THURSDAY, 18 MAY 2000

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

PRIVILEGE

Minister for Public Works and Minister for Housing

Miss SIMPSON (Maroochydore—NPA) (9.30 a.m.): Mr Speaker, I rise on a matter of privilege, which I would like you to refer to the Members' Ethics and Parliamentary Privileges Committee. It concerns the Parliament being misled by the Minister for Public Works and Minister for Housing, Robert Schwarten.

The matter of privilege relates to information which has been obtained since a parliamentary committee inquiry into water contamination hazard reduction, otherwise known as backflow. In his evidence to the Public Works inquiry into backflow prevention, the Minister was asked by the member for Mooloolah, Bruce Laming, "When were you made aware of the internal audit into Quality Water—before or after its completion?" Mr Schwarten said—

> "I was advised by telephone. I was not aware that an internal audit was being conducted at all. As I said in my statement, I was first told of this by the Director-General on about 26 February, which I believe was a Friday."

On 17 December 1998, the internal auditor, Robyn Turbit, sent an e-mail to Gary Trueman of Project Services regarding the internal audit. I will table that document. Mr Trueman sent a copy to the general manager of Q-Build, Tony Waters, with the following comment—

> "Tony, as you are aware, there have been a number of inquiries from the Minister's office on Quality Water and the Backflow Prevention Program. This is a continuation of the process."

In fact, in a ministerial briefing note dated 20 October 1998, the "Background" reads—

> "The Minister's Office has asked for an updated briefing on the Backflow Prevention Program and the 'Quality Water' Co-Venture Agreement involving Works Qld, BHF and PPK."

On 17 November 1998, the ministerial briefing note begins with the following "Background"—

> "The Office of the Minister has requested further information regarding the Backflow Prevention program."

There is sufficient evidence available—particularly with the document I tabled—to suggest that the Minister was continually briefed between October 1998 and February 1999 on all aspects of the backflow prevention program and he misled the House in that regard. Mr Speaker, I ask that you refer this matter to the Members' Ethics and Parliamentary Privileges Committee.

Mr SPEAKER: I will consider the matter.

PARLIAMENTARY CRIMINAL JUSTICE COMMITTEE

Resignation of Mr S. Santoro

Mr SPEAKER: I have to inform the House that a vacancy exists on the Parliamentary Criminal Justice Committee consequent upon the resignation of Mr Santo Santoro from that committee.

Appointment of Mr R. J. Quinn

Hon. T. M. MACKENROTH (Chatsworth—ALP) (Minister for Communication and Information, Local Government and Planning and Minister for Sport) (9.34 a.m.), by leave: I move—

> "That Mr Robert Joseph Quinn be appointed to the Parliamentary Criminal Justice Committee to fill the vacancy caused by the resignation of Mr Santo Santoro."

Motion agreed to.

PETITIONS

The Clerk announced the receipt of the following petitions—

Harness Racing Board

From **Mr Feldman** (314 petitioners) requesting the House to apply to the Governor in Council for the immediate dismissal of the Queensland Harness Racing Board under Section 43 (1)(g) of the Racing and Betting Act 1980 and the immediate resignation of its General Manager.

Life Education Centres

From **Ms Nelson-Carr** (35 petitioners) requesting the House to restore funding for the Life Education Centres for their positive health

and anti-drug abuse program for Queensland children effective July 1, 1999.

Vegetation Management Legislation

From **Mrs Pratt** (123 petitioners) requesting the House to rescind the Vegetation Management Bill 1999 immediately.

Voluntary Euthanasia

From **Ms Struthers** (15 petitioners) requesting the House to introduce laws enabling voluntary euthanasia.

Petitions received.

PAPERS

MINISTERIAL PAPERS

The following papers were tabled—

(a) Deputy Premier and Minister for State Development and Minister for Trade (Mr Elder)—

Report on Queensland Trade Delegation, lead by the Deputy Premier, to South Africa from 28 April to 9 May 2000

(b) Minister for Communication and Information, Local Government and Planning and Minister for Sport (Mr Mackenroth)—

Report of a decision by the Minister for Communication and Information, Local Government and Planning on 22 November 1999 pursuant to section 3.6.5 of the Integrated Planning Act 1997

(c) Minister for Environment and Heritage and Minister for Natural Resources (Mr Welford)—

(A) A Proposal by the Governor in Council to revoke the setting apart and declaration as State forest under the Forestry Act 1959 of—

(a) All that part of State forest 98 described as Lot 3 on SP106733 shown hachured on plan FTY 1777 prepared under the authority of the Primary Industries Corporation and containing an area of 17.29 hectares;

(b) All that part of State forest 249 described within stations (5-4-3-5) on plan SP116483 shown hachured on plan FTY 1829 prepared under the authority of the Primary Industries Corporation and containing an area of 1199 square metres; and

(B) A brief explanation of the Proposal.

OVERSEAS VISIT

Report

Hon. J. P. ELDER (Capalaba—ALP) (Deputy Premier and Minister for State Development and Minister for Trade) (9.35 a.m.): I table for the information of the House a report on my recent trip to Singapore and South Africa.

MINISTERIAL STATEMENT

East Trinity; Million Paws Walkathon

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier) (9.36 a.m.), by leave: My Government's recent purchase of the East Trinity site adjacent to Cairns has been applauded by a wide range of community and business groups. This is an enormous shot in the arm for the Cairns tourism industry. It guarantees Cairns and far-north Queensland as a first-class national and international tourism destination indefinitely into the future.

This purchase brings to an end the long-running land use debate in far-north Queensland that has repeatedly divided the Cairns community. My Government takes great pride in successfully negotiating this outcome in the best interests of this State, its natural environment and the lucrative tourism industry on which Cairns' long-term future depends.

This 1,000 hectare site has a colourful past. Once owned by the Emmanuel Group, it has at various times been seen as possible cane fields, a major resort proposal called Royal Reef and a mini city named East Trinity. Over the years, significant parts of it have been clear-felled, filled and reclaimed. It was this past development that first disturbed acid sulfate soils which are characteristic of East Trinity. In fact, scientific reports have indicated that past development has created potentially serious acid sulfate problems on part of the site.

East Trinity was one of far north Queensland's major environmental issues in the 1980s and the 1990s. Many members of this House will remember the prominent role that East Trinity played in the 1995 State election when there was a proposal to build a bridge across Trinity Inlet to service the proposed development. The present Leader of the Opposition was most vocal on the issue, ruling out such a bridge across the inlet very early in that campaign. The Goss Labor Government went further by ruling out State support for infrastructure funding on the site. The issue again came to prominence during the Mulgrave by-election in 1998—which, I

might point out, Labor won, as Warren Pitt is only too delighted to acknowledge today. Things have improved since he has been here.

Aside from environmental considerations, the basis of the prosperity of Cairns lies in tourism and the thousands of jobs that flow from tourism. It is essential that the green tropical background that has made Cairns so attractive and different should remain. What we have done is save the picture postcard scenery that brings tourists to Cairns from all over the world. While there is a place for sensible development in and around Cairns, this land purchase will ensure the magnificent green backdrop that is East Trinity strikes an appropriate balance. We have something very similar with Noosa, where significant State and council acquisitions on the north shore of the Noosa River have combined with the famous Noosa National Park to produce booming property prices and tourists flocking to the area.

I have nothing but praise for the previous owner of the land, NatWest Markets Australia Limited, for its positive response when approached by the Department of State Development regarding this purchase. For those members not familiar with the issue, NatWest is the mortgagee in possession of the land. It has proven to be a very good corporate citizen in the negotiations over this very sensitive site. The purchase of East Trinity seals the future prosperity of Cairns by ensuring that this unique setting is preserved forever.

While on the subject of the environment, it would be remiss of me not to inform the House of another failure by the Federal Environment Minister to protect the environment. That is in stark contrast to what we are doing. A feature of last week's Federal Budget was the 50% slashing of funding for the national pollutant inventory. This inventory lists those pollutants likely to cause the greatest damage to the Australian environment. Senator Robert Hill has halved the funding for it. As late as last week, Senator Hill was telling the States that they should insist on a more stringent imposition on industry to measure these pollutants. This exposes the hypocrisy of his moves to gut the State's capacity to implement what he was demanding. This man's handling of environment issues continues to amaze me.

Just on a lighter note, on Sunday morning the RSPCA is organising its Million Paws walkathon in which participants raise money for the RSPCA in events held all over Queensland. I just want to indicate to the House that everyone is invited to bring their pet. My mate Rusty will be there. He was a dog rescued by the RSPCA. I urge all dog owners to take part in the Million Paws walkathon. As I said, I will be there. It is at 10 a.m. at the South Bank Parklands flag court.

MINISTERIAL STATEMENT

Industrial Relations

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier) (9.41 p.m.), by leave: The lines have already been marked out for one of the major battles at the next State election. The battleground will be industrial relations. The coalition parties in this State chose 1 May, Labour Day, to reveal that they are planning to dismantle Queensland's State-based industrial relations system.

The member for Clayfield launched his attack on the workers of Queensland on the very day that celebrates the gains made by working men and women. The member for Clayfield wants to hand back State powers to the Federal Government. The member for Clayfield, that wolf in Reith's clothing, wants to tear down our Industrial Relations Commission, which is independent, fair and balanced. He wants a return to the system that gave us drawn-out disputes, like those we saw on the waterfront and at Gordonstone—the system that gave us dogs and balaclavas. He wants to see workplaces used as political battlegrounds. I also suspect that, given half a chance, the member for Clayfield would repeal the provision for three months' probation, which allows both employer and employee a trial period for the employment. I challenge the member today to spell out whether he supports this legislative three-month probation period—the only legislative period in Australia.

I make this promise to the people of Queensland: my Government and I will fight all the way to the High Court, if necessary, to keep Queensland's State-based system. This system has served Queensland well for around 100 years. There is no reason to change it. There is no reason for the States to give over their responsibility and powers to the Commonwealth. The member for Clayfield wants to change our successful system to conform with his narrow, ideological view of the world. That is his only imperative.

In contrast, my Government seeks industrial harmony through an independent system that has been shown to work. Among our many achievements are these: an

independent commission that works, restored WorkCover, improved superannuation for the public sector, and positions on Government boards and task forces for employers and union officials—the tripartite arrangement which the Minister, Paul Braddy, has restored. Under the previous Government, they pulled that away. Industrial relations needs a tripartite approach. My Government is also keen to work with unions to develop new jobs for Queenslanders in smart industries like biotechnology and information technology in the same way that we work with employers.

This is a very serious issue for Queenslanders. It will be an issue in the next State election. Let the sides on this be very clear: the alternative Government, the Opposition, with their spokesman, Santo Santoro, wants to tear out the heart of the State-based industrial relations system and give it to the Commonwealth. My Government will fight to keep the Queensland industrial system for Queenslanders.

MINISTERIAL STATEMENT

Airlie Beach Lagoon

Hon. J. P. ELDER (Capalaba—ALP) (Deputy Premier and Minister for State Development and Minister for Trade) (9.45 a.m.), by leave: One of the hallmarks of this Government has been its strong demonstrated commitment to regional Queensland. One of the most important industries for regional Queensland, as the Minister for Tourism knows, is tourism. Earlier this week, the Gold Coast saw that this Government is markedly different from its predecessor in that we can deliver. Cairns has also seen that this Government delivers with a comprehensive upgrade of the central business district and an upgrade of the Esplanade, as the member for Cairns, the member for Mulgrave and the member for Barron River are only too acutely aware. Townsville has seen us deliver with the delivery of the upgraded Strand.

Another jewel in the tourism crown, Airlie Beach, is also benefiting. Earthmoving work on the $8m Airlie Beach lagoon started last month and on completion the lagoon will provide benefits not only for the tourism industry but also for the local community. The lagoon, which is scheduled to be completed in December this year, will become a catalyst for the tourism industry in the Whitsunday region, ensuring every opportunity for year-round safe swimming and more visitors for Airlie Beach.

The Australian Economic Consultants Group has calculated that the lagoon will lead to 25% more visitors over a three-year period. It has been calculated that this increase would cause a direct boost in revenue to the Whitsundays of $5.36m, with further indirect benefits of $7.19m, making a total of more than $12.5m a year coming into the area. This in turn will lead to the creation of about 160 jobs, with about 100 coming directly from tourism-related business and the remainder from support industries throughout the shire.

The commitment by the State Government in the 1999 Budget to fund the lagoon led to benefits for the building industry, with $57m worth of investment—that is, continued investment from the private sector, the building industry—in resorts and units in the mainland Whitsunday area. Apart from those committed investments, applications for additional marina berths, accommodation, retail space and tourism products in excess of $200m are currently being planned. Members can see from that investment by Government that there has been a significant precipitation of investment opportunities in the Whitsunday area.

Should all of these projects proceed, it has been estimated that they will create more than 1,400 construction jobs and 600 full-time operational jobs within the Whitsunday area. As I have said, the lagoon will provide the Whitsundays community with a focal point for local events and it will become the heart of Airlie Beach. The total area of the site is three hectares, with the lagoon area being about 4,400 square metres. So it will be approximately 10% larger than the highly successful lagoon at South Bank in Brisbane just across the river. It will be supported by gardens showcasing the area's tropical flora.

What this Government is about is developing projects and developing work and job opportunities in regional Queensland. The situation at Airlie Beach, inherited from the previous Government, was a complete mess. People at Airlie Beach itself had no direction at all from the Borbidge Government. As a result, the project was going nowhere. In contrast to that, under this Government the tourism industry in the Whitsundays will have an extra string to its bow and that means more tourists, more money coming into the region and more and more jobs for Queenslanders in the Whitsunday area.

MINISTERIAL STATEMENT

Queensland Athletes

Hon. T. M. MACKENROTH (Chatsworth—ALP) (Minister for Communication and

Information, Local Government and Planning and Minister for Sport) (9.49 a.m.), by leave: I am sure all members of the House will join me in congratulating Queensland's own Susie O'Neill for her wonderful effort at the Olympic swimming trials last night. Her effort in breaking the 19 year old record of Mary T. Meagher in the 200 metre butterfly was truly outstanding.

During the past week there have been some wonderful performances as young men and women from around the country vie for Olympic selection. Each and every competitor who has taken to the blocks should be extremely proud of their efforts. Today, however, I thought I would take the opportunity to inform the House specifically about the efforts of our young Queenslanders in the pool.

As I have watched the events unfold each night, I have taken great pride in the number of Queenslanders competing in each event as well as those taking a place on the victory dais. In fact, a total of 172 Queenslanders will have competed in the trials by the time the event draws to a close on the weekend. We have been so dominant that we may now become known as the Triple S State: the Sunshine State, the Smart State and the Sensational Swimming State.

Of those athletes who have already competed, some performances truly stand out. Last night "Madame Butterfly" Susie O'Neill confirmed her status as queen of the pool. She is headed to yet another Olympics and marked her place in history on Tuesday night when she eclipsed Frank Beaurepaire's record for the most national titles.

Who can forget the cool confidence of the young 14 year old Leisel Jones as she streeted the field in the 100-metre breast stroke? Or the tears of jubilation on the face of her Redcliffe team mate Tarnee White when she booked herself an Olympic berth with a fighting second in the same event?

Yesterday morning we woke to the headline "Heath Who?" Heath Ramsay, that is who; another Queenslander who did our State proud when he captured the men's 200-metre butterfly title and pencilled his name in for September. So far eight Queenslanders have made the Australian team for the Olympics—Grant Hackett, Susie O'Neill, Daniel Kowalski, Leisel Jones, Giann Rooney, Heath Ramsay, Tarnee White and Ashley Callus. In addition, another two Queenslanders have qualified for the Australian Paralympic team—Brook Stockham and Tamara Nowitzkl.

It is also interesting to note that a large number of our athletes who have made the Olympic team are products of the Queensland Academy of Sport. The Queensland Academy of Sport was established in 1991 as an initiative of the Goss Labor Government. Through the academy we worked to maximise the development opportunities for our State's sporting talents through avenues such as elite sport and coaching programs, and athlete career and education programs.

Each year on sporting fields across the country and around the world, athletes used the training and support gained from the academy to successfully represent Queensland at the highest levels. The performance of our athletes at the swimming trials is just one more example of the dividend reaped by our wise decision to establish the academy. However, whether it be a swimmer from the academy or from one of our countless community-based swimming clubs around the State, each and every Queenslander who has competed has done our State proud. I am sure all members of the House will join me in congratulating those who have already competed and in wishing the best of success to those who have yet to take to the blocks.

MINISTERIAL STATEMENT

Indigenous Community Justice and Cultural Facilities

Hon. M. J. FOLEY (Yeronga—ALP) (Attorney-General and Minister for Justice and Minister for The Arts) (9.54 a.m.), by leave: I wish to draw the attention of the House to the opening late last month of new community justice and cultural facilities that signal a new era for indigenous justice in Queensland. On Friday, 28 April I opened new court buildings at Kowanyama and Bamaga indigenous communities on Cape York.

The $1.23 million Kowanyama centre and the $740,000 Northern Peninsula area community justice centre at Bamaga were built using local apprentices and are Australian showpieces of community design input and local job creation in the indigenous community. They are based on cultural inclusion in the justice system.

The openings of these facilities, also attended by the Chief Justice, the President of the Court of Appeal, the District Court Chief Judge and the Chief Stipendiary Magistrate, was a historic moment both for indigenous Queenslanders and for the administration of justice in Australia. It demonstrated the Beattie Labor Government's commitment to the

improvement of indigenous access to and participation in Queensland's justice system.

The opening also signalled a series of firsts. It was the first time that indigenous communities have played a direct role in the planning from the ground up and the design of justice facilities in Queensland. It was also the first time that their opening has been attended by the heads of all four court jurisdictions in this State.

The decision to call the new facilities "community justice centres" instead of "court houses" was made at the request of the local communities and reflects the intended use of the facilities by the elders in the community justice programs at those communities. Equally positive is the Government's major commitment of an extra $5m a year for legal aid, $240,000 of which has been allocated to an integrated indigenous strategy to improve access to legal redress for indigenous Queenslanders, particularly women and children victims of violence and sexual assault.

The inclusion of local indigenous artwork in the design and construction of the buildings helps to reinforce a sense of community ownership of the facilities. The community justice centre at Kowanyama incorporates public art works in the building itself and murals and installations by Kowanyama State School children, the women of Kowanyama and glass artist Leonard Gregory.

The Northern Peninsula area community justice centre at Bamaga also incorporates public art paintings and weavings by local artists and traditional owners, making it a showcase not only of a more enlightened administration of justice in indigenous communities but also of the culture of those communities.

MINISTERIAL STATEMENT

Education Delegation to China and Malaysia

Hon. D. M. WELLS (Murrumba—ALP) (Minister for Education) (9.56 a.m.), by leave: On Monday, 17 April I attended a reception in Brisbane given by the Deputy Chief Minister of Sarawak, the Honourable Datuk Amar Dr George Chan. The purpose of the reception was to promote a conference of the alumni of Australian universities to be held in Sarawak from 24 to 27 August 2000.

During the course of his speech at the reception, Dr Chan mentioned that more than half of his Cabinet were educated in Australia. He said that, whatever might be said or done in the future at the level of international relations, those educational links built very deep ties of trust and understanding between our nations that nothing could change.

This, better than anything else I can think of, illustrates the value of international education. It is true that dollars are important, but the ties of friendship and the moral influence for our nation which is generated by our international education program are of incalculable value. Those who undertake part of their education here develop individual friendships, an understanding of our culture and an empathy for our people that nothing could match.

It is in this context that I report to the House on a recent education delegation to the People's Republic of China and to Malaysia. The importance of this visit to the education sector was marked by a strong presence from representatives from the Queensland higher education sector on the delegation.

Representatives of the University of Queensland, the Queensland University of Technology, Griffith University, the University of Southern Queensland and the Central Queensland University took part in the delegation. The Sunshine Coast University also had a presence via an Internet link. Two representatives of my own department, one representing the higher education sector and the other representing schools, also travelled with me.

This Government places a high value on international education, as it brings many short and long-term benefits to the State. It is vital that Australian graduates of the future see themselves as part of the global community. Interaction with students from other cultures, especially in our region, builds friendships, develops outward looking professionals for the future and helps develop an export culture in its own community.

According to recent figures, the State of Queensland gets great value from the sale of education places to international students. The money they spend while they are in Queensland injects around $500m and 5,000 jobs into the State's economy every year.

Each of the university representatives travelling with me made tangible agreements with Chinese authorities. Further details of these will be announced as they come on line. During the trip I witnessed the signing of an articulation agreement between Nanjing Polytechnic College and QUT. Agreements were reached between QUT and Tongji and Jiaotong University to cover joint postgraduate degrees. There are also agreements between the University of Queensland and Jiaotong to offer postgraduate degrees.

Other universities made key links that will very likely develop into joint programs or other such formalised links. China offers Queensland a rich and relatively untapped educational export market. It is the world's largest export education market, with 53,000 students studying abroad in 1998 and very significant in-country potential. Australia's market share in 1998 was 4.3% and has tremendous growth potential, particularly in the area of cooperative research projects.

Malaysia is the most important market for both Australian and Queensland education providers, with over 15,660 students studying in Australia in 1998, of whom 5,345 were in Queensland, predominantly in higher education. As with China, Malaysia's export education sector has enormous growth potential.

I lay on the table of the House a fuller report of my work in China. I would also like to take the opportunity to invite honourable members to attend a picnic lunch today.

Mr Palaszczuk: Teddy bears?

Mr WELLS: No. I have arranged for international students studying at universities in Queensland to visit Parliament House for a picnic lunch. I invite honourable members to join me and those fine young students on the lawns of Parliament House.

Mr Borbidge: Is the Minister for Public Works going?

Mr WELLS: Even the Leader of the Opposition might find that somebody from his electorate who is a guest in this country is visiting Parliament House today.

Mr SPEAKER: Order! Before calling the Minister, I acknowledge in the public gallery parents, teachers and students of the Acacia Ridge State School in the electorate of Archerfield.

MINISTERIAL STATEMENT

Disability Services Funding; Care Independent Living Association

Hon. A. M. BLIGH (South Brisbane—ALP) (Minister for Families, Youth and Community Care and Minister for Disability Services) (10.01 a.m.), by leave: I wish to assure Queenslanders with a disability and their families that the Beattie Government is committed to a fair and transparent funding process based on need. I wish to correct for the record some inaccurate and offensive statements made about these processes by the member for Indooroopilly in this House. The member for Indooroopilly has accused this Government of funding people with disabilities based on media pressure. Nothing could be further from the truth. That in fact is the way things used to work under the coalition Government, but not under this Government.

For the very first time in Queensland history, the Beattie Government has cared enough about people with disabilities to actually find out how many people in our community are still without support. As a result, Queensland now has for the first time a register of unmet need. There are 4,607 people on that register, and each one of them has been given a priority ranking depending on the urgency of their need. This prioritisation process is done at a local level by local service providers, staff of Disability Services Queensland, people with disabilities and their families. Available funds are then allocated to those people, as they should be, with the highest priority need. This is a fair and transparent funding process. It was established by this Government to prevent the "squeaky wheel" funding approach which thrived under the previous Government. The coalition did not fund on the basis of need; it funded on the basis of a whim.

