that and they know it is serious. They also know that, if the matter is not settled by them with the help of the Queensland Industrial Relations Commission, we have a negotiator whom we have ready to come in and give assistance as well. There is absolutely no doubt that the steps taken by the Queensland Premier and the Queensland Government have played a significant part in the improvement which has occurred today.

Whether the matter will be settled by tomorrow morning remains to be seen, but a big improvement has been made and it has been done with a Government which has been in there getting involved.

Honourable members should contrast that with what has occurred in Gordonstone. In Gordonstone we have had a Federal Government that has received absolutely no criticism from the Leader of the Opposition or the shadow Minister, Mr Santoro—no criticism whatsoever—of its refusal to get involved. I refer, in fact, to an interview on the Carolyn Tucker program in Brisbane on 25 February with Mr Reith, the Federal Minister, who really does not get involved. Mr Reith said this in relation to Gordonstone—

> "The ... Well, the Federal perspective is that employer-employee relations are really the responsibility of the parties themselves."

He went on to say—

> "... but, you know, how people get on at work on a day-by-day basis that's, that's their problem, that's their responsibility, that's their accountability."

Has there ever been one syllable of criticism of the Federal Government for not only not getting involved, but for saying as a matter of philosophy that it will not get involved? Not one thing! In fact, it has been quite the opposite. We had the hypocrisy from the shadow Minister, Mr Santoro, on 17 February this year in which he attacked us. What does he say as a coalition member when his own party refuses to do anything on Gordonstone? He said—

> "Look I think that what the government should be doing and this is where I think Mr Beattie is failing, is calling on the union movement and calling on the employers to settle this particular dispute in the forum that it should be settled and that is the Industrial Relations Commission."

He does not criticise the Government that has that responsibility. He says that it is our fault that the Gordonstone dispute is not settled. What absolute hypocrisy! Honourable members should contrast the two: in relation to Sun Metals, we call the parties together, we talk to the company, we talk to the unions and then they go back in the commission and progress is made; in Gordonstone, this hypocritical Opposition has never once encouraged the Federal Government to do anything. When Reith says that he is not going to do anything, he does nothing with the support of Opposition members, and they try to argue that it is our fault!

So what we are seeing now in the Sun Metals dispute is that something is being done, progress is being made. In the Gordonstone dispute, which has gone on for years, nothing positive is happening, Reith says he will do nothing and this coalition Opposition has never criticised him, despite the fact that this dispute has dragged on since 1997. We have here the most hypocritical Opposition in Queensland's history.

Mr SLACK (Burnett—NPA) (6.26 p.m.): We have two very damaging industrial disputes confronting Queenslanders at the moment: one at the Gordonstone coalmine and the other at the Sun Metals zinc refinery construction at Townsville. These two disputes are doing us immense damage overseas as far as future investment is concerned. They are sending out horrific negative messages. We were just getting over a perception of being a nation of strikers and wham, this happens. Honourable members should not think that this is not extremely serious.

I have been greeted with, "You're from Australia. They are all striking down there but the matches." Japanese coal buyers, because they are so dependent on regular supplies, are perpetually nervous about industrial problems and look to source coal from other markets to spread their risk, and that is in the best of times. We must be ultra realistic at the moment because of the Japanese recession—their coal requirements are not what they were and their own purchase price limits are further suppressed because of this—and the general ill health of world commodity markets. Our marketing edge in coal flows from ever increasing efficiency, ever more cost-effective mining and product transport, and most of all supply reliability. All three of those line items are at risk in the Gordonstone dispute.

The same can be said for the Koreans. In new ventures where there is a high capital start-up cost, as with the valuable Korean investment in Townsville, the State must make sure that it keeps its bargains. At Sun Metals that bargain included a site agreement that was designed to keep the project free of industrial strife for three years. Unions which manufacture disputes in order to change the rules mid course are irresponsible and economically dangerous.

The Sun Metals zinc refinery will only be cost effective to the people who have put up the risk capital if costs remain within the agreed envelope. A return to the sort of union opportunism that marked the industrial history of our past would be profoundly

counterproductive and would put at risk employee cost levels that are already highly marginal when compared against those offered by potential competitors. Adding industrial thuggery to the mix is simply madness and is seen as such by investors.

I can assure the House that this is far more negative than any perceptions that may have developed in relation to Pauline Hanson and the rise of One Nation. These not so "little" underestimated industrial fracas have the potential to do more damage to this Government's job objectives than anything else. Already investors will be looking elsewhere, and with them go the jobs that are so important to all of us. Naturally, it is expected that Governments—in this case the Queensland Government—take the necessary steps to ensure that this does not happen. It is expected that Governments should resolve these issues and, most importantly, see that the law is upheld.

In this case it is expected that the Premier should. He has come from a union background so he should have the knowledge, connections, expertise and skills, but more importantly the power of his office should have ensured that these disputes did not continue to, in the case of Gordonstone, break new records. But what have we had? Talk and more talk and cop-outs! Why? Is it the case that what we may have perceived to have been the Premier's strength is actually his weakness? He knows he cannot put himself on the line because of his long involvement with the union movement and, with it, the divisions that are synonymous with the Australian union movement. Make no mistake, these disputes are about interunion power, factions and vindictiveness—a situation that, by its very nature, makes the Premier powerless. Not only are his mates involved, but also his enemies.

The result is that, rather than have a can-do Government, we have a Government with a leader who is increasingly becoming the prisoner of his background—a Government that is powerless to uphold the law, a Government that is powerless to take action in a real crisis. Tragically, the cost to Queensland will be enormous. The Premier cannot simply gloss over the damage that this is doing to our reputation abroad and the effects it is having on investor confidence. It is not good enough for him to say that he has to be removed from or above involvement, based on a claim that it would be counterproductive. That in itself is an admission of a lack of confidence and certainly would not give would-be investors confidence. The reality is that this Government has tried to resolve this dispute, but it has failed. The only thing that it has not done is admit it.

Time expired.

Hon. J. P. ELDER (Capalaba—ALP) (Deputy Premier and Minister for State Development and Minister for Trade) (6.31 p.m.): Let us look at the record of members opposite, who framed the motion and are so keen to censure us, to see what they achieved in their two and a half years in Government. What marked their term in office was simply nothing. There were no major projects. Nothing was achieved in the two and a half years they were in Government. The only project that came on stream was the gas pipeline to Mount Isa. It was a Goss initiative to take gas to develop the north-west minerals province. All we ever saw in relation to that project was the member for Surfers Paradise and the member for Caloundra parading themselves in front of the camera on the evening news. That was it. There were no other projects in two and a half years.

Mr McGrady: They could not even organise a signing ceremony.

Mr ELDER: I take the interjection. It was not ready for them. They botched that. And what a botch it was! I recall the night when they all panicked. Their single greatest achievement was the opening of a Goss initiative.

I should give them some credit: the only other thing they tried to establish in this State was a rhino industry. Enough has been said about that in this Parliament. I simply observe that it was not economically viable or environmentally viable, but it did give the Minister for Tourism, Small Business and Industry a trip overseas. That was it. We saw nothing in the way of major projects in the two and a half years that the coalition was in Government. I will tell the House what it did do. In the first six months—

Mr Seeney: What about the explosives plant?

Mr ELDER: Callide C? That has all been handled by my department. Those opposite signed the contract; all the work has been done by this Government. Those opposite made great play of WMC. That was around when I was Industry Minister. There is nothing new about that.

I will tell the member for Callide what the coalition did achieve. When the coalition was elected, the first thing Joan Sheldon did was freeze every project in this State, and she did that for six months. The effect of that freeze on small business was devastating. In the first

six months of the coalition Government, 19,000 jobs were lost in the manufacturing sector alone. When Labor left office there were 184,000 employed in the manufacturing sector, but after six months of coalition Government there were 165,000 employed in that sector.

Mr Seeney: What happened in your first six months?

Mr ELDER: I will tell the member for Callide what happened in the first six months of our Government. Eleven thousand more Queenslanders were employed in the manufacturing sector—blue-collar jobs. I will put my record against the record of the coalition any day of the week.

Mr McGrady: How about the freeze on leases where union mining——

Mr ELDER: Again, that had a devastating impact on all those mining industries across the State. That is the record and legacy of those opposite.

The Leader of the Opposition should join the journalists union, because all he ever does is comment on the events of the day. He should get a union ticket and join now. That is all he has ever done, and he has continued with that role now that he is in Opposition—the critic, the do-nothing. He commentates from the side, critical of the issues of the day. Even when he was Premier he adopted that role and was just oblivious to the mess that was around him and that was of his own making. That is why he finds himself in Opposition.

The fact of the matter is that—it has been articulated by the Minister for Employment—Reith wiped his hands of Gordonstone and did not intervene at any stage. In fact, he was so ideologically bent against the commission that he saw the commission as a bad thing. The same thing happened here with the member for Clayfield. The ideological bent is still there. It weakened the commission and did not allow it to do its job responsibly.

If there is any lack of leadership in this State, we only have to go to the Newspoll to see where it is. It is within the Opposition. It will not be long before the next ballot is conducted. That ballot will occur within the next six months. "Mr 19% and plummeting" has his own leadership to concern himself with—certainly not the leadership demonstrated by the Premier because, as the Minister for Employment has said from day one, we have been involved with this. We are not happy about it, but we will resolve it.

Mr SANTORO (Clayfield—LP) (6.36 p.m.): This debate is all about union conflict and internecine wars. It is about union domination of the industrial relations system and of the Labor Government. Most particularly, it is about lack of leadership—political and moral—by the Honourable the Premier.

Let us take the issues one by one. We have heard mention of timing. To complete the record, I will state all the relevant details. The Sun Metals agreement was reached on 6 February 1997 under industrial relations legislation which was enacted by the Goss Labor Government and the honourable member for Yeronga as Minister. That Sun Metals site agreement was approved by the State Industrial Relations Commission to run for the anticipated life of the construction project—three years from 6 February 1997; in other words, to 6 February 2000.

For two years while the coalition Government was in power there was not one murmur from the unions. There was no jurisdictional conflict. There were no union wars. There was not one breath of conflict from the unions. As soon as the Labor Party Government came into power, the unions erupted. The reason the unions erupted was that they knew that the coalition Government would have dealt with it. For three and a half weeks the Labor Premier sat on the sidelines and he has been dragged towards a solution, kicking and screaming, only by the fact that we have prodded him with a big hot rod, and I will not mention where. That is what has got the Premier moving. And he has the audacity to say that we would not have provided leadership! We did, and for two years during the life of that agreement, when we were in power, there was no conflict.

The Premier gets up in this House and with mock effrontery says, "You are attacking Bob Hawke." Bob Hawke, the Prime Minister under whom there was record industrial disputation in this State! He failed the industrial relations test. There was massive industrial relations disputation at that time. Bob Hawke is the person who brought Australia to its economic knees. But in he comes. We are not attacking Bob Hawke, despite that record; we are attacking the Premier.

It is not Bob Hawke who should be conducting the negotiations; it should be the Premier. He is the Premier. He is the negotiator. He is the guy who comes from an impeccable union background. He is the guy who reckons he has the union connections, the persuasive connections, the moral authority. But he brings in a failed Prime Minister under whom there was record industrial disputation and he expects us to

believe that he has done the right thing. It is another job for another failed Labor mate. As the Leader of the Opposition said: let him detail for the public record how much he is paying his failed Labor mate.

The Premier compares himself with Bjelke-Petersen. What would Bjelke-Petersen have done? Would he have called Malcolm Fraser in to solve the dispute? Would he have called another failed Prime Minister? He showed what he could do when the industrial thugs played up during the power dispute, and Queensland applauded him year after year. We do not bring in failed leaders; we act according to the law.

For the past couple of days, we have been hearing about the Industrial Relations Commission and how we gutted the power of the Industrial Relations Commission. Yet both the Premier and this Minister say, "There is a compulsory conference. The commission is working. The commission is doing its job." If the commission is working and doing its job, why are they criticising the commission and the powers that we left it? Why do the Minister and the Premier not tell the people that the State Industrial Relations Commission, on no fewer than five separate occasions, ordered those people back to work?

Why does the Minister not make the public aware that Commissioner Nutter of the State Industrial Commission has issued orders instructing the CFMEU and the BLF to cease and desist from disrupting the Sun Metals corporation site? Why does the Minister not inform the public that the CFMEU and the BLF have thumbed their noses at the commission and refused to accept its recommendation? On five occasions the commission asked those unions to come to the table—to sit down, as they are doing now. The unions know that they have their backs to the wall, but they say, "No, we are not doing it." The commission is failing because the unions are thugs; they are lawless, and they are assisted by honourable members opposite. And until those members start behaving lawfully and responsibly, and until they start exercising political and moral leadership, the people will judge them as the failures, the political thugs and the cowards that they are.

Time expired.

Mr REYNOLDS (Townsville—ALP) (6.41 p.m.): I rise to support the Premier's amendment and wholeheartedly support the Government's positive moves to resolve the industrial disputes that were brought on by the coalition's shoddy industrial relations legislation and to keep the business of investment and development in this State moving forward.

The Opposition talks about "can't do". The only "can't do" that I am hearing is from Peter Reith, and members have now heard it from Santo Santoro. Peter Reith quite comprehensively told us, in his public relations visit to Queensland, that the Federal Government would not be intervening in the dispute at Gordonstone. He said that the matter was one for the parties as to whether the dispute would continue to be fought in the courts. I can tell members why it is being fought in the courts. It is because the Federal Government's legislation has so watered down the authority and independence of the Australian Industrial Relations Commission that the parties have to go to the courts to get a binding decision. If they are not watering down the commission's authority through legislation then they are doing it with party political appointments to the registry.

If we are to speak of the threat to investment and the view of Queensland that our neighbours and potential investors get, then what they see is the coalition playing up these disputes—using them for all they are worth to score cheap political points and making absolutely no effort to solve them. It certainly appears as if Mr Reith, for one, thrives on a good bit of industrial disputation while he further erodes the power of the independent umpire that is supposed to resolve the disputes. It is under Reith that we have seen these long-drawn-out disputes, like the maritime dispute—a disgraceful dispute—and the Gordonstone dispute.

Peter Reith has already had two years in which to try to help the people of Emerald and the people who were sacked by Arco at Gordonstone. He has done nothing—absolutely nothing. This Government has been speaking to both sides—Rio Tinto and the workers—and trying to get them back to the negotiating table, despite the fact that this is a Federal dispute. Further than that, we have been working with Rio Tinto to put together a package that will provide long-term assistance—a future for the local community at Emerald.

In the Sun Metals dispute, we see the results of the unworkable industrial relations provisions that were introduced in 1997 by the Queensland chapter of the coalition—those members opposite. Much of Queensland's Workplace Relations Act 1997 bears startling similarities to Peter Reith's legislation, and certainly it is those flaws that have sparked the problems we see in TownsvIlle. But regardless

of the fact that we inherited this mess, the State Government is taking positive and progressive steps to fix it.

This Government is presently drafting legislation that will suit the needs of both investors and employees. It will do that because we took the time to speak to the parties and ask them what they needed in the legislation, to keep them off the picket lines and out of the courts and to get back to doing what all the parties want to be doing: working. Again, the Government is not sitting back but is taking positive action to seek to resolve this matter and to get the parties back to the negotiating table. If the matter cannot be resolved before the commission, we are prepared to fly in an independent negotiator.

The real image of Queensland that potential investors will get, if the coalition's overwhelmingly negative public relations machine, Mr Santoro, will let them, is the image of a progressive State with a positive Government that will seek their views and get things moving. Queensland is, in fact, a very attractive environment for business and investors. Queensland is Australia's fastest-growing State. Among other things, it offers businesses and investors generally lower taxation rates than other States; a highly educated and skilled work force, expanding with the growth in the State's population; lower average wage costs than in other States; and significantly lower labour on-costs, such as payroll tax and workers compensation insurance premiums. We also offer world-competitive energy costs, a well-developed infrastructure and a highly developed services sector. We offer assistance to manufacturing industries, including availability of serviced industrial land close to ports and major facilities. And doesn't the Opposition hate hearing this! We also offer an advanced scientific and technological skills base.

Queensland's strong economic position, its prospects for the future and its attractiveness to investors and migrants are based on its natural resources, a business environment conducive to success and a Government that is strongly committed to further economic development through private enterprise. It is a record of which I am tremendously proud. How is it possible that members opposite can condemn so successful an investment report card?

Mr JOHNSON (Gregory—NPA) (6.45 p.m.): In rising to support the Leader of the Opposition's motion this evening, I also express my concern on behalf of the families of Queensland regarding the unemployment potential in this great State of ours because of lack of leadership by this Premier and direction by this Government. As members of this House would be well aware, I represent the electorate of Gregory. At the eastern end of that electorate is the town of Emerald, which is a dormitory town to the great coalmines of the Central Highlands and, in particular, the Gordonstone mine. Over the past 18 months, we have witnessed the thuggery carried out there by a certain element within the CFMEU—not all the CFMEU, but it does contain a certain element who are totally unemployable, and their union mates right around this State and nation are jeopardising future contracts within this nation, and in the central coalfields in particular, because of their totally unacceptable behaviour.