This brings me to the difficult situation facing the Care Independent Living Association on Bribie Island. It is experiencing some financial troubles today, largely because of the whimsical and unethical funding style of the former Government.

Mr Borbidge interjected.

Ms BLIGH: That is exactly right. The honourable member could not have said it better.

This service was established by a caring father, Dr Lewin, seeking to support his daughter with a disability. I am advised by Dr Lewin that the service purchased buildings on the basis of a wink and a nod from the former Government. When I took over this Ministry, I met with Dr Lewin and investigated his claim of an agreement, only to find that there was no documented evidence of any agreement and that no funding was available for allocation to the service for the purchase of these buildings. Unfortunately, Dr Lewin trusted the verbal agreement that he received from the former Government. But that agreement was not kept and there was no evidence that the coalition ever intended keeping the agreement.

I indicated at my meeting with Dr Lewin that funds may become available through funding rounds associated with the $30m increase by this Government. I stressed at this time that all funding would be allocated through an open and accountable process.

Indeed, this has occurred. In fact, four individuals using this service have received adult lifestyle support packages totalling $190,000 a year during funding rounds under this Government. Unfortunately, six adults whom the service has itself chosen to care for have yet to receive recurrent funds.

Unfortunately, there are more than 70 other people in the Caboolture and north coast region who have higher priorities than the six people receiving support from this service. While I share the distress that this must cause families, I will not pervert the funding process and allow people to jump the queue for funding. That would be unfair to the thousands of Queenslanders who are patiently waiting for support.

However, through the actions of the former Government this service has been placed in a difficult situation. Disability Services Queensland is working closely with Dr Lewin and the service to find a solution until long-term recurrent funding becomes available, as it has done with this service over the past two years. For the record, the Care Independent Living Association receives almost $240,000 in recurrent funds from Disability Services Queensland. That includes funding for five respite beds, at approximately $50,000 a year, and four lifestyle support packages, totalling almost $190,000 a year. The Beattie Government has also provided $36,000 for a bus and equipment. I understand that this may not be enough, but it is $226,000 more than they received under the coalition, despite the hollow and false promises of my predecessors.

I say again to all the Queenslanders and their families who are waiting for support: this Government is committed to a fair and transparent funding process and we will not fund on a whim or as a result of political pressure. I say to the 70 individuals and their families in the Caboolture and north coast area with a higher priority that I will not ignore their needs in spite of the joint efforts of the honourable member for Indooroopilly and the member for Caboolture to have others jump the queue ahead of them. I will not make false promises. Disability Services Queensland will continue to fund on the basis of the highest need. I pay tribute to all those families and services supporting Queenslanders with a disability for the heroic work that they do.

This Government, in partnership with the disability sector, has embarked on a massive reform process with a record injection of $30m in recurrent funding to start addressing this need. Together we are rebuilding a starved system. We will continue that process. I restate my commitment and the commitment of this Government to continue to address that need and to improve the lives of people with a disability in Queensland.

MINISTERIAL STATEMENT

Environmental Protection Agency

Hon. R. J. WELFORD (Everton—ALP) (Minister for Environment and Heritage and Minister for Natural Resources) (10.06 a.m.), by leave: Over the past two years, our Government has restored Queensland's environmental credibility, taking steps to protect quality of life and ensure sustainable development. There is now a smarter long-term approach to natural resource management and a commitment to safeguard the environmental qualities that we as a community value so highly.

Just over 12 months ago, I created the Environmental Protection Agency, which has opened the way for real and long-term improvements in the sustainability of our State's development. The EPA is committed to forging partnerships with business, industry and the community to promote responsible and ecologically sustainable development. At the same time, the EPA will not shirk its responsibility of taking tough action against those who refuse to comply with the State's environmental laws.

Almost 1,600 licences for environmentally relevant activities have been cancelled or suspended by the EPA in the past 12 months. Since the EPA was established, it has a 100% success rate for prosecutions, including the largest fine on record of $40,000 by the Brisbane Magistrates Court against Oil and Fuel Salvaging in March this year. I am pleased to advise the House that to further support this work I will be establishing a new specialist legal compliance unit within the EPA to strengthen its ability to prosecute environmental breaches.

An Opposition member: They're coming to get him.

Mr WELFORD: I will spare the honourable member.

The new unit will service both the Environmental Protection Agency and the Queensland Parks and Wildlife Service. This should send a clear message to the community that we are serious about compliance and protecting the community's quality of life. We will inform, encourage and where necessary prosecute to the full extent of the law. The new unit will strengthen the

support provided to EPA staff who investigate environmental incidents. It will increase the prospects of successful prosecution and of penalties fitting environmental crimes.

Prosecution is an important part of the work of the agency. But as I mentioned, it is not the only approach taken in safeguarding the environment. The EPA works with industry to guide and assist a high level of environmental performance. But the EPA will act where necessary to protect the public interest when there are breaches of environmental laws.

The agency is now advertising for suitably qualified professionals to join the EPA's legal compliance unit to provide top-level legal advice on prosecutions, planning, investigations and the review of enforcement measures under the legislation administered by the EPA. There will be a separation of the activities of audit and investigation from decisions regarding prosecution, and a review of legislation to improve enforceability. The Government is committed to enhancing the level of compliance with environmental laws and standards and providing clear direction and support to its staff for those functions.

PRIVILEGE

Private Members' Statements

Hon. R. E. BORBIDGE (Surfers Paradise—NPA) (Leader of the Opposition) (10.09 a.m.): I rise on a matter of privilege suddenly arising. Is it again the intention of the Government to deny members the opportunity to make private members' statements?

Mr SPEAKER: Order! There is no matter of privilege.

Hon. R. E. BORBIDGE (Surfers Paradise—NPA) (Leader of the Opposition) (10.10 a.m.): I move—

> "That the House proceed to the next item of business."

Mr SPEAKER: Order! The Leader of the Opposition cannot do that.

Mr BORBIDGE: Mr Speaker, I seek leave to move a motion.

Mr SPEAKER: Order! The Leader of the Opposition cannot do that, either. There is no matter of privilege. I call the Minister for Primary Industries.

Mr BORBIDGE: Non-Government members are again to be denied the opportunity to raise private members' business—for the third time.

Mr MACKENROTH: I rise to a point of order. When Mr Borbidge was the Premier, I attempted to move the exact same motion and it was ruled out of order.

Hon. R. E. BORBIDGE: I rise on a matter of privilege. When we were in Government, ministerial statements were cut off at 10 minutes past the hour—

Mr SPEAKER: Order!

Mr BORBIDGE:—and were made after question time.

Mr SPEAKER: Order!

Mr BORBIDGE: This is another attempt by this Government—

Mr SPEAKER: Order! The Leader of the Opposition will resume his seat.

Mr BORBIDGE:—to silence the Parliament, to silence the Opposition.

Mr SPEAKER: Order! The Leader of the Opposition will resume his seat. I have checked on Speaker Turner's rulings. On at least three occasions there was no opportunity for the Opposition of that day to make two-minute statements.

Mr BORBIDGE: We have had three occasions in a week, not three times in three years.

Mr SPEAKER: Order! I now call the Minister for Primary Industries.

Hon. H. PALASZCZUK (Inala—ALP) (Minister for Primary Industries and Rural Communities) (10.11 a.m.): Mr Speaker, I seek leave to make a ministerial statement.

Question—That the Minister for Primary Industries have leave to make a ministerial statement—put; and the House divided—

AYES, 42—Attwood, Barton, Beattie, Bligh, Boyle, Braddy, Briskey, E. Cunningham, J. Cunningham, Edmond, Elder, Fenlon, Foley, Fouras, Hamill, Hayward, Kaiser, Lucas, Mackenroth, McGrady, Mickel, Miller, Mulherin, Musgrove, Nelson-Carr, Nuttall, Palaszczuk, Pearce, Pitt, Reeves, Reynolds, Roberts, Robertson, Rose, Schwarten, Spence, Struthers, Welford, Wells, Wilson. Tellers: Sullivan, Purcell

NOES, 40—Beanland, Black, Borbidge, Connor, Cooper, Dalgleish, Davidson, Elliott, Feldman, Gamin, Grice, Healy, Hobbs, Horan, Johnson, Kingston, Knuth, Laming, Lester, Lingard, Littleproud, Malone, Mitchell, Paff, Pratt, Prenzler, Quinn, Rowell, Santoro, Seeney, Sheldon, Simpson, Slack, Springborg, Turner, Veivers, Watson, Wellington. Tellers: Baumann, Hegarty

Resolved in the **affirmative**.

MINISTERIAL STATEMENT

Hardwood Plantations

Hon. H. PALASZCZUK (Inala—ALP) (Minister for Primary Industries and Rural Communities) (10.17 a.m.): The Beattie Government's plan to have Queensland's hardwood industry self-sufficient within 25 years is off to a flying start. I am pleased to report that almost 2,000 hectares of new hardwood plantations will be established this year. This is double our first year target, which had been set at 1,000 hectares during the South-East Queensland Regional Forest Agreement process. Joint venture arrangements have been secured for the planting of 919 hectares of hardwoods, and a further 995 hectares are in the final stages of negotiation. South-east Queensland is therefore well placed to double this year's projection and meet the Government's ultimate goal of having 5,000 hectares planted to hardwoods by 2003.

The plantings will occur in south-east Queensland coastal areas as well as in the hinterland and west through the Kilcoy, Lockyer and Brisbane Valleys. A number of nurseries have been commissioned to grow the required seedlings, which are predominantly spotted gum and Gympie messmate. This program is part of the State Government's $26m commitment over four years to joint venture hardwood forest plantations, which was originally negotiated under the regional forest agreement process. It includes $18m under the South-East Queensland Hardwood Plantation Program and an additional $8m for a research, development and extension strategy. A range of field days and public promotions is being planned throughout south-east Queensland to encourage more land-holders to become involved in private plantation forestry.

NOTICE OF MOTION

Censure of Minister for Public Works and Minister for Housing

Hon. R. E. BORBIDGE (Surfers Paradise—NPA) (Leader of the Opposition) (10.19 a.m.): I give notice that tonight I shall move—

> "That this House censures the Minister for Public Works and Minister for Housing for his assault on Mr Craig Brown, the husband of the Federal Labor member for Capricornia."

PRIVATE MEMBERS' STATEMENTS

Minister for Public Works and Minister for Housing

Hon. R. E. BORBIDGE (Surfers Paradise—NPA) (Leader of the Opposition) (10.19 a.m.): Serious questions need to be raised about the involvement of the Minister for Local Government and other representatives at a secret meeting in Mackay on the sixth of this month which was exposed by the Opposition. The facts are as follows. The Minister for Public Works and Minister for Housing controls the Labor Unity faction in Rockhampton. The Minister for Local Government and Planning and other things is the Labor Unity powerbroker in the Queensland Cabinet and the Labor Party caucus. The fact is that an alliance between Labor Unity and the Left denied the AWU candidate the right of preselection in the Federal seat of Capricornia and a deal between the Left and Labor Unity gave Kirsten Livermore the numbers, the preselection, the endorsements and the job.

Mr ELDER: I rise to a point of order. The AWU does not have any numbers in Capricornia.

Mr BORBIDGE: The AWU candidate, Mr Nyland, was locked out of the equation, and what we saw on 6 May was a meeting between the faction members who controlled the future of Kirsten Livermore, the Federal member for Capricornia. The question that needs to be raised is whether the Minister for Local Government and Mr Slowgrove, representing the Left, were part of a deal with the Minister for Public Works and Minister for Housing to put pressure on Mr Brown to withdraw the charges of assault against the Minister for Public Works and Minister for Housing to protect the ongoing endorsement of the Federal member for Capricornia, Mr Brown's wife.

Time expired.

West Chermside Shooting

Mr SULLIVAN (Chermside—ALP) (10.21 a.m.): As the member for Chermside, I wish to pass on the thanks of local residents to all those who helped them cope with the recent traumatic events. The quiet of their suburban streets was shattered around 4 a.m. on Monday, 1 May, and their lives have been adversely affected since that time.

Firstly, I pass on the thanks and best wishes of the community to the three police officers who were so callously attacked. We wish them a full and speedy recovery. We

thank officers from the local police stations, the SERT team, the Dog Squad, ambulance officers, the Brisbane City Council parks and gardens and Education Queensland who played such a magnificent role in protecting and comforting local families.

The closure of the two Craigslea State Schools for two days caused difficulties for many families, and I would like to thank officers from Education Queensland and principals Pat Franks and John Fitzgerald, who worked with the police and parents to look after the children in their care.

We thank the schools' Adopt-a-Cop who provided advice, support and practical assistance to the schools, and the ground staff, Bob Hargraves, John Sestro and Darryl Stewart, who helped secure the school grounds. As well, the State school P & C association expressed their support and thanks to their principal and the authorities for the actions taken in those days. In recent weeks, families have had their lives disrupted, work habits changed, and social and community outings cancelled, and many people have had disturbed sleep with helicopters circling overhead. Yet no-one has complained because, as residents have said, they feel secure having a strong police presence to bring some peace of mind.

As members will be aware, the situation has not yet been resolved. The uncertainty and anxiety continues. I have some appreciation of what it means for one's family having to await the capture of a gunman following an irrational and unprovoked attack, and I extend my support to my constituents who are at the centre of these unfortunate circumstances. I am sure I speak for all members when I wish a speedy, injury-free conclusion to this predicament. We offer our support to those whose lives have been affected. We thank all those involved in protecting and supporting local residents.

Minister for Public Works and Minister for Housing

Dr WATSON (Moggill—LP) (Leader of the Liberal Party) (10.23 a.m.): Queensland is being run by a lawyer who condones cowardly king hits, lying to police and the perversion of justice. The Premier of this State has no problem with a Minister of his Government using a beer can to beat a union critic into submission. He says the matter is closed. The Premier has no problem regurgitating the lies of a Cabinet Minister to protect his Government. He says the matter is closed. The Premier of this State has no problem with the electorate staff of the Minister's office lying to police about his whereabouts. He says the matter is closed. The Premier of this State has no problem with the Minister making an appointment with police he never intended to keep. He says the matter is closed.

The Premier of this State has no problem with ALP branch members colluding to fabricate false testimony about a brutal assault. He says the matter is closed. The Premier has no problem with the Minister's brother harassing witnesses. He says the matter is closed. The Premier has no problem with another senior Minister cutting a shabby backroom deal to protect his Government. He says the matter is closed. The Premier has no problem treating this House with contempt. He says the matter is closed. Well, I have news for the Premier: the matter is not closed. It has barely begun. This is not a personal matter; it is a public disgrace. The Minister is a disgrace, the Premier is a disgrace and his Government is a disgrace.

Technology and the Older Generation

Ms STRUTHERS (Archerfield—ALP) (10.24 a.m.): I want to pay tribute to a fearless band of seniors from Forest Place Retirement Village, Acacia Ridge, 60 & Better and ARTIC, who are getting themselves online. These courageous seniors are taking the mouse into their own hands to combat the information technology phobia that has left their peers languishing in self-doubt while they are off exploring cyberspace. A recent Morgan poll revealed that the total number of Australians who have been online has grown steadily to 52% in January/February 2000, but the percentage of people aged over 65 years who have been online is only 13%.

As we become more focused on e-commerce, e-banking and e-life generally, the gap between the information wealthy and the information poor will grow markedly. The Morgan poll survey reported that people on low incomes, women and the elderly are less likely to get online than others. Only 20% of people with incomes less than $20,000 per year have been online, compared to 80% of people who earn over $80,000. The relatively high cost of computer equipment and lack of exposure to the technology are the major barriers keeping people out of cyberspace. Physical barriers such as arthritic hands and inability to control the mouse are also very prohibitive for the groups I have met with in my area.

Our Government is taking action to reduce the "e-gap". For instance, Minister Judy

Spence oversees a great women and IT strategy through Women's Infolink. I encourage more action on this front, particularly an expansion in voice-activated and other technologies, so that our courageous oldies will be given plenty of encouragement in their quest to become e-literate.

Minister for Public Works and Minister for Housing

Mr FELDMAN (Caboolture—CCAQ) (10.27 a.m.): It is indeed a long lane that has no turning. It has only taken some 15 months for this to turn around. I recall the Minister for Public Works and Minister for Housing yelling some fairly caustic comments across the Chamber to Charlie Rappolt when he was here over a domestic situation he was involved in. I remember the rest of those spineless people over there also yelling a few of those comments themselves. But I do not think the Charlie Rappolt situation involved a crushed beer can as the weapon of choice. I do not think the Charlie Rappolt situation involved assault occasioning bodily harm. I do not think this spineless mob over there should be protecting somebody who does not need that protection. I do not think it was just a drunken barbecue involved either.

I say to the member for Rockhampton that the public have a right to know about what happened at that barbecue. If we listened to a couple of other sources, the Minister would be out there not just posturing in front of the public with the Premier protecting him. The Premier was supposed to set new standards and new moral behaviour for not just his side in this Parliament but every side of this House. The Minister for Public Works and Minister for Housing has now set the standards. We now have to do the limbo under those standards. They are not high standards.

The public need to know exactly what is going on. They need to know and have a right to know. Just as they had a right to know about Charlie Rappolt's situation, they have a right to know what happened at that barbecue at Rockhampton. I see the smirk coming across the face of the member for Rockhampton. As I said, the worm has turned, and what a worm the member for Rockhampton is turning out to be in this situation. He must give a public account. That account has to be given. The public have a right to know. There are questions, too, concerning the Minister for Local Government and the Police Minister with respect to what they have had to say about this matter.

Time expired.

Industrial Relations

Mr ROBERTS (Nudgee—ALP) (10.29 a.m.): There are no ifs or buts about it: if the coalition ever returns to Government in Queensland, it will immediately hand over our industrial relations laws to the Federal Government. The member for Clayfield let the cat out of the bag, not recently, but during the debate on Labor's Industrial Relations Bill in June last year. His parting words in the debate were—

> "I will give Government members one guarantee: we will fix the industrial relations system of this State again, but next time permanently."

That can only mean one thing: handing our industrial laws back to the Commonwealth, just like Victoria; back to the likes of Reith and Howard; back to the days of the attack dogs, the Dobermans and the Alsatians, that were used to threaten workers and protesters at Hamilton and Fisherman Islands; back to the employer sponsored thugs in balaclavas who conducted midnight raids on the waterfront; back to the days when the independent umpire could not intervene to resolve major industrial disputes; back to the days of unfair individual contracts.

This is the industrial relations system favoured by the coalition—a thugs, dogs and winner-take-all approach where the independent umpire is taken out of the picture. If ever there was a time for workers and unions to unite behind the Labor Party to defend our industrial relations laws, it is now.

Mr SPEAKER: Order! The time for Private Members' Statements has expired.

QUESTIONS WITHOUT NOTICE

Minister for Public Works and Minister for Housing

Mr BORBIDGE (10.30 a.m.): I refer the Premier to his assurances in this place yesterday that there had been no political interference in the outcome of Mr Brown withdrawing a complaint of assault against the Minister for Public Works and Minister for Housing, and I ask: did the Premier or any person acting on his behalf ring a prominent figure of the ALP Left, Mr Ron Monaghan of the liquor union, requesting his assistance in resolving this matter by the way of the application of pressure on Mr Brown?

Mr BEATTIE: I have said a number of things about this. I will go through the details again. I make it very clear at the outset: this matter involved no deals, no deals and no

deals. It is that simple. I refer to the person who is at the centre of all of this: Mr Brown. What did Mr Brown say yesterday in the media? I will quote the man who withdrew the charge. The man himself said—

> "Rob Borbidge is trying to make a political football out of what was basically a personal matter."

He said it twice. What is the person who is allegedly the victim, according to Mr Borbidge, saying? ABC News Online states—

> "Craig Brown maintains he made an independent decision to drop a complaint against the minister. He denies being pressured by the Australian Labor Party, and says the two of them have resolved their differences."

He went on to say—

> "I've seen Robert socially since, so I'm not sure what the kerfuffle is about really, to be honest."

They are the words of the man himself. That is black and white. That ends it forever. What we have here is the biggest beat-up since the release of the fraudulent Hitler diaries. The most disappointed person in this House is the Leader of the Opposition, because a person did the Australian thing and decided to withdraw.

This was handled in a mature and sensible way. The parties sat down and discussed the matter and one of them withdraw the complaint. As late as yesterday the man who withdrew the complaints made it very clear in the public arena that he regards the matter as finalised. I look forward to that being widely reported on the news services.

So why is this matter being pursued? It is being pursued for the most base political reasons. As I said, this is the biggest beat-up since the release of the fraudulent Hitler diaries in terms of both the way it has been reported in some media outlets and, indeed, the way the Leader of the Opposition has behaved. Things in this State have changed. It is not like the corrupt old days when Mr Borbidge was in the Ministry.

Minister for Public Works and Minister for Housing

Mr BORBIDGE: I refer the Premier again to his commitments, publicly and in this place, that there has been no political interference in Mr Brown withdrawing the complaint against the Minister for Public Works and Minister for Housing. I ask the Premier again: did he or any person acting on his behalf contact Mr Monaghan to seek Mr Monaghan's assistance or encouragement in respect of Mr Brown withdrawing charges against the Minister for Public Works and Minister for Housing?

Mr BEATTIE: I am not aware whether Charlie Doyle or someone like that rang him. I am not aware whether there is some mysterious individual who contacted him, but I did not ring him.

Opposition members interjected.

Mr SPEAKER: Order! The question has been asked. We will hear the answer.

Mr BEATTIE: I said that I made no contact with him. I did not ring him. I do not know what the allegations are. So far the Leader of the Opposition has been wrong with all of these allegations. I do admit that I did make a mistake. The mistake I made was that right at the beginning I acted openly and honestly. I answered questions from the media. I approached the Minister and I asked him what had happened. I then said publicly to the media—

Mr Borbidge: Did someone ring Ron Monaghan?

Mr SPEAKER: Order! The Leader of the Opposition will allow the question to be answered. That is my final warning.

Mr Borbidge interjected.

Mr BEATTIE: I have actually made the answer to that very clear. The Opposition Leader was so busy interjecting and being rude that he did not hear.

Mr BORBIDGE: Mr Speaker, I rise to a point of order. The Premier is dodging and weaving and will not answer the question.

Mr SPEAKER: Order! There is no point of order. Resume your seat.

Mr BEATTIE: How long are we going to have the House disrupted by the Opposition, which is consistently refusing to allow me to answer the questions asked of me?

Mr BORBIDGE: Mr Speaker, I rise to a point of order. It is now very clear that the Premier has misled the House in respect of intervention in regard to—

Mr SPEAKER: Order! There is no point of order. Resume your seat.

Mr BEATTIE: If the Leader of the Opposition had not been so rude he would have heard me. I said that I have not spoken to this individual. I am not aware of anyone who has spoken to this individual. That is black and white. I said it when the Leader of the Opposition was being so rude.