Members would be aware that yesterday the Supreme Court brought down a ruling. I trust that this Government will get behind that ruling and let Rio Tinto do what it does best by letting those men and women of the Central Highlands who want to mine coal go about their jobs in a proper manner. Members of the CFMEU—colleagues of members opposite—are working currently at Gordonstone, and members opposite know that as well as I do. I applaud those people for having the guts to stand up and be counted.

Week after week the media have been broadcasting images of the picketers on the international scene. My colleague the member for Burnett touched on this today. We are certainly on the international stage and under the watchful eyes of our trading partners in relation to contracts. The Leader of the Opposition touched on Sun Metals, and I will touch on that, too. These people here in Queensland want a fair go. They want to be able to go about their work, earn an honest quid for their husbands, wives and families, and live a quality life. But the union thug mates of members opposite do not want to let that happen.

Townsville, which is an area that recently has been subject to Labor's utter contempt for the fundamentals of electoral fairness, is the home of another sad example: Sun Metals. I heard the member for Mundingburra say in this House this morning what a great job Queensland Rail did there with the Great South Pacific Express. I say to the member for Mundingburra: if it were not for the people on this side of the House, there would not be another 300 people employed in the Townsville railway workshops, because her lot was going to close them down. As well as that, the Honourable Deputy Premier said this evening that 11,000 jobs were created in

manufacturing industry in the first six months of the Labor Government. But he did not tell us about the 8,000 jobs that this Government took out of Queensland Rail. This Government closed down virtually one-third of that operation, which employed 22,000 people, and the railway unions took no notice.

Mr Reynolds: What did you achieve in Queensland Rail?

Mr JOHNSON: The member for Townsville should sit back and take note of what I am saying, because he is a loser.

The Deputy Premier has been asking tonight what we have done in this State. When we were in Government, Boeing came to Queensland. The Surat Dawson project was one of our achievements. Then there was the Nathan dam—which members opposite do not want to know about—and power stations. We had a $4.8 billion Capital Works Program of which $2.13 billion was allocated for road infrastructure and transport infrastructure. Yet the Deputy Premier this evening asked what capital works programs we embarked upon. What about the Pacific Motorway, which involved 3,000 jobs? That was a project over which the former Labor Government procrastinated and could not deliver. The list keeps going. We have Century Zinc, the north-west gas pipeline, Ernest Henry, Silicon Graphics and Shell and Comalco relocated to Brisbane. If they are not fair dinkum jobs and fair dinkum businesses, I will give the game away.

I say to this Labor Government that it is about time it started to realise that jobs are created by the battlers. The Minister for Public Works and Minister for Housing, the member for Rockhampton, is always talking about the battlers. The battlers are the people in this State who are trying to get development going to create jobs so that people can earn an honest quid and not be bashed by union thugs who do not want to work for the betterment of this State and this nation. The sooner that those opposite realise that they no longer represent the worker, the better. It is the people on this side of the House who represent the workers. We showed that very clearly in our stand on behalf of the railway workers and other workers throughout this State.

Time expired.

Ms NELSON-CARR (Mundingburra—ALP) (6.50 p.m.): I rise in support of the State Government's moves to resolve the disputes at the Sun Metals and Gordonstone projects. The Opposition is brave indeed to claim that this Government has a can't do record in relation to the Sun Metals project and the Gordonstone coal mine. We need only look to Peter Reith and the Federal Government's approach to disputes to see the real can't do, won't do approach. As we all know, the Gordonstone dispute is a Federal matter, falling under the jurisdiction of the Australian Industrial Relations Commission and is therefore the responsibility of the Federal Government. Even though it is a Federal matter, the Federal Government and Peter Reith are not interested in fixing the problem they have created. They are too busy trying to tell the Queensland Government what to do.

Recently, Queensland was graced with the presence of Peter Reith, who took time out to criticise the ongoing reform of Queensland's industrial relations system and challenged Queensland employers to opt out of the State system and move to the Federal industrial relations system. This would be a bold move by Queensland employers based on Reith's non-interventionist approach.

Peter Reith has stated that the Federal Government will not intervene in the Gordonstone dispute and that it is the employees' and employer's problem. This shows Reith's and the Federal Government's absolute contempt for the employees and the employer and the community who are suffering as a result of this dispute. In total contrast to Reith's "I don't care" approach to the two-year Gordonstone dispute, the Premier, Peter Beattie, wants the three and a half week Sun Metals dispute finished, and finished quickly. The Premier has developed a comprehensive strategy for its resolution that focuses on conciliation and mediation, not conflict as in the Federal model.

Although Reith-style legislation, which sadly was adopted by the former Queensland coalition Government, purports to facilitate more cooperative workplace relations and support the economic prosperity of Queensland and Australia, the opposite is the case. Gordonstone is not the only major dispute created by the Federal Government's industrial legislation. Indeed, a succession of disputes has occurred in the Federal jurisdiction in the coalmining and maritime industries in Queensland.

From January 1998, the maritime dispute was characterised by several months of contentious legal action by both Patrick Stevedores and the MUA. This saw applications and appeals from the Federal Commission through the Federal Court and finally to the Full Bench of the High Court. Legal bills were astronomical and, if there was

a winner, it was not seen in increased jobs or business confidence.

Another protracted dispute continued from 1997 into 1998 at the Curragh coalmine. Hearings as to whether the AIRC could make an award to resolve the dispute continued throughout 1998. The dispute ran for almost two years. The cost to local communities, to workers and businesses is incalculable.

We still have the long-standing dispute at the Gordonstone coalmine. The union has maintained a picket line at the mine since October 1997 and a succession of hearings and appeals see this matter still not resolved and set down for the Federal Court for further hearings in April. Legal costs for the parties are huge, and the cost does not end there. We have all seen the reports of the damage that this dispute has inflicted on the people and the businesses of Emerald.

These disputes in major export industries have been resolved only after protracted and costly legal and industrial action, but the cost to Queensland businesses and local communities such as Emerald is even greater. The need to resort to costly legal action is a result of the Federal Government's legislation that disempowered the Federal commission to such an extent that disputes are ending up in the law courts. This has led to bitter and protracted disputes followed by expensive and drawn-out legal proceedings.

The long drawn-out waterfront dispute orchestrated under Reith's industrial legislation, and now the Gordonstone dispute, have a clear lesson for Queensland. We need a strong and effective industrial relations commission to keep negotiations going and to help the parties resolve the differences. Queensland will continue down this path and send a message to Peter Reith and the Federal Government to immediately reverse the flawed changes to the Federal industrial relations system that are damaging Queensland and Australia.

In reviewing Queensland's industrial relations legislation we used a tripartite approach and we listened to employer groups as well as unions and other interested parties. One of the points put strongly by all sides was the need to return to the tried and true methods of conciliation and arbitration. We need a strong, independent umpire who can promote conciliation and resolution of disputes and not the politics of division and conflict that Reith and the Federal Government practise.

The Queensland Government is presently considering the recommendations of the industrial relations task force which reviewed Queensland's industrial relations legislation. The task force was chaired by Professor Margaret Gardner, who asserts that a strong industrial relations commission can prevent the type of disputes that have occurred under Reith's failed experiment.

Whilst the Government will not be implementing the recommendations of the task force lock, stock and barrel, I can assure the House that this Government will be introducing legislation which supports a strong and effective Queensland Industrial Relations Commission which is able to settle disputes through mediation and conciliation. An independent and effective Industrial Relations Commission can stop protracted disputes—

Time expired.

Question—That Mr Beattie's amendment be agreed to—put; and the House divided—

In division—

Mr SPEAKER: Order! Any future divisions on this motion will be of two minutes' duration.

AYES, 44—Attwood, Barton, Beattie, Bligh, Boyle, Braddy, Bredhauer, Briskey, Clark, J. I. Cunningham, D'Arcy, Edmond, Elder, Foley, Fouras, Gibbs, Hamill, Hayward, Lavarch, Lucas, Mackenroth, McGrady, Mickel, Mulherin, Musgrove, Nelson-Carr, Nuttall, Palaszczuk, Pearce, Pitt, Reeves, Reynolds, Roberts, Robertson, Rose, Schwarten, Spence, Struthers, Welford, Wellington, Wells, Wilson. Tellers: Sullivan, Purcell

NOES, 42—Beanland, Black, Borbidge, Connor, Cooper, E. A. Cunningham, Dalgleish, Davidson, Elliott, Feldman, Gamin, 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: Fenlon, Goss

Resolved in the **affirmative.**

Question—That the motion as amended be agreed to—put; and the House divided—

AYES, 44—Attwood, Barton, Beattie, Bligh, Boyle, Braddy, Bredhauer, Briskey, Clark, J. I. Cunningham, D'Arcy, Edmond, Elder, Foley, Fouras, Gibbs, Hamill, Hayward, Lavarch, Lucas, Mackenroth, McGrady, Mickel, Mulherin, Musgrove, Nelson-Carr, Nuttall, Palaszczuk, Pearce, Pitt, Reeves, Reynolds, Roberts, Robertson, Rose, Schwarten, Spence, Struthers, Welford, Wellington, Wells, Wilson. Tellers: Sullivan, Purcell

NOES, 42—Beanland, Black, Borbidge, Connor, Cooper, E. A. Cunningham, Dalgleish, Davidson, Elliott, Feldman, Gamin, 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: Fenlon, Goss

Resolved in the **affirmative**.

Sitting suspended from 7.05 p.m. to 8.30 p.m.

CORRECTIVE SERVICES AND PENALTIES AND SENTENCES AMENDMENT BILL

Second Reading

Resumed from 10 March (see p. 510).

Mr STEPHAN (Gympie—NPA) (8.30 p.m.), continuing: Previously, when I was speaking to this Bill I referred to how people can change when they are faced with difficult circumstances. I well remember one of my constituents who was incarcerated. After about a week or so in jail, he found that he had become a different person altogether. Suddenly, all the birds were in the sky and everything was beautiful. However, when he came out of jail, he went back to being the person he was previously. Also, when I spoke earlier to this Bill I referred to those police who have taken an interest in going out to the schools and speaking to young people about crime. I believe that those police are to be congratulated for that work.

At the present time in Australia there is a lack of data on the drug problem. If we had that data, we would know how we were going in terms of combating the drug problem. However, there is some evidence that the link between drugs misuse and criminal activity, particularly property crime, is significant. A typical scenario involves the committal of an offence to obtain money to buy drugs. I believe that, deep down, that is the problem: the offenders become dependent upon drugs. For example, a recent study of drug use among people arrested for crimes in England indicated that 61% of offenders had traces of an illegal drug in their urine at the time of their arrest. As well, the Government in New South Wales claims that 70% of prisoners in its jails are there because they have committed drug-related crimes.

The first trial of a drug court in the United States was launched in Miami in 1994. In 1997, over 200 drug courts were in operation throughout the United States, demonstrating that a lot of crime that is committed is drug related. In New South Wales, to be eligible to appear before a drug court to be reprimanded or charged, offenders have to be 18 years and over; to be charged with a non-violent offence, that is, not involving physical violence or sexual assault against any person; to have no such previous offences pending before a court; to be dependent upon illegal drugs; and be likely to be sentenced to imprisonment for the offence. However, the guidelines in the United Kingdom argue that such a program should not be denied to someone under 18 years of age if they are otherwise suitable. It is also important to the success of this initiative that the community and those involved understand the limitations as well as the possibilities of the treatment program. Relapses will occur and the system should be sufficiently flexible to deal with them. There must also be a determination of the level of failure that we can live with.

Under those circumstances, Queensland and, in fact, the rest of Australia has a long way to go towards combating the drug problem. We see so many ads on TV that are specially aimed at alcohol abuse, yet the statistics show that a huge percentage of people are driving under the influence of a drug other than alcohol. All of us must do more to fight the war on drugs. It is time for action. Instead of asking what it is that we can do, we should put our heads down and find out what we are fighting, and that is drug abuse and drug trafficking.

Our main weapon and, at times, our only weapon, has been prohibition and police action. In more recent times, we have recognised the need for alternative or complementary treatments, such as methadone and other synthetic drug treatments which can be substituted for the hard-core drugs of addiction. Indeed, we have become world leaders in the use of some of these treatments. However, the problem is still with us. We must continue to wage a war against these drugs if we are going to get on top of the problem. We must continue to provide the resources to our police, our schools and our community groups who are at the front line in the fight against drug abuse. Our laws must be remain tough. The message must go out that drugs are not cool and that substance abuse is a fast road to nowhere. It does not matter at all if it is a soft drug or a hard drug; those who abuse are losers.

Of course, preventive measures are aimed primarily at confining the supply of drugs and partly containing their demand. It is within this latter domain that we must do more. We must find a way to get more of those who have been dependent into rehabilitation that is designed to get them off the drugs of dependence and into abstinence. We need to give them their lives back. We need to give the broader community what it really needs: a future with less crime, a safer future with less disease, and a future where people can have some confidence that their children and their grandchildren will not be sucked into the drugs vortex.

While only a small percentage of the Australian population currently uses heroin, the problems associated with its use are substantial. During this address, a number of Australians will fall victim to drugs. Some will be robbed in their homes, some will have their cars stolen or their bags snatched, some will be assaulted, perhaps by a stranger or perhaps by someone dear to them. Some will be sick—sick with malnutrition, sick with infection, sick with hepatitis C or with the HIV/AIDS virus, and some will lie in the gutter.

A mass of evidence puts beyond argument the proposition that heroin is linked to property crime and the spread of diseases. Most agree that between 50% and 70% of street crime is drug related. Heroin-related deaths have increased steadily over the past 10 years. It is estimated that there are between 60,000 and 120,000 dependent heroin users in Australia and the number is growing each day. Those people are 13 times more likely to die than people of the same age and gender in the general population.

Leaders from all walks of life and others are echoing the message: do more on drugs. We must hear it, we must listen and we must act. There are things that we can do better, but it is all a question of funding, staff levels and practicalities. We have to work with what we are given. The one thing that I would desperately like to see introduced would be a definition of what is a drug. There are always new drugs that come onto the market—some that can cause a great degree of impairment. We know that this is a problem and it is certainly not going to go away. We need to address the problem now before it gets any worse.

Mrs SHELDON (Caloundra—LP) (8.44 p.m.): The Bill we are debating tonight is all about whether or not we support justice. It is about whether we believe that serious violent offenders—the rapists and the thugs of this world—should serve their entire sentence behind bars. It is a debate about whether we believe the rights of the victims of crime should always take precedence over the so-called rights of criminals.

When the State coalition won office in 1996, we inherited a so-called justice system that could only be described as being heavily tilted against the victims of crime. We inherited a so-called justice system that said jail should only be used as a last resort. We inherited a so-called justice system that said a serious violent offender only had to serve 50% of their time behind bars before they would be eligible for parole.

The coalition Government changed all that, and we are very proud that we did. We introduced new laws that ensured that serious violent offenders sentenced to a 10-year sentence or more would not be eligible for parole unless they had served at least 80% of their sentence behind bars. In May last year, both Rob Borbidge and I gave a commitment to the people of Queensland that we would pursue that policy further. A commitment was given to bring in new laws that ensured serious violent offenders could not be released until they had served 100% of their sentence. This Bill honours that commitment.

Every woman in Queensland is looking to see what happens to this Bill tonight. They are looking to see if the State Parliament is serious about applying just penalties to those people who commit the most vile of crimes. As members know, today I appealed to all 11 female members of the Labor Party to exercise a conscience vote on this Bill. I call on Premier Beattie to allow them to do so and I call on the women in this Parliament to ask the Premier to reverse his decision to vote against the Bill. Every member of his party should be able to exercise a conscience vote.

To the members for Barron River and Cairns I say, "If you do not vote for this Bill, then you must go back to the women of the far north and tell them why you opposed laws that would make rapists serve their entire sentence behind bars." I say the same to the members for Bundaberg and Mundingburra. I will elaborate on this. I have a cutting from the Townsville Bulletin dated 2 March 1999, headlined, "Women speak out for strangled wife". The subheading is "Sentence should be tougher: MP". I totally agree. The member of Parliament referred to is Lindy Nelson-Carr.

A Government member: A good one, too.

Mrs SHELDON: I am sure that the honourable member will agree with what she said, as it lends weight to why she should vote in support of the Bill and support what I say tonight.

The article states—

> "Wife-killer Nick Giannikos deserved a tougher sentence than three years non-parole, local MP Lindy Nelson-Carr said yesterday.
>
> The member for Mundingburra spoke out about the manslaughter of Maria Giannikos, and the jailing of her killer for eight years with a recommendation for parole after just three."