I come back to the point that I did make a mistake in relation to this matter. The mistake I made was to do the right thing. I spoke to the Minister. The Minister explained to me his position. On questioning from the gallery I then explained what the position was. I have been attacked by both the Opposition and the Courier-Mail for telling the truth.

Let us be very frank about this. What today's Courier-Mail editorial suggests is that I should not have answered the question put to me by the gallery. That is the upshot of it. The Courier-Mail is saying today that I should not have been accountable, and so is the Opposition. I spoke to the Minister. I then told the whole population of this State what I had been advised by the Minister. That is accountability. That is exactly what I should have done. Yes, I made a mistake by going out and doing what a Premier should do.

I recall some history. When a young woman was bashed by the police way back in the seventies, the Bjelke-Petersen Cabinet actually discussed the matter and suppressed an investigation. The chief stipendiary magistrate found that the commissioner subsequently received a direction to not proceed with that inquiry.

Time expired.

National Consumer Confidence

Mr SULLIVAN: I refer the Premier to the 16% slump in national consumer confidence since last November, and I ask: what factors have caused the crisis in confidence?

Mr BEATTIE: It is important that we focus on the real issues that are affecting ordinary Queenslanders. I was worried when I saw the reduction in consumer confidence reported by the Westpac Melbourne Institute Index of Consumer Sentiment—a 16% drop since November last year, which was at the time of the first of the four interest rate increases that have hit Australian families and Australian businesses. With that backdrop, it is no wonder that the Opposition is today trying to get into the gutter again. They do not want to face up to the issues that confront ordinary Australians.

Consumer confidence is now at its lowest level since February 1995, which was the middle of an economic downturn. This confirms the dramatic plunges in business confidence recorded by surveys over the last few months.

This is the real issue: what is eroding business and consumer confidence? The Westpac survey found that interest rates, the weak dollar and the GST are the main reasons. Perhaps people are opening their eyes to what the GST really means for their family budgets, and they are getting worried.

What is the Federal Government doing to manage these disturbing trends? The Federal Government is making these trends even worse. John Howard and Peter Costello are pushing on with the GST, regardless. They are driving the dollar down with thoughtless public comments and thoughtless economic policy. They have delivered to the nation a currency crisis, which seems to be getting worse day by day.

The decline in business and consumer confidence reflects a decline in confidence about the way the national economy is being managed. For Australia's sake, John Howard needs to lift his game and restore confidence in the nation's economic management. But what does he do? For the second time this year he has panicked the foreign exchange markets to sell the dollar. This morning the dollar is trading below US57c, compared with 66c last year. Everyone is hoping that the Reserve Bank does not follow the US and again raise interest rates.

Our economy is clearly slowing and we cannot afford another interest rate hike. If the dollar continues to fall, the pressure to raise interest rates will become overwhelming. One would think that John Howard would understand this. Instead, Howard's actions are fuelling the currency crisis. By delivering a Budget in deficit and exerting pressure on the Reserve Bank, he is adding to the problem, not solving it. I call on the Prime Minister, for all our sakes, to start thinking about the nation and restore confidence in our economic management.

It is interesting to note that the Opposition is out there supporting the GST. I undertook a little research and I was intrigued to find an item in the Gold Coast Bulletin of 18 November 1980 in which the then National Party candidate, Rob Borbidge, was quoted as saying that he would fight all the way to stop a VAT—a GST by another name—being introduced in Canberra. How things have changed! I quote from the article—

> "People who have experienced VAT overseas, particularly in the United Kingdom and Europe, appreciate that it is a tax slug that we can well do without."

He is right in terms of the GST as well.

Minister for Public Works and Minister for Housing

Mr SPRINGBORG: My question is directed to the Honourable the Premier. I again remind the Premier of his undertaking to the House yesterday that there was no political interference in the withdrawal of a complaint of assault lodged by Mr Craig Brown against the Minister for Public Works and Minister for Housing, and the further failure of the Premier to assure this Parliament that no-one associated with him rang or spoke with Mr Monaghan to convince him to help the Premier pervert the course of justice and his subsequent rejection of this pressure—

Mr BEATTIE: I rise to a point of order. That claim is untrue, it is offensive and it is false. I ask that it be withdrawn.

Mr BORBIDGE: I rise to a point of order. Mr Speaker, I refer to your ruling yesterday on a point of order by the member for Clayfield, who found certain remarks offensive. After hearing an appeal from the Minister for Employment and Industrial Relations, you ruled that those remarks did not—

Mr SPEAKER: Order! I will respond to that. The Leader of the Opposition will resume his seat. On the matter of yesterday's point of order, the member will notice that I did say that I did not believe that it was objectionable; that the term was not personally offensive. If someone said, "It was an approach which owed more to political expediency", that is a statement which refers to the situation at the time. The member for Warwick has just accused the Premier of perverting the course of justice. That is a different thing altogether. I ask the member to withdraw.

Mr SPRINGBORG: I withdraw whatever the Premier finds offensive. However, I simply brought to the attention of the House that the Premier denied his personal involvement but he failed to deny the involvement of anyone associated with him in making the contact with Mr Monaghan. I further say—

Mr BEATTIE: I rise to a point of order. The accusation is simply untrue.

Mr SPEAKER: Order! The accusation was that the Premier was perverting the course of justice. That was what the member said.

An Opposition member: He has withdrawn.

Mr SPEAKER: Order! It was not a withdrawal. Would the member withdraw, and then we will get on with this.

Mr SPRINGBORG: Insofar as the actual allegation involving the Premier personally is concerned, yes—

Mr Elder: Withdraw!

Mr SPRINGBORG: Insofar as there is involvement by someone else—

Mr SPEAKER: Order! The member will just withdraw.

Mr SPRINGBORG: I withdraw whatever it is that the Premier is a bit touchy about.

Mr BEATTIE: I am happy to answer the question. The answer to the question—

Mr SPRINGBORG: I—

Mr SPEAKER: Order! We do not need a statement on the matter.

Mr BEATTIE: I made it absolutely clear right from the outset that there have been no deals—

Mr SPRINGBORG: I rise to a point of order. The question has not been completed. Given the Premier's previous answers, I ask: did the Premier or anyone associated with him then ring Linda Holliday, an assistant State Secretary of the Labor Party, and suggest that she join the push to put pressure on Ms Livermore to have her husband withdraw his complaint for fear of losing her endorsement?

Mr BEATTIE: What we have here is a continuation of the smear. What we have here is not only an abuse of the privilege of this Parliament; it is also a very cheap political attempt to continue this exercise to demean and attack people under parliamentary privilege.

Mr Beanland interjected.

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

Mr BEATTIE: There have been no deals; there have been no deals; there have been no deals. There has been no improper involvement by me or anyone else. Let me go into a little bit of history—

Mr BORBIDGE: I rise to a point of order. The Premier has now admitted an involvement. He said, "No improper involvement".

Mr SPEAKER: Order! The Leader of the Opposition will resume his seat.

Mr BEATTIE: What we have seen today from the Leader of the Opposition is a most disgraceful performance by one of the greatest liars that this Parliament has ever seen.

Mr BORBIDGE: I—

Mr SPEAKER: Order! Mr Premier—

Mr BEATTIE: I withdraw. It is a bit rich for the Leader of the Opposition to come into this Chamber and talk about integrity—a man who sat in this place with the most corrupt of people. The member and his mates went to jail—well, he didn't, but his mates did.

Opposition members interjected.

Mr BEATTIE: They don't like it. I go back to 1976 when the Chief Stipendiary Magistrate found these things—

Mr HOBBS: I rise to a point of order. The Premier is talking about something that is 25 years old.

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

Mr BORBIDGE: I rise to a point of order. Mr Speaker, in accordance with your ruling yesterday and the ruling that you have made today, I find the comments made by the Premier to be offensive—

Mr BEATTIE: I have already withdrawn.

Mr BORBIDGE: I ask that they be withdrawn.

Mr SPEAKER: Order! The Premier has already done that. He clearly withdrew.

Mr BORBIDGE: When?

Mr SPEAKER: Order! The member can read Hansard later. We will carry on with question time.

Mr BEATTIE: This has been the most petulant and childish performance that the Leader of the Opposition has yet put on. Let me make it clear—

Mr Horan interjected.

Mr SPEAKER: Order! Have you finished, member for Toowoomba South?

Mr Johnson interjected.

Mr SPEAKER: Order! Have you finished, member for Gregory? I am on my feet. This is again a disruption of question time. I now warn all members on both sides of the House that I am not going to tolerate any further disruption for the rest of this morning. You are all warned under Standing Order 123A.

Opposition members interjected.

Mr SPEAKER: Order! Just try me.

Mr GRICE: I rise to a point of order. The time is jammed on three minutes.

Mr SPEAKER: It is, exactly, because I pressed the pause button. I gave a ruling on that some months ago. All members are now warned.

Mr BEATTIE: This morning there has been a deliberate attempt in the Parliament to continue this smear campaign; when I have sought to answer questions, I have been prevented from doing so.

Let me spell it out very clearly, and I will do this in very precise terms: there have been no deals, there have been no deals, there have been no deals. Neither I nor anyone near me or associated with me, as far as I am aware, has been involved in any deals. That is very clear. At the end of the day, the only people who want to continue this nonsense are those who do it for the most basic, sleazy reasons. I have been very clear about this. There have been no deals, no deals, no deals and no deals.

Let me remind the House that Mr Brown, the person against whom this alleged offence is said to have occurred—and I want to read it into the record—said yesterday—

> "Rob Borbidge is trying to make a political football out of what was basically a personal matter."

That is what he said. But then in an ABC report he was quoted as follows—

> "Craig Brown maintains he made an independent decision to drop a complaint against the Minister. He denied being pressured by the Australian Labor Party and says the two of them have resolved their differences.
>
> 'I've seen Robert socially since, so I'm not sure what the kerfuffle is all about.' "

This is the biggest beat-up since the fraudulent release of the Hitler diaries. That is what it is. I will keep reminding people of that, because there is no evidence of any improper behaviour by anybody.

Mr BEANLAND: I rise to a point of order.

Mr BEATTIE: Here we go, another frivolous point of order against the Standing Orders.

Mr BEANLAND: The question was: did the Premier phone Linda Holliday?

Mr SPEAKER: This is a frivolous point of order. The member knows the Standing Orders as well as I do. It is a frivolous point of order. If there are any more, I will warn the member.

Mr BEATTIE: The important thing that has not been reported in all of this—and I refer to the ABC report—is that that report states that there was a written report by certain police who had also written a report on the incident saying that there was no inappropriate behaviour. That is what the police have said.

Meat Industry

Mr FENLON: I ask the Minister for State Development and Minister for Trade: can he advise the House of developments in the meat processing industry in south-east Queensland?

Mr ELDER: I am pleased to answer the question. I recall the Leader of the Opposition talking about friends. Let me tell him: he has none—not over on that side of the House. Over the past few weeks and beyond, all they ever do in the corridors of this place is plot. His time as Leader of the Opposition is running out—tick, tick, tick. Eventually, this bloke or that bloke over there will top him. That is the way it will work.

I want to make some comments about the meat processing industry, because it is an industry of substance that should be very close to the hearts of National Party members such as the member for Callide. However, they had a report that said, basically, that if they did not act, 17 abattoirs in this State would close—not one, not two, but 17 would close—and 5,000 Queenslanders would lose their jobs. Yet they did nothing. They sat on the report and did nothing. It was sitting there waiting for this Government when it came to power. That is the record of the members opposite. They did nothing—zilch! They had no concern for their own constituencies. This Government set up the meat task force, and that meat task force has delivered meat jobs all over the State.

However, I actually want to refer to AMH. Most members of Parliament would be happy if we as a Government were to walk up to them and say, "We are just about to enhance the meat operations in your area and it will provide 1,200 jobs." Most members would be happy to have 1,200 jobs created in their electorates. However, not the member for Ipswich West. He does not want 1,200 jobs created over the next 18 months.

It is hard to work out "Ten Nations". When they came into the Parliament, they said that when they would be different. My word they are different! The member for Ipswich West is the only member I know who has said, "I do not want the 1,200 jobs." But worse than that—

Mr Kaiser: He's having trouble hanging on to his own.

Mr ELDER: I take that interjection. Worse than that, the member for Ipswich West said publicly, "I want to close the plant down." The member for Ipswich West not only does not want the 1,200 jobs but also he wants to sack the 1,200 who are there already.

Mr PAFF: I rise to a point of order. The Minister is misleading the House. I did not say that, and I find that offensive, most offensive, and I ask that he withdraw it. I find that most offensive, Mr Elder.

Mr ELDER: Whatever the member finds offensive, I withdraw. However, the member said publicly that they should not expand the plant and they should close the plant at a given date. That is what the member said publicly, and I have just stated no different.

Basically, that means no 1,200 new jobs and the sack for the 1,200 workers who are there. That is the way I read it. I am sure that is the way everyone else in the Parliament reads it. Why did the member take a point of order? He is a goose!

Mr Kaiser: He's nodding.

Mr ELDER: The member is nodding in agreement with me. It is exactly the case. The Labor candidate, Don Livingstone, supports them, and it will cost the member in the electorate.

Minister for Public Works and Minister for Housing

Mr QUINN: My question is directed to the Premier. I refer the Premier to the member for Rockhampton's assault on Craig Brown, the husband of Federal MP, Kirsten Livermore, and I ask: did Ms Livermore win endorsement for the seat of Capricornia through the factional support of Labor Unity and the Labor Left? Did the head of Labor Unity and Minister for Local Government tell Mr Brown that unless he withdrew his complaint, his wife could lose the support of Labor Unity? Did union heavyweight, Jeff Slowgrove, tell Mr Brown that his wife could also lose the support of the Left, which would make it impossible for her to secure endorsement? Were both the Minister and Mr Slowgrove acting on the Premier's direction?

Mr BEATTIE: This Opposition is the most bereft Opposition in the history of this Parliament. They are the most dishonest, despicable, sleazy operators we have ever seen. They could not tell the truth if their lives depended on it.

Mr QUINN: I rise to a point of order. I find that comment offensive and I ask that it be withdrawn.

Mr BEATTIE: I withdraw. The truth of—

Mr QUINN: Mr Speaker—

Mr BEATTIE: I just said I did.

I made it very clear. The relevant issue here is: what has the person who has allegedly been assaulted saying? He is saying that it is a beat-up. He is saying that he wants to move on. He is saying that he is part of what the Australian way has been, and that is exactly right.

Let me refer again to the article on ABC News Online. It states—

> "A spokesman for Police Minister, Tom Barton, says the claims are contained in an email written by Rockhampton police officer and passed onto a senior officer, who has also written a report on the incident saying there was no inappropriate behaviour."

The police are saying that there was no inappropriate behaviour.

So what do we have here? This collection of intellectual midgets opposite believe that they are better than the police. Let us be really clear about this. This is a deliberate attempt by the Opposition to pressure both the CJC and the police on this matter. This is a direct attempt at political interference in the due processes of the law.

There is a precedent for it. As I was saying, back in 1976, the National Party used to do business like this every day. Let us look at how the National Party and the Liberal Party used to do business, because this is the way in which they think that everyone does business. Of course, we do not, because we are honest. The chief stipendiary magistrate found that on 30 July 1976

Mr HOBBS: I rise to a point of order. That is totally irrelevant. The Premier is talking about something that happened 25 years ago.

Mr BEATTIE: That was a frivolous point of order.

Mr HOBBS: For heaven's sake, the Premier should talk about what his Government is doing now.

Mr SPEAKER: Order! That is again a frivolous point of order. I warn the member under Standing Order 123A. That is my final warning.

Mr BEATTIE: Let the record show that the Opposition continued to disrupt Parliament today.

Mr Hobbs interjected.

Mr SPEAKER: The member for Warrego will leave the Chamber under Standing Order 123A. He will now leave the Chamber.

Whereupon the honourable member for Warrego withdrew from the Chamber.

Mr BEATTIE: Thank you, Mr Speaker. As I was saying, the Chief Stipendiary Magistrate found these facts—

> "1. On the 30th July, 1976, Mr Spencer made a complaint to Mr Whitrod then Commissioner of Police, who
>
> 2. detailed two of his senior officers to make inquiries,
>
> 3. that on the evidence of the transcribed tape the respondent had, in answer to the question "Why won't there be an inquiry?", admitted "Well, Cabinet considered very carefully the report that Mr Hodges brought today on the information that we had and decided that there wouldn't be an inquiry," and
>
> 4. that the Commissioner subsequently received a direction not to proceed with that inquiry ..."

Time expired.

Gaming

Mr MUSGROVE: I refer the Treasurer to recent media reports on the coalition's approach to gaming in Queensland, and I ask: how does this differ from the Government's new policy direction for gambling in Queensland?

Mr HAMILL: Unlike the Opposition, the Government has a clear policy in relation to gaming in Queensland. In fact, we have held extensive community consultations and we are putting in place a set of policies which reflect community values and aspirations with respect to gaming in Queensland. Part of that approach is giving the community a direct say in relation to gaming licensing matters on both venues and machine numbers, and putting in place a limit on machines—a limit lower than that which the coalition had put in place when in Government.

Imagine my surprise when I saw that, despite these endeavours to rein back the enormous growth, particularly in machine gaming, which was countenanced by the coalition's white paper, we have the Opposition family spokesperson, the discredited former Attorney-General, parading with mock indignation his concern for the growth in gaming machine numbers. At the same time his leader, the member for Moggill, the architect of the explosion in machine gaming which occurred in this State, tried to apply the principles of economic rationalism to gaming in Queensland.

Ms Bligh: Not another split in the Liberal Party.

Mr HAMILL: A splintering, I think.

The member for Moggill's policy on gaming is not to have one at all. Let the market decide. There should be no limit on gaming machines in hotels and clubs. The Liberal Party Leader said, "The free market will find its own level." He may think the free market will find its own level, but the people of Queensland want a firm direction. They want the incidence of gaming in the community limited.

So the member for Indooroopilly, who I think is still the coalition's spokesperson for gaming, is at odds with his leader. We also have the member for Keppel putting in his two bob's worth on this issue. He does not put his two bob's worth in on his own portfolio responsibilities, but he wrote me a letter in which he said, "The capping of machines will not solve anything."

It must be very interesting when the shadow Cabinet meets to discuss gaming. The Leader of the Liberal Party says the free market should reign. The member for Keppel says there should be no caps.

Mr LESTER: I rise to a point of order. I find it offensive that the Minister is mocking in the Parliament something I have done on behalf of a constituent. He ought to wake up to himself.

Mr SPEAKER: Order! That is not a point of order.

Mr HAMILL: Mr Speaker, I table the correspondence to me from the member for Keppel. There is no mention in here about constituents. He was expressing his point of view in relation to gaming.

Mr LESTER: I rise to a point of order. He is trying to make public things I do for my electorate. I think that is disgraceful. One would think one could write to the Treasurer with some degree of decency—

Mr SPEAKER: Order! That is not a point of order.

Mr HAMILL: To overcome the bewilderment of the honourable member, I table the letter. We closed submissions on the green paper in January. He got around to it in April, but there is the letter.

Time expired.

Children's Commission Web Site

Mr GRICE: I ask the Minister for Families, Youth and Community Care: is she aware of, and does she condone, the despicable, filthy, pornographic literature available through the official Queensland Government web site for the Children's Commission of Queensland? I table a print-out taken at the Queensland Parliamentary Library from the Children's Commission web site header, leading to "The Mother's Day Special", leading to "The Happy Mother's Day Song", leading to "Restroom", leading to "Humour", leading to "Crack Aficionado" and "Crack Babies", which depicts children in nappies talking of oral sex, prostitution and a brutal murder of a policeman by a child with a gun and a child with a knife. Finally, I table five recipes for using cocaine in "Aunty Millie's Breakfast Crack", including powdered cocaine, baking soda, two bananas, etc. In keeping with the modus operandi of her Government, how does the Minister plan to cover this up?

Ms BLIGH: I thank the honourable member for his question. I think it is self-evident that not only every member on this side of the Chamber but also on the other side would be concerned, as are members of the community, with the way the Internet can be abused and misused. If the member has any material that he thinks should be drawn to my attention, I can assure him and the House that it will be treated with the same degree of seriousness that I have treated other such issues which have come to my attention.

Anybody who knows the Children's Commissioner and the staff of that organisation would know that she will be equally concerned. I can assure the House that I will look into the matters raised. I suggest to the member that he should take the appropriate course and bring it to my attention formally. I can assure him that it will be treated seriously

Tourism Marketing

Mr PURCELL: I refer the Premier to the State Government's commitment to promoting Queensland as the best place in which to invest and the best holiday destination, and I ask: can he outline any recent State Government initiatives to market Queensland to holiday-makers and investors?

Mr BEATTIE: I can, but before I do so I want to say that during almost 11 years in this Parliament the performance by the Opposition today is the most disgraceful I have ever seen. The people of Queensland should be appalled at the behaviour of the Leader of the Opposition and his disruptive colleagues who have sought to wreck this fine institution through this morning's disruptive processes.

An Opposition member interjected.

Mr BEATTIE: Mr Speaker, I will answer a sensible question.

All honourable members recognise Queensland as the best place in which to holiday and invest. But it is a tough, some would say ugly world. Queensland cannot simply rest on its laurels. Our natural advantages have to be properly marketed to compete.

The Honda Indy 300 has been a wonderful success story, not just for the Gold Coast but for the entire State. The only thing missing from the race has been an Aussie driver competing on his home track. But this year will be different. This year, the 10th anniversary of the event, the Queensland Government has sponsored Queensland driver Jason Bright to help him compete in the race. The Sports Minister and I were very pleased to make this joint announcement and help Jason take his place on the starting grid.

Jason Bright has a distinguished racing record to date, with success in numerous Formula Ford races as well as the 1998 FAI 1000 at Bathurst. He is currently driving for the high profile Dorricott racing team in the United States Indy Light series. In the first race of the year, held recently, he finished second after qualifying third fastest. The State Government sponsorship will be more than covered by the economic benefits that will flow from the event. We will get a great return—many times over—for our investment.

Last year more than 250,000 people were trackside over the four days, and revenue from ticket sales alone topped more than $4m. Overall, the event generated an economic impact of more than $42m for Queensland, an increase of nearly $4m from the previous year. Last year the Indy was beamed to more than 170 countries, with a potential viewing audience of more than 700 million people.

We intend to capitalise on that huge viewing audience in another way: Jason Bright's car will carry the State Government's new corporate logo, making it a 300 km/h billboard. The new logo signifies a single, proactive corporate image for the State and its Government departments and agencies, demonstrating Queensland's determination to be a pacesetter in the new millennium.

This is the first time that a Queensland Government has undertaken a single branding on such a large scale and in such a comprehensive and integrated way. This change will save millions and millions of dollars over time and, importantly, it is a change for the better. It will be an enduring symbol for this Government and future Governments. Queensland has 23 departments and 400 agencies, many with their own name, style, colour, typeface and logo—and costs to go with them. The single logo will improve recognition of Government departments and agencies and save millions.

Another major event that will also put Queensland on the international stage is the Australian Ladies Masters Golf Tournament. The tournament has the support of the Queensland Government, and I am pleased to say it now has a new name and sponsor, which I announced with Karrie Webb and others recently at Royal Pines on the Gold Coast, that is, Virtual World of Sports.

Time expired.

Minister for Public Works and Minister for Housing

Dr WATSON: I ask the Minister for Police: can he confirm that police repeatedly advised his office that its investigations did not support the claim by the member for Rockhampton that he acted in self-defence when he king-hit Craig Brown with a beer can, and can he explain why he did not advise the Premier of this information at any time during the past 17 days, in spite of the fact that the Premier has repeatedly sided with the member, as recently as yesterday, in this House?

Mr BARTON: I am glad to get this question, because the reality is that the Courier-Mail article this morning proves what the Premier and I have been saying all along: that this is an operational matter for the police; that they have been left to investigate this themselves without any operational interference from me. The reality is that I have received three briefing notes from the police. Prior to that I received a significant event report on the same day that I received the first briefing note. I think we should put that in the proper context. The Courier-Mail stated that I had evidence and further on it stated that I had intelligence—

Opposition members interjected.

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

Mr BARTON: It stated that I had intelligence information. Honourable members opposite know the context in which the word "intelligence" was used. It says no more and no less than that there was a complaint by Mr Brown to police; that the allegation in that complaint was that he had been assaulted; and that police were investigating. That is not evidence. It is hardly even intelligence information. The very next briefing note that I

received from police, which was on 8 May, advised that there had been mediation between Mr Brown and Mr Schwarten and that as a result of that Mr Brown had withdrawn his complaint. That is the substance of that briefing note. The subsequent briefing note that I got was on 16 May, after there had already been references in the Courier-Mail. I think the member is misjudging a comment that was attributed to the police media spokesman, Brian Swift.

Mr BEANLAND: Mr Speaker, can I move that those documents be tabled when the Minister has finished reading from them?

Mr BARTON: I have some handwritten notes here. I am happy to table them afterwards.

Mr SPEAKER: The Minister is happy to table them.

Mr BARTON: A comment was attributed to Brian Swift in the Courier-Mail this morning. When we checked with him, he said that, yes, there is always continuous contact backwards and forwards between the Police Minister's office, his office and the commissioner's office. He made it very clear that that was not about this issue. Of course there was a lot of contact during that period. We had the tragic shootings at Chermside, a shooting at Deception Bay and the continuing murder investigation in Cairns. On several occasions Mr Swift has even spoken to me to advise me of events relating to those matters as they were unfolding in the early hours of the morning. But the reality is that the only contact that there has been between the police and me has been those official briefing notes—that is, on this matter.

I think we should put this into context. The brief I got on 16 May stated that the Police Service had no concerns about the manner of the mediation; that it is not unusual for complaints to be withdrawn; that it is the normal practice to accept those requests for withdrawal; that the comments in the Courier-Mail were the personal opinions of one officer and not the Police Service's view; that the decision to take no further action was made at the appropriate managerial level; and that there is no evidence of any improper conduct by any person on this matter.

The Opposition is judging us by its standards. They cannot believe that we do not interfere politically with police matters, because that is what they always did in the corrupt National Party Governments in the past. They find it hard to believe that we do not say, "Tell us every bit of detail"; that we do not directly interfere in these matters. I assure Opposition members that we do not do so and we did not do so on this occasion. We will not do that. That is their style, not our style.

I am much more interested in the raft of legislation that I introduced yesterday, which represents the biggest reform of police powers that this State has seen. There are changes to the Drugs Misuse Act so that we can go after the people misusing steroids, Rohypnol, ephedrine and so on. I am more interested in the world-first initiative that we launched yesterday, namely, a drug-testing van as part of the drug courts and community service regimes. That is where the real game is. This is nothing more than a beat-up by the Opposition of a matter that has been concluded, and in respect of which there has been no political interference by me or anybody else on this side of the House, and that is what the Police Service is saying. The Opposition is misrepresenting the position.

Rural Health Funding

Mr PEARCE: I ask the Minister for Health: could she please explain to the House how much benefit will come to Queensland from the Federal Budget's reported windfall for health, particularly for the bush?

Mrs EDMOND: I thank the honourable member for the question. I note and place on the record of this House his active interest in rural health. I always welcome any extra money that the Commonwealth has on offer, even though experience has proven that the devil is in the detail. But in the detail of the Federal Budget that we have seen to date, of the increased funding under rural health initiatives—

Mr HORAN: I rise to a point of order. The Minister who answered the previous question was going to table the documents. They could be tabled and an attendant could photocopy them.

Mr BARTON: Mr Speaker, I have said that I will table them. They are my hand-printed notes.

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

Mr BARTON: I call for the attendant to come and get them so I can table them.

Mrs EDMOND: The Opposition continually seeks to disrupt question time. They do not want to hear anything.

Mr Horan interjected.

Mr SPEAKER: Order! The member for Toowoomba South will cease interjecting.

Mrs EDMOND: Thank you, Mr Speaker.

In the detail of the Federal Budget we have seen to date, of the increased funding under rural health initiatives there is a failure to recognise that the major provider of regional health services is Queensland Health. I have been concerned by media hype anticipating a $562m windfall or bonanza for bush health. This is something that members opposite are repeating at every opportunity. In fact, only $68m—and that is the Commonwealth's figure—has been allocated across all of Australia for this Budget year. Of that $68m, only $17m across Australia could be delivered through the major provider—the public system. The rest is specifically targeted through private providers and private hospitals. Of that $17m, Queensland will be fighting for the huge total of $3m. People should not hold their breath. If this takes pressure off Queensland Health, I will be delighted and I will be the first to say how wonderful it is. But there is no evidence of this.

The Commonwealth has also an unfortunate habit of missing the mark when it comes to making a real difference in health service delivery. In the past, bush health increases have mostly gone to Victoria—that really difficult rural State! The Commonwealth has also failed to respond to the critical areas of need. There is not a mention of any increase in indigenous health funding, even though this group is the one recognised as the most disadvantaged in Australia. There is not one mention of that group in all of the Budget information sent to me. This is despite all of the Prime Minister's statements regarding practical reconciliation based on health and education.

The health insurance subsidy increase does very well. It gets an extra $173m, which is almost as much as the total increase of $203m in the whole budget for this year. Almost as much goes into boosting private health insurance. That does not mean that one extra patient will necessarily get treated anywhere, particularly in places such as Callide. When competition for the health dollar is tough, it is disappointing to see the Commonwealth wasting money because it has its priorities wrong. I am disappointed that the Commonwealth Government has not recognised all of those people who rely on public health services in rural Queensland.

Minister for Public Works and Minister for Housing

Mr HORAN: I ask the Minister for Police and Corrective Services: did he or any of his staff contact police prior to the Saturday meeting in Mackay about Minister Schwarten's assault to advise them of the impending meeting, and did he or any of his staff make any suggestion or inference that the charge should be deferred or dropped?

Mr BARTON: That is an easy one to answer because I must say that I did not even know that the meeting on Saturday was taking place. There was no need for me to be made aware of it. That was a private matter that obviously was conducted by Mr Schwarten and other people. I was not aware that there was a Saturday meeting taking place and, as such, there is no way in the world that I could have approached the police to say, "Look, this is happening and I want consideration of the charges to be dropped, etc." So the very clear answer—

Mr Horan: Staff?

Mr BARTON: My staff were not aware, either. The very facts are that I became aware of the fact that there had been a Saturday meeting, a mediation between the parties, when I received the police brief to the effect that they had been—

Mr Horan interjected.

Mr BARTON: I do not know how many questions the member for Toowoomba South wants to ask. He never listens to the answers and he does not understand the briefs that we give him when he asks for them.

The reality is that I have given the clearest possible answers that I can on this one. I hope the member asks me some more questions in this place because he might get the facts that this place needs to hear.

There has been no political interference in this matter. Neither my staff nor I made any approaches to police with regard to the Saturday meeting because we were not aware that the Saturday meeting was even taking place until after it had concluded and I received a briefing note from police to the effect that there had been a mediation; that they were satisfied with the manner in which the mediation had been conducted; that, as a result of that mediation, the complainant had withdrawn his complaint, which is not unusual in such circumstances; and that they were taking no further action.

I made no contact with the police on that matter before or after. The next contact that was made to police by me or my staff was on the morning of the 16th, several days ago—Tuesday—when the Courier-Mail article appeared. We asked for a briefing note to say, "What's this all about?" because we had had no further contact up until that time.

Policing, Bundamba and Ipswich

Mrs MILLER: I refer the Minister for Police and Corrective Services to the fact that law and order was a major issue in the Bundamba by-election, and I ask: can he outline to the House any developments regarding policing issues in Bundamba and Ipswich?

Mr BARTON: I thank the member for the question. The member for Bundamba certainly made very strong representations to me about law and order issues on behalf of Bundamba residents when she was a candidate during the by-election, and I am pleased that those concerns that have been raised by residents through the member have been largely addressed. The member, of course, continues to take a very high profile role and important role. She is a very strong voice for her constituency. This was evident not only during the by-election but also subsequently. She has a very measured approach to law and order in Ipswich.

Having such high calibre members certainly makes the Government's job and my job as a Minister much easier when tackling crime problems in particular areas. That is why I am pleased to announce that the Queensland Police Service has carried out an assessment of policing needs in the Ipswich area and has decided to establish a Police Beat in the Goodna or Redbank Plains area. Police are currently looking for a suitable residence to put that into place. When that residence is selected, it will be the responsibility of the beat officer to patrol his or her area, meet with community groups and talk to residents about issues in the same manner as the successful Police Beats that are already operating.

I do know that occasionally we get the odd complaint; someone says, "Look, I went to the Police Beat and the officer was not there." I have to say that that is good because Police Beats are not police stations. I do not want them sitting in the Police Beat; I want them out around the beat, and that is what they are doing. If they were sitting in the residence, I would be complaining about the fact that they were not out and around the beat. If people have urgent matters, then they should still follow their normal course of action by dialling 000 if, in fact, it is an emergency or contacting the local police station that is there for that purpose. The beat officers are there to patrol the beat, provide advice and guidance to local residents, and to develop local crime strategies.

The Queensland Police Service is also carrying out an assessment in the North Ipswich area for yet another beat. With the construction of the new district headquarters at Yamanto, the Juvenile Aid Bureau, which is currently located in North Ipswich, will move to those new headquarters and we are looking at ensuring a police presence in North Ipswich by putting a beat into that area. That is being assessed by the service at this point.

This continues the Beattie Government's strong commitment to Police Beats and shopfronts. We went to the last election with a commitment for providing an additional 10 shopfronts and 10 beats. We already have an additional 12 beats and 12 shopfronts in place. We are putting beats into the Ipswich area, which I have mentioned; we are putting a shopfront into Deeragun for the time being until the new station is completed, and then it will be transferred to the northern beaches as a Police Beat. We already have two more shopfronts well under way at Indooroopilly and Browns Plains, and they will be completed by the end of this month. We are doing something about policing.

Sugar Industry

Mr ROWELL: I refer the Premier to the fact that the sugar industry throughout the State is reeling from the impact of adverse weather conditions and historically low world prices. He would be aware that, during a crisis in the mid eighties, the State Government was prepared to contribute $40m to support and restructure the industry, and I ask: is his Government prepared to provide the same level of assistance with the current crisis which, in many respects, is worse?

Mr BEATTIE: I thank the honourable member for the question. It is actually nice to see someone from the National Party who is really interested in something important, instead of being in the gutter where they have spent all day.

In terms of the sugar industry, as I have indicated on a previous occasion, I have spoken to some constituents of the member opposite—I think they were his—when I was in Townsville recently. A delegation of women came to see me about a number of matters. We are waiting for the industry to provide details of the package, as I understand it. When that package is forthcoming, obviously we will examine it.

The member knows—and I know that the National Party knows this as well because the member is trying to move away from the responsibility of what his colleagues in Canberra are trying to do—that the coalition at

a Federal level has gone through a number of decisions involving the sugar industry which are not supported by growers. One of the things that was very clear to me during my meeting in Townsville—and the Parliamentary Secretary Mike Reynolds was with me during that meeting—when I met with growers, growers wives and a number of women who are growers in their own right was that they were very unhappy with the approach taken by the Federal Liberal Party and the Federal National Party in terms of the sugar industry. They were voters who no doubt had voted for the member opposite on many occasions but felt betrayed. They felt betrayed because they were not getting the sort of support that they were entitled to or deserved.

When I was in Washington recently, I met with a number of people in the sugar industry and I took the opportunity to speak with the Under Secretary of Commerce. I put a very strong case for Queensland sugar maintaining access to the American market and its share of the American market. As the member knows, exports of sugar are the key to the industry in many senses. Therefore, it was important for us to argue, which we did strongly, for a maintenance of that market share.

The member would also be aware that Mexico is seeking access to the American market, and that will have some effect. That was to take place in the next couple of years, if I recall correctly. When that happens and the American market takes in some sugar from Mexico, that will have an effect on the percentage of sugar which is taken from Queensland—that is likely—or, at the very best, there will be an impact on the amount of increase of sugar imports from overseas, from Queensland.

The real concern I have is this: we have a National/Liberal Party federally who are not in tune with the sugar industry. I advise the honourable member to actually get off his tail and talk to some of his friends federally, particularly the Federal Leader of the National Party, to make certain that they are sensitive to his industry. The reason why he has been betrayed in his area is that the National Party has walked away. The National Party no longer has any particular interest in the sugar industry. We will support that industry in the way it should be supported. We will stand by the sugar industry as the member comes in here to make cheap points and he leaves it in the gutter.

Mr DEPUTY SPEAKER (Mr Fouras): Order! The time for questions has now expired.

EVIDENCE (WITNESS ANONYMITY) AMENDMENT BILL

Hon. M. J. FOLEY (Yeronga—ALP) (Attorney-General and Minister for Justice and Minister for The Arts) (11.29 a.m.), by leave, without notice: I move—

> "That leave be granted to bring in a Bill for an Act to amend the Evidence Act 1977, and for other purposes."

Motion agreed to.

First Reading

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

Second Reading

Hon. M. J. FOLEY (Yeronga—ALP) (Attorney-General and Minister for Justice and Minister for The Arts) (11.30 a.m.): I move—

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

The principal objective of this Bill is to amend the Evidence Act 1977 to enable the giving and filing of witness anonymity certificates in certain circumstances. The certificates can be given and filed where it is considered reasonably necessary to do so to protect a covert operative who is or who may be required to give evidence that was obtained when the covert operative was engaged in activities for a controlled operation. The nature of controlled operations is such that, on occasion, the life of the covert operative or his or her family is at risk if his or her actual identity is ever disclosed. The potential for such disclosure can arise when a covert operative is required to give evidence in court.

The fundamental right to a fair trial recognised at common law includes the right of an accused person to challenge his or her accusers. A successful challenge to his or her accusers by an accused person necessarily involves a witness disclosing his or her true identity. The courts have had to consider whether or not this basic right can be qualified to enable a covert operative to give evidence under an assumed name in certain circumstances, including a real threat to his or her life or the lives of his or her family.

In Queensland the common law position was stated in the case of the Crown and the Stipendiary Magistrate at Southport Ex Parte Gibson 1993 Queensland Reports 687 (Gibson's case). In that case, the Full Court held that a magistrate at committal for a drug related matter had no power to make an order

that a covert operative give evidence under the assumed name used in the course of the controlled operation. There have been calls for witness anonymity legislation in Queensland.

Mr Bill Carter, QC, who as Commissioner Carter in the Operation Trident report called for a statutory provision similar to that contained in section 13A of the New Zealand Evidence Act 1908 to prohibit the disclosure of the true identity of covert operatives in certain cases. More recently, the combined Queensland Crime Commission/Queensland Police Service June 1999 Project Krystal report specifically recommended the introduction of legislation similar to that operating in New Zealand. This Bill is broadly based on section 13A of the New Zealand Evidence Act 1908.

The decision to give a certificate is final and conclusive and is not subject to appeal or review, including review under the Judicial Review Act 1991. The term "covert operative" is defined to mean a police officer or another person named as a covert operative in an approval under section 178 of the Police Powers and Responsibilities Act 2000. Under the Bill, the witness anonymity certificate must state the following in relation to the witness—

the name the witness used in the relevant controlled operation;

for a stated period the witness was a covert operative for a stated law enforcement agency;

that the witness has not been convicted of any offence, other than a stated offence;

if the witness is a police officer, whether the witness has been found guilty of misconduct or a breach of discipline within the meaning of the Police Service Administration Act 1990 or its Commonwealth or interstate counterpart and, if so, details of the misconduct or breach of discipline;

if to the knowledge of the person giving the certificate a judge or court has made any adverse comment on the credibility of the witness and, if so, what was said about the witness.

The effect of filing the certificate is that the witness may give evidence in the relevant proceeding under the name that the witness used in the relevant controlled operation. Further, no question may be asked of the witness that could lead to the disclosure of the actual identity of the witness or where the witness lives. Leave may be given to a party to ask questions which, if answered, may disclose the witness' actual identity or where the witness lives. Leave cannot be given unless the relevant entity is satisfied that—

there is some evidence that, if believed, would call into question the credibility of the witness; and

it is in the interests of justice for the relevant party to test the credibility of the protected witness; and

it would be impractical to properly test the credibility of the witness without knowing the actual identity of the witness.

The Bill specifically allows for the review by the Chairperson of the Criminal Justice Commission of the giving of certificates by the Commissioner of Police and the Crime Commissioner. It is intended that certificates given by the Criminal Justice Commission will be audited by the Parliamentary Commissioner when required to do so by the Parliamentary Criminal Justice Committee pursuant to the provisions of the Criminal Justice Act 1989.

The Government is of the view that this Bill provides an appropriate balance between the need to protect the identity of the covert operative in certain circumstances whilst at the same time ensuring that an accused's right to confront his or her accusers is not unduly prejudiced. Notwithstanding this, the Bill provides for a review of the operation of these new provisions within five years after their commencement. This will ensure, among other things, that this intended balance has actually been achieved. I commend the Bill to the House.

Debate, on motion of Mr Springborg, adjourned.

PRIMARY INDUSTRIES AND NATURAL RESOURCES LEGISLATION AMENDMENT BILL

Hon. H. PALASZCZUK (Inala—ALP) (Minister for Primary Industries and Rural Communities) (11.35 a.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill for an Act to abolish the Queensland Fisheries Management Authority, to enable the conversion of the Timber Research and Development Advisory Council into a non-statutory body, to repeal the Primary Industries Corporation Act 1992, and for other purposes."

Motion agreed to.

First Reading

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

Second Reading

Hon. H. PALASZCZUK (Inala—ALP) (Minister for Primary Industries and Rural Communities) (11.35 a.m.): I move—

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

The objectives of this Bill are to implement a restructuring of Queensland's fisheries management arrangements, to amend the Forestry Act 1959 to facilitate the incorporation of the Timber Industry Research and Development Advisory Council and to repeal the Primary Industries Corporation Act 1992. I will deal with each of these in turn.

Restructuring of Fisheries Management Arrangements

On Monday, 20 March 2000, the Government announced a restructuring of Queensland fisheries management arrangements. A new semi-autonomous Queensland Fisheries Service is to be formed within the Primary Industries portfolio headed by a Deputy Director-General who will answer directly to the Minister for Primary Industries. Essentially, the fishery management functions of two agencies, the Fisheries Business Group of the Department of Primary Industries and the Queensland Fisheries Management Authority, will be combined into the one new Queensland Fisheries Service, which is to be operational from 1 July 2000. This requires amendments to the Fisheries Act 1994, most notably with regard to the abolition of the authority and the transfer of its powers, functions and employees to the Queensland Fisheries Service. I would stress that no-one in either the department or in the authority will lose their job and there will be no closure or run down of DPI fisheries facilities anywhere in the State. We are restructuring fishery management arrangements for one very simple reason—there was too much confusion and overlap between the two previous fishery agencies.

I commissioned a very respected senior officer of my department, Mr Peter Neville, to undertake a review and report for me on this problem. This review involved widespread consultation both within Government, industry and the broader community. It confirmed that there was a perception, and in many cases strong evidence, that the management of fisheries within Queensland was fragmented, leading to duplication of activities and that there existed a real need for unified policy and fisheries management within Queensland. The inescapable conclusion was that Queensland needed a single, properly focused fishery management agency, and that is what this Bill delivers.

The new Queensland Fisheries Service will provide enhanced service delivery by—

> giving a greater degree of accountability to the Government for the management of the important fisheries resources of Queensland;
>
> enabling policy formulation, industry development and resource management initiatives to be more directly related to the Government policies;
>
> facilitating Commonwealth/State fisheries management arrangements in a far more efficient and effective way; and
>
> delivering a higher level of certainty to industry, stakeholders and the community that the management and development of the fisheries resources of Queensland will be undertaken within the overall requirements of Government policy.

Incorporation of TRADAC

This Bill will also amend the Forestry Act 1959 to provide for the incorporation of the Timber Research and Development Advisory Council, or TRADAC as it is commonly called, as a non-statutory body, funded on a voluntary contribution basis by the timber industry. The organisation has requested legislation to allow this restructuring following the recent termination of the statutory "additional stumpage charge" that used to fund TRADAC under the Forestry Act. This termination occurred based on legal grounds related to concerns as to constitutional validity.

The amendments in this Bill provide for the assets and liabilities of TRADAC to be transferred to a replacement non-statutory corporate entity, which will be a company incorporated under the Corporations Law and limited by guarantee. The replacement entity will be required to have objects consistent with the present statutory objects of TRADAC and industry participants will be eligible to become members of the new body.

The organisation has responded positively to the situation and I commend them for their initiative and planning which, I understand, is intended to result in a more broadly based corporate structure with enhanced capacity to service the timber industry.

Repeal of the Primary Industries Corporation Act 1992

The Primary Industries Corporation Act 1992 constitutes the Primary Industries Corporation, which currently is jointly administered by the chief executives of the

Departments of Primary Industries and Natural Resources. The corporation is empowered to enter into contracts on behalf of the State and exercises various functions and powers under both the Forestry Act 1959 and the Water Resources Act 1989 and under a number of other statutes in regard to water and forestry matters.

Administration of the Primary Industries Corporation Act has been complicated by the transfer of administrative responsibility for water resources and the Water Resources Act 1989 from the Department of Primary Industries (DPI) to the Department of Natural Resources (DNR) in 1996, and the joint administration of the Forestry Act 1959 by DPI and DNR.

DPI has been advised that the introduction of the new Commonwealth tax regime, namely the goods and services tax, or GST, will cause adverse consequences if the present arrangements relating to the corporation are retained. Specifically, it would be necessary to compile separate asset registries within DPI and DNR in regard to the corporation and to maintain separate accounts relating to income received in the name of the corporation, which would also need to be registered prior to 30 June 2000 as a business to which the GST would apply.

These additional costs are not warranted. Accordingly, it is proposed to repeal the Primary Industries Corporation Act. This will necessitate consequential amendments not only to the Forestry Act 1959 and the Water Resources Act 1989 but also to a number of other Acts which refer to the corporation in regard to either forestry or water matters.