This is exactly what we are talking about. The article continues—

> "In June last year, Nick Giannikos strangled the 42-year-old mother of four, who had allegedly been having an extra-marital affair. But Ms Nelson-Carr scoffed at Nick's claims in court that his actions could have been caused by mental 'fragmentation', and said there was no-one to defend the reputation of Maria. 'I believe it was incredibly unfair,' Ms Nelson-Carr said. She also joined other prominent women in putting their names to a Saturday Townsville Bulletin advertisement titled 'Remember Maria'.
>
> The names of Townsville Deputy Mayor Ann Bunnell, Senator Margaret Reynolds and academic Diane Menghetti also appeared on the advertisement.
>
> 'Maria is just symbolic of so many women,' Senator Reynolds said.
>
> 'There will be many people who will ask what is our law about when a woman can lose her life and the judgment of the court is it's only worth a certain number of years.' "

I could not agree more. The article continued—

> "Professor Menghetti said she was shocked by the attitude of locals towards the killing. 'I was picking up the notion that it was all right to kill your wife if you felt passionately about it,' Professor Menghetti said.
>
> 'It's an extremely dangerous attitude. I had never thought of it as part of the Australian attitude.' "

I ask all women members in the House to listen to this. She questioned whether Maria would have received a three-year parole recommendation if she had killed Nick. That says it all. I agree with what the member said. I cannot see how members opposite can vote against this Bill tonight.

Similar to the question I asked the member for Mundingburra, I ask the members for Mount Ommaney and Currumbin: how will they explain to the women in their electorates that they voted against new laws that would have made a rapist or any other serious sexual offender serve their entire sentence behind bars? My very clear message to the Premier tonight is this: he should not force his MPs to be shackled by Labor Party policy. Let them voice the concerns of their electorates and the views of their constituents. My very clear message to all 11 female MPs on the opposite side of the House is this: stand up for women; do not politicise such an important issue; and let us unite across political boundaries and make our voices heard. That is exactly what women in the electorate want to hear. They are not interested in party politics. They believe that we, the elected women members in this House, should be standing up for them and for laws that support and protect them. As has been pointed out in this article, after being paroled or released, these offenders often offend again against women, committing exactly the same type of crime or an even worse one. This cannot be allowed to happen. Let us face it, the women are the victims here and they are being ignored.

Over the past couple of weeks I have heard a number of members opposite claim in this Chamber what an injustice this Bill will be for those who have committed serious violent offences, but they have not once spoken about the victims of crime. They have never once mentioned whether or not a punishment should fit the crime. Equally, I have heard members opposite claim that this Bill will lead to further overcrowding in our prisons. That is arrant nonsense. This Bill will apply to approximately 5% of the prison population only, and it is not retrospective. It will apply only to people convicted of serious violent offences after the Bill becomes law. There may be some sentiment in some sections of the community that the Bill should apply also to existing prisoners. I can understand that sentiment. However, the coalition does not believe in retrospective legislation.

When the coalition drafted the Bill that is currently before the House, we were conscious of the fact that we should not in any way dilute the powers of the judiciary to assess each case on its merits. But we were also conscious that we must not dilute the sentiments of our electorates. This Bill allows the judiciary to retain its powers of discretion, because the Bill does not apply to all categories of offence, and it will apply only to serious violent offenders who have been sentenced to 10 years' or more. Alternatively, at the discretion of the court, it will apply to a serious violent offender who has been sentenced to between 5 and 10 years', but that is at the judge's discretion.

Obviously, contrary to what some members opposite have tried to claim, this Bill will not apply to all crimes. It quite deliberately will apply only to those who commit the most vile, atrocious and unforgiving of crimes. The Bill does not change the definition of serious violent offences as they are defined in the Penalties and Sentences Act. It will apply to people who rape, torture or commit acts of

grievous bodily harm—and many of those acts are committed against women. I ask members opposite: what is wrong with making these people serve their entire sentences behind bars without any prospect of parole? They do not deserve it.

When the issue of truth in sentencing is canvassed, many people in the community express legitimate concerns about what appropriate safeguards are in place. They do not want a situation where a serious violent criminal serves a 10-year sentence and then walks straight out of prison and back into the community without any form of supervision and without having undertaken any reintegration program. Equally, legitimate concerns are expressed about what incentives remain in place for prisoners. It is often argued that, if we remove any hope of parole, a prisoner has no incentive to reform, to show remorse or be well behaved. That is why our Bill deserves such widespread support. It deserves support because it has addressed all of those issues.

Once serious violent offenders have completed their term behind bars, they will not be able simply to walk straight back into the community without any supervision. Instead, at the end of prisoners' sentences, they will receive a period of community supervision which can range anywhere between six months and five years, and this will be in addition to their prison sentence. This period of community supervision, which is very similar to the parole system we have currently, will be determined at the end of prisoners' terms in jail. In that way, a period of community supervision and the conditions of that supervision will be determined using prisoners' records during incarceration. It is only fair that that be looked at seriously.

In other words, if prisoners have been well behaved, compliant, show genuine remorse and a genuine wish to be rehabilitated, their community supervision period will be for the minimum period and the conditions will also be minimal. But I think it is only fair to the victims of their crimes and the people in the street that they be supervised for this time and show that they are conditioned to go back and live within the community. However, if the criminals have been disruptive in prison, shown no sense of remorse and no sorrow for what they have done, they will receive the maximum five-year period of community supervision and a judge will be able to impose the strictest of conditions, including abstention from alcohol and an order that prevents criminals from living within a certain radius of their victims.

As honourable members know, victims now want to know when a prisoner will be released, where that prisoner will be living and how their safety will be ensured. I personally know women who are living in fear because they are not sure when a person will be released because, after parole periods are taken into account, at the moment the length of sentences is all over the place. They are not sure whether that person will stalk them and repeat the crime. They live in fear. Why should they? They were the victims in the beginning. These women were the victims of rape and serious sexual assault. Why should they continue to be the victim while the criminal is the one that society is looking after? That is altogether wrong and it must be changed. In other words, the community supervision period and the determination of its conditions at the end of a criminal's sentence acts as an incentive to behave well in prison.

I should also make it clear that this legislation does not in any way change the prisoner classification system. If a prisoner is disruptive within the current prison system, he or she will be confined within the higher classification with reduced privileges.

The community's safety is maximised with this 100% sentencing. All it really means is that a sentence of 10 years will mean a sentence of 10 years; a sentence of 14 years will mean a sentence of 14 years. It will not mean that these fellows know they can commit these crimes and they will be out on the street in five years or less. It will mean that their victims have a period of surety in their lives and can live their lives accordingly.

Justice is honoured with 100% sentencing and the victim's rights are respected with 100% sentencing. Equally, the placing of community supervision at the conclusion of the prisoner's term, instead of allowing for early parole, ensures that the community's safety is maximised. As I said, it also ensures that an incentive remains in the system for prisoners to rehabilitate. The only difference between what exists now and what we are proposing is that they will have to serve their full term and then they can undergo rehabilitation.

Hence tonight's Bill must be passed. I ask the women of this House to consider it seriously, otherwise I believe they will be condemned in their electorates. They obviously think that way. I know that Lindy Nelson-Carr does; she has said so. I support what she said in that article. It is in total keeping with community expectations—we know that; if members speak to their constituents, that is what they will tell

them—and it is in total keeping with the concept of justice. Therefore, I urge all women to support this legislation. I say to women in this House: let us stand up and be counted and let us stop letting the boys tell us what to do.

Hon. T. A. BARTON (Waterford—ALP) (Minister for Police and Corrective Services) (8.59 p.m.): To begin, let me fully endorse the points that were made by my colleague the Attorney-General, Matt Foley, several weeks ago now at the beginning of this debate. The Attorney-General touched on a number of issues that are raised by the Corrective Services and Penalties and Services Amendment Bill 1998, but its implications do not stop there.

The second-reading speech made by the shadow Attorney-General is full of the same knee-jerk and simplistic rhetoric that we have come to expect from the National Party. The former Police Minister, Russell Cooper, was a past expert at glossing over complicated problems and coming up with simplistic but ineffectual solutions. The Bill is just another example of the National Party coming up with a catch phrase disguised as legislation.

The member for Surfers Paradise launched the 100% sentencing idea during the 1998 State election campaign. It was purely and simply an overreaction to the fact that the National Party was being out-toughed by One Nation in the law and order debate during that election campaign. When it seemed apparent to everyone that One Nation was going to cause serious inroads into conservative ranks, the National Party backroom boffins came up with the 100% sentencing concept. It was clear that they manufactured the term but gave very little thought at all to how it was to be implemented.

After the election, the member for Warwick was given the thankless job of putting some substance into this election ploy. He went out strongly to sell the idea, but as it was subjected to closer scrutiny enormous cracks began to appear in this flawed policy. When it was pointed out that there would be absolutely no incentive at all for hardened criminals to rehabilitate themselves if they had to serve 100% of their sentence, the member for Warwick, the shadow Attorney-General, went into damage control. He then hastily cobbled together the bizarre idea of a mandatory six-month period of community supervision tacked onto the end of the prisoner's sentence. This supervision period brought with it a whole raft of inherent problems, which I will address later.

The idea of 100% sentencing sounds good; it is catchy. It rolls off the tongue easily, like zero tolerance. But just like zero tolerance, when one looks closely at the implications, a far different picture emerges. Even with the period of community supervision tacked onto the end of the sentences, serious offenders would still have little incentive to rehabilitate themselves. Let us be clear about who we are talking about in this Bill: these are prisoners who, if sentenced under this Bill, would be spending 10 to 15 years on the inside with no chance of parole, no chance of remission. The threat of recrimination at the end of their sentence is a long way away. They will become a new breed of intractable prisoners, inciting unrest and requiring great resources to supervise them inside prison, let alone on the outside.

Today we have been debating my Bill that in part addresses the problems that exist with the maximum security unit. We will not be able to provide enough maximum security units inside Queensland's prisons if this Bill is passed tonight. Let us have a closer look at this idea of community supervision and compare it with the parole system that currently exists. Under the Bill before us, a serious offender who is coming up towards the end of his or her sentence will go before a judge who will determine the length of his or her community supervision, which can vary from three months to five years.

The member for Warwick has spent the last seven months in Opposition loudly complaining about the lenient sentences handed down by judges, yet now he is proposing to put all of the sentencing options in the hands of those same judges. I am not critical of the judges in the same way as he is, but that points out the massive contradiction in this flawed policy concept that he has put forward in this private member's Bill. The member for Surfers Paradise, of course, took judge bashing to new heights when he was the short-term Premier of this State. Yet he, too, is willing to give the courts more control over sentencing options. The obvious paradox has been lost on the member for Warwick, the member for Surfers Paradise and the National Party as a whole.

Under the present parole system of graduated release all serious offenders, where possible, firstly have to go through six months of work release, followed by six months of home detention, followed by six months of parole under community supervision. If at any time during that 18-month period the prisoner breaches parole conditions, he or she is sent back to prison to serve the remainder of the

sentence. The whole principle behind graduated release is for prisoners to gain the necessary skills to re-enter society, and the incentive is there for them to correct their offending behaviour.

Under this Bill, if someone breaches their supervision conditions, the maximum penalty is 100 penalty units or six months' imprisonment. This means that the most dangerous and violent prisoners could only be taken before a magistrate for what is effectively a summary offence. There would no longer be the threat of having to serve the remainder of a sentence. What is to stop an offender who has completed 100% of their sentence from simply breaching their supervision conditions straight away after leaving prison? He or she would likely get a two or three-month sentence, or even a fine, and would be able to re-enter the community with no supervision and no incentive at all to stay on the straight and narrow. Under the coalition system, prisoners would have a field day in manipulating the system.

This Bill also does away with an important condition under the parole system. Under graduated release, a prisoner must maintain a residence and secure employment in accordance with directions issued by the community corrections officer. That condition will disappear if this Bill is passed. Prisoners can simply choose to go on the dole, move around from residence to residence at will and wait out their period of supervision before going back to a life of crime, if that is their intention. This will place an impossible burden on the welfare system and the cost of supervising these offenders and will make it more difficult for victims of crime to know where these offenders are once they are released.

Throughout his second-reading speech, the member for Warwick made a big song and dance about the wellbeing and rights of victims of crime. However, they know very well what the coalition thinks about them. They have only to look back at the shameful record of the member for Indooroopilly when he was Attorney-General. He regularly overruled and reduced court awarded compensation for victims of crime. However, I am willing to give the member for Warwick the benefit of the doubt on this issue as he may well have—and does appear to be showing—a genuine concern for victims of crime, unlike the previous Attorney-General.

However, this Bill in its present form shows a complete lack of concern for victims of crime. This Bill proposes to reduce the role and influence of the Queensland Community Corrections Board. At the moment the QCCB, which is made up of community representatives, including from the Victims of Crime Association, makes all the decisions regarding the reintegration of prisoners into society. The board has extraordinary powers and, in fact, has the powers of a commission and can request additional or new information regarding a prisoner's suitability for release into the community. But the overriding importance of the board is that it gives the community a direct say on who is released and how and when they are released. This can place more stringent conditions on prisoners than this Bill proposes.

Under this Bill, community input, especially from victims of crime, is removed and placed back into the hands of the courts. The only way that victims of crime will have a say on what happens to these violent offenders is through submissions to a judge. In the Government's view, this is unacceptable because victims of crime should have a direct say in how prisoners are reintegrated into the community.

The current parole system and the whole community corrections process has more checks and balances than the system proposed by this Bill. As a Government, we will putting more resources into community corrections to enhance the role and impact of community corrections. That is also an inherent part of the Bill that I currently have before this Parliament. I am happy to see that this move has received qualified support from the member for Warwick in other media comment that he has made, yet for all of his support, he persists in pushing this 100% sentencing idea, which is fundamentally flawed. He is basically attacking the law and order problem from the wrong end. Instead of trying to prevent crime from happening, the member for Warwick seems prepared to wait until the violence has occurred and the damage has been done.

One only has to look at the United States example to see how this approach is destined to fail. The United States has the greatest proportion of prisoners serving long sentences of any country in the world. It has capital punishment in many States yet, despite these draconian sentencing options, crime continues to increase. Jails in America are overflowing, with some correctional facilities housing up to 5,000 inmates. Is the member for Warwick proposing to go down the same track as the United States of America is currently on and cannot get off?

Surely the better solution is to attack the causes of crime. This is exactly what the Beattie Government is doing through its Crime Prevention Task Force. Clearly, there needs to be a deterrent factor for any would-be criminal, but simply having longer sentencing options will not, and demonstrably has not, by itself stop crime.

Through our whole-of-Government approach to crime prevention, we hope to target individuals before they get to the stage where they will be involved in serious crime. We realise that we will not be able to totally eliminate serious crime, but through our crime prevention initiatives we will have to have a significant impact on reducing crime and reducing the fear of crime.

It is a big ask. That is why we are currently consulting with the community in a series of over 30 forums around the State to gain people's input into the programs which work and, indeed, to find new solutions to law and order problems in our community. Simply locking up violent offenders for longer periods is not going to solve the problem. Indeed, the best we can hope for with this Bill is that it will delay the problem, which is not a solution at all.

This Bill before the Parliament tonight does not solve crime problems. It is just an election slogan disguised as legislation and in fact has the potential to create more crime problems in the future than it solves, and it deserves to be rejected by this Parliament.

Mr SEENEY (Callide—NPA) (9.12 p.m.): It is my pleasure to join in the debate on the Corrective Services and Penalties and Sentences Amendment Bill. As other speakers on this side of the House have pointed out, the proposal before the House tonight was a promise that the coalition made to the people of Queensland. This Bill is the fulfilment of that promise.

The coalition raised the minimum portion of sentences to be served from 50% to 80%. We are now proposing that it be raised to 100%. That, I would suggest all of us realise, is in response to changing community expectations. Those changing community expectations have been referred to by speakers on both sides of the House, strangely enough.

I think the member for Bundaberg, who spoke in this debate some weeks ago now, recognised more than anybody else, on the other side of the House at least, community expectations. I think those of us who were in the House on the night the member made her contribution will remember not only the words that the member for Bundaberg said, but also the almost palpable fear in her voice and the expression on her face when she addressed the suggestion that had been made that her electorate may well find out how she votes. I found that a little strange. I thought one of the basic tenets of this job was that we go back and report to our electorates the positions we take on their behalf on a number of issues.

The member for Bundaberg, like so many other members, quite rightly identified the groundswell of community support for this proposition but, probably like some other members on the other side of the House, is locked into a position where she has to vote against it. That then understandably gives rise to the fear we saw expressed here that night that her constituents would find out how she voted.

Government members interjected.

Mr SEENEY: I think those opposite who interject without anything meaningful to say should read Hansard. The Hansard record does not properly record that most extraordinary scene we saw here that night, when the member for Bundaberg said that she was being "threatened that the names of members who did not support the Bill would be circulated in their electorates". I assure not only the member for Bundaberg——

Mrs NITA CUNNINGHAM: Madam Deputy Speaker, I rise to a point of order. The member is misleading the House in relation to what I said. I find it offensive and I ask for those comments to be withdrawn.

Madam DEPUTY SPEAKER (Ms Nelson-Carr): Order! Will the member for Callide withdraw those statements?