There are no adverse financial considerations arising from the proposed repeal of the Act and the abolition of the corporation. In the majority of cases, references to the corporation will either be omitted or replaced by references to the State of Queensland or to the "chief executive" of DPI or DNR, as the specific context requires in each case.

This Bill deserves the full support of this House. It is straightforward and should not be controversial. I commend the Bill to the House.

Debate, on motion of Mr Rowell, adjourned.

RETAIL SHOP LEASES AMENDMENT BILL

Hon. J. P. ELDER (Capalaba—ALP) (Deputy Premier and Minister for State Development and Minister for Trade) (11.43 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) (11.43 a.m.): I move—

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

This Bill represents the outcome of an extensive review of the Retail Shop Leases Act 1994. The Act has provided significant assistance to the retail industry since its inception in 1984 and sets minimum standards for leasing and provides a low cost, speedy dispute resolution process targeted at providing assistance and protection to smaller retailers in leasing relationships.

The Queensland Government is committed to creating a positive environment for Queensland business. In particular, my Government recognises the role of the retail industry as a very important element of the Queensland economy. This is highlighted by its status as the largest employer in Queensland, employing 21% of all private sector employees and 31% of all young employed Queenslanders between 15 and 24 years of age. The retail industry is one of the largest in Queensland, with 32,100 businesses in 1996-97. This represents nearly one fifth of all businesses in the State, with a substantial proportion located in the regions.

The Office of Small Business within my Department of State Development coordinated a comprehensive review of the Act. To enhance this review process, I established an industry-based working group representing both lessee and lessor interests to facilitate consolidated industry feedback on review issues. The result of these efforts was the release of a policy review paper tabled by me in Parliament in September 1999 setting out the Government's preferred position on amendments to the Act.

I wish to record my appreciation for the outstanding contribution that the working

group made to the development of the legislative proposals contained in the Bill. The working group was composed of key stakeholder representatives from the Retailers Association of Queensland, the Queensland Retail Traders and Shopkeepers Association, the Property Council of Australia, the Queensland Investment Corporation and two independent representatives. It is a measure of the cooperation and mature reflection fostered throughout the review that the working group was able to reach agreement on all of the changes proposed to the legislation. The legislation being proposed today is the result of this very extensive consultation process.

This Government has recognised that improving the effectiveness and efficiency of the legislation and reducing both the number of disputes and the length of time required to resolve them will contribute to the improvement of the overall business environment, particularly for small businesses. Subsequently, there are direct benefits to the Queensland economy, particularly in terms of employment creation given the retail industry's position as the largest employer in the State.

This Bill is in keeping with the Government's overriding objective to nurture a positive environment for Queensland business and industry and to provide clarity and certainty for the retail industry. In line with the Act's objective, it will promote efficiency and equity in the conduct of retail businesses in Queensland.

The Bill extends the scope of the Act to include a prohibition on "unconscionable conduct". This will result in significant protection being extended to those parties within a lease arrangement, particularly smaller retail businesses, and enable the tribunal to hear matters relating to unconscionable conduct. This will ensure that the services offered by the tribunal are far less costly and time consuming, compared with the alternative of bringing a case before the courts.

In conjunction with the inclusion of unconscionable conduct provisions in the Act and the tribunal's ability to consider them, the Bill extends existing appeal provisions to provide for appeals to the Supreme Court by way of re-hearing in relation to those parts of a tribunal determination that rely upon the proposed unconscionable conduct provisions.

Appeals on matters of law and/or fact will be subject to the leave of the Supreme Court when a case is dismissed and for payment orders of $50,000 or less and as-of-right appeals where payment orders of more than $50,000 are made. As the concept of unconscionable conduct is relatively untested, it is the intention of the Government to review the operation of these new provisions of the Act after two years.

With the inclusion of matters of unconscionable conduct, the tribunal will be required to provide more extensive reasoning for its decisions to ensure that all parties have access to the basis for the tribunal's determinations. The reasoning provided will need to be sufficient to enable the clear identification of unconscionable conduct findings to ensure that extended appeal rights to the Supreme Court are specifically limited to those areas of the determination.

The Government recognises that it has a key role in reducing the negative impact of disputes on the community and the economy. Accordingly, this Bill will extend the disclosure requirements for parties entering into a lease, including at renewal. The Bill clearly identifies the parties to a lease and the disclosure requirements for each.

Increasing the information available to parties entering into a lease will help to minimise the potential for disputes by managing the expectations of those parties. Increasing the level of pre-lease information that must be exchanged serves to actively address the threat of prosecution under the unconscionable conduct provisions based on the lack of evidence of disclosure to a "weaker" party. This risk provides a clear and compelling reason for those in a leasing relationship to disclose all relevant information that directly assists the other party's decision-making processes.

The Bill will also improve the mandatory disclosure provisions at the end of a lease by requiring the lessor to advise the lessee, using a simple standardised form, whether renewal of the lease will be granted, and under what terms and conditions. This will significantly assist the sitting tenant in making future business decisions.

Unquestionably, there are instances of businesses being set up, and leases entered into, by people who have insufficient understanding of the full legal and financial implications of their business venture.These amendments before the House include an information safeguard for those intending to sign a new lease by requiring pre-lease documentation to include the supply of legal and financial certificates from certain lessees and assignees prior to entering into a lease.

Professionals providing the potential lessee or assignee with legal and financial

advice will complete these certificates. Potential lessees with less than five retail establishments nationally will be required to have these certificates completed on their behalf by the relevant professionals. This provision will also apply to the renewal of a lease by sitting tenants. The certificates are limited to simple standardised details establishing that the prospective lessee or assignee is aware of the general nature, principal features and effects of the documents to be executed, and the financial and legal obligations which result.

I would emphasise that the completion of these certificates is not a magic wand. The certificates in themselves do not eliminate the risks associated with entering into a business venture, nor will they give a guarantee of its success. The intent of the Bill is to maximise the information available to the incoming lessee in deciding whether or not to enter into the leasing arrangement.

In addition to the major amendments which I have outlined, the Bill also includes a number of amendments of a less substantive nature. Less substantive they may be, but they are important changes and additions which in totality will ensure that the Retail Shop Leases Act continues to be seen as providing best practice in retail tenancy legislation as was recognised by the Commonwealth fair trading inquiry in 1997. The less substantive amendments which this Bill addresses include—

- provision for the scheduling of a directions hearing or tribunal hearing within 14 days of reference of a dispute;
- extending the tribunal's discovery and inspection powers to the period prior to a directions hearing, to further assist in speedy and effective dispute resolution;
- clarifying recovery of certain costs and outgoings by lessors;
- clarification of liability for certain costs associated with the preparation of leases;
- further clarification of rent review methods to reflect accepted industry practice;
- amendment of the Act to permit the recovery of GST on rent and outgoings by the lessor for remission to the Australian tax office;
- amendments to clarify certain definitions such as "disclosure statement" and "outgoings".

These amendments of the Retail Shop Leases Act before the House will ensure that the retail industry, and in particular small retailers, will have substantial protection from unfair business practices and maintain its recognised position as the best of its type in Australia.

This Bill will improve the effectiveness of the Act and maintain the Government's objective to promote an efficient and equitable retail sector. The Bill is in keeping with the Government's overriding objective of ensuring that the Retail Shop Leases Act maintains its currency and relevance in this dynamic and evolving sector. I commend the Bill to the House.

Debate, on motion of Mr Healy, adjourned.

FOOD PRODUCTION (SAFETY) BILL

Hon. H. PALASZCZUK (Inala—ALP) (Minister for Primary Industries and Rural Communities) (11.54 a.m.), by leave, without notice: I move—

> "That leave be granted to bring in a Bill for an Act to establish Safe Food Production QLD and provide for food safety matters relating to the production of primary produce, and for other purposes."

Motion agreed to.

First Reading

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

Second Reading

Hon. H. PALASZCZUK (Inala—ALP) (Minister for Primary Industries and Rural Communities) (11.54 a.m.): I move—

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

The Queensland Government is committed to ensuring that Queensland food produced in this State is safe for consumption by Queensland people. Food safety is a major issue. The Australia New Zealand Food Authority—ANZFA—recently estimated the annual cost of food-borne illness to government, industry and consumers to be $2.1 billion per annum.

Behind this figure lies the human story: the death of a four-year-old Adelaide girl in 1995 and the hospitalisation of 17 others after eating contaminated salami. In 1997, a 77–year-old New South Wales man died from hepatitis A, traced to raw oysters from the

Wallis Lake area. In the same year, two elderly Victorian men died from salmonella poisoning, traced to products at a Melbourne smallgoods company.

With the introduction of this Bill, Queensland takes a major step towards the production of safe food. This is to be achieved by paddock-to-plate implementation of industry-based preventive programs to minimise food safety risks. The Food Production (Safety) Bill will establish a statutory authority to be called Safe Food Production Queensland, or Safe Food, under the Primary Industries portfolio. The core objectives will be to ensure food safety in the primary food production sector.

Originally the working title for the organisation was the "Queensland Agrifood Authority". However, this name did not adequately capture the fundamental principles underpinning the new agency. The name Safe Food Queensland is, I think, a better title. It is similar to that of the equivalent agency in New South Wales, where there has been good public and industry acceptance. The parallel names will convey to stakeholders the similarities in coverage, functions and approach and will help to promote a close working relationship between the two agencies. There are distinct advantages in moving towards the use of terminology that conveys a sense of national uniformity in relation to food safety.

The Honourable the Premier foreshadowed the establishment of this new body in a press statement on 27 September 1999, which emphasised the importance of food safety to the consumers and producers of this State. This legislation delivers on that commitment.

When fully established, Safe Food Production Queensland, or Safe Food, will be responsible for minimising food safety risks in the production, processing, wholesale and transport of food for human consumption. Safe Food's area of responsibility will range from the paddock or ocean to where products enter either the manufacturing or the retail sectors. It will also cover retail premises where raw meat is further processed, such as butcher shops and supermarket meat departments.

Health's portfolio responsibility in the food supply chain will then commence immediately after the Department of Primary Industries' responsibility ceases. This means that this legislation will dovetail with the proposed Model Food Bill now being considered by the Commonwealth and State Governments. It is important to stress that Safe Food will exercise its responsibilities in line with an "all-of-Government" division of food safety responsibilities between the Primary Industries and Health portfolios. The Queensland Health Department and local government will continue to cover the retail, restaurant and takeaway sectors. The Health Department will also retain all its responsibilities under the Food Act 1981, including surveillance and monitoring of food-borne illness and compulsory recalls.

The establishment of Safe Food will draw together the food safety regulatory functions within the Primary Industries portfolio for meat, seafood and dairy under the jurisdiction of a single regulatory agency with the core objective to ensure preventive food safety based on risk. It will also align to the principle of preventive food safety based on risk through a quality assurance-type approach.

The Australia New Zealand Food Authority recently developed draft food safety standards to be implemented over a six-year period. The national food hygiene standards will require preventive programs to be in place at all points in the food supply chain where significant food safety risks may arise.

The standards will require all food businesses with significant food safety risks to establish food safety programs based on a risk management methodology known as Hazard Analysis and Critical Control Point. HACCP is now international best practice in preventive food safety regulation. Under HACCP, Government's traditional inspectorial role will increasingly change to one which focuses on system approval, audit and accreditation. Government will need to ensure that food businesses establish adequate food safety programs and that compliance with these programs is effectively audited either by Government employed or contracted auditors, or by accredited independent auditors.

I turn now to key features of the Food Production (Safety) Bill, which does not by itself impose any new regulatory requirements on industry. It provides a framework to develop and implement co-regulatory preventive food safety regimes called food safety schemes under the Bill. Each food safety scheme will cover a particular primary produce, seafood industry or sector and it can only be introduced as a regulation under the Act. Clause 39 sets out what a food safety scheme may contain. For example, a scheme may require food businesses to provide standard information and require food businesses to establish food safety programs based on HACCP or quality assurance schemes.

Each food safety scheme will establish arrangements for the auditing of these schemes. Schemes will detail the auditing requirements and the qualifications required for those wishing to provide this service. Where food safety risks warrant, they will provide for the accreditation of people engaged in primary production. These schemes will be based on scientific assessment of food safety risks and will be tailored to minimise those risks and comply with the requirements of national standards, in particular the ANZFA standard.

Because each food safety scheme will be introduced by regulation, the standard requirements of the Statutory Instruments Act 1992 will apply. These include preparation of a regulatory impact statement which includes cost-benefit analysis of the scheme's provisions and alternative options. These requirements will ensure that food safety schemes are soundly based, effectively targeted and that they do not impose unnecessary costs on business. They guarantee transparency and will maximise the opportunity to develop a partnership between the authority, food industries and consumers in the development of food safety schemes.

I stated earlier that effective partnership is the key to success of this initiative. In particular, the food safety schemes will rely on a close working relationship between Safe Food and industry. Several features of the Bill provide a sound basis for partnership with industry, consumers and recognised technical and scientific experts.

Firstly, each food safety scheme must establish a structure for continuing consultation with the relevant industry sectors on the operation of the scheme and any changes to it. Secondly, to assist in that process, a Food Safety Advisory Committee will be established. This committee will have representatives from each industry that operates under a food safety scheme along with a representative from the Departments of Primary Industries and Health. Provisions have also been made for the appointment of people with appropriate expertise in areas such as food technology, human nutrition, environmental or public health, microbiology or epidemiology. Thirdly, the Bill allows the Minister to appoint subcommittees with technical and industry expertise to assist the members of the advisory committee.

With this partnership approach, Safe Food will take food safety management back to the farm and fishing vessel and will include scrutiny of activities such as feed supply. In so doing, Safe Food will form an integral part of the Queensland framework for management of food safety from source to consumer.

I turn now to the management of Safe Food and its accountability to Government and to the community. Safe Food will be managed by a chief executive officer who will report directly to the Minister for Primary Industries. Safe Food will be responsible for implementing the various national food safety standards developed over time via the Australia New Zealand Food Authority and the Agriculture and Resource Management Council of Australia and New Zealand. It will also implement other relevant food standards developed by existing policy bodies, such as Queensland Health, in conjunction with the relevant industry.

It is intended that Safe Food will operate in close consultation with Queensland Health and establish strong linkages through activities such as training local government officers to undertake audits of businesses, particularly in remote and regional areas. This will assist in maintaining employment and business in regional centres. Safe Food will initially absorb the food safety functions of the Queensland Livestock and Meat Authority and, at the appropriate time, the food safety functions of the Queensland Dairy Authority. Seafood will also come under its jurisdiction in the near future.

In situations where there is a mixture of auditing and end point inspection in the one shop, such as butcher shops, it is planned that a single food audit will be performed. This will include one auditor providing separate audit reports to Safe Food, Queensland Health and the relevant local government, as the case may be. This will allow greater efficiencies for Government regulators and business alike, and it will cut red tape. There are provisions to allow for independent auditors from private sector firms with appropriate expertise in auditing food safety systems to offer their services in this area. This will establish a competitive presence and will help to contain audit costs.

To do its job properly, Safe Food will need appropriate powers, especially as this Bill impacts on public health and safety and deals with multiple food commodities. The Bill contains search and seizure provisions and offences and penalties modelled on those in the current Dairy Industry Act and Meat Industry Act. It draws extensively upon the enforcement provisions in the model food provisions now being considered. Essentially, it will be an offence to produce unsafe food and the penalties and sanctions of the Bill have

been structured to provide a significant incentive for compliance. Given the need to maintain public confidence in the food supply chain and the importance that food production industries play in the Queensland economy, these powers are essential and justified.

This Bill delivers on a Beattie Government commitment to implement a system that guarantees safe food production in the interests of consumers of our primary produce in this State and in interstate and overseas markets. Food safety and consumer confidence are fundamental to market access and trade success. I commend the Bill to the House.

Debate, on motion of Mr Rowell, adjourned.

FIRST HOME OWNER GRANT BILL

Second Reading

Resumed from 12 April (see p. 769).

Dr WATSON (Moggill—LP) (Leader of the Liberal Party) (12.06 p.m.): I rise to speak to the First Home Owner Grant Bill 2000. At the outset, I should say that the Opposition will be supporting the Bill.

Mr Hamill: I am really surprised at that!

Dr WATSON: As the Treasurer said, he is somewhat surprised, but we on this side are extremely generous to the Treasurer.

The first home owners grant scheme is an initiative of the Howard Federal Government as part of its historic changes to the overall Australian taxation system. This scheme is designed to provide a grant to help people purchase or build their first home. This is a worthwhile initiative supported by those of us on this side of the House.

The grant provided will not be a loan and will not need to be repaid. The grant will compensate first home owners for price increases associated with the introduction of the goods and services tax on 1 July this year. Of course, along with the goods and services tax comes a significant revamping of Australia's taxation system—one which makes it more internationally competitive.

To be eligible for the scheme, applicants need to enter a contract to purchase an established home or a contract to build a new home on or after 1 July 2000. It should be noted that this scheme is not a Queensland-only initiative, as all State and Territory Governments are providing the grant under arrangements agreed to with the Federal Government. The payment of the grant to first home owners is not means tested and there is no upper limit on the value of the property to be acquired. The eligibility criteria for the grant will disqualify any applicant whose spouse or co-applicant has previously received an earlier grant anywhere in Australia or has held a relevant interest in residential property, including an investment property, prior to 1 July 2000. Another eligibility requirement provides that all applicants must occupy the home to which the grant relates as their principal place of residence within a 12-month period. The Opposition supports both of those criteria. Only one grant is payable for the same eligible transaction. This means that, where two or more persons jointly purchase or build their first home, only one amount of $7,000 will be paid. That is another criterion supported by the Opposition. However, there are a number of issues associated with this scheme and the proposed legislation before us that I wish to comment on further.

Firstly, given the calls of the building industry for Government assistance to overcome any post-GST implementation slowdown in the construction sector, why has this Government failed to assist eligible Queenslanders with details of the scheme? What has the State Government done to reduce the effort required for a person to apply for a grant by working with a range of financial institutions and associated financial providers to allow potential applicants to apply for the grant through their financial institution at the time they seek finance?

Why has the State failed to advertise this scheme to encourage first home buyers to apply for assistance under this scheme? I can inform this House that the Minister for Housing in Western Australia has been actively promoting this scheme since at least March this year. It is not as if the Beattie Government is media shy. The only reason for the failure of the Beattie Government to adequately promote and implement the scheme is its opposition to tax reform in Australia and any benefits to Queenslanders that flow from it.

Premier Beattie and his group of incompetents do not care about first home buyers and builders or the creation and maintenance of jobs within the construction sector. Why else would this Government sit on its hands? This is simply another example—an ever-growing list—of the Beattie Government putting politics ahead of the interests of Queenslanders. This from a Premier who repeatedly claims that he does not play politics

with important issues. For this, the Premier, the Treasurer and the Government are guilty.

One clause in this Bill that is of particular concern to members on this side of the House is clause 49, which gives the Government the right to place a registered charge or caveat over an applicant's interest in the land. Clause 85 of the Domestic Building Contracts Act 2000, which was passed in this House at its last sitting, specifically removed the right to place a caveat over land by a builder in a dispute over the payment of moneys. It was a right that was rarely used by builders. Nonetheless, it was a very important tool for builders to ensure rightful, prompt payment.

However, the Office of State Revenue in this Bill through clause 49 maintains the right to place a registered charge or a caveat over an applicant's interest in the land. Therefore, it appears that the Government believes it is reasonable for the State to retain the right to place a caveat over an applicant's interest in the land under the scheme but not for a small businessperson in Queensland. It is simply one more example of the Beattie Government believing it is better than the average citizen and more deserving of greater rights than those conferred on average Queenslanders working hard for a living in the building industry. What hypocrisy!

I want to refer briefly to what the Minister for Fair Trading said in her speech on the Domestic Building Contracts Bill. In introducing clause 85, she stated—

> "In future, builders will still have the right to introduce or lodge a caveat over a developer, but we do not agree—and this is the principal point of difference between us"—

that is, the Opposition and the Government—

> "that builders or developers Bill should have a right to lodge a caveat over a resident owner. We are making the distinction between the resident owner—the consumer—and developers, and that is the essential point of difference here. We believe that it is right."

Further on, when referring to builders being able to lodge a caveat if owed money, the Minister stated—

> "That is an unfair situation for consumers, and consumers have no right to object to it. This is good consumer law."

From what I understood, I thought the Treasurer was interested in taxpayers and the protection of taxpayers' money. That is why I ask: what was the trade-off for good consumer law versus the protection of taxpayers in the unlikely event that there is a loss of money?

The Minister for Fair Trading develops that theme in her speech; that is, very rarely do consumers end up not paying the builder. In other words, it is a very low risk situation. That was part of the justification for denying builders the right to put a caveat on the land in a domestic building contract.

So, with domestic building contracts, even though the Government has suggested there is a very low probability that the builder will not get paid—and I suspect even a lower probability if there is a problem that the Government would not get repaid—it has chosen to keep its right to a caveat but has failed to provide the same opportunity for those in the small business who drive the economy of this State.

This legislation will have a significant and ongoing impact on ensuring that home affordability and ownership for first home buyers is maintained and/or increased for the people of Queensland. Therefore, the legislation deserves the best efforts of this Government for its promotion and accessibility to eligible Queenslanders. If this Government was, as it claims to be, above politics and a Government for all Queenslanders, we would have a Minister for Housing and a Treasurer fighting to claim credit for the scheme. Instead, we have a Minister for Housing who has been fighting fellow Labor members at Labour Day functions and a Treasurer who is more interested in making millionaires of his Labor mates.

Mr Hamill: Where did that come from?

Dr WATSON: I just thought I would throw it in.

Mr Hamill: Another irrelevancy.

Dr WATSON: Since November last year there has been some more information on what the benefits might have been from a certain licence arrangement.

Mr DEPUTY SPEAKER (Mr Reeves): Order! I remind the member for Moggill to get to the relevant provisions of the Bill.

Dr WATSON: I am about to finish, Mr Deputy Speaker, but I could not help responding in a friendly manner to the Treasurer's untimely interjection.

Mr DEPUTY SPEAKER: Order! If the member is going to conclude, I suggest that he do so.

Dr WATSON: In conclusion, this scheme will assist not only first home owners but also the building industry and those who participate

in it. As I said at the beginning of my remarks, the Opposition will support this Bill.

Mr LAMING (Mooloolah—LP) (12.17 p.m.): I was reading a book from the Parliamentary Library last night after the House rose—

Mr Hamill: You skite!

Mr LAMING: Yes, I can read. I learnt that there are now more Australians in the 25 to 35 year age group renting than buying homes. That is a relatively new phenomenon. I am sure there are social as well as economic reasons for this. However, home ownership, particularly when starting a family, remains one of the most important and sought after situations for most Australians. The purchase of a home has been and will remain the most important single social and economic decision a person or a couple will make, bearing in mind that career changes and business opportunities these days are not restricted to a single decision.