Mr SEENEY: I would like to know what it is that I am expected to withdraw. Could I ask the member what it is that she finds offensive? The last thing I said was a quote from Hansard.

Madam DEPUTY SPEAKER: Order! Which comments would the member for Bundaberg like withdrawn?

Mrs NITA CUNNINGHAM: I would like withdrawn the comments attributed to me. They are not an accurate report of what I said in this House. I find it offensive and I want it withdrawn, please.

Madam DEPUTY SPEAKER: Order! The member for Callide will withdraw the statements.

Mr SEENEY: Madam Deputy Speaker, are you asking me to withdraw a quote from Hansard?

Madam DEPUTY SPEAKER: I am asking you to withdraw those statements. There is a point of order.

Mr SEENEY: Madam Deputy Speaker, I will defer to your ruling, but I am struggling to understand what it is.

Madam DEPUTY SPEAKER: So you withdraw the statements? Thank you.

Mr SEENEY: Are you asking me to withdraw the quote from Hansard?

Mr MICKEL: Madam Deputy Speaker, I rise to a point of order——

Madam DEPUTY SPEAKER: Just withdraw the offensive words.

Mr MICKEL: There is no question about it. You have asked the member for Callide to withdraw. The reference to complying in deference to the Chair is a reflection on you. He should withdraw unequivocally.

Madam DEPUTY SPEAKER: Does the member for Callide withdraw those offensive words?

Mr SEENEY: Whatever it was that I said that was offensive to the member for Bundaberg I withdraw. I will, however, repeat the last thing I said, which was a quote from Hansard. The member for Bundaberg said—

> "... we were threatened that the names of members who did not support the Bill would be circulated in their electorates ..."

I find that an extraordinary suggestion.

Mrs NITA CUNNINGHAM: Madam Deputy Speaker, I rise to a point of order. That is not an accurate quote from Hansard; it is part of a quote from Hansard. It is misleading the House and I would like it withdrawn, please.

Madam DEPUTY SPEAKER: Order! I do not think that is a point of order. The member for Callide should not be quoting from Hansard of the same session. Does the member withdraw?

Mr SEENEY: This is Hansard of 10 March.

Madam DEPUTY SPEAKER: Order! It is the same session. Does the member withdraw those statements?

Mr SEENEY: Madam Deputy Speaker, if you ask me to withdraw them I shall withdraw them.

Mr Mickel: He is reflecting on the Chair, for goodness' sake!

Mr SEENEY: Madam Deputy Speaker, I withdraw unreservedly anything that may have offended the sensibilities of the member for Bundaberg. I think I have offended all of them, but they are all——

Mr Lucas: You've certainly offended me.

Mr SEENEY: The member for Lytton claims that he is offended. I do not really think that is possible.

Madam DEPUTY SPEAKER: Order! Could the member get on with his speech?

Mr SEENEY: I make the point, without quoting the passage from Hansard that is found so offensive by the member for Bundaberg, that it is a basic right of every person in every electorate to know how their elected members have voted on every piece of legislation. I assure the member for Bundaberg that her electorate is not very far away from mine. We share a number of common media outlets, and she can be absolutely assured that her electorate will know which way she votes on this particular piece of legislation.

Mr McGrady: At least they tell the truth.

Mr SEENEY: I always tell the truth.

Mr SULLIVAN: I rise to a point of order. The member has again misled the House. He is again trying to confuse this House by saying that the member is trying to hide her vote. She has never said that. She, other members and I object to people writing to us threatening that they will carry out a course of action if we do not do what they say. That is the point that the member has made. He is misleading the House by trying to twist the member for Bundaberg's comments.

Madam DEPUTY SPEAKER: Order! The member will withdraw those comments.

Mr SEENEY: Madam Deputy Speaker, I am not sure what that was all about.

Madam DEPUTY SPEAKER: Order! I am not sure either.

Mr SEENEY: Perhaps the higher standards of parliamentary behaviour that we were promised have eluded the Government Whip.

Mr SULLIVAN: I rise to a point of order. I find those words offensive. I absolutely do understand what is meant by parliamentary behaviour. What I object to is the member's twisting of a colleague's words and his deliberate misleading by his half-truths and lies.

Madam DEPUTY SPEAKER: Order! The member will continue his speech.

Mr SEENEY: Perhaps the Government Whip might like to get himself on the list of

speakers at some future time in this debate instead of continually interrupting me.

As I was saying, this legislation is an understandable reaction to changes in community expectations. Those community expectations are the same no matter whether one lives in Bundaberg or in any other electorate. Every member of every community will be watching closely to see which way their elected members vote. I assure the member for Bundaberg that our local media—the local media that we share—will take a very close interest in the way the members who are elected from that part of Queensland vote on this particular piece of legislation.

The community is demanding that a fitting sentence be served for violent crimes. They are demanding that a fitting punishment be imposed and that a fitting sentence be served. I strongly question the assertion that has been made here by members on the other side of the House that strong punishment and the serving of a full sentence are not major deterrents. That assertion has been made over and over again without any basis—without anything to back it up.

Mr Sullivan: We make the laws, the police enforce them, and the judiciary judges.

Mr SEENEY: If members opposite want to turn this into a shouting match, I am confident of my abilities to handle that particular situation. However, in line with the Speaker's ruling——

Mr SPEAKER: Order! The member will continue with his speech.

Mr SEENEY: Thank you, Mr Speaker. As I said, if members opposite want to turn this into a shouting match, I am confident of my abilities to handle that situation.

Members opposite have been constantly wrong in the assertions that they have made about this legislation. It shows that they have not been listening to the other side of the argument and they quite clearly have not read the Bill. The member for Archerfield cited a number of examples—ridiculous examples—none of which would have been covered by the provisions of this Bill. None of the quite silly examples that she put forward as justification for opposing this Bill would actually have been covered by the Bill.

Mr Mickel interjected.

Mr SPEAKER: Order! The member for Logan must not interject from other than his correct seat.

Mr SEENEY: This Bill applies to serious violent offenders. The nonsense examples that were raised by the member for Archerfield are not even covered by the Bill.

Mr Reeves: You've lost it.

Mr SEENEY: I am trying desperately not to turn this into a shouting match.

The other part of this Bill that has been roundly attacked by members of the Government is the mandatory six months' supervisory period at the end of a sentence. How realistic at the moment is parole as supervision? How many offences are committed by prisoners on parole? How realistic are the requirements of parole that have a prisoner reporting once a week or even once a day? How realistic is that supervision? The answer to that can be seen clearly in the number of offences that are committed by people who are actually on parole.

The repeated lament from members on the other side of the House for criminals who have committed the worst crimes is very difficult to understand. There seems to be no consideration at all for the victims. In fact, the basis of the arguments that have been put forward paints the criminals as some sort of victims. No-one begrudges the resources that are going to be necessary to keep serious offenders in jail. It has been pointed out over and over that this should represent no serious increase in the prison population. The community can be justifiably outraged if these criminals are released for budgetary reasons. The nonsense arguments that have been repeated again and again are just that: nonsense.

It is our job in this place to reflect community attitudes. It is not our job to change those attitudes to suit our own agendas. It is not our job to convince the people who elect us that the things that they require from us are the wrong options. The overwhelming view in the community is that harsh penalties should be applied to violent criminals. The overwhelming view in the community is that violent criminals should be severely punished. The overwhelming view is that the victims of violent crime are not well protected and that they are not well served by the present system. The crime prevention strategies must continue. No-one is making the simplistic suggestions to which the Minister for Police alluded, namely, that this particular piece of legislation would be the be-all and end-all. Of course, it has to work hand in hand with other crime prevention strategies.

The Minister for Police talked at length about the problems of prisoner behaviour. It is very simple, in my view, to refute his argument in its entirety. The option exists to extend the

sentence of violent criminals who become intractable and refuse to operate within the rules of the prison community. We do not really need an option to reduce a prisoner's sentence in order to enforce prisoner behaviour.

Mr Barton: You can't increase someone's sentence unless they do something wrong.

Mr SEENEY: That is right; absolutely. That becomes the mechanism for enforcing proper prisoner behaviour. If prisoners do something wrong while they are in prison, the option exists to extend their sentences.

Mr Lucas: If it is not a criminal offence——

Mr SEENEY: Mr Speaker, the member for Lytton continually interjects. As I said, I do not mind turning this into a shouting match at all. I can handle that. But if the member for Lytton is going to continually interject, then you can hardly censor me for the way in which I react to those interjections.

Mr SPEAKER: Order! With respect, if the member answers those interjections then he accepts them. That is the rule of the Parliament. If the member did not answer those interjections and just carried on, then I would warn the member for Lytton for constant interjecting.

Mr SEENEY: I would appreciate it if the same standards were applied to him as are applied to members on this side of the House.

Mr SPEAKER: Order! Those are the standards that are applied. If you respond to an interjection, you are accepting it. If you do not respond and keep on going, I will stop the member for Lytton interjecting.

A Government member interjected.

Mr SEENEY: I can handle your interjection and I can handle his interjection. I take your interjection when you call me a big sook. That is far from the truth, and you know it.

In conclusion, I would like to lend some support to the member for Caloundra. She spoke about the article in the Townsville Bulletin and referred to the comments that were attributed to the member for Mundingburra. The member for Mundingburra spoke about the inadequacy of a 10-year jail sentence for a man who was found guilty of killing his wife. That 10-year jail sentence is really only a three-year jail sentence when parole conditions are taken into account.

I believe that the comments attributed to the member for Mundingburra which appeared in the Townsville Bulletin of Monday, 22 March 1999 should be read by every member of this House before they vote on this Bill. The member for Mundingburra should remember those comments when she is called upon to vote upon this Bill. There can be no greater example of what this Bill is about. There can be no greater example of the community outrage than the outrage that was felt by the member for Mundingburra in that case.

I will conclude where I began. This Bill reflects the will of the community. This Bill has huge support in the community. It has huge support in every electorate. It has huge support in the member for Bundaberg's electorate, and she knows it. That is why she was so worried about her electorate finding out that she was going to vote against this Bill. Every member opposite knows that there is huge support for this Bill in their electorates. There is huge support for this Bill in my electorate and across the State of Queensland.

It is up to us in this place to respect that community view. It is up to us in this place to respect the community support for this Bill. It is up to us in this place to reflect that support by voting for this Bill.

Mr MALONE (Mirani—NPA) (9.32 p.m.): It is with pleasure that I rise to support the Corrective Services and Penalties and Sentences Amendment Bill. As elected representatives, we have an obligation to provide a safe environment for the citizens within our electorates. There are probably only two ways in which we can do that: firstly, by increasing the number of police in our electorates; and secondly, by keeping serious violent criminals behind bars for a long period of time.

The Corrective Services and Penalties and Sentences Amendment Bill does just that. It keeps society's enemies at bay by ensuring that they serve their full sentences. The words "serious violent criminals" are the key words because they are the prisoners who pose the greatest risk to our community. The Bill targets those hardened criminals who constitute about 5% of the prison population. Amazingly, fine defaulters made up a hefty 27% of the prison population in 1997 and 1998. But those are not the people we are targeting. We are targeting those ruthless individuals who harm fellow human beings without any compunction or apprehension.

During the term of office of the Borbidge Government the coalition increased the minimum length of time that serious offenders must serve in prison from 50% to 80%. But the electors in my electorate—and I am sure this

applies to every electorate in Queensland—thought that was not enough. They wanted the coalition Government to go further. Tonight I am pleased to see that the commitment we made to introduce truth in sentencing has come before this Parliament.

It will come as no surprise to members of this House to know that when I move through my electorate of Mirani—which stretches from just north of Rockhampton into Andergrove—the issue of law and order is raised time and again. The people of Queensland are appalled that criminals convicted of serious, heinous crimes are able to walk free from jail after two years before the sentence handed down by the court has been served. Dare I say that the people are beginning to be contemptuous and suspicious of our legal system.

We must move to restore people's faith in our political and legal institutions. We can start that process with this Bill. We know that Queenslanders want the bad guys behind bars so surely we have a duty to pass this legislation. I remind the members of this House—particularly those opposite—that we were elected as representatives of the people and we are paid to represent the wishes of the majority of our constituents. We fail the electors if we do not properly represent them in this Parliament.

I challenge any member of this House to go on record and say that the people of Queensland do not want truth in sentencing; that the people of Queensland do not want the scales of justice tipped back in favour of the community and the victims of crime; and that the people of Queensland do not want safer streets and communities. I challenge any member to state publicly that Queenslanders do not want truth in sentencing.

Honourable members will not be able to do so. They will not be able to do so because they know that Queenslanders—particularly the elderly—are scared in their homes. People are scared of home invasions. People are scared to see that crimes are being committed by younger and younger offenders. People are scared about the drug problem which seems to be out of control. People are scared of the never-ending news stories about homicides, rapes and assaults which bombard our television sets and airwaves every evening. People are scared of the shortage of police who have to perform such a tremendous effort under the very difficult circumstances in which this Government has put them.

Only a couple of weeks ago in this Parliament I raised the matter of police numbers in the town of Sarina where my electorate office is situated. Because of circumstances, towards the end of last year police numbers in Sarina fell from nine to four. The situation has somewhat improved over a period of time. A couple of weeks ago I presented a petition containing 289 signatures to this Parliament. That petition was accompanied by 22 letters. The Minister indicated that he thought that action on my part was a beat-up. I can assure the Minister that I did not orchestrate that action.

An extra police officer has been allocated to the area. I know I cannot thank the Minister for this because he does not get himself involved in operational police matters. I am very pleased to see that we have an extra police officer in my area. If the Minister has had some influence in this matter I am quite happy to thank him. This action goes some way towards satisfying the people of Sarina. The strain on police officers is beginning to tell and creates an atmosphere of alarm in the tranquil township of Sarina.

Senior citizens and business people in Sarina were very concerned about the number of juvenile offenders in the town. The people in my electorate want those who do the crime to do the time. They want truth in sentencing.

I remind the Honourable the Premier of Queensland, Mr Beattie, of his promise before the last Queensland State election to get tough on crime and the causes of crime. This Bill is a test whereby the Premier can demonstrate to the general public that he meant what he said. This is an opportunity for the Premier to prove to Queenslanders that his commitment was not merely empty rhetoric. This Bill will enable us to get tough on crime. It will not only act as a deterrent but it will ensure that justice is served.

If the Labor Party chooses to walk away from this commitment and obligation to protect the good men and women of this great State, then I will have much pleasure in reminding Queenslanders that the Queensland ALP may talk tough about getting tough on crime, but their deeds are totally different from the words that they speak. I will pursue this Government relentlessly for failing the community if it votes against this Bill, because prior to the last State election it not only made law and order a major issue but also its policy platform stated that a Labor Government was committed to ensuring that all offenders are managed according to a realistic assessment of the risks they pose to the safety of the public. That statement appears at page 93 of the Queensland Labor Party's platform document under the heading "Corrective Services". The hardened criminals

will pose a very serious risk to our children, our senior citizens and other vulnerable citizens in our society. I will have much pleasure in reminding voters across Queensland of Labor's hypocrisy if the members opposite choose to defeat this Bill.

The Queensland public demand an end to lenient sentences, which serve as little or no deterrent to the criminal element in our society. The Queensland public are demanding longer and tougher sentence regimes, but their cries for help are falling on deaf ears. They are falling on deaf ears because this Government chooses to ignore the will of the people who put it into office. Unlike the coalition members of this House, the ALP members seem to be forbidden to cross the floor. So unless the Premier shows some leadership on this issue, this Bill is doomed. May I say that I would not like to be in the shoes of some of the members opposite if they elect to take that course of action. Why? Because the people of Queensland are saying that the punishment should fit the crime. This is not an unreasonable request. Surely it is in the interests of this Parliament to say that crime does not pay.

In conclusion, some answers need to be given to some questions that have been asked in relation to this Bill. What does the Bill do? The Corrective Services and Penalties and Sentences Amendment Bill will ensure that people sentenced as serious violent offenders will serve their full time in prison without any possibility of parole. The Bill aims to implement the community expectation that a criminal must do the time for the crime. The Bill will further strengthen and enhance the protection of our community to ensure that a prisoner, on the completion of 100% of his or her sentence, undergoes a further mandatory community supervision period of between six months and five years. The term of the community supervision will be determined by a judge towards the end of the prisoner's jail sentence not less than three months and no more than six months before the completion of the sentence. That will ensure that the assessment is based on the prisoner's rehabilitation progress and behaviour while in prison.

Will this Bill apply to people currently serving a prison sentence? This Bill is not retrospective. It will apply only to those people who commit a crime covered by the Bill after it becomes law. Will this Bill apply to all categories of offences? This Bill will apply only to serious violent offenders who are sentenced to 10 years' jail or more or, at the court's discretion, to those serious violent offenders serving a sentence of between 5 and 10 years. The Bill will not change the definition of a serious violent offender.