I am sure most honourable members can remember, as I can, the joy and satisfaction of their first home purchase. The First Home Owner Grant Scheme, which is the purpose of this legislation, is an initiative of the Howard Government as a part of the Federal coalition's new tax system. Members opposite take shallow delight in slamming the GST provisions of the new tax system, while doing their utmost to hide the many benefits of the greatest revision of the tax system in Australia's history. Their response is that of "tax reform vandals".

I note from the Speaker's list that there are no other Government speakers besides the Treasurer. When this Bill was introduced, only one backbencher received media cover for this most important initiative.

The Federal Government has been careful to identify those in the community who may be disadvantaged in the reform and considerate in its response to those concerns. So it is that first home owners have been identified as requiring such assistance. The First Home Owner Grant recognises that it is anticipated that there will be an extra $7,000 on the cost of an average $150,000 home and provides a grant up to this amount to all eligible applicants. As advised by the Leader of the Liberal Party, the scheme is fully supported by those on this side of the House. The eligibility criteria for the grant—and it is a grant and not a loan—is fairly well documented, but I seek a point of clarification from the Treasurer. In his second-reading speech, he stated that the grant will not be payable where the home is a gift or a bequest. He might like to clarify in his summing-up the position if a home is purchased, say, from a relative at less than its market value.

Although I understand there are uniform arrangements throughout the States, the States' approaches and interpretations are not identical, and I will come back to that. The grant is not means tested, which seems to concern Government members, and there is no upper limit on the value of the property. I think the Treasurer referred to the scheme as being iniquitous. I do not agree. The GST will affect all home owners, and the grant is worked out based on the average cost of a home. Therefore, the buyer of an expensive home receives less than the impact of the GST and the buyer of a less expensive home receives more than the impact of the GST. How can this be described as iniquitous? The Federal Government has recognised an impact of the new tax system and has addressed it. If the Treasurer feels it to be iniquitous, it is incumbent on him to outline that convincingly.

It is important to note that the starting date for the scheme is 1 July, which is only 43 days away. It is incredibly important that the scheme and the details of it are advertised widely. The Government is well aware that, if a binding contract is entered into prior to 1 July, for instance, in the next 42 days, the owner may well incur the GST and not be eligible for the grant. Surely the interests of first home owners are not being risked in some misguided political aim to blame the GST for people's potential misfortunes.

It is not only first home owners who risk disadvantage if the First Home Owner Grant Scheme is not promoted. A lot of concern has been expressed by the building industry that there could be a lull in the industry following the pre-GST housing rush. It is clear that the Government believes that this will occur, judging by the comments from the Minister for Housing in the Courier-Mail recently. One article states—

> "Mr Schwarten yesterday revealed plans to delay the start of 200 public housing projects for at least three months to provide work for the building industry, which fears a construction drought after the introduction of the GST ..."

He was further reported as stating—

> "No-one's going to gain anything by having every small builder in Queensland out of work after July ..."

If the Minister for Public Housing were fair dinkum about the interests of first home owners and the welfare of the building

industry, he would have been promoting the scheme weeks ago. I even gave this Government a kindly reminder call in the House a month ago. The fact that no promotion occurred even after the Bill was introduced indicates to first home owners and the building industry that this Government is not fair dinkum.

As I said a month ago, the housing department in Western Australia has been promoting the scheme enthusiastically since the end of March. I table a copy of a full-page ad that is indicative of the type of advertising being run in Western Australia—and there are also coloured brochures—to ensure that all potential first home owners are aware of the scheme.

The Treasurer would also be aware of approaches by the Housing Industry Association to allow the payment of the First Home Owner Grant at the first progress payment rather than at completion. I am aware that the Federal requirement is that the grant be paid no later than upon completion, but the States can make this payment earlier if they decide that they want to help the building industry at a time when they believe it will be experiencing a considerable lull in building activity. Such a move, implemented and promoted properly through lending institutions, would facilitate the grant being taken into account in the mortgage, thus saving interest charges over the life of the loan. Is any other State doing this? Yes! After a similar request by the HIA, the South Australian Government is providing the grant at the first progress payment, as long as the application is submitted to an authorised financial institution for processing. I am aware of a concern that such a move might increase the risk to the Government. I table a letter from Revenue South Australia that states that such an initiative will not significantly increase the risk with proper procedures in place.

The Opposition supports this legislation. I am not convinced that the Government really does. If it did, it would be promoting its obvious benefits to potential first home owners and builders.

Mr FELDMAN (Caboolture—CCAQ) (12.25 p.m.): The City Country Alliance will be supporting the First Home Owner Grant Bill 2000 to introduce the First Home Owner Grant Scheme in Queensland. Unfortunately, the GST will have a negative impact on home ownership. More and more families will be, and are, finding themselves unable to afford the dream of owning their own home. The percentage of Queenslanders buying homes has decreased, as the last Speaker said, over past years to the point at which the level of new home ownership in this State is below the national average. Of course, there are many reasons for this, the most obvious being unemployment, coupled with the fact that the employment held by those lucky enough to have jobs is very precarious. For example, in today's society employment can be part time, permanent part time, casual and so on. Banks are not prepared to lend the amounts they used to if the applicant does not have a permanent job. Unfortunately, that has impacted significantly on the levels of new home ownership and home ownership in general.

Employment is not as secure as it used to be, with small businesses closing down. More and more we are seeing that this is the result of destructive economic rationalist policies, such as NCP—the National Competition Policy—deregulation and privatisation. Let us not forget that prior to all of this, back in 1972, this country enjoyed full employment.

The pending GST and the resulting increase in the price of homes by 10% will push families even harder, forcing them to stretch their small dollar—which is falling even lower in value on the money markets—further in an attempt to own their own home. If a first home buyer purchases an established home for, say, $150,000 after 1 July 2000, that person will be charged 10% GST, making the actual cost of the home $165,000. The usual stamp duty will still apply on mortgages and house purchases, but the extent to which it will apply has still not been determined. Stamp duties payable may actually rise because of the increased price of the home and the mortgage amount.

The Office of State Revenue, to which we have spoken, is still yet to issue a policy as to whether stamp duty will be calculated on pre-GST or post GST prices of a house. It is concerning that there is still no policy, given that this scheme is to commence, as the previous member said, in less than 42 days' time. Nevertheless, to partly offset this increase the First Home Owner Grant Scheme, as a condition of States and Territories receiving GST revenue, has been established to assist the affordability for persons building or buying their first home.

To encourage and to help home ownership, those eligible for assistance will receive a lump sum payment of $7,000 through the scheme. Indeed, this lump sum will certainly assist those seeking to purchase their first home. However, my concern is that,

because of the GST, those families eager to own their own home will be forced to stretch their dollar further than perhaps they had contemplated and perhaps further than they needed to. They will probably have to borrow extra money from the bank to cover and balance the GST burden. In addition to the principal amount being borrowed, they will probably have to borrow several thousand dollars extra, resulting in increased loan repayments for the duration of the loan. Many Queensland families, including many of the families I know and work with in Caboolture, will struggle to meet these increased financial commitments.

Owning a home is a hope and a dream that also brings with it the responsibility, the worry and the heartache over stretched financial commitments, the loan repayments affected by increased interest rates and finding the money to pay the council rates, the repairs or the maintenance that always comes along. We know that maintenance is always a problem, especially when we are buying established homes that were perhaps in need of a little repair along the way. We generally find that out long after we actually purchase those homes.

Battlers tend to extend themselves, and it would be a shame to see someone suffer because of the mere fact that they had defaulted on a loan after they had extended themselves to the stage where they did that. But in reality, this will probably be more frequent post GST because families will be forced to extend themselves if they intend to pursue that great Australian dream of purchasing and buying their own home. The City Country Alliance is concerned about the wellbeing of the citizens of this country, and too many destructive economic policies over the years have led to the mess that this country is now in. The GST is yet another destructive policy which will cause families to struggle even more and which will widen the gap even further between the rich and the poor.

The First Home Owner Grant Bill 2000 is definitely necessary legislation to help address the burden of the GST and the effect that it will have on families purchasing their first home. It would be commendable if the grant was extended to support families who buy a second home as a result of having to sell their first. Circumstances change all the time. Moves due to employment—even more so now—education or health are common in very many families. It would be an extremely hard blow to a family moving home after five years because of a change of employment to have to yet again pay another financial burden—another 10% GST on their second home.

As I have said, the City Country Alliance will be supporting this Bill, because any attempt to assist battlers and to help those people in need to get into their first home is essential in this country at this time. Previous speakers have highlighted the necessity to push that in order to boost some parts of our building industry, which even now is feeling the effect of the GST. Many people in my area are rushing to build homes before the GST comes in because of that price hike. I think that this is one scheme that will be beneficial to the State, to industry, and to the battlers and the people who need it most.

Hon. D. J. HAMILL (Ipswich—ALP) (Treasurer) (12.32 p.m.), in reply: I thank honourable members for their contributions to this debate. As honourable members have commented and as I made clear in my second-reading speech, this measure is one which flows from the intergovernmental agreement entered into by the States and Territories and the Commonwealth. Whilst I have criticised the structure of the scheme and described it as inequitable, I nevertheless recognise that it will provide some support to an industry that is going to be facing and is already starting to face very difficult times indeed.

It was recognised that the goods and services tax would have the consequence of drawing forward an amount of building and construction activity into this year. That was activity which would otherwise have occurred in the next fiscal year. The consequence of that is that the outlook for housing and construction for 2000-01 is very gloomy indeed. I made that point in response to a question in the House the other day. It was a point which has been conceded in the Federal Budget and by the Federal Treasurer. I only hope that this measure being put in place effective from 1 July will ameliorate some of the economic dislocation that we are facing in the housing and construction industry in this State.

Motion agreed to.

Committee

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

Clauses 1 to 48, as read, agreed to.

Clause 49—

Dr WATSON (12.35 p.m.): The issue that I wish to raise with respect to clause 49 is the issue that I raised during the debate at the

second-reading stage. As I said previously, I noted in the Domestic Building Contracts Bill that builders were denied the right to caveat. If honourable members look at the second-reading speech and the comments of the Minister for Fair Trading during the Committee stage of that Bill, they will see that she commented in some detail about why the Government had adopted a policy to deny builders that right. She was particularly concerned about its negative impact upon consumers.

The question that I ask of the Treasurer is basically this: why has the Government now adopted the policy that it is good consumer law to allow the Government that caveat—if I am to believe what the Minister for Fair Trading said—in the very few cases when this occurs? Consumers cannot run away from their liabilities because they cannot run away from their residential property. Why has the Treasurer decided to adopt this particular course?

Mr HAMILL: In response to the honourable member—this is simply to do with the fact that the $7,000 which is being provided as the maximum grant under the scheme is just that: it is a grant of public moneys. This provision allows for the recovery of the moneys in only one particular circumstance, and that is, of course, if a grant of those moneys had been made wrongly. That perhaps would be a circumstance in which the applicant had not provided the full details or perhaps fraudulently set out claims in the application form to obtain eligibility that they would not otherwise be entitled to. This is simply a provision which enables the recovery of public funds. It is quite distinct from the circumstances relating to consumer law where parties have to manage commercial risk involving other transactions.

Dr WATSON: I understand that reason. The thing that I found interesting in regard to the Domestic Building Contracts Bill was that the Minister for Fair Trading argued that this is a relatively rare circumstance. The Treasurer is saying that it may not be a rare circumstance that the Government might actually give the grant incorrectly. I am just wondering why this is necessary when I would have thought that other avenues were available to the Government to recoup the grant.

Mr HAMILL: Further in response to the honourable member—this is a provision which is actually consistent with the legislation that has been put in place across the whole country. It is a standard framework for the operation of the scheme. Whilst there may be some merit in the point of view that is being expressed by the Leader of the Liberal Party, nevertheless we have sought—quite properly, I think—to put in place a uniform scheme across the country. There is only a variation as to the very fine detail because of definitional drafting requirements in individual jurisdictions. But this clause is, in fact, a common clause.

Clause 49, as read, agreed to.

Clauses 50 to 71 and Schedule, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

QUEENSLAND COMPETITION AUTHORITY AMENDMENT BILL

Second Reading

Resumed from 13 April (see p. 893).

Dr WATSON (Moggill—LP) (Leader of the Liberal Party) (12.40 p.m.): I rise to participate in debate on the Queensland Competition Authority Amendment Bill. This Bill refines the process which was started in 1995 at the COAG meeting. Queensland was represented at that meeting by the Goss Government. That agreement, which was signed by heads of all State jurisdictions—all Premiers—led to the National Competition Policy Bill when we came to Government. Further to that was the introduction of what was then termed the Queensland Competition Authority Bill in 1997 which, at that time, was introduced by the then Treasurer, the member for Caloundra, who is in the Chamber now. That Bill was passed in this House with the support of the then Labor Opposition. That legislation established the Queensland Competition Authority.

The Queensland Competition Authority was established because, without establishing a Queensland Competition Authority to regulate certain activities, Queensland would have been subject to Federal regulation in the Federal jurisdiction. It was thought to be in the interests of Queensland to establish the Queensland Competition Authority. That authority was charged with three responsibilities. Firstly, it was designed to undertake prices oversight of monopoly or near monopoly Government business activities. It had a prices oversight role. Secondly, it was to provide a complaints mechanism for alleged breaches by Government business activities of the principle of competitive neutrality. If there is to be a

competitive environment and Government businesses may be seen to have a competitive advantage because they have been part of the business, it is important to have a body that can oversight complaints as to the abuse of monopoly power by Government business activities. Thirdly, it was to administer a State-based third-party access regime for services provided by certain essential infrastructure.

The emphasis on prices oversight, third-party access and competitive neutrality provided by the Queensland Competition Authority has resulted in substantial economic gains for the State. In particular, the role of prices oversight and third-party access has provided a more competitive economy in Queensland and in the future will continue to lead to lower prices and lower input costs for the benefit of consumers and industry alike. This increased competitiveness has facilitated investment in Queensland. Having a competitive environment encourages investment, which is what encourages job growth, job creation and sustainability of those jobs in the long term. It is important to understand that a competitive economy—one that produces growth, one that produces investment, one that produces jobs—is important to raise the living standards of Queenslanders over time.

The objectives of this Bill are threefold. The first objective of this Bill extends to local government the application of the State's monopoly prices oversight regime and third-party access. When the National Competition Authority Bill was introduced by the previous Government, it was indicated at the time that it would be extended to significant local government business activities but not extended to those activities until sufficient negotiation and consultation had taken place with local government. That consultation took place and was completed towards the end of the coalition's term in Government.

The current Government supported that position and has restated its support for that position. That extension through this Bill follows that extensive consultation with and agreement from local government. In some respects, there was no option. If local government did not go to a State-based regime, then they would have been subjected to the Federal Government's regime in any case. They could not have escaped from oversight. The question they had to face was whether or not local government business undertakings wanted to come under a State-based oversight regime or a Commonwealth-based oversight regime.

The second objective of this Bill is to establish an independent prices oversight regime for private water suppliers. This is also consistent with its general requirement to make sure that Government business activities or those which essentially have monopoly or near monopoly situations such as private water suppliers are subject to an oversight regime with respect to their prices. Obviously in a competitive market it is competition which keeps prices under control. In a non-competitive market—a monopoly situation, which is what most water supply is; once the pipes are in, it represents a natural monopoly and it is very difficult for anyone else to replicate that infrastructure—it is important to have an oversight regime to make sure the consumer is getting some benefit or is not being taken advantage of because of the monopoly situation. The third objective of this Bill relates to some miscellaneous amendments which mainly relate to the State's third-party access regime. However, there is one significant amendment to the area of competitive neutrality.

There are significant social and community benefits in having the Queensland Competition Authority regime. We believe independent prices oversight is critical for the protection of consumers and users against the exercise of monopoly power by Government business enterprises. Consideration of third-party access issues is also critical, given that access prices often constitute a significant proportion of input costs which ultimately feed into the charging structures. When there is essentially monopoly infrastructure, the ability to control access through the control of prices is particularly important. Recently we have heard this argument at the Federal level in relation to Telstra. The ACCC has recently compelled Telstra to lower its access charges by something like 30%.

The establishment of a State-based regime allows for not only prices oversight and third-party action; it also allows the delivery of CSOs to be appropriately considered and incorporated at the State level. Without a State-based regime, the Commonwealth regime would prevail. The risk with that is that the interests of Queenslanders could be subordinated to other interests. That was one of the driving forces behind the coalition Government's decision to ensure the setting up of a Queensland-based mechanism and it was the rationale behind the Queensland Competition Authority.

If the Commonwealth regime had applied, the State Government would have virtually no influence over the implementation of the

policies. I do not think it could even guarantee the continued delivery of CSOs. That may well be done via another mechanism—

Mr Hamill: It may not be very acceptable.

Dr WATSON: It might be a more complicated mechanism. As the Treasurer has said, it may not even be an acceptable mechanism, either politically or socially.

I think increased competitiveness has enhanced the Government's capacity to deliver CSOs to Government businesses and has assisted the Government in delivering its social objectives. After all, one of the reasons Governments are elected is to ensure that social objectives are delivered. There may be differences between the Government and the coalition in terms of what are thought to be social objectives. The important thing is that there is an expectation that Governments can deliver on their social objectives.

I do not think there is any doubt that the benefits outweigh the extra costs associated with the establishment of the Queensland Competition Authority and its recurrent costs. I have not seen a cost-benefit analysis from the Treasurer but, given the arguments I have put forward, I think it would be in favour of the continuation of the QCA and would favour the extension of the QCA's oversight into the areas covered by this Bill.

One other issue I mention now and will explore during the Committee stage relates to clause 19 of the Bill, which amends section 38 in the Act, which deals with the principle of competitive neutrality. The definition in the Act is broad. The proposed change significantly narrows the coverage of section 38. I understand the narrowing in the amendment Bill.

The three areas included in the amendment were the three areas given to me in a briefing note as an example of the kinds of things we would look at. At the time, the Bill was drafted a bit more broadly. I am not sure that the three areas specified in the amendment are the only three areas in which there may be a problem with competitive neutrality principles. There are probably other areas in which Government business enterprises can have a competitive advantage, simply because they are part of the Government. We can explore those a bit further during the Committee stage. If I recall my own briefings from Treasury—

Mr Hamill: These are the key elements.

Dr WATSON: They were the key elements, but I am not quite sure they are exhaustive in terms of the problems we may run into with competitive neutrality. They may be mutually exclusive, but I am not sure they are exhaustive. As I indicated previously, we will be supporting the Bill.

Mr FELDMAN (Caboolture—CCAQ) (12.54 p.m.): Far be it from me to pass up the chance given to me by this debate to slam the guts out of National Competition Policy. I understand the objectives of this Bill. The policy objectives are to extend the application of the State's monopoly prices oversight regime and third-party access regime to local government; to establish an independent prices oversight regime for private water suppliers; and to make miscellaneous amendments, mainly to the State's third-party access regime.

I heard what the previous speaker said, but I sit here and wonder at what price we are selling off our public utilities. I have here a thick document from the Productivity Commission on the impact of competition policy reforms on rural and regional Australia. Electricity is another utility that I believe this Government is in the process of selling off to private enterprise. I look with horror at what is happening to the electricity industry in New South Wales and Victoria. I really pray that this Government does not go down the same path and let National Competition Policy impact on a public utility such as electricity to the extent it has down there. A horror story from this report is as follows—

> "Most significantly, the LaTrobe Shire Council said that, as a direct result of electricity reform, its region had lost between 6,000 and 8,000 jobs, equivalent to 10 per cent of the Shire's total population."

That is an absolute horror story of selling off public utilities. When that sell-off is done, we then have to establish a committee that sits over the top and tries to assess how much damage it can control as a result of National Competition Policy and monopoly abuse, which is what occurs after these utilities have been taken over. Suddenly there are price discrepancies and there is price manipulation right across-the-board. It is something that I believe we have been forced to have because of National Competition Policy. The City Country Alliance recognises that we really do have to support this Bill. There need to be some controls to rein in National Competition Policy, which is running rampant.

We see that it is not only electricity going down that path. Water is also going down that path. We will be reliant on private providers for water and I am afraid we will have parts of our

anatomy in a vice-like grip. We might have to pay exorbitant amounts for water in future. I think it is very poor acceptance of National Competition Policy standards. It is unfortunate that this State has to go down this path and is forced into this sort of oversight regime because of the potential for monopoly abuse.

The major component of this Bill seeks to provide accountability in the provision by the private sector of what are basically our essential services—services that each and every one of us in this State used to own and be proud of and have some say in with regard to administration. The intent of this legislation is honourable, but these measures should not have been necessary because essential services should never, ever have been privatised in the first place.

Mr Purcell: Hear, hear!

Mr FELDMAN: I heard John Thompson on the radio slamming what was going to happen with the electricity industry. I know what is going to happen, as does the member for Bulimba. He knows what will happen to those workers, as I do. It is the battlers who will get it in the neck again. It is just not right. We are getting rid of things we should never, ever get rid of. That is the shame of National Competition Policy. Earlier I spoke on the First Home Owner Grant Bill. A lot of good that will do for workers who are going down the chute! They will not have the capacity to access it or provide for it.

Water is another example of a utility that should not be privatised. If it is, we will be paying through the nose for water. We will need somebody to rein in the stupidity and the excesses. There is enormous in-built accountability when the provision of that service is in the hands of local government.

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

Mr FELDMAN: Before lunch I was sharing with the honourable member for Bulimba some of the horror stories from the sale of public utilities. I want to refer to what has happened in other places.

The Bland Shire Council told the commission that the number of local service employees in West Wyalong had fallen from 20 to four. The Tumut and Cooma-Monaro Shire Councils, which are now serviced by Great Southern Energy, reported that rationalisation of the electricity supply arrangements had led to job losses in their areas of 50 and 80 respectively. Great Southern Energy agreed that employment had been reduced, but contended that the job losses were 27 in Tumut and 34 in Cooma. The Glenelg Shire Council—Portland—reported that the closure of Powercor's service centre had reduced employment in the region by 200. The South Grampians Shire Council—Hamilton—said that the shire had lost 72 electricity jobs since 1991. That is just a sample of what happens when public utilities are privatised.

I will not be telling the honourable member for Bulimba anything new because I know that he has employment at heart and we all heard him share his experiences last night when we were debating the National Competition Policy. The multinational companies around the world must be laughing when they see such a rich country as Australia giving away its public utilities such as water and power. We are going to give them away.

Water is absolutely critical to our survival. We are going to give it away and let someone else sell it back to us. When I was a kid I used to go to the movies. The cowboy movies were all about water. I watched them killing each other about water and water rights. Here we are giving it away. Even though I believe it is suicide to do so, we are heading down the same path. We have to bring in legislation such as this to try to control the multinational predators. We are going to let the predators monopolise these things and then sell them back to us.

I remember Productivity Commissioner Judith Sloan claiming that the economic decline in Queensland should not be blamed on National Competition Policy. She even had the temerity to suggest that economic disasters in rural Queensland are a perception. She should take a walk in the real world. She should talk to some rural producers who are facing ruin. She should come and talk to some of our dairy farmers who are seeing a career and a way of life built up over several generations being torn about by deregulation. She should walk through some of the places where Pat Purcell used to work and see what happens there. She should see first-hand the agony and despair in the eyes of our dairy farmers. She should see the agony in their eyes when they go to the bank. Professor Sloan says that she wants to add some doses of reality and explode the myths. In the same breath she talks about NCP delivering lower input costs for transport, telecommunications and energy. There is the real myth. Fuel has never been dearer, telecommunications in regional areas has regressed, and the performance of energy suppliers has plumbed new depths of ineptitude. We do not see any benefits there, but then, in the rarefied area of

academia, they might be perceived as benefits.

As I said before, the major component of this Bill is to seek to provide accountability in the provision by the private sector of what are basically essential services. The intent is honourable, but these measures should not have been necessary because essential services should never be privatised.

Taking the supply of water as an example, there is an enormous in-built accountability when the provision of that service is in the hands of local government. If inefficiencies are not addressed, if service levels deteriorate, or if the pricing structure disadvantages the consumers, they have a very powerful redress at hand. They vote the council out of office. This is one of the most effective possible methods of ensuring accountability and of ensuring that the interests of the consumer are paramount.

This method of delivering accountability is not available if the utility has been privatised; nor can it be legislated in any meaningful form or with any worthwhile result. No prices oversight regime will prevent extortionate pricing levels if the facility happens to be in the hands of an unscrupulous private sector operator. The consumer cannot vote the provider out of office; nor can the consumer change to an alternate supplier.

If the service in question happened to be gas, for example, the consumer who is being overcharged can elect to change to an alternative supplier, or even to an alternative fuel. However, in the case of water, there is no alternate product, and, because of the nature of the delivery infrastructure, there cannot be an alternative supplier. The customer has absolutely no defence against unscrupulous providers.

I know that the intent of this Bill is to introduce that consumer protection provision, but I am not at all convinced that a prices oversight regime will do that. One has only to look at the abysmal and toothless performance of Professor Fels and his Prices Surveillance Authority to realise the futility of legislative consumer mechanisms.

Really, the point I am making is that the provision of essential services is fundamental to the wellbeing of a community and its residents and should always remain the domain of the public sector. The provision of such basic needs as water supply and sewerage, electricity, communications and waste disposal should never be compromised by an obsession with bottom line profits.

The privatisation of public utilities is just one of the destructive offshoots of economic rationalism which is sweeping through our nation like a deadly plague. While we will be supporting this Bill because of its intent to ameliorate the damaging impact of economic rationalism, we are reluctant, to say the least, in that support, on the basis that such support could be seen as legitimising this evil and simplistic economic experiment. Support it we must, though, because not to do so would be to facilitate and invite open slather to the predatory behaviour that pervades the "profits before people" ideology of those companies which control our water and, perhaps, our electricity. I just pray that this Parliament and this Government votes down any attempts to completely privatise these commodities. That is all I wish to say. We will be supporting the Bill because I believe that we have been forced into that position.

Hon. D. J. HAMILL (Ipswich—ALP) (Treasurer) (2.39 p.m.), in reply: I thank comrades opposite for their support for these measures. In particular, I thank our new-found friends up the back because last night I thought that a fair bit of the Opposition, and certainly One Nation, were putting forward a reform Bill in an attempt to remove the protections that we are supporting here this afternoon.

Mr FELDMAN: I rise to a point of order. If the Treasurer could refer to us by our correct title of City Country Alliance, I would appreciate it.

Mr HAMILL: I take the interjection from the member.

An Opposition member interjected.

Mr HAMILL: Sorry, does the member have an objection to that?

I thank honourable members for their support for the Bill. It makes some important reforms to the framework and responsibilities of the Queensland Competition Authority. In relation to CSOs, it certainly ensures that there is greater control vested in the elected public authorities. In relation to the water regime in local government, they are important reforms which had been foreshadowed some considerable time ago. It is consistent with the Government's approach to have in place a proper oversight regime in the public interest. I reiterate the point that competition reforms which are in the public interest will always be supported by the Queensland Government. So-called competition reforms that do not deliver public benefits will not be supported.

Under this Government, the objective of competition policy is certainly not a policy that is directed towards the privatisation of public assets. Indeed, the regulatory framework which is put in place through the Competition Authority Act enables us to declare both public and privately owned infrastructure to ensure that the public interest is protected and that monopolies, whether they are public monopolies or private monopolies, should not be able to operate to the detriment of the public good.

As I said, I am pleased that this measure enjoys such support in the House, and I look forward to the continuing support for the Government's position with respect to competition policy in general.

Motion agreed to.

Committee

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

Clauses 1 and 2, as read, agreed to.

Clause 3—

Mr HAMILL (2.42 p.m.): I move the following amendment—

"At page 10, after line 17—

insert—

'(2A) Section 10(e), 'to examine'—

omit, insert—

'under the direction, to investigate'.'."

Amendment agreed to.

Clause 3, as amended, agreed to.

Insertion of new clause3A—

Mr HAMILL (2.42 p.m.): I move the following amendment—

"At page 11, after line 8—

insert—

'Amendment of s 12 (Directions by Ministers about authority's functions)

'3A. Section 12—

insert—

'(5) Despite subsection (2), if a direction is a direction by the Ministers under section 10(e), the direction must state how the investigation is to be conducted and, for that purpose, may apply all or stated provisions of part 6 to the investigation.

'(6) To the extent the direction applies all or stated provisions of part 6, the part or stated provisions apply to the investigation.'."

This amendment is important, given the framework that has been set out to govern the jurisdiction of the Queensland Competition Authority in relation to matters pertaining to competitive neutrality. The Bill amends the original Act in such a way as to give the Competition Authority jurisdiction in relation to breaches of competitive neutrality on matters solely as a result of Government ownership and control of a Government business, namely—and these are the three key areas which are stated—the absence of debt guarantee fees, the absence of tax equivalents and the presence of regulatory or procedural advantages. Those measures were enumerated in the Competition Principles Agreement at clause 3.

Notwithstanding the measures in clause 3, this power gives the Ministers responsible the ability to direct the Competition Authority to inquire into matters related to competitive neutrality—notwithstanding those specific heads—and provides that the Ministers must indicate, as the amendment states, how the investigation is to be conducted and the extent of the direction. So it is part of that process of ensuring that, in relation to competitive neutrality issues, and certainly in relation to where they may impact on community service obligations, the authority vests in the Ministers who have carriage of the Act and not simply with the competition authority.

Amendment agreed to.

Clause 4, as read, agreed to.

Clause 5—

Dr WATSON (2.45 p.m.): With respect to clause 5, I refer to new section 13B(2), which is on page 12 of the Bill, and which states—

> "If this part requires or permits something to be done by a responsible local government, the thing may be done by 1 or more of the participants for the responsible local government."

Obviously, this clause refers to a situation involving multiple local governments—two or more—and one is perhaps the responsible local government. What is the responsibility of that local government to consult with other local governments about an issue? I was thinking about when a local government may consent to do something. It seems like this clause may then, therefore, bind all the other local governments as well. In the situation in which there are multiple local governments involved, if one local government consents, does it bind all the others?

Mr HAMILL: In response to the honourable member, certainly the provision refers—as the member will see in 13B(1)—to applying to a local government entity where it consists of two or more local governments. I will give the member an example. Say a water board—

Dr Watson: Yes, take Brisbane—the one we just did.

Mr HAMILL: I think in the case of the South East Queensland Water Company—that is now a private company, not a local government authority—

Dr Watson: If it was a board.

Mr HAMILL: For example, I think Townsville/Thuringowa has a joint control water board. If one local authority is to act, then, yes, it is bound in the same way, I am advised, as is the case under the Local Government Act.

Dr WATSON: So there is no responsibility under this legislation; it is the agreement between the local councils about whether or not they have to consult the other local council on particular issues? Would that be right?

Mr HAMILL: That is correct.

Dr WATSON: So it is all up to them. How they arrange their affairs, then, has to be spelt out in whatever the arrangement is for cooperation?

Mr HAMILL: The answer to the honourable member's question is yes. I believe that in all of those joint local government boards there would, in fact, be set out within their constitution or within their articles of association—whatever the document would be—a mechanism whereby decisions are made and what the respective mutual obligations are for the local authorities as part of those joint entities.

Clause 5, as read, agreed to.

Clauses 6 to 18, as read, agreed to.

Clause 19—

Dr WATSON (2.48 p.m.): I understand the issue here because, as I said before, the Minister has reiterated the agreement. Section 38 of the Act states—

> "The principle of competitive neutrality is that a government agency carrying on a significant business activity should not enjoy a competitive advantage"—

and then the following words are omitted by this clause—

> "solely because of the government ownership or control of the agency, over competitors or potential competitors in a particular market."

That part is being omitted and replaced by the part which is in the amendment. I do not have any problem with those particular aspects being specified there. It seems to me, though, that we have now taken a very broad position in the original Act and narrowed down competitive neutrality.

To take Suncorp as an example, when it was a Government entity, complaints were made about the competitive advantage it had. Irrespective of the issue of tax, because Suncorp was in Government buildings and was part of the Government, the argument was that it had a competitive advantage over other insurance companies because it had Government employees which other companies could never get.

I would have thought it could be argued that, by narrowing the definition of competitive neutrality, we are requiring the QCA to look at competitive neutrality in these three areas but we are excluding its ability to look at competitive neutrality in other areas. As I have said, I do not have any problems with the three areas defined—tax equivalence, the regulatory environment and Government guarantees—because they are most likely the three areas that would come up. However, there could be other areas. Could the Treasurer explain whether he thinks other areas are covered or whether the intention is to ensure competitive neutrality covers only these three items?

Mr HAMILL: It is important that clause 3 and the amendments which the Chamber has adopted are understood in the context of this provision. As I mentioned before, the Competition Principles Agreement set out these matters. It is true that in the drafting of the original Act the Parliament was pleased to give a broader jurisdiction to the Queensland Competition Authority—a jurisdiction which it of itself had. This is not a criticism of the Queensland Competition Authority. I believe the authority is discharging its responsibilities very well indeed, but the Queensland Act had a much broader provision and was given a much broader jurisdiction than that which applied in other States.

This measure brings the jurisdiction of the Queensland Competition Authority in line with the practice elsewhere in the country. It ensures that the Government has control over matters. A good example is that of complaints concerning CSOs. While the Queensland

Competition Authority is approaching its task from the perspective of an economic regulator, the Government, for a variety of very compelling social reasons, may determine that a community service obligation be delivered, whether it be in respect of transport, water or any other public service.

I do not believe, and the Government does not believe, that the Queensland Competition Authority, no matter how competent, ought to be able to second guess what is an important part of public policy made for very compelling political and social reasons. I do not mean partisan political decision making; I mean political in terms of the processes of Government but read with the powers that are contained in clause 3 of this Bill in relation to the 10(e) power. It does not preclude Ministers from referring any other matters which touch on issues of competitive neutrality to the authority. What we are doing is giving effect to the letter of the Competition Principles Agreement—nothing more, nothing less.

Dr WATSON: I understand the issues regarding CSOs. If the Government has a public policy with respect to CSOs, that is legitimate. That is recognised under competition principles. State Governments have rights to make social decisions. Having made a social decision, a Government would not want the QCA investigating it for no good purpose.

I am concerned about excluding issues which are not public policy issues and issues not contained in this amendment where a competitive advantage can be given to a Government enterprise—the three issues outlined here. I mentioned Suncorp earlier as an example of what can occur. One should not have to rely on a Minister referring to the QCA for competitive advantage matters such as location of Government business enterprises with respect to other Government activities and other interrelationships that may come about between Government business activity and the Government which may give a commercial advantage to the Government business activity. Those things ought to be able to be looked at.

The whole idea of National Competition Policy was about ensuring that Government business concerns did not have an unfair advantage over commercial activities. It seems to me that this has now become so restrictive that there cannot be commercial advantage when it comes to tax equivalents or regulatory environment. A private enterprise may suffer quite a competitive disadvantage if CSOs are involved, and one cannot do anything about that. This amendment seems to allow Government business organisations to have a competitive advantage over commercial organisations. Their only avenue is to go to the Minister and hope that the Minister refers the matter to the QCA.

I would not have thought that was intended by competition policy. I would not have thought it was in the interests of the Government—whatever political persuasion it is—to have to rely on the Minister to make that reference and then to find out how it is going to come about.

Mr HAMILL: I hear what the honourable member is saying. I can only refer him to my earlier comments that this ensures that the economic regulator is not dealing with CSO issues—

Dr Watson interjected.

Mr HAMILL: I take that point. I was interested in his example of Suncorp, formerly a Government owned corporation. Some of the requirements placed upon Suncorp by Government were more onerous than those which would have been required by Suncorp's direct competitors in the market. When one adds to that issues such as freedom of information and judicial review, that would disadvantage a Government owned corporation which was in direct competition with private sector corporations.

As I said, this provision is not meant to restrict the actual consideration of competitive neutrality issues. Rather, where matters are brought forward by way of complaint, this provision allows an opportunity to undertake some sort of preliminary assessment of them to see whether they fall within the bounds that are clearly set for the absolute jurisdiction of the authority. For example, we might find ourselves in a situation in which several factors are at play, some of which would be within its direct jurisdiction and some of which would not. On that basis, there is a discretion under section 10(e) for the Ministers to refer the whole activity or the appropriate part of it to the Queensland Competition Authority for its advice and report. It is about nothing more or less than that.

Dr WATSON: I understand the explanation. Although one might have been able to argue that the section in the original Act was too broad, particularly when we take into account CSOs, in my opinion we are now making it too narrow. The Treasurer is right; for example, where CSO payments and other things are involved I can understand a Government of any political persuasion

wanting to be able to address that situation and refer only the relevant activity to the QCA. However, the principle of competitive neutrality is being applied too narrowly. In the future, when commercial organisations have legitimate concerns about their ability to compete against a Government organisation and when this has nothing to do with CSO payments or the three areas outlined in this amendment, the commercial organisation would have to go to the Minister of the day in order to get a reference to the QCA. This is very restrictive. Had I thought about this in detail, we could perhaps have come up with an amendment. But this seems too restrictive. Through Treasury, consideration ought to be given to addressing the narrowness of this provision. Perhaps in the future the provision could be broadened via an omnibus Bill.

Mr HAMILL: The path that has been mapped out here is, in fact, a middle path. In some of the other States that have a body akin to our Queensland Competition Authority there is no jurisdiction in respect of this matter at all; it resides in Government departments. That was an option that I favoured. I discussed this issue with the Queensland Competition Authority. The preference of the authority was either to leave things as they were or totally remove its jurisdiction. I was not satisfied with things as they were, and I gather from comments made by other honourable members there is reason for reform of this matter. However, in my view, going to the other extreme was not acceptable either. We have sought to take the middle path and preserve jurisdiction for the QCA, albeit within clear guidelines, and not go so far as to totally destroy its jurisdiction. I think our quibble is one of degree. There is now an opportunity to see whether this model delivers the sorts of outcomes we all desire from the QCA.

Clause 19, as read, agreed to.

Clauses 20 to 41, as read, agreed to.

Clause 42—

Mr HAMILL (3.04 p.m.): I move the following amendments—

"At page 82, lines 5 and 6, 'other than an official person'—

omit.

At page 82, lines 9 to 15—

omit."

These amendments go to section 187K of the Act. They take up an issue raised by the Scrutiny of Legislation Committee in its report on the Bill. They are simple amendments, but they are important, because they ensure the confidentiality of information which may have come forward through mediation in relation to a matter that has been properly mediated under the Act. It was a reasonable point that the Scrutiny of Legislation Committee made. The Government is pleased to accept the views of the all-party committee and translate that expression into the two amendments before the Chamber.

Dr WATSON: I accept what the Treasurer said in relation to the amendments. I have no questions about this. However, I have some questions with respect to proposed sections 187F and 187G, which are on page 80. My concerns are not serious and they relate to both amendments. Firstly, proposed section 187F indicates a penalty of 1,000 penalty units or a year's imprisonment. I think that is fairly high, but I understand the necessity for a serious penalty when dealing with issues of confidentiality. I note from proposed subsection 187G(1) that at a mediation conference a corporation can be represented by, for example, a solicitor. However, an individual cannot. The individual seems to be at a disadvantage to a corporation in that situation. For example, if individuals need to get advice but it cannot be obtained without going against proposed section 187F, they are placed at a significant disadvantage. For example, a matter could involve a private water supply, which may not involve a corporation.

Mr HAMILL: Let me direct my remarks to proposed section 187G. This provision facilitates the mediation. While "the party" may be the honourable member for Moggill, the other party may be the Gladstone Water Board. The Gladstone Water Board is not a natural person. Therefore, it has to be represented by someone. I draw the honourable member's attention to proposed section 187G(2)(b), which allows the mediator to permit a party to be represented. It states—

> "... the mediator is satisfied the party should be permitted to be represented by someone else."

I would have thought it would be quite open to the discretion of the mediator, if in the event that a significant corporate party was involved that had, say, legal representation, for the mediator to allow an individual party—perhaps a natural person—to have access to representation to ensure that the party's ability to present the case in mediation was not impaired because of a lack of resources or because of the innate ability of that person.

If we were not dealing with parties that could be not natural persons, then such a

provision would, I trust, have been unnecessary, although we could conceive that perhaps a party in the mediation could be a person who is unable to represent themselves and I imagine that provisions such as those we have in the guardianship Act could come into play. There needs to be that discretion in the conduct of mediation to enable the mediation to take place. Were it not there, it would be very difficult for such a provision to operate at all.

Dr WATSON: I accept that. I understand that issue. What I was really concerned about was not the fact that the option was given to the mediator—that is understandable. I was really concerned to make sure that there was, if you like, some natural justice involved. When the mediator or court is looking at that section—and I think probably this discussion is worth it—they ought to take into account what the Treasurer has just said, that there is an expectation that a mediator would not insist on mediation where the economic power or expertise is so uneven. In fact, it could very well be that the corporation concerned may actually be the one that is initiating against an individual, who could have a private water supply and it might be a corporation going after them; it does not have to be the other way around. But in either case, it would seem to me that it would be patently unfair if the individual was denied, for example, legal representation because they are a person, whereas a corporation gets high-powered legal representation because it is not a natural person.

Amendments agreed to.

Clause 42, as amended, agreed to.

Clauses 43 to 48, as read, agreed to.

Schedule, as read, agreed to.

Bill reported, with amendments.

Third Reading

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

MENTAL HEALTH BILL

Second Reading

Resumed from 17 May (see p. 1134).

Mrs PRATT (Barambah—IND) (3.13 p.m.): In rising to speak to this Bill, I am very conscious of the gaps in the current legislation that this Bill is endeavouring to fill. On reading the Mental Health Bill Explanatory Notes, I was transported back to my first couple of weeks in the electorate office. A very agitated man in his mid to late thirties came into the office and confronted me with his frustration at the lack of help available for people suffering a mental illness as he was. Here was a man who knew he was not coping in the way of the average man, knew he needed help to cope, had medical advice stating he needed help, had made appointments to see a psychiatrist and a psychologist and yet events conspired to prevent him getting that help. He was very concerned that, because of his agitated state, he may do something to his family or others. He loves his family but had no control over his emotions and, knowing this, he chose not to go home but to come to his local member and let out his frustration there in the hope of making his torment visible to those he hoped may address his need and that of the community.

Although this gentleman was willingly seeking treatment, his difficulty in obtaining that treatment not only reflects but highlights the need of many other communities. Governments must make mental health services available to people who need these services before they are pushed to the stage at which enforcement of voluntary treatment is necessary, which is an area that this Bill addresses.

The rural and regional areas need far better mental health services than they receive and this need has been an ongoing one. It is perhaps one of the more constant needs of many communities which are faced with growing diagnoses of depression and other illnesses which are the by-products of unemployment, drug abuse and other now common events of the late 20th century.

It has often been recorded that, in their lifetime, one in five people will suffer from some form of mental illness. Most members in this Chamber would be aware of or know of someone who has suffered the torment of a mental health condition and has availed themselves of mental health services. They are probably also aware that they may one day be among those mentioned in the one in five statistics.

Yesterday when I was asked by a seniors group visiting from the South Burnett what Bill we were debating, they thought it was very appropriate for politicians to be discussing this Bill as they felt that many in this House were appropriately qualified for the task.

I would like to read one letter from an individual who did seek treatment. Perhaps his desperation will be conveyed better in his own words rather than in mine. He says—

> "The ... requires the services of a residential psychiatrist and psychologist on a full time basis, or a weekly visiting mental health team with support in between appointments. The Kingaroy Community health service caters for an area covering the areas of Kingaroy; Nanango; Yarraman; Blackbutt; Bernakin; Cooyar; Wondai; Cherbourg; Murgon; Goomeri; Kilkivan; Proston; and many other towns, covering the area of approximately 4325 square kilometres which is to be covered by a small group of community health workers giving assistance to the visiting health team once a fortnight. Mental health is an important part of our lives"—

and he has underlined that—

> "and the quality of our mental health service, in the form of resources and assistance may vary greatly between the city and the country, as the country is restricted to a visiting mental health team consisting of a psychiatrist, psychologist, and two social workers. These visits occur fortnightly with the exception of rain; sickness; holidays, which may cause a patient's treatment to be delayed up to 6 months.
>
> These delays caused by cancellations or mismanaged appointment bookings can be very stressful to the patients and may produce adverse effects and set backs not only to patients but also to families. In the 16 weeks of the above date I myself have seen the psychiatrist once ... and I have waited to see the psychologist in the past 16 weeks ..."—

and will have to wait another four weeks—

> "and may see him for the first time in the 20th week ... if these appointments are not cancelled again. Psychiatric patients who find this lack of support for their particular illness tend to be more stressed out or withdrawn, and this may have a detrimental affect the patient's family.
>
> I there beseech the minister of health Wendy Edmonds to look into the mental health services for the area to help enhance and improve the quality of mental health treatment and provide support groups for both patients and families. Previously the visiting mental health team was from Bundaberg and the treatment was on a regular monthly basis but since the transfer of the visiting mental health to Toowoomba, the treatment by the visiting health team has been irregular, subjected to the whim of the weather and delays of up to 6 mos have been subjected to patients. As the waiting time between visits have changed from 4 weeks to 6 weeks, this has shown that there has been an increase in the number of people requiring psychiatric treatment. Since Toowoomba has taken over the roll of mental health in this area there has also been an increase in complaints to community health about the lack of mental health service. I therefore again plead to the minister of health Wendy Edmonds not only for myself but for all patients and their families for an improved quality in our mental health service for the surrounding areas."

One of the main complaints received has been that, even though people have willingly sought help, they have received only medication and no counselling. Although in many instances medication has been the appropriate course of action, the distress, disorientation and confusion associated with mental health can be as traumatic as any death in the family, any tragic accident or violent attack. Counselling is essential to address the mental traumas associated with the condition. As I have stated before, medication may very well be the solution, but the families who live with these sufferers every day feel counselling is a necessity.