Will not the removal of parole for serious offenders also remove any incentive for a prisoner to behave and rehabilitate? Of course, the answer to that question is that the Bill will not remove the prisoner's classification system. If a prisoner fails to undergo proper rehabilitation within the prison system, or if he or she fails to conform with behaviour expectations, then the prisoner will remain or could remain in a higher classification with fewer privileges. In addition, the community supervision period at the end of the prisoner's sentence will be between six months and five years. If a prisoner has reformed and shown remorse, then the community supervision period could be for as little as the mandatory six months. Otherwise, it could be as long as a five-year, stringent supervision period.

Another question that was asked by the Government was: will the Bill be effectively providing a double sentence or a resentencing by making the prisoner undergo a community supervision period after the prison sentence? The community supervision period is for the prisoner's benefit and for the protection of the community. The length of the supervision period will depend on the prisoner's behaviour and rehabilitation progress during the sentence. The community supervision period ensures that prisoners will not walk straight from jail back into our community without supervision.

Does this Bill not impose a minimum sentence and, therefore, take away a judge's ability to look at cases on an individual basis? That will not be the case. There are no minimum sentences. A judge will retain the power to determine if a prisoner should be sentenced as a serious violent offender for 10 years or more. In addition, a court can decide if a serious violent offender sentenced to between 5 and 10 years should serve 100% of the sentence or not. It could also be up to the judge to determine, towards the end of the sentence, the length of the community supervision period.

I guess the last question that needs to be answered is: why does the coalition need to implement this Bill rather than the Government? As members would remember, the coalition increased the minimum length of a serious violent offender's prison term from 50% to 80% before the prisoner becomes eligible for parole. In his campaign speech for the 13 June State election, the then Premier Rob Borbidge made the commitment to

increase the threshold for eligibility for parole to 100%. This private member's Bill honours that commitment. I support the Bill.

Hon. V. P. LESTER (Keppel—NPA) (9.46 p.m.): The public has had an absolute gutful—and I am not joking—of sentences being imposed on people who commit some horrendous crimes not being strong enough. It is as simple as that. All Governments, both past and present, have been absolutely unable to deal with this difficulty. They do not seem to have the will to deal with the problem.

It seems to have been forgotten that we have constituents who have been the victims of crime. Those people, who were leading decent, normal lives, all of a sudden have had taken away from them their right and entitlement to a future because of some person who did the wrong thing. Whether the crime is a rape, a bashing or whatever, those innocent people have not asked for that to happen to them. They were going about their normal business day in, day out. All of a sudden, they are raped, they are bashed, or something else has happened to them, such as a drink-driver colliding with their motor vehicle and, for no reason, their life is wrecked. Those victims are either confined to a wheelchair, or they are unable to speak, or perhaps, unfortunately, they are a vegetable. Then a judge will determine that that person who has committed the crime will indeed be given a sentence that is far too light for that crime.

We have seen such a thing occur in recent days. One of our footballers, Ben Ikin, who apparently on this occasion, from what I can gather, was not doing any damage to anybody else, was hit from behind. That is indeed going to impact adversely upon his future.

Mr Schwarten: They haven't been caught.

Mr LESTER: That is correct, but that is another problem. Nevertheless, I simply say that whoever has committed that crime needs to be dealt with properly. I use the example of Ben Ikin because we know the person. While he has done other things, that does not affect what happened on this occasion. I understand that his behaviour was in order in all respects. He was hit from behind. I should not anticipate what may happen, especially if the member for Rockhampton is correct that the person has not been caught.

Mr Schwarten: Persons. It's a number—"persons".

Mr LESTER: Yes, that is probably right. I hope that if those persons are taken to trial the judge will impose an appropriate sentence. However, it worries me that, for some reason or other, our judges tend to side with the perpetrator rather than the victim. A person commits a crime because he or she has let their life get into disorder, whether through too much drink, drugs, rage or I do not know what. The simple fact of life is that any of us here tonight could become a victim of crime. Members of Parliament have been assaulted for no reason. Indeed, unfortunately, a member of Parliament was shot for sticking up for what he believed to be right. Prominent Australians, such as a heart surgeon, have become victims of crime.

As far as the community is concerned, this is a problem. As members of Parliament, each and every one of us hear that concern voiced. I am not being in any way political. We are all asked, "Why didn't the judge give that person more?" I use the City of Rockhampton as an example. During my early days as the member for Keppel, we were having a horrendous problem with Tozer Street in North Rockhampton. I called a public meeting with a view to seeing what could be done about the problem. I think 400 people attended that meeting. Who was I? I was just Vince Lester, the baker from Clermont who was the new member for Keppel, yet 400 people turned up to the meeting.

Mr Schwarten: I think you're being a bit modest there.

Mr LESTER: I can tell Mr Schwarten that I am the one who is being modest, because 600 people attended, but I did not dare suggest that there could have been more people than there really were. I was trying to do the right thing and be a bit modest, but the Minister has dared to challenge me. Now I have given him the facts.

Mr Schwarten: No, you haven't.

Mr LESTER: Yes, I have. Six hundred people attended that meeting. I challenge the honourable member to prove to the House tomorrow that I am wrong.

Mr Schwarten: You are wrong.

Mr LESTER: I am not.

Mr Schwarten: Did you go and individually count them?

Mr LESTER: Did the Minister?

Mr Schwarten: Yes, I did.

Mr LESTER: He was not there. He has absolutely lost the argument. Furthermore, he has lost the whole argument, and I will make my main points now to prove it.

The point I want to make is that that night I received a unanimous vote of approval to the suggestion that I come back to the Parliament and deal with the issue of law and order and truth in sentencing. The Minister knows that that is correct. Furthermore, I did that and my vote increased by some 9% or 10%. If that is not proof that I did the right thing, I do not know what is. The people of the electorate of Keppel were the final arbiters. They did an audit on my performance and the result was that my percentage increased by some 9% or 10% because I had stood up for my constituents on law and order. That is what happened and the Minister knows it. The percentages are there for the Minister to look at. He cannot deny that.

Mr Schwarten: Your vote went down considerably last time.

Mr LESTER: We are not arguing about last time; we are arguing about the time before. If the Minister really wants to start arguing about that I can tell him that, of the country areas, my electorate felt the least impact from One Nation, so I was not doing too bad a job.

Mr Springborg: How did Mr Schwarten go against you in 1992?

Mr LESTER: We will not talk about that one.

Mr Schwarten: I beat him in primary votes.

Mr LESTER: The fact is that Mr Schwarten is forgetting—and I was not going to allude to this for one second—that he ran against me once and he got done. It worries me that tonight the honourable member for Rockhampton is trying, in his own way, to stop me from talking about the important issues. We have an important issue——

Mr SCHWARTEN: I rise to a point of order. I am most affronted at the suggestion that I would prevent any member of this Parliament from exercising their democratic right to stand up for anything that they believe in.

Mr DEPUTY SPEAKER (Mr Mickel): Order! There is no point of order.

Mr LESTER: The member opposite who just took a point of order is so rattled that, even though he is a Minister, he did not know how to interject or how to take a point of order, which he took from the wrong seat. He had better give up.

Mr SCHWARTEN: I rise to a point of order. I would have thought that the honourable member, who has been in this place for long enough, would understand that when a Minister who is leading the debate is not able to be present in the Chamber, he or she can be replaced by another Minister. The honourable member should know that.

Mr DEPUTY SPEAKER: Order!

Mr LESTER: Again the member for Rockhampton has interjected from a seat other than his own. He is totally out of order and I have the concurrence of the Deputy Speaker. He had better give up.

Mr DEPUTY SPEAKER: Order! It would help the House if the honourable member returns to addressing the Bill before the House.

Mr LESTER: I apologise, Mr Deputy Speaker, but I was being very rudely distracted when we have major issues to talk about.

At the public meeting to which I earlier referred, the people from North Rockhampton suggested that we should take a tougher stand on crime. One person told me that they felt so strongly because the homes of people in the area were being broken into, kids coming home from school were being knocked off their bicycles and all sorts of things were happening, yet the police were not able to deal with it in the way that they would have liked to. They said, "Vince, you have to take action. You have to do something a bit more definite." I got a bit of a rev at that meeting, too. They said, "You have to do something a bit more definite", so I did. I suggested that we should introduce controlled corporal punishment. It is very clear that neither my party nor the Labor Party nor anybody else—bar a few people—thought that that was a good idea. However, the people of Keppel thought that it was not a bad idea.

I recall the case of a young lad visiting Singapore from America who damaged some vehicles while in that country. President Clinton jumped on the bandwagon and said how terrible it was that this fellow was going to be caned. But all of a sudden President Clinton found out that the people of America wanted that fellow caned for what he had done in Singapore. People do not necessarily want controlled corporal punishment, but they want more action taken. When that issue blew up in Australia, I was invited to appear on the Midday Show, which was then hosted by none other than Derryn Hinch. Arguing against me was a professor of criminology from the University of Sydney. When the learned professor gave reasons why we should show compassion for those who commit crime, I said, "Wait a minute, mate. What about showing a bit of compassion for the victims of

crime?" Derryn Hinch did not know what to do. It was a pretty heated debate. He said, "I'm not going to judge this. I'll let the studio audience judge it." Can honourable members guess what happened? The professor got one vote and Vince got all the rest. That was the proof of the pudding. What I am trying to say here tonight is: the people want action. They want something done. It is as simple as that. It is about time we started to remember that some action needs to be taken in the Parliament. That is all I am trying to say here tonight.

Mr Schwarten interjected.

Mr LESTER: No, I am not. The member for Rockhampton knows very well about the arguments and rows I had with the member's predecessor in the electorate of Rockhampton, Paul Braddy. Does the member remember the day when there were six letters to the editor in the Morning Bulletin all taking my side—every one of them?

Mr Schwarten: You wrote them yourself.

Mr LESTER: The member is the one who writes letters against me; I think he does, anyway. I can only go on the letters to the editor in the Morning Bulletin. In the next three years, after the election when I increased my percentage by some 10% or 11%, I addressed a few other issues—Kinka Beach, more police stations and so on.

Mr Schwarten interjected.

Mr LESTER: I know the member supports me on the Kinka Beach issue.

Mr Schwarten: No, I don't.

Mr LESTER: The member has a house there. He told me that he supported me. Come on, the member was there; he patted me on the back one day and said, "Go for it, Vince."

Mr SCHWARTEN: I rise to a point of order, Mr Deputy Speaker. I can't cop that. The honourable member is really pushing the limit. I was prepared to support him while I thought he could do something there, but he has failed and I am afraid that my premises there will be inundated as we speak as a result of his inaction.

Mr DEPUTY SPEAKER (Mr Mickel): Order! I will seek advice as to whether that is a point of order. There is no point of order.

Mr LESTER: The poor fellow must need glasses, because there is a great big sea wall there that I built. It is there. The member cannot deny it. A big sign reads "Kinka Beach Sea Wall".

Mr REEVES: I rise to a point of order. How is this relevant to the Bill? I am also concerned about the Hansard reporters, given the loudness of the member's speech.

Mr DEPUTY SPEAKER: Order! The member for Mansfield has a point. The member for Rockhampton will address the Bill before the House.

Mr LESTER: I agree with you, Mr Deputy Speaker; I have been distracted. I take this opportunity to apologise for getting off the subject, but the member for Rockhampton provoked me.

Mr Johnson: You flogged him in the camel race.

Mr LESTER: There is no question that I flogged him in the camel race.

Mr DEPUTY SPEAKER: Order! The member for Keppel will address the Bill before the House.

Mr LESTER: Yes, Mr Deputy Speaker.

Mrs Edmond: Camels are better looking.

Mr LESTER: Of course the member for Keppel is better looking. I cannot help that.

Mr DEPUTY SPEAKER: Order! I ask the member to address the Bill before the House.

Mr LESTER: I will, Mr Deputy Speaker, but you had better control the members on the other side. That was not my fault.

Mr DEPUTY SPEAKER: Order! That is a reflection on the Chair. I ask the member to address the Bill before the House.

Mr LESTER: Truth in sentencing has been accepted in more than one Australian jurisdiction, as well as in the United States and the United Kingdom. The UK has addressed the issue of post-release of full-term prisoners in the Crime (Sentences) Bill 1997. We have gone further than that.

Mrs Edmond: Boy, are they going to have a good Government next week!

Mr LESTER: They have got a pretty poor one at the moment so they might have a good Government next week.

In the Australian jurisdictions, for example, New South Wales was one of the first jurisdictions to introduce the truth in sentencing principle via the Sentencing Act 1989, the Crimes (Life Sentences) Amendment Act 1989, and the Prisons (Serious Offenders Review Board) Amendment Act 1989. Truth in sentencing legislation requires the courts to make an explicit decision as to the minimum term of imprisonment that is to be set firstly. That is what is happening in New South Wales. If I had not been so dreadfully

distracted, this is the sort of thing that I would have been speaking about.

The Victorian legislation enacted with respect to truth in sentencing was a result of the 1988 report of the Victorian Sentencing Committee chaired by Sir John Starke, QC. Victoria enacted the Corrections (Remissions) Act 1991, the Sentencing Act 1991, and the Sentencing (Amendment) Act 1993 to accommodate the truth in sentencing concept. There must have been a reason that those two States, with greater populations than ours, decided to do that.

Time expired.

Mr MITCHELL (Charters Towers—NPA) (10.07 p.m.): I have much pleasure in rising to support the Corrective Services and Penalties and Sentences Amendment Bill. If accepted by the Parliament, it would go a long way towards restoring the faith of the public of all areas of Queensland.

This Bill reflects the views of the majority of Queensland—and I think we heard about that from the previous speaker. I hear it said daily all around the electorate that violent criminals should serve 100% of their sentence in custody and not be let back onto our streets. How often do we hear of these people reoffending shortly after they are released from prison or other institutions? People are sick and tired of seeing criminals released back into society well before the completion of their original sentence.

This Bill is intended to send a clear message to potential law breakers and hopefully act as a deterrent to people committing a crime or a felony. It is commonly known that many crimes are being committed and the offenders are snubbing their noses at law enforcement officers because of the current regulations. I feel for the police right across this State. We see their frustration and sometimes their anger about the fact that on many occasions they are putting their lives on the line to make arrests and complete the ever-increasing paperwork only to find that the offenders have been let off by the courts with nothing other than a slap on the wrist. I believe the police have been restricted in doing the job they are trained to do.

Everybody is sick and tired of seeing criminals being let off with a good behaviour bond or community service, which I still believe is and has been a farce, as no-one ever fulfils their requirements under this sort of sentencing. They treat the judicial system as a joke and will continue to do so at all levels unless they are made to serve their sentences regardless of the crime they commit. I do not apologise in any way for supporting the motto: if you do the crime, you do the time. The approaches of the do-gooders do not work. They have been tried for many, many years and have proved a failure. They have been tried and yet the crime rate is continually rising.

I realise that this Bill is aimed at the class of dangerous criminals who should not receive the benefit of early parole or remissions, but I do believe that we have to look at the big picture and ensure a safer living environment for all law-abiding Queenslanders. How often do we hear—especially from the aged people—that people are prisoners in their own homes for fear that these criminals could break into their homes at any time of the day? It is happening everywhere in the State, even in Charters Towers. On many occasions people have come to me in the office or on the street and told me just how frightened they are, even to go out in the streets.

I told the Parliament the other week of an old lady who was found by a visiting friend to have been living on bread and toast for just on a week because she was too frightened to go shopping with money in her pocket for fear of being robbed in the street. How many of our elderly people in Queensland are living in this fear? I want to quote from a couple of clippings from a paper in my area. One article is headed "Lock all doors". That direction actually came from an acting detective sergeant in Charters Towers. He was telling the people, through this article, to lock all doors day and night. This is actually coming from the police—people have to more or less lock themselves away because the police are finding it so hard to apprehend these criminals who are committing crimes against elderly people.

The other article, which appeared in the same week, is headed "Rage over crime wave". That article details how the Charters Towers City councillors and the public are calling for something to be done there. I know it is happening everywhere else, but it just seems to be running rife there.

Mr Knuth: It's a disgrace.

Mr MITCHELL: It is a disgrace. It is happening all across the State.

Talking about serious crimes, a couple of them occurred in Townsville recently. There was this coloured sort of a character who raped and sodomised a four-year-old Heatley girl and appealed against his sentence. Only last week the court refused him the right of appeal and he will serve his time. The people up there were actually saying, "A few of us would not lose any sleep if the authorities

actually threw away the key." That is the way that a lot of people in Queensland are actually thinking. Let us put these people behind bars so that it is safe for the rest of us to actually go about our daily lives. It is happening too regularly.

The other case involves a man in Townsville who received a three-year sentence for killing his wife. I cannot believe that that is true. This is exactly what we are talking about here. These people are committing these crimes and they are not getting much of a sentence. This guy was sentenced to eight years' imprisonment for manslaughter with a recommendation to apply for parole in just three years. That is just not right. These guys are going to back on the street.

I can feel for those women who put a condolence notice in the paper for this man's wife. It was signed by well over a hundred ladies and organisations in the Townsville area. An extract from that states—

> "For too long the rights of countless women to make choices for themselves and to live fulfilling lives has been undervalued, ignored, disrespected, overridden and finally taken from them. Leaving a relationship should not mean losing your life.
>
> Violence, brutality, and laws that do little to protect the rights of women will no longer be tolerated.
>
> All women have the right to be free from the tyranny of violence and injustice."

No truer words have been spoken. I know that the member for Townsville would have seen that notice. It was signed by well over a hundred ladies.

Mr Reynolds: It is not about truth in sentencing. It is actually about males and females being dealt with by the court.

Mr MITCHELL: I did not get that, but it was for this man's wife. He can get out on parole in three years for committing a murder, even though it is classed as "manslaughter". I just do not believe that that is right. This is another case in which they should throw the key away for a while. I believe this is just not right. Why should people have to live in fear?

Mr DEPUTY SPEAKER (Mr Mickel): Order! Before the member gets into that, can he just assure me that these cases that he is going to quote are not the subject of an appeal before the courts at the moment?

Mr MITCHELL: As far as I believe, it has already been done.

Mr DEPUTY SPEAKER: It will aid the Chair enormously if the member generalises.

Mr MITCHELL: Thank you, Mr Deputy Speaker, I will. I just wanted to quote those few articles which contained disturbing news in north Queensland, and even in my area. I am sick of putting up with these sorts of things, and I am sure that everybody else is, too. It just seems to be a daily routine that these guys are out there on our streets. These are the people whom we have to rid our streets and malls of, as I have said, before they get to the stage at which they will commit the serious crimes for which this Bill is intended. We all know what has been happening, but how do we fix the problem? Nobody seems to be coming up with any answers.

We all know that we need more police. Every Government has attempted to provide that and I am not blaming anybody here. We have to get more police out there. As I said earlier, I feel for the police, who are trying to do their job of apprehending these people and getting them off our streets. The police need more assistance, mainly through the court process, and that has been discussed many times in this debate. The courts have to actually ensure that these people serve 100% of their sentence. They need to put these people away and have them serve some sort of sentence which will hopefully be a deterrent against them reoffending.

We hear all the time about early intervention. Let us get fair dinkum when considering the form of rehabilitation in the early intervention programs. The punishment needs to fit the crime that they have committed and not just be a slap on the wrist—as I said earlier—and, "Do not be a naughty boy again." That seems to be the case. They put them back on the streets trying to do community work or whatever. It is just not working. They are wandering the streets and continuing with the usual vandalism, etc. If the offence warrants imprisonment, put them in prison.

We have other facilities such as WORC farms, which I reckon is a great program, where we can put some of these people away. I believe that topic is going to be mentioned pretty regularly in the fine defaulting debate shortly. We should make use of the WORC camps in which we can put people who do not deserve prison but do have to serve some sort of a sentence for their crime. For heaven's sake, we have to give them some sort of a sentence under supervised programs so that they are not left to their own devices, treating

the system as a joke, which has been the case up till now.

Mr Deputy Speaker, I have perhaps moved away from the thrust of the Bill before the House, but I do honestly believe that, if Governments do not act and get tougher on crimes being committed by minors and juveniles across the State, we will be faced with more of these serious crimes.

In Charters Towers not too long ago a chap broke into a house occupied by an elderly couple. He knocked them around so badly that the fellow received a broken hip and the lady was lacerated around the eyes and head. If these people use just a little bit more force on elderly people, that could become a more serious crime. They are doing this. That is where a lot of people are getting caught, because it starts out as a minor theft but ends up being a serious crime if these criminals are distracted. It does not take much force on elderly people from some of these animals out there for that to turn into a serious crime.

That is what I am saying here: we have to try to get these people at an early stage of life to respect the law—or just have respect. I think that is what has been well and truly lost in society. These young people say that there is nothing to do, and they come up with all those sorts of excuses. For God's sake, they have to have some respect for their elders. I do not know how we are ever going to get back to the situation in which young people respect their elders. It seems to be getting worse. As I say, if we do not start doing something about this in the early stages, this Bill will have to come into force, because there will be an increasing number of crimes against these people, whether they like it or not. I commend the Bill to the House, and I certainly hope that it passes through the House.

Mr BLACK (Whitsunday—ONP) (10.17 p.m.): I rise to support the Corrective Services and Penalties and Sentences Amendment Bill 1998 introduced by the honourable member for Warwick. I have listened with interest to the debate and to the varying points of view expressed by the members of this House. We have heard about the perpetrators and their victims. We have heard about the anger in the community. We have heard members attack each other over their understanding of the finer points of the Bill, and we have all heard that the Labor Party makes it quite clear that it believes in being soft and that its members will be voting together, as they always do, against this Bill.

Let me illustrate to the House just how contradictory the Labor Party is. I refer to an article in the Townsville Bulletin dated Monday, 22 March about a convicted wife killer in Townsville. The article is about how this killer deserved a much tougher sentence than eight years' imprisonment, with a recommendation for parole in just over three years. The person calling for this tougher sentence was not anyone from this side of the House; rather, it was the Labor member for Mundingburra.

Before I continue with the remainder of this article, let me remind the members of this House of the actions of the member for Mount Gravatt. On Wednesday, 10 March when we debated the Bill in the House, the member for Toowoomba South kindly reminded the member for Mount Gravatt of a question she had asked the Opposition when it was in Government. The question showed great concern over the early release of a convicted paedophile who was sentenced to five years' jail and was released after serving—in the Minister's own words—"just" two years and 11 months of that sentence.

The member seemed quite concerned about the early release of this prisoner and accused the then Minister for Police of being soft on crime. What a turnaround we now see as this Minister, the member for Mount Gravatt, sits on the other side of the House and clearly displays a hypocritical, soft-on-crime attitude.

Not only is the Labor Party hypocritical, but its members also contradict each other. Let us look at the arguments of the Labor member for Archerfield against this Bill. The member for Archerfield asked us to consider some scenarios, the first of which was poor John, an all-around good guy who in a drunken rage assaulted his wife. Unfortunately, she fell over a balcony and ended up in a wheelchair as a paraplegic. As a consequence, poor John was sentenced to 14 years' jail, which means he will probably be out within seven years if he behaves. What about his wife? What about poor Mrs John, sentenced to a wheelchair for the rest of her life? She gets no time off for good behaviour. But let us not be harsh on poor John, because he was drunk and did not really want to hurt her.

What about poor Don, another all-around nice guy who just could not cope with long-term unemployment so decided to break into his neighbour's property, was startled and shot his neighbour dead as a result. Poor Don got sentenced to 14 years' jail. Again, what about poor Don's neighbour—his wife and children, who have been left without a husband, father, breadwinner? Again, this is a life sentence for

this family, with no time off for good behaviour. But let us not be harsh on poor Don, because he was depressed and did not really mean to kill his neighbour.

The member for Archerfield asked us to consider one more example: poor Jenny, a good kid who, whilst under the influence of heroin, got involved in a car theft scam. Poor Jenny! While off her face on heroin she drove a stolen car and killed a school-aged child. She also got 14 years' jail. Only 14 years for taking an illegal drug, stealing somebody else's car and then killing a child? What a pathetic sentence for such acts. But she, too, will be released for good behaviour. Let us not be too harsh on poor Jenny, though, because she was under the influence of heroin when she committed these crimes. She did not really know what she was doing. Tell that to the family of the school-aged child that has been sentenced to life without seeing their child grow up and become an adult.

I do not even have to tell the House how pathetic the excuses for these scenarios are. Another Labor member can do that for me—the member for Mundingburra—through an article in the Townsville Bulletin, which I mentioned earlier. It is quite clear from this article that the member for Mundingburra is upset with the excuses given by the convicted killer for his actions. The member scoffed at Nick's claims in court that his actions could have been caused by mental fragmentation, said that there was no-one to defend the reputation of Maria and said that she believed it was incredibly unfair. Nick, of course, was the killer and Maria is the now-dead wife.

We see one Labor member campaigning in the community for tougher sentencing with no consideration for pathetic excuses for crime, such as mental fragmentation, and with a lot of consideration for the victim who, as the member for Mundingburra quite rightly notes, cannot give her side of the story because she is dead.

We can bet our bottom dollar, though, that the member for Mundingburra and the member for Mount Gravatt will both vote against this Bill, along with the rest of their comrades. It seems strange to me that Labor Party members can change their minds between Opposition and Government and between the electorate and this House.

On a different note, I draw to the attention of members some other factors which should enter this debate. We in this House do not usually see first-hand a lot of the problems legislation is directed at solving. In this case we do not have to deal with the victims battered and bloodied, we do not have to deal with the parents and friends of the victims, and we are not responsible for catching the perpetrators of these violent acts, for preparing the cases and working towards the conviction of these criminals. We rest easy in the security of our offices, leaving others in the firing line. We glean our information from the reports of newspapers on our desks. The Courier-Mail of Friday, 19 March draws attention to the National Party women's section calling for an appeal to be lodged over the inaccuracy of a sentence of one Paul Clark, who killed a 32-year-old woman, tied a block of wood to her abdomen and threw her in the Brisbane River. Spokeswoman Pam Stillman says we would not be outraged if we knew the full details of this woman's death——

Mr DEPUTY SPEAKER (Mr Mickel): Order! This matter is before the courts. I ruled last time and I ruled earlier that if the matter was before the courts the member would be out of order. I ask the member to keep his comments general rather refer than to a specific case.

Mr Reynolds: How about being fair dinkum?

Mr DEPUTY SPEAKER: Order! I ask the member to continue. I will listen very carefully.

Mr BLACK: Thank you, Mr Deputy Speaker, for your ruling. The community knows only part of the story of these offences and it is outraged. Our police force knows the full story and is held responsible by the community for our safety. It is unable to tell us the full story, as it may prejudice a case. It is not even allowed to tell us if there is a paedophile living in our midst. Heaven forbid that the paedophile might cop some flack!

How frustrating it must be to try to protect the majority of decent society when offenders literally get away with murder. How frustrating it must be to put one's own life at risk to catch these offenders, only to later see the system ensure that they are back on the streets in no time at all.

It is also clear that much attention has been paid to initiatives to prevent crime, and rightly so, but these initiatives are useless while we have the likes of the Labor Party making excuses for crime and taking responsibilities away from rights.

The legislators have our police force out there every day working with our children with Adopt-a-Cop programs, with women and some men in the protective behaviour programs, with neighbourhood watch and safety house initiatives, with community consultative

programs and with programs to identify drug and alcohol abuse and domestic violence. We have Camp Run Amok for the kids, we have new strategies to beat antisocial behaviour and so on.

The objectives of the crime prevention unit are to reduce the opportunity for property crime, to teach strategies to empower people to prevent their becoming victims of personal crime, and to reduce the fear of crime in the community. It would appear that there is a program to help with almost every known problem out there in the community. Certainly there should be no excuse for not knowing what is right and what is wrong.

The Queensland police force is currently embracing problem oriented policing. This type of policing endeavours to stop crime before it begins and to minimise the effects of crime. It endeavours to assist in the solving of crime through the efficient use of gathered information by cooperating with the community in the development of unified strategies to combat problems. My point is that our police force, those brave men and women who risk life and limb to protect us, is working daily to prevent crime. There are programs and more programs for offenders and their victims and for the community as a whole.

If after all this the heinous crime is still committed and the criminal convicted and sentenced, our police have to know that the sentence will be served. Our police should not be continually frustrated in their efforts to protect us from violent offenders. The family of the victim has to know that there is a penalty to pay and that the penalty will be paid in full. Our kids have to be safe in the knowledge that, after years of being told by parents, police and teachers what is right and what is wrong, what rights comes with responsibilities and that if a violent crime is committed the offender will be punished, they will be held accountable for their actions.

As the member for Surfers Paradise said, individual responsibility in the community must be acknowledged. We have to know that if, after all these programs and strategies have been implemented and worked through, a person still commits a violent act against another, he will pay the price in full. The person who has taken a life or caused great trauma to another human must be punished for his crime by being removed from the community for the whole period of the sentence. Once he is in prison, there are more programs to rehabilitate and reform him, so he still gets that chance to re-enter the community as a better person. Our police who have to scrape broken bodies into bags and the families and loved ones who look on deserve to know that, after the sentence is imposed on the offender, it will be served in full.

I have shown here tonight that the members of the Government do not all believe this legislation to be negative. I have shown here tonight that some members of the Government think the same way as members on this side of the House do and understand the community outrage at lenient and reduced sentencing. I call then for those members—in fact for all members of this House—to vote upon this Bill according to their conscience, not according to party lines. The victims, the families, the community and the offenders all deserve nothing less. I commend this Bill to the House.

Mr QUINN (Merrimac—LP) (Deputy Leader of the Liberal Party) (10.30 p.m.): In the lead-up to the Bill's introduction—and, indeed, since its introduction—there has been a lot of comment in the media on the perceived positives and the perceived negatives of such a Bill. I say "perceived" because most of the comment being offered to the public was made prior to the Bill's introduction. It was also made by people who did not have the faintest idea about what was contained in the proposed legislation.

Like those who unquestionably believe the excesses of wartime propaganda, the Attorney-General and certain former justices feared the worst. They feared a redneck approach that had its genesis in some far Right Wing manifesto. There were claims that criminals would walk straight from prison back into the community at the end of their sentences without having benefited from any form of community reintegration or supervision. The Attorney-General himself opted for some South American-style economic formulas to calculate that an extra six 400-bed prisons would need to be constructed. There was the claim that the removal of parole would wipe away any incentive for prisoners to behave and reform while incarcerated. And one newspaper took fright—along with some 4,000 prisoners, by the way—that the Bill would be retrospective.

The Corrective Services and Penalties and Sentences Amendment Bill is all about truthfulness in sentencing. Unlike the current system, it is not about deception in sentencing. The sentences imposed on serious violent offenders will be the sentences served. It is called doing the time for the crime. It is abundantly clear that this Bill is not retrospective. The Bill will apply only to those

people who commit a crime covered by the Bill after it becomes law. Nor will the Bill apply to all crimes. It will apply only to serious violent offenders sentenced to 10 years or more. Or, at the court's discretion, it can apply to those serious violent offenders sentenced to between five and 10 years. The Bill will not change the definition of a serious violent offender. So, as members can see, the concerns expressed in some circles that this Bill will blow out the prisons budget are unfounded. The scope of the Bill and the particular sorts of criminals to which it applies are strictly limited. The Bill's provisions are limited to some of the most violent and evil criminals. The coalition makes no apologies for targeting those criminals.

There has been some concern expressed within judicial circles that a move towards truth in sentencing will in some way remove the independence of judges by taking away the ability of a judge to be able to assess cases individually. This Bill does not in any way remove judicial independence or discretion. Nor does this Bill introduce minimum sentences. A judge will retain the power to determine if a prisoner should be sentenced as a serious violent offender for 10 years or more. That has always been a judge's determination, and it will remain so. In addition, a judge will be able to decide if a serious violent offender sentenced to between five and 10 years should be declared as a serious violent offender and be subject to a 100% sentence. That is at the judge's discretion.

The independence of the judiciary is preserved in this Bill. It is as simple as that. Prior to the Bill's introduction, there was some concern expressed about the removal of parole provisions for serious violent offenders. There was concern that this could result in an offender being released and walking straight back into our society without any form of community rehabilitation. On this point, I would like to make something abundantly clear: nothing I would ever support—or, indeed, the coalition would ever support—would in any way compromise the safety of our community. The safety of law-abiding citizens is always paramount. If there is ever the slightest conflict between the rights of law-abiding citizens and the so-called rights of criminals then, as far as I and the coalition are concerned, there is no conflict at all. Law abiders come first, without exception. That is why we will not tolerate—nor would the community tolerate—a situation in which there is no community integration and no monitoring of offenders once they have left the confines of a prison.

Under this Bill, at the completion of the sentence a prisoner will be released under a community supervision program for a period of between six months and five years. The term of the community supervision will be set towards the completion of the prisoner's sentence. This will ensure that the term and the extent of community supervision is based on an assessment of the prisoner's progress during his or her imprisonment. If the prisoner has reformed and can demonstrate an exemplary record, then this supervision period could be for as little as the minimum six-month period. And the conditions of that supervision could also be minimal. However, if we are dealing with a prisoner who has failed to reform, failed to show signs of remorse, and has also demonstrated a particularly bad record in prison, then we must be tough. That prisoner may attract the maximum five-year community supervision period, and it would most likely come with the strictest of conditions—conditions that may even include not allowing the offender to live in the same town or within a certain radius of the victim or their relatives. This could be the case, for example, where we are dealing with a rapist or a perpetrator of some other violent crime.

Equally, the conditions in the case of someone who has displayed severe behavioural problems during his or her term of imprisonment may include an abstention from alcohol for the duration of the community supervision period, which is up to five years, or something as simple as daily reporting to the police. These conditions are all for a judge to determine. A breach of the community supervision program could, if serious enough, be an offence resulting in jail. Obviously, this would not be the case for a minor breach. Under the proposed new laws, the term of the prisoner's supervision period will be determined not less than three months and not more than six months before the completion of the sentence. This term would be set by a judge of the competent jurisdiction. In other words, if someone was sentenced by a District Court judge, then his or her community supervision period would be set by a District Court judge.

Before I hear the argument that resources are already overstretched, I will make just one point. We are talking about a situation which is at least five years away. It is an indictment on this Government if it even ventures to claim that it cannot forward plan to have adequate judicial resources in five years' time. If this Bill is passed, the Queensland Government has been given at least five years to meet these new requirements.

The community supervision scheme will ensure that maximum security is offered to our citizens and to the victims. The length and conditions of the community supervision period will largely be in the hands of the prisoner during his or her prison term. That is one incentive for a prisoner to behave and reform while in prison. In addition, I point out that this Bill does not do away with the existing prisoner classification system. So again we will retain that incentive system, also. If a prisoner chooses to be troublesome, his or her classification will be higher, and that prisoner will not receive the extra resulting privileges. This is all about taking responsibility for oneself.

This Bill puts the rights and the protection of Queensland's law-abiding citizens before all else, but it is not void of compassion. Although parole and home detention are abolished, there is provision for leave of absence on medical or compassionate grounds, but I stress that this will be under the strictest supervision.

The opposition normally levelled at truth in sentencing proposals cannot be levelled at this private member's Bill. This is not only a considered Bill, it is also a balanced Bill. It deals with the issue of sentencing in a transparent way while strengthening the most basic right of the community to be protected. Society today demands that serious violent offenders serve the whole of their sentences behind bars. Equally, society demands that, once that sentence has been served, there is adequate community supervision to ensure proper reintegration. This Bill delivers that. It delivers on the community's expectations.

Mr SULLIVAN (Chermside—ALP) (10.40 p.m.): Tonight we have heard in this debate some disgraceful comments made by the member for Callide and some of his colleagues. It must be recorded in the Hansard that on 3 March this year, after one of the Government members finished her speech and just as the next person had stood to make a contribution, the member for Callide called across the Chamber that the names of people on our side of the House who voted against the Bill would be circulated in their electorates as supporters of violent criminals.

Mr SEENEY: I rise to a point of order. The member is misleading the House. I never said any such thing. I ask that it be withdrawn.

Mr DEPUTY SPEAKER (Mr D'Arcy): Order! That is not the correct form at all, as you should know; you have been here long enough. If you find the words offensive you can ask for them to be withdrawn.

Mr SEENEY: I find the words offensive and I ask that they be withdrawn.

Mr DEPUTY SPEAKER: Order! The member has found the words offensive and asks that they be withdrawn.

Mr SULLIVAN: I withdraw. Members on this side of the House heard a male voice coming from the other side of the Chamber saying that the names of people who voted against this Bill would be circulated in their electorates—and here is the essential part—as supporters of violent criminals. A number of Government members heard this threat, this half truth, and know it for what it is. It is a distortion of the truth. It is an absolute and unmitigated falsehood. Voting against this Bill is not supporting violent criminals; voting against this Bill is voting against poor legislation which would not attain what was needed.

Mr Horan interjected.

Mr SULLIVAN: Sorry, I did not hear the interjection. I would be happy to hear the interjection now. What do you remember, Mr Horan?

Mr Horan: We remember it well, the way you circulated names in the last election campaign.

Mr SULLIVAN: I take the interjection and thank the member for the chance to point out—

Mr JOHNSON: I rise to a point of order. The honourable member for Chermside cannot substantiate the foundation of the argument. I believe that he is misleading the House tonight. There is no point of order at all.

Mr DEPUTY SPEAKER: Order! I agree with the honourable member for Gregory; there is no point of order.

Mr SULLIVAN: I was not taking a point of order. I thank the member for Gregory for his support. The member for Toowoomba South rightly brings to light some of the things that were circulated during the last campaign. However, this brings no credit to the member or to his Liberal Party colleagues. I was not going to raise the disgraceful mistruths that were on coalition paraphernalia. If the member wants to highlight to the people of Queensland his lack of—

Mr BEANLAND: I rise to a point of order. I do not know what this has to do with the legislation before the House.

Mr DEPUTY SPEAKER: Order! I was about to ask the member for Chermside if he would return to the Bill before the House,

which is the Corrective Services and Penalties and Sentences Amendment Bill.

Mr SULLIVAN: I am happy to. As you are aware, Mr Deputy Speaker, the misleading interjection from the member for Toowoomba South probably distracted me.

Mr DEPUTY SPEAKER: Order! I think the member for Chermside is being overly sensitive. Would he please get back to the Bill?

Mr SULLIVAN: Tonight, the member for Callide deliberately misled the House, and he knows that he did, and he knows that he is not telling the truth.

Mr SEENEY: I rise to a point of order. I find that remark offensive and untrue and I ask that it be withdrawn.

Mr SULLIVAN: I withdraw. Because this is poor legislation, it will not achieve its supposed ends. In an effort to defend themselves we find that some members misrepresent the truth. The people of Queensland will act as the judges on this issue.

The truth is that Government members have repeated time and time again that we must be tough on crime, tough on criminals and tough on the causes of the crime. We all want violent criminals removed from society and jailed for lengthy periods. This legislation will not do that. It is defective legislation and will not achieve its aims.

The system of law that we inherited from Britain means that we, the Parliament, make the laws, the police enforce the laws and the courts judge the individual offenders. It is the courts that sentence offenders, not us. Members of the coalition—

Mr Johnson interjected.

Mr SULLIVAN: I thought the member for Gregory was making a reflection on the courts. If he does not have the courage to stand by his interjection—

Mr DEPUTY SPEAKER: Order! It is getting late. I ask the member for Chermside to get on with his speech. If he wants to take interjections I suggest that he hears them properly in the first instance.

Mr SULLIVAN: Thank you, Mr Deputy Speaker. With your assistance, with a Chamber that is quiet, I would be happy to do that. Coalition, One Nation, and some of the Independent members know that if this legislation were passed into law the judges would adjust their sentences accordingly, as they have done in Australia for 200-plus years. The tradition of law which was introduced into this country from Great Britain, through the common law tradition, will mean that judges will take into account the particular circumstances of society and the particular things that are happening in other courts when they are making their judgments.

If the Nationals and Liberals really believe that this legislation will work, why did they do nothing between February 1996 and June 1998? The answer is simple: the Nationals and the Liberals did nothing in Parliament because they knew that this legislation would not work. If this legislation was so important, why did those opposite do nothing and say nothing by way of getting this legislation through the House? They come to the House now with this legislation, quickly drafted, saying that it has great community support. But they know that they did not introduce this legislation because they knew that it was unworkable and against the common law tradition that has come to us through the British legal system.

All members of Parliament and all citizens are appalled by violent crimes committed within our society. We hate the crime and abhor the effects that these crimes have on victims. It is appropriate—

Opposition members interjected.

Mr DEPUTY SPEAKER: Order! The member should be heard in silence. It will hasten proceedings.

Mr SULLIVAN: It is appropriate for members to recall that it was the Australian Labor Party in Government which gave victims of crime the opportunity to make victim impact statements when sentencing was to occur. The Labor Government allowed 100% of court ordered compensation to be paid to victims. It was the coalition under Mr Beanland that appealed in certain cases to lessen the compensation paid to victims of crime. When I hear new members of Parliament saying, "What about the victims of crime?" I point out that it is this side of the House that gave the strongest support to victims having a voice. They also said—

Mr DEPUTY SPEAKER: Order! It is getting very late at night. I suggest to the member for Chermside that he addresses the Chair.

Opposition members interjected.

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

Mr SULLIVAN: Mr Deputy Speaker, I have been consistently addressing the Chair.

It has been the Labor Government that has given victims of crime an opportunity not

only to have their say in court and to make victim impact statements but also to insist that court ordered compensation be paid in full. In fact, it was the coalition when in Government that tried to strip money from victims when the court had ordered that a certain amount be paid. So the arguments that we have heard about this side of the House supposedly not supporting victims of crime are, in fact, lies. They are untruths; they are false; they do not describe what occurred.

It has been Labor Governments that have been the strongest in giving voice to those who have been victims. It has been Labor Governments that have been strongest in supporting the payment of compensation to victims. It has been Labor Governments that have been strongest in giving legal aid to people who could not afford to represent themselves.

Mr Veivers interjected.

Mr DEPUTY SPEAKER: Order! I have already warned the member for Southport once.

Mr SULLIVAN: I am happy to take part in robust debate and I am happy for anything that I say to be circulated to wherever the members opposite want. That is why I am on my feet and Hansard is recording what I say. I hope that Hansard is available to people throughout this State. What I object to strongly is when people then interpret a member's actions, their vote or what they have said in this House in a way to suit their own political ends. It is extremely easy and cheap for people to take a member's actions in this House and misconstrue them for their own purposes.

It is also interesting to note that from the members opposite we hear that we have to give greater emphasis to God, to our religion and to the teachings of the Bible and that in our society we should be more God oriented. If we were to take those members in the conservative groups at their word, we would not be pursuing this legislation. We find that throughout the New Testament the greatest sinners were afforded the greatest forgiveness. I ask members to take as an example the greatest act of forgiveness, that of the good Samaritan. For us the word "Samaritan" is just a name derived from the Samaria locality. In the context of when that parable was written, a Samaritan was the most despised person within Jewish society. In our society today, if the evangelists were writing that parable, they would say that as the priest, the politician and the good, white Anglo-Saxon were walking down the highway and saw an AIDS infected, previously convicted paedophile. That was the scum that they walked past. That is what the word "Samaritan" meant in Jewish tradition. It meant the outcast of society, those upon whom most scorn was poured.

In this debate, we heard members pouring scorn on people who have committed terrible crimes. We agree that those who committed terrible crimes should face the full impact of the law, and the full impact of the law is that the police will investigate, the juries will convict and the judges will sentence. We do not want members opposite preaching to us and calling for justice, claiming to have a monopoly on the truth and what is right and saying that we as a society should move in a certain direction and then betraying the very principles that they espouse.

It is playing some of the lowest possible politics for members opposite to base their arguments on people's greatest fears. This is especially so in an ageing society in which the elderly become very anxious about being affected by crime. My electorate has one of the highest percentages of people aged over 60, and I am only too well aware of the fears about crime that are generated within older people. The coalition and members on the crossbenches are working on the perceptions and fears of older people in our society. Members opposite know that what they are proposing will not work. They know that when this approach was tried in a number of States in the United States, it did not decrease the crime rate. It has not diminished the effect on the victim.

Mr Veivers: Which States were they?

Mr SULLIVAN: The member for Southport asked me which States——

Mr KNUTH: I rise to a point of order. Could the honourable member for Chermside please state the name of those States?

Mr SULLIVAN: I do not know what the point of order is.

Mr KNUTH: I rise to a point of order. Could the honourable member for Chermside please name those States?

Mr DEPUTY SPEAKER: There is no point of order.

Mr SULLIVAN: We in Parliament are provided with many reports. One of those that we receive on a regular basis is from the Australian Institute of Criminology. It was interesting to read the reports on what crime is, what are the age groups of people who are affected by violent crime, who are the perpetrators and who are the victims of crime. Fortunately, the elderly fall into the lowest

category of victims of violent crime but they have the greatest fear.

Mr Horan: It still happens.

Mr SULLIVAN: Yes, it does happen. That is correct. However, as the member would know, by far the most frequent victims and offenders of violent crimes are younger males. Fortunately, the number of older people who are victims of violent crimes is very, very few. For those very few, to be a victim is absolutely devastating. However, we know that the perception of crime within the older population is far in excess of the actual crime rate.

What abhors me is the range of the debate that has come from members opposite. They base their arguments on the lowest common denominator. Unfortunately, they are trying to get into Government through the fears of older persons. I find that a very cheap and unworthy goal. It is unfortunate that that is coming from members opposite. Any person who is a victim of crime——

Mr Veivers: And I have been.

Mr SULLIVAN: The member says that he has been a victim of crime. So have I. It is no fun to be the object of someone's anger, attack, or whatever.

We on this side of the House want to support victims. We have done so by our actions. That can be seen in legislation and in our support for court ordered compensation. However, we will not resort to offering simplistic solutions that are not workable.

I cannot support this legislation, not because, as some members opposite have said, I have been dictated to by the party and, therefore, I will never cross the floor. I am not supporting the legislation because it will not achieve its supposed aims. It will not achieve any greater protection for my constituents. It will not achieve the supposed goals outlined by the member for Warwick. It is a shame that we have sunk to such low depths of debate in this House. I will not support this legislation.

Debate, on motion of Mr Springborg, adjourned.

ADJOURNMENT

Hon. T. M. MACKENROTH (Chatsworth—ALP) (Leader of the House) (11 p.m.): I move—

"That the House do now adjourn."

Mr G. Guest

Mr BEANLAND (Indooroopilly—LP) (11 p.m.): Some weeks have now passed since Minister Bligh tabled in this House a report dated October 1998 by Sydney based consultant Mr Peter Daffen in relation to Petford Training Farm (Aboriginal Corporation). This report contains a number of unfounded and untested allegations that smeared Mr Geoff Guest, the operator and manager of Petford. At no time prior to the report being tabled in this place had Mr Guest been given an opportunity to reply to these wild allegations.

On more than one occasion, Minister Bligh has risen in the Parliament to belittle Mr Guest and abysmally attempt to justify her feeble ideological opposition to his work. It is of concern that it would appear that most if not all of the allegations made by the Minister thus far are without foundation or substance. For example, I refer to accusations about abuse. It is my understanding that allegations of abuse at Petford have repeatedly been investigated by the police, but that is not what the Minister would have us believe. The fact that not one of those allegations has been substantiated would no doubt be of little consequence to a Minister who has not even made the effort to visit Petford and witness first-hand what this is all about.

At no time has Mr Guest been given natural justice. We hear a great deal from Labor members opposite about natural justice when it suits them, but at other times—such as this—the concept is treated with abuse. I ask: how would members opposite like it if such unfounded allegations were made about them and then were given credibility by being tabled in the House as part of a report, yet they had no opportunity to reply to the unfounded allegations? The report contains not one but a whole range of allegations that cover a period and relate to matters such as theft, child abuse and children receiving burns from ropes. Most of those matters have been investigated at length by the police over a considerable period and on no occasion have the police seen fit to lay charges. The investigations have obviously found the allegations to be unfounded. Nothing has ever gone to court in relation to these matters. Despite this, a report is tabled in the House without the person concerned, Mr Geoff Guest, and his wife Norma having an opportunity to reply to the matters that it contains. It is very unfortunate.

In view of the report being tabled—and I understand why the Minister might want to table the report—and in view of the fact that it contains so much detail of untested and unfounded allegations, there must be an opportunity for the person concerned to be given the right to reply. In this case, the person

concerned has been given no right of reply. Without that, he is seen to be guilty of the offences. People do not go further to see that the allegations are unfounded and untested and have never been to court. In fact, they do not see that the allegations have been investigated and have been proved to be unfounded or that there has been a lack of evidence. Whatever the case might be, certainly none of the complaints was proceeded with by the police.

Having the allegations tabled in the House has not only affected Mr and Mrs Guest personally, it has also affected the funding that the centre receives. It is fair to say that Mr Guest could now face financial difficulties—it would be little wonder if he did not. Having worked tirelessly for the benefit of over 2,000 young people for the last 20 years, he is now treated in a disgraceful fashion by the Government. If Government support is withdrawn, I am sure that Mr Guest would have every right to feel betrayed.

Minister Bligh has not only sought to ridicule Mr Guest in this Parliament but she has also sort to ridicule the bio-neuro feedback treatment at Petford. I checked the service agreement that was tabled with the report in the House by the Minister. The service agreement that was signed by her own department of Families, Youth and Community Care and the Petford Training Farm (Aboriginal Corporation) authorises counselling services and rehabilitation programs, including bio-neuro feedback programs. The very programs that have been ridiculed in this place are contained in the service agreement that was signed by a departmental officer. Again it is little wonder that Mr Guest feels betrayed, because the Minister's own department gave approval for this type of treatment at Petford. The question then has to be asked: was Mr Guest wrong to be doing what he was authorised to do by the department?

In my mind, there is no question about Mr Guest's integrity. In fact, the whole situation is a disgrace that has been perpetrated not only on Mr Guest but, importantly, on the hundreds—indeed, thousands—of young people who have been fortunate enough to go through the Petford Training Farm.

McCullough Street, Padstow Road

Mr ROBERTSON (Sunnybank—ALP) (11.05 p.m.): Today's edition of that fine journal the Southern Star contains an article claiming that the Federal member for Moreton, Gary Hardgrave, has offered to open his own wallet and buy two $38 signs to ban trucks from McCullough Street in Sunnybank. This represents nothing more than a populist stunt that gives no thought to the impact that such a move would have on the residents who live along other roads in my electorate but who happen to live outside his Federal electorate.

Let there be no misunderstanding: the number of trucks using McCullough Street and Padstow Road is a significant problem and solutions need to be found. However, to suggest that by erecting two signs at either end of the street to ban from McCullough Street all trucks except those for local deliveries would simply shift the burden onto other routes. Such a move would have a detrimental impact on surrounding roads such as Klumpp Road, Warrigal Road, Beenleigh Road, Compton Road, Mains Road and Pinelands Road, to name but a few. Similarly, to suggest that all trucks should use the southern bypass ignores previous studies on why trucks use McCullough Street and Padstow Road in preference to the bypass.

The Federal member for Moreton conveniently ignores the large industrial estates at Acacia Ridge and Rocklea and the traffic generated by the major transport and logistics companies located there. He claims that interstate trucks are a large part of the problem. That is simply arrant nonsense. Mr Hardgrave needs to actually talk to the companies at nearby industrial estates about their needs and why they use roads such as McCullough Street and Padstow Road. Despite his claims to the contrary, as he well knows the southern bypass was never meant to provide a route for trucks travelling to and from the Acacia Ridge industrial estates. I find it interesting that only a few years ago the member for Moreton was a passionate objector to the building of the bypass, but now he wants to put more trucks on it. Of course, consistency has never been his strong point. If only the member for Moreton had bothered to do some hard work and research on this issue—research that I and my colleagues the member for Mansfield, the member for Mount Gravatt, the member for Archerfield and councillor for Runcorn Gail Macpherson have done—he might understand the significant cost and distance penalties that would impact on trucks that use the southern bypass to access Acacia Ridge and Rocklea, and the impact on surrounding roads.

As I said previously, the number of trucks using McCullough Street, Padstow Road and nearby roads is excessive. The residents who live along those roads do suffer a significant loss of amenity and have every right to complain. This problem must be addressed

and a sustainable solution found. However, simplistic, populist stunts put up by headline seeking politicians get us no closer to finding that elusive sustainable solution. It creates false hope and only adds to the problem. Cutbacks in Federal roads funding under the Liberal Government, of which the member for Moreton is a part, have only added to the problem of finding a sustainable solution.

Mr Hardgrave is seeking to simply shift the problem from his own electorate to neighbouring areas. That is grossly irresponsible. It is the job of politicians to represent and defend their electorates. However, there is also a responsibility for politicians, in representing their electorates, to consider the broader impact of their actions. On all counts, the Federal member for Moreton has failed, and he has failed his electorate.

WorkCover, Local Government; Population, Rural Communities

Mr HOBBS (Warrego—NPA) (11.09 p.m.): Tonight I wish to speak about two matters: firstly, the impact of WorkCover changes on local government; and, secondly, the impact of the population drain on rural communities.

In relation to the impact of changes to WorkCover on local governments, the former coalition Borbidge Government made careful, well thought out changes to WorkCover legislation to clearly define the rights and responsibilities of employers and employees and to encourage organisations to become self-insurers. Proposed Labor changes threaten to undo the advances made and plunge employers such as local government into legal uncertainty.

Following the recommendations of the Kennedy inquiry, the coalition tightened up the definition of the term "worker" in the context of workers compensation to mean an employee who was a PAYE taxpayer. Planned changes will remove the reference to PAYE taxpayers, creating a grey area of personnel who operate somewhere between direct employment and independent contracts. Local governments and other employers will face difficult assessments of the legal status of personnel.

In fact, even contract arrangements will need to be carefully examined to ensure that they do not, under Labor legislation, amount to an employment relationship, with the local government bearing increased responsibility for any injury. Changes to the definition of "injury" will also remove the onus on the employee to demonstrate a strong link between an injury and the workplace, encouraging false and vexatious claims.

Labor even proposes to limit the number of organisations that can obtain licences to be workers compensation self-insurers. Evidence suggests that self-insurance by organisations delivers significantly more benefits to injured employees, but Labor stands opposed to it. Labor proposes to require self-insurers to meet as yet unspecified workplace health and safety standards to renew their self-insurance licence in May 2000. Self-insurers are doing a great job looking after their employees, but are flying blind in the face of meeting standards which have yet to be defined.

If the Government sets impossibly high standards and allows local government and other employers no time to meet the standards, it will be employees who suffer. Proposed changes in the review process will lengthen and complicate the process. Currently, both employers and employees have 28 days to appeal against decisions made on workers compensation claims.

Reviews are currently conducted by correspondence and documentation. Proposed changes would see the period for an appeal to be lodged changed to three months and the process changed to include the right for the employee seeking the review to be heard in person. While this may seem a fair change, it will simply create a court-like atmosphere and create yet another opportunity for lawyers to feed off the system. The last thing we need to encourage is a culture of litigation in Australia in which little is achieved except the creation of work for bureaucrats and lawyers. The whole process will be drawn out, disadvantageous to employers and without any discernible improvements for employees with legitimate claims.

I wish also to speak about the current Government's obsessive focus on the south-east corner of the State to the detriment of all inland Queenslanders. A steady population drain is threatening many small towns. Mining and farming are not the labour intensive industries they once were. The flow-on effect from the loss of just one family in a small town can mean the loss of a teacher, which in turn means the loss of another family. The effect snowballs and everyone suffers.

Rural and regional towns need to turn to service industries to generate employment. Towns which could thrive are being left to stagnate because the Government is failing to capitalise on their potential. There is tourist traffic to take advantage of. Local business

areas need to be revitalised to stem the flow of locals driving to bigger centres to do their shopping. Recreational facilities need to be provided to overcome the fly-in, fly-out culture that is especially prevalent in mining towns.

Areas rich in natural resources are becoming poor in human resources because services are inadequate, so people do not want to stay. For instance, Mount Isa suffered a population decline of almost 9% between 1991 and 1996. It is naive to think that a modern mine is enough to sustain a city. A $3m capital investment in mining generates many millions in income for the State but just one job. Imagine how many jobs a similar investment could generate in tourism or recreational services.

Primary industry and mining remain the backbone of this State's economy, and the residents of the towns and districts which support these industries deserve to live in vibrant communities with the same opportunities and facilities their city cousins enjoy. Relatively small grants can go a long way in a small town. Mitchell, in my electorate of Warrego, is an example of how far a relatively small amount of funding can go. A joint initiative was undertaken by the Booringa Shire Council and the previous coalition Government to dredge sand from the Neil Turner Weir. A State Government investment of just $400,000 over two years has generated jobs, will restore the recreation and irrigation potential of the weir and provide a valuable resource in the sand and gravel that the dredging operation is delivering. Local governments across Queensland are keen to revitalise their communities.

Time expired.

Manoora Urban Renewal Program

Ms BOYLE (Cairns—ALP) (11.14 p.m.): Tonight I wish to speak about what has been termed a leading-edge project in Cairns, and that is the Manoora Urban Renewal Program. Honourable members would know that this community renewal project is occurring in a suburb that has 500 public houses—a suburb that, given our current knowledge, was not well designed. In Australia and other western countries it is no longer the fashion to cluster public housing in large areas. In fact, we distribute public housing throughout city areas rather than concentrate it in one area. Nonetheless, in many Australian cities, including Cairns, we have concentrations of public housing.

Unfortunately, within the Manoora community a concentration of public housing has led to social dysfunction, a high rate of unemployment and, at different times, a high rate of juvenile crime. The Manoora Urban Renewal Program, which has been described as leading edge and as setting the benchmark for community renewal projects, deserves to be mentioned in this House. Although it is to the credit of the Beattie Government that we are in this position, I must give credit to the knowledge that has gone before us in other cities around Australia.

We now know that community renewal is not just about upgrading houses or selling off some of the houses and introducing a broader range of residents to the area. It requires us to move into other areas of social and community activity, and that is the edge that the Manoora community renewal program has. It has addressed employment, recreation activities and, of particular importance to the Manoora area, activities for youth.

Last week I was pleased to accompany the Minister for Public Works and Housing, Robert Schwarten, when he officially opened the first batch of 20 public housing dwellings that have been refurbished and that will be offered for sale. Those dwellings have been upgraded at a cost of around $600,000 and they will contribute to broadening the residential mix of the area, as well as provide new funds to finance other housing projects. The houses represent just one small step in the renewal program that, nonetheless, is reshaping Manoora and the lives of those who live there.

The next stage of the project, which will cost around $1m, will involve the refurbishment of a further 32 houses and five duplexes by the end of June 1999. It is intended that 11 properties will be offered for home ownership and that 21 will remain occupied by public housing tenants. I am pleased to inform the House that, as this project gathers speed, those who choose to live in the area rather than opt to move out of it to even newer dwellings, are saying, "No, this is our home, our community, our suburb and this is where we wish to stay."

This project has proved excellent in bringing together the community. The community is able to speak to the Minister through a focus group of elected representatives and to indicate quite clearly what the priority projects for that area should be. The one that has brought the greatest pride to me in my short time as the member for Cairns is an employment project through

which six long-term unemployed young men from the Manoora area were given employment and horticultural training. It has been a great pleasure to see the pride in their eyes, the way their shoulders have gone back and the way they have turned up for work day after day without missing a day. It has been a pleasure also to see the pride in their mothers' eyes.

This is truly contributing to a better community. This is more than just a street or public housing upgrade; it is community renewal. I recognise the important and strong representation on behalf of the community's wishes that the Minister for Public Works and Minister for Housing, Robert Schwarten, has given on this project. Both he and the people of Manoora deserve the credit for a project of which we can be proud.

Time expired.

Rehabilitation of Drug Users

Mrs GAMIN (Burleigh—NPA) (11.19 p.m.): I believe that drug courts would have enormous merit in the fight against escalating drug use and abuse. These courts would be designed to deal with lower level drug offences and drug related crimes. They would provide a system of early intervention for young people at the beginning of their drug cycle, at the stage where their drug habits have led them into their first crimes. Drug courts would provide offenders with an opportunity to seek counselling and to pursue rehabilitation. Addicted offenders would be required to become drug free and would have to undergo random testing. If they failed a test, they would be sent back into the mainstream court system.

I was dismayed and distressed to read an article in the Gold Coast Sun on 10 March regarding a proposed mobile needle exchange on the southern Gold Coast to be funded by Queensland Health. There have been subsequent and damning media reports. As the local member representing a significant portion of the southern Gold Coast, I am really angry that Queensland Health did not do me the courtesy of seeking my views on this matter, although some Gold Coast City councillors were consulted by officers of Queensland Health. It is inappropriate, to say the least, for me to have to uncover this proposal from media reports. Local residents are outraged and are writing to me and ringing me with their objections.

The Minister for Health may not be aware, although the Department of Health should be aware, that a similar system was trialled and failed in 1990. A needle bus project was launched from the Logan Community Health Centre at the end of 1989. Indeed, Mr Deputy Speaker, it was you who gave me instructions on how to find the Logan Community Health Centre back then in 1989. The bus was based at Gold Coast Youth Support, Oak Avenue, Miami, in the early part of 1990, and was abandoned a few months later.

Despite all the literature that is handed out about the health implications associated with injecting drug use, needle exchange programs, whether static or mobile, are in fact needle hand-outs and not exchanges, and guarantee that participants will remain addicts. The proposed southern Gold Coast mobile trial will only draw drug users and particularly drug dealers into the suburbs where the van or bus is positioned, just as happened in New South Wales when a similar program was trialled in that State. I cannot express strongly enough my abhorrence of this proposal.

Drug courts certainly seem to be a step in the right direction as the community struggles to deal with the consequences of illegal drug use. But drug courts will only work if adequate funding is provided to treatment and rehabilitation programs, such as those offered by Mirikai, the Gold Coast Drug Council's establishment at West Burleigh. I am patron of Mirikai, and over the years I have put in great efforts to attract funding to that worthwhile body.

Mirikai holds national accreditation and provides residential and outreach programs for people who want to kick the drug habit and who want to turn their lives around from drug dependency and its attendant health, social and ultimately criminal problems. Mirikai is the only centre available for drug rehabilitation and detoxification for users under the age of 18 years. It also deals with the dual diagnosis of the physical problems associated with drug abuse, as well as serious mental problems. Dual diagnosis is looked upon as all too hard by other agencies; they just walk away from it.

Mirikai's intervention and education programs do work, and there is an 80% success rate. But there are only 30 beds available, there is a permanent waiting list, applicants are turned away every day and additional funding is urgently required. Bitter disappointment has followed the news that the Gold Coast Drug Council has received none of the Commonwealth's recently announced anti-drugs funding to 50 voluntary and community agencies. On the Gold Coast, Southport's Goldbridge receives a whacking $1m; the

Salvation Army, $708,800; and the Gold Coast Aids Association and Injectors Newsline—GAAIN—which is sponsoring the mobile needle bus about which I have just been talking, gets $226,198. That is almost $2m being funnelled into the Gold Coast—and it is welcome—but Mirikai gets nothing. It gets no money, just a kick in the teeth. The Commonwealth funding process is quite bizarre, and I will be taking Mirikai's cause much further on this funding issue.

Mirikai had applied for a $250,000 grant for an early intervention program at the Southport Court House aimed at identifying and referring young drug addicts to counselling and rehabilitation as a condition of bail—a court-initiated program targeted at young people at the beginning of their drug addiction and stopping it in its tracks. How well that would fit in with the drug courts that we were debating last night! What a pity the Government will not listen to good ideas just because they are put up by the Opposition. The absolute travesty of the Commonwealth drug funding needs to be explored and dealt with.

Time expired.

Education

Mrs ATTWOOD (Mount Ommaney—ALP) (11.24 p.m.): Today I welcomed the students from the Corinda State School Year 7 classes to Parliament House. I have visited the school a number of times since being elected to the seat of Mount Ommaney and have witnessed the achievements of the students at the school. At the Year 7 graduation class last year, many students were honoured with awards for academic achievement, citizenship, music, sports and with the LOTE award for proficiency in French.

This year the Right Honourable Jim Soorley was invited as guest speaker at a badge presentation morning at the school. Badges were presented to house captains and school councillors. One parent commented to me that the behaviour of their daughter had changed remarkably when she was selected for the school council. She took on the challenging task with vigour and suddenly crossed the threshold to become a responsible, caring young adult keen to take on her role as a leader in the school. To be considered for the position of student councillor, a student must display a leadership ability in a school, a high standard of behaviour and attitude at all times, an interest in and loyalty to the school, and a friendly and helpful manner towards all students, teachers, visitors and community members. These leadership skills will serve them well all of their lives, with some of them becoming leaders in our community.

Jim Soorley spoke about the role of leaders and the importance of a child's learning. He believes that the educated mind will be our most saleable product in the employment market in years to come. I congratulate the principal, Mike Shambrooke; the deputy principal, Mrs Pam Thomson; the dedicated teachers of this fine school; Mr Ken Acworth, president of the P & C; and proud parents who turn out in force at these school events to support their children. The combined effectiveness of the ideas of the parents and the teachers are what contribute to the overall physical, emotional and intellectual development of the child in his or her early years.

To date I have visited all schools in the Mount Ommaney electorate at least once, including the Middle Park State School, the Jamboree Heights State School, the Jindalee State School, the Good News Lutheran School, the Centenary State High School, the Oxley Secondary College, the Corinda State High School, the Corinda State School, St Joseph's, St Aidan's, the Oxley State School, the Mount Ommaney Special School and the Montrose Special School. I speak highly of the standard of education provided in all of these schools. The teachers I have met are highly committed to their task. It is sometimes quite a challenging job, particularly in schools where there is a high number of students with learning disabilities in mainstream classes.

It is quite difficult to manage without the assistance of full-time teacher aides. There seems to be a need for a middle level of schooling between special schools and mainstream classes. There is a certain number of children who need a little more attention than the average but not as much attention as children in special schools. But because of the wide range of learning disabilities, it would be difficult to provide teachers to cater for each individual's special need to advance their learning and development.

There are an inordinate number of teachers living in my electorate—around 600. Prior to the election, I wrote to these teachers advising them about Labor's stand in relation to the Leading Schools program. Many telephoned me stating how glad they were that we had adopted a policy of equity in schools. Some were concerned that there were, in some schools, a large number of students with learning disabilities and that

these students would not have been given a fair go under this program.

Teachers just want to get on with the job that they are trained to do—that of teaching, not management and administration. The amount of change and competitiveness in the education system in the past has caused anxiety and increased stress levels for teachers, who just want to do their job. The Minister for Education has determined that equity in schools should occur and took steps to ensure the removal of the Leading Schools program immediately he came to office. Much relief was felt amongst the teachers in my electorate, and money was made available to all schools based on equity.

There have been many requests from schools and P & C associations to which I have received a prompt response from the Minister's office. These are mainly in relation to maintenance issues and capital works programs that had been shelved by the previous Government. The Honourable Dean Wells was placed in a difficult situation regarding the Montrose Special School closure, but worked towards achieving a satisfactory solution. The Minister is dedicated to the welfare of all teachers, students and their parents in this State and will ensure that children's basic education needs are met.

Time expired.

Motion agreed to.

The House adjourned at 11.30 p.m.