I would like to read from a mother's experience when she endeavoured to obtain help for her adult son. She said—

> "No psychiatrist who has seen my son over the past 5/6 years has actually counselled him. All the psychiatrists he has seen have only prescribed medication whereas the mental anguish needed to be dealt with. We found it impossible for my son to be eligible as a patient at any equipped psychiatric establishment we approached. Some establishments said we came under Toowoomba, so when we approached them we were told we were not able to go there because my son had been seeing a psychiatrist in Brisbane and therefore we would have to get my son in there. The reason my son had seen a psychiatrist in Brisbane was because he couldn't get treatment in our local area."

This mother goes on to ask the question: "Where can people like my son receive the psychiatric counselling they so desperately need? It is certainly not available to people who cannot afford to pay high fees."

Recently, White Wreath Day was launched in Brisbane. White Wreath Day was started by a mother who lost her child to suicide. Just like the hundreds and hundreds of families who also added a white wreath to hers in King George Square until it was covered with wreaths and looked like a white carpet had been laid, all had lost a son, a daughter, a mother, a father or a friend. There was no age limit on those who took their life and the manner was varied, as was the reason for taking it. We all ask why. What could we have done? Why did we not see what they were going through?

When it comes to mental health, it is a lot like the chicken and the egg. People addicted to drugs or alcohol suffer mental health problems. Do they drink or do drugs because they have a mental health problem or do they have a mental problem because they drink or do drugs? One might very well say, "Either way, it doesn't matter. They have a problem." I would agree, but there are instances where others do not.

It was reported to me that efforts were made to place into a psychiatric centre an alcoholic who reportedly drank because of depression. He wanted to go. He had made the big decision and needed help. In one instance, he was told he could not be admitted because he was not mentally ill; he was an alcoholic. In the second instance when a drug and alcohol rehabilitation centre was approached, he was told he had a psychiatric problem and therefore had to go to a psychiatric hospital. I cannot tell members if this man overcame his problem or not because he has simply disappeared.

We again have the chicken and egg scenario with our youth. There is a critical shortage of detox and rehab facilities for young people who indicate that they are motivated to get clean. Workers in this sector are continually frustrated by the lack of facilities in Queensland, especially for people 16 years and under. There are virtually no beds available for the youth in our communities who need attention and supervision whilst undergoing treatment for depression, getting off drugs or other similar conditions. This is an unacceptable situation when our youth suicide rate is so high.

Governments need to recognise that perhaps there is a need for an holistic approach to addressing the issues of mental health and associated illnesses and addictions. This requires collaboration with workers who work the streets on a day-to-day basis. This does not mean Queensland Government health workers who only work nine to five on weekdays. Mental health is 24 hours a day, seven days a week. These workers cover a very large catchment and provide a worthwhile and essential service, but they do not possess the information or the on-street experience of workers in the funded agencies who provide a 24-hour a day on-call service. These people deal with the trauma and its subsequent impact on families and the community at any time of the day or night.

It is necessary to catch these problems and deal with them at a much earlier stage, which may limit the use of this legislation. Police, ministers of religion and crisis care agencies are continually frustrated by the lack of services and facilities available to treat people exhibiting mental illness as a result of drugs, alcohol and emotional or psychological abuses. These situations occur because Queensland Health has no after-hours services in rural areas and general hospitals are not properly equipped to handle these crisis cases. Mental health is a condition that needs attention immediately.

Delays in receiving treatment is a major contributing factor to pushing sufferers over the edge. We must endeavour to supply sufferers, carers and their families with support. The support needed is of a specialist nature and not everyone is suitable to dispense that support. There is a fine line to be negotiated when it comes to the rights of the person who is to be subjected to involuntary assessment and treatment, but there is also a fine line in protecting the rights of those who live or perhaps become the victims of those suffering a mental illness.

We in the rural areas ask for no more than that which is taken for granted by city residents. Too many times rural areas are treated as bridesmaids and never the bride when it comes to services. Treatment in specialist health services is often traumatic for rural residents to obtain. It often necessitates a trip to the city which is an added stress for the sufferer and exacerbates their condition. We have waited a long time for the lack of services to be addressed and we have been very patient.

Recently, John Howard was asked to reply to a comment from an interviewer that rural and regional feedback was indicating that the recent Budget did not address rural needs. Mr Howard replied to the effect that the Government would decide what rural communities needed. Well, excuse me! Until one lives, eats and breathes in rural areas, then and only then can anyone begin to

understand the needs of the area. The last 10 years have had a great effect on rural areas and the mental condition of many of the people there. Policies we debate in this House such as NCP are adding to the stress and the survival of business operators, so they, too, may need health services sooner rather than later.

The days of residents west of the ranges having faith in their Governments to know what they need and actually believe that those needs will be addressed are gone. If Governments knew what was needed, they would not put into place many of the theories which are worked out on paper in back rooms and, when put into practice, actually decrease services in the bush. It is great that incentives which have been advocated for many years to address the doctor shortages are finally seeing the light of day, but it is not very beneficial when the telecommunication network used to procure those services does not live up to the promised equal or better service.

If Governments are expecting gratitude—don't! If they want to talk about mental health, I can tell them that, with high unemployment and having to wear the results of city-based bureaucrats and their ideas, it is a miracle that everybody west of the range does not need mental health services. This Bill does address a need. I congratulate the Minister on tackling what is a very difficult area of the health portfolio.

Mr ROBERTS (Nudgee—ALP) (3.27 p.m.): Today I want to address a couple of issues in relation to the Mental Health Bill. I will not be traversing a lot of the material that has already been covered by some of my colleagues. I firstly want to congratulate the Minister for Health, her office and her departmental officers on the tremendous work that has been undertaken in preparing this Bill. I know there has been a lot of consultation since 1993. From the comments that have been made by speakers on both sides of the House, we all anticipate that this Bill will significantly improve the delivery of mental health services to those people in need in the community. Most members would have experienced some of the difficult traumas that individuals suffering from mental illness in each of our electorates face. Through the contact I have had with the health professionals at the Prince Charles Hospital and elsewhere who deal with these people, I want to give them my praise for the way in which they carry out a very difficult job.

There are two issues I want to touch on in this debate on the Bill. Firstly, I refer to the issue of the definition which has been inserted in this Bill for the first time. I note that the definition is heavily reliant upon the clinical diagnosis of a mental illness, which is proper. I also note that in the definition a person cannot be involuntarily treated merely on the basis that they have an intellectual disability. That is an extremely important principle and one that, in the past, may have led to some abuses. The member for Fitzroy stressed the importance of this principle, and I certainly support it.

On a related issue, I feel that there are some people in the community who are caught in the middle when it comes to the definition of mental illness. I will give an example of a particular instance in my electorate. A parent was in a very difficult situation with her son, who suffered from Tourette's syndrome, which is not, as I understand it, a mental illness or an intellectual disability. The individual involved suffered from extreme mood swings and behavioural problems to the point that on one or two occasions the parent had her son regulated, or at least kept in overnight for observation.

I remember on one occasion getting a call late at night from the woman, who was very distraught. She had taken her son to a hospital in the hope of having him admitted as a mental patient. However, that course of action was rejected on the basis that he did not have a mental illness. On contacting the police—the individual concerned was making quite serious threats and was behaving in a way which was very intimidating to the parent—she was told that it was not a police matter because no criminal offence was being committed.

As a result of the clarification of the definition, some people in the community who are not mentally ill will be excluded, whereas in the past they may have been treated under the Mental Health Act. Basically, they are in no-man's-land. I do not know what is the appropriate legislative response to that. Maybe it should not be addressed in the mental health legislation, but there is a gap in relation to some behavioural problems and other experiences that people in the community have. I think it is an issue we need to put our minds to. I would hope that the definition that excludes an intellectual disability is not used as an additional hurdle for those people who may be mentally ill. I do accept that those people with a dual diagnosis can be involuntarily treated under the Act. I suppose time will tell how well the definition operates.

Part 2 relates to treatment plans. Once again, I can only speak from my own experience. I had the experience of a particular individual who was regulated and who was required to take medication. The difficulty was that the person was receiving advice from people outside the chain of treatment that she was not required to take the medication and so on, and therefore she did not take her medication. Because of that, on many occasions she presented at my office in a very distressed state. She was taken by police back into treatment on a number of occasions. Unfortunately, that person ultimately took her own life. I do not allocate any blame to anyone within the health system for that; it was just an unfortunate outcome.

I am quite pleased to see that treatment plans are more formalised within this Bill. I believe that will go a long way to ensuring that the treatment of those individuals is more closely monitored. The Bill proposes what the treatment plans must state and, in particular, that they should outline the intervals for a patient's regular assessment.

I hark back to the example of the particular individual I came across. There was a need for regular monitoring of that individual's lifestyle and commitment to the treatment that was prescribed for her. A plan which specifies regular assessment may in some circumstances help to prevent what in this case was quite a sad outcome. I commend to the House the changes in relation to treatment plans, which will need to be properly implemented and monitored to ensure that the processes operate as they should. I commend the Bill to the House.

Mr SPRINGBORG (Warwick—NPA) (Deputy Leader of the Opposition) (3.34 p.m.): I rise to support the principles of the legislation before the Parliament. I do not intend to go over old ground. A lot of different issues have been canvassed during the course of the debate on this Bill, so I will restrict my comments to the processes involved for the assessment and detention of people who have a mental condition and who have committed a serious crime or a criminal offence.

I was interested to note some of the comments that have been made in the debate about the general concern in the community over mental illness and the significant and very real impact that is having on individuals, families and communities. Many of us are somewhat traumatised and concerned by the stories we have heard. I think the honourable member for Nudgee set that out quite eloquently a moment ago. We see people who are in absolute frustration. They may have a family member who they know is on the verge of doing something that will potentially harm themselves or somebody else and there is no way they can address that. Hopefully this Bill will assist in such instances.

In this day and age there are a lot more pressures and stresses in our society. This has tended to lead to more family breakdown and greater pressures on families. The issue of unemployment has been alluded to. In my part of the world—I have a constituency whose regional economy is basically reliant on farming and grazing—there is a great deal of frustration and feelings of hopelessness. That leads to mental illness, to instability and, unfortunately, to suicide. That is something the Minister greatly appreciates. It is a very real concern in Queensland and also around Australia. Each year many hundreds of young Australians take their own lives as a consequence of a feeling of hopelessness.

People often ask me why and how these things happen. It is very difficult for us as members of Parliament to put ourselves inside the minds of people who want to harm themselves in some way. Whilst we can have some sort of appreciation of the emotions they feel and the enormous stresses people are under, we do not have an entire or proper appreciation of their thinking. Personally, I cannot understand how anyone would want to end their life, but I can understand that the pressures that come to bear from time to time put enormous strains on people. Another problem relates to those who are left behind. Families have to pick up the pieces and communities have to deal with the broader issues.

I turn to the issue of the treatment, detention and assessment of those with a mental condition who have committed or it is believed have committed a criminal offence. The Mental Health Court—it is currently called the Mental Health Tribunal—will be called on to assess those people. Some of the principles of the Bill seek to overcome the concerns of victims and their families. There has been a concern for a long time that sometimes justice is not done.

The assessment of a person as having a mental condition at the time of the commission of a crime or as having developed a mental condition some time post that crime and therefore being deemed unfit to stand trial certainly brings about a concern in the minds of the victim, the victim's family and the

community that on some occasions justice is not necessarily done.

I will read a submission made to a forum hosted by the coalition in Brisbane last year. This submission was made by a lady whose daughter was murdered. I am sure all honourable members appreciate this issue, because I believe all honourable members have been contacted by this lady, a Mrs Robyn Clarke, about the death of her daughter, Janaya Kristy Clarke, on 9 November 1998.

I would like to read a letter into Hansard. This will give us a better appreciation of some of the emotions that we deal with when we have to look at the assessment of people who commit these sorts of crimes. The letter reads—

> "The beautiful girl in this photo is my eldest daughter, Janaya. She was 17 years old. Janaya was a very special person. She was kind and gentle, she was quiet and sometimes even a bit timid. Janaya touched so many lives in such a short time and I was very lucky to be her mother.
>
> On the 9th November 1998"—

this was 10 months after the event when she wrote this letter—

> "my child, whom I loved so much, was murdered. There are no words to describe the experience of having to identify the body of your murdered child, or the horror you are forced to confront when you are told of their last hours on this earth. These are only two of the many nightmares that are now a part of my life. These horrors will be with me forever and I have no choice but to live with them.
>
> Janaya can never again come and talk to me. We can't go shopping together, or watch a video, or have a meal together. She can have no more Christmas or birthdays. We cannot hear her laugh or see her smile. Because someone murdered her. That someone"—

and I will not include the name—

> "was a stranger who did not even know her name. He doesn't know why he stabbed my daughter more than 20 times and he doesn't want to talk about it. What's more, he doesn't have to. You see, this killer is mentally ill. He was found to be of unsound mind at the Mental Health Tribunal in June of this year. Judge ... found 'that at the time of the offence' he was deprived of the capacity to know he should not commit this 'act'. He cannot be held accountable for his actions. He is no longer a criminal, he is now a patient. He subsequently is granted a whole range of rights and privileges including the right to privacy."

Mrs Clarke goes on to say—

> "I am denied access to any information about him, including where he is being held, any reviews that take place, any applications for escorted leave, etc etc. I don't even have the right to know if he is ever to return to our streets."

Mrs Clarke continues—

> "Janaya's family were given no considerations in the Mental Health Tribunal proceedings. We were not allowed to have any input into any aspect of the hearing, we cannot submit a Victim Impact Statement and what we found most disturbing was the absence by the Tribunal of any acknowledgment of this heinous crime or that ... committed it."

Mrs Clarke says that the Judge—

> "... defends his Tribunal by noting the savings of costs and time to the Criminal Justice System. I find comments such as these, made by a person of his standing, extremely offensive and anything but humane."

Mrs Clarke says—

> "I would also like to point out to Judge ... that justice is meant to cater for more than the accused person ... is a dangerous killer! The fact that he is mentally ill and cannot be held accountable for his actions can only increase the danger posed to society by him. It was reported by his psychiatrist that during his first six months at the John Oxley Hospital, Brisbane ... has attempted to escape. On one occasion climbing a 15 ft fence and on another occasion conspired with others to escape. This knowledge terrifies me!
>
> There is no doubt that the current Mental Health Act needs radical and urgent changes in the interests of public safety and as a matter of social justice. I also feel that in the case of ... his file must be stamped 'Never to be released'. Only then will I be satisfied that justice for my daughter has been served."

She goes on to thank the very many people who supported her in this most difficult time.

I understand that the Supreme Court justice who currently oversees the Mental

Health Tribunal does a very good job within the confines and within the rules under which he has to operate on the day. When one is dealing with a person who was considered to be of unsound mind at the time of the commission of the offence, that is going to give rise to all sorts of interesting issues. On the one hand, we have the rights of the person who is accused—the person who may have committed the particular crime—and, very importantly, on the other hand, we have the people who have suffered directly as a consequence of the crime, namely the victim, if he survived, or his family, if he did not survive.

I do not know that we necessarily have the correct mechanism in this piece of legislation to ensure that victims or the community in general feel that society or Parliament is taking their concerns into consideration. I know that there are aspects of the Bill—and I commend the Minister for this—which address some of the concerns raised by Mrs Clarke. Certainly, under this legislation, victims have the opportunity to have input into the Mental Health Court proceedings. I believe that will be welcomed.

The proceedings of the court are going to be far more open than were the proceedings of the Mental Health Tribunal. As I understand it, the psychiatric advice which is tendered to the judge who oversees the court will be considered in more detail than has been the case in the past. That is not to say that the current head of the tribunal does not do a good job. I believe he does a good job under the circumstances.

If we look at the other Australian States and other Commonwealth countries, we will quickly come to the conclusion that what we have in this State is unique. It has been in operation in Queensland since the early 1970s. No doubt the Government of the day thought that it was a good idea. It has probably proved to be very effective in many ways.

However, the issue which was raised a moment ago in the letter which I read into Hansard concerns closure of the incident for families. It is an issue of justice not only being done but being seen to be done. The coalition, when it was in Government, was very concerned about this issue. The coalition looked at moving amendments which would lead to the Attorney-General having greater involvement in being able to appeal on matters which were deliberated before the Mental Health Tribunal. Other issues were also under review. As the honourable member for Nudgee pointed out, this Act has been reviewed one way or the other since 1993. What we are seeing today is the mot comprehensive example of that coming before the Parliament.

I want to refer briefly to what happens in other Australian States. This legislation does not necessarily deal with the specific issue to which I am referring. It refers to a lot of other issues, including voluntary and involuntary assessment and treatment. I believe that those innovations are very good. The issue I would like to raise is whether this process for the assessment of people with a mental condition who commit a crime is the best process of assessment. It is certainly unique. It is something that does not happen in other Australian States. In other States there is a far greater degree of jury participation or court participation in this area. I believe there are a number of reasons for that. When the current Attorney-General was in Opposition he raised some interesting points when talking about the relevance of a mental health tribunal. He made these remarks in a debate in this Parliament in, I think, 1997. He said that one issue we must consider is that, traditionally, in a court the jury decides the facts and the judge decides all points of law which may be raised during the trial. That point is relevant.

The community feels a lot more comfortable if a group of their peers—that is, a jury—makes decisions on their behalf. Sometimes in this place and outside this place we might dispute sentences, but we very rarely dispute the acquittal or conviction of a person by a jury. People have general confidence in the fact that a group of their peers is making the decision. In New South Wales, Victoria and other places there are different mechanisms in place, but primarily the jury makes a decision on the soundness of mind of the particular person. In Queensland, if there is concern over the mental state of the person who is accused, the tribunal will consider whether that person was of unsound mind at the time and, as a result, the charges against that person may be dropped. That person may be held in custody at the pleasure of the State. There is also the ability for the tribunal to consider the person to be unfit at the time of the commission of the crime, but the person can be held until such time as he or she is reviewed and perhaps considered to be fit to stand trial.

Of course, when it is handing down its verdict, the jury may say that the person may have been of unsound mind at the time of the offence, which may be a mitigating factor. In New South Wales, when there are questions raised about a person's mental capacity at the

time a crime was committed, a specially convened court with a specially empanelled jury decides the position of that person. If it is decided that the person should stand trial, then that happens. Other places have similar procedures—some with slight, some with major deviations. I pose for the consideration of this Parliament that we really should look at such a procedure, because I feel that there would be far greater public confidence in our system if a jury had the capacity to be able to be involved in such decision making.

In New South Wales, a jury does not always decide a person's condition. The person themselves may decide to have the matter dealt with before a single judge. If that person is found to be of unsound mind, the Mental Health Tribunal or its equivalent in that State then deals with that person. However, I believe that there is a very strong case for us to sit down and really consider whether we should have a system that allows a greater degree of jury involvement. Once again, as Mrs Clarke said, there needs to be more openness, more community involvement and more community consideration of these issues. I contend that we in this place legislate in accordance with the expectations of the broader constituency, and we should always do that.

Another issue that I would like to raise with the Minister, and one about which I would be very pleased to hear her respond, relates to when a person attends a job interview and is asked by their potential employer if they have a criminal history. Of course, a person should disclose their criminal history in accordance with the provisions of the Criminal Law (Rehabilitation of Offenders) Act, which states that, after a certain period, a person is considered to have no criminal history, except in the exceptional circumstances of when a person is working in the child-care industry or is applying for a position in the Police Service. When a person applies for a gun licence or a job, that person could be asked whether or not they have any previous convictions. The person may disclose that they have. Obviously, people in such circumstances would have to tell the truth and say yes or no.

As I understand it, a person who has committed an extremely serious crime but who at the time was found under the provisions of the Mental Health Act—or even the provisions of the new legislation—to have not been aware of what they had done can quite confidently declare that they have no criminal history. That person may have murdered somebody or raped somebody. It is also very interesting to consider this issue in terms of the issuing of gun licences. At the moment, if a person applies for a gun licence, the police do a criminal history check and a check to see if the applicant has domestic violence orders against them. I would like the Minister to give me some reassurance in relation to this matter. It may be a matter that relates more to the Attorney-General's portfolio—I am not absolutely sure. However, it is an interesting anomaly: one person commits a crime, goes through the normal court processes and ends up with a criminal record; another person commits a similar crime but, because of their mental state at the time, is not considered to have a criminal record or be held accountable for that crime. I am sure that if a potential employer was aware of what a person had done in the past, notwithstanding that person's mental state, they would be somewhat less than confident about employing that person. I would be interested to hear the Minister's comments about that matter.

In general, I support this Bill. I think that it is innovative in many areas. However, I think at some future time we need to look at that issue that I raised as it relates to the criminal law.

Mrs NITA CUNNINGHAM (Bundaberg—ALP) (3.54 p.m.): I rise to support this Mental Health Bill and to congratulate the Minister on her commitment to lifting the level of mental health services across this State.

The purpose of the Bill is to provide a more effective and accountable system of involuntary treatment and care for people with a mental illness. The Bill also provides a system for determining the mental state and the treatment and care of a person with a mental illness who commits a criminal offence. The legislation ensures that both those aims are achieved by processes that are just, open and accountable.

There is no doubt that the incidence of mental health is increasing as the socioeconomic levels in our communities drop and that this Government recognises the need for increased resources. In Queensland, the majority of people suffering from a mental illness are treated voluntarily in much the same way as people with any other illness or medical condition are treated. However, some people in our community do not seek medical care and treatment for potentially serious mental illnesses. This legislation is designed to ensure that Queensland provides a humane and comprehensive mechanism for these people to receive care and treatment.

We recognise that detaining a person for medical treatment against their will is a significant infringement of that person's rights.

On the other hand, the community also expects that a person should be treated when their illness has reached a stage at which the health or safety of the person or that of another person is put at risk. This Government recognises these problems and is providing resources, funding, staff and the necessary legislation to address the changing and growing needs of mental health.

As the Opposition has used this debate to denigrate the existing mental health facilities in various areas of the State, I would like to draw to the attention of the House the enormous improvements that have taken place in mental health services in my electorate of Bundaberg and surrounding regions under the leadership of this current Minister and this Labor Government. Prior to the Goss Labor Government, Bundaberg had no mental health unit as such, and nor did Maryborough. One psychiatrist covered the whole area from Kingaroy to Maryborough and almost to Gladstone. Following the election of a Labor Government in Queensland, in 1992, as one of the Goss Government's early initiatives, a new purpose-built Bundaberg mental health facility was constructed.

It was in the early days of this Beattie Government that the need for an intensive care unit for mental health was also recognised and delivered by this Government. This was added to the Bundaberg Base Hospital mental health facilities and opened by the Honourable Wendy Edmond in February last year, providing four new single-bed secure rooms opening to a lounge/dining area with a separate entry for police and ambulance vehicles to allow secure admission—a much-needed and totally separate facility to accommodate highly vulnerable patients and providing intensive psychiatric care for both voluntary and involuntary patients whose admission is based on the level of patient care required rather than on specific clinical disorders. That is a relatively new system of treatment delivery that has now been introduced into mental health systems in many areas of Queensland.

Since then, the Maryborough mental health unit has also been established, and together with the Bundaberg unit, has improved dramatically mental health care for the people of Wide Bay. That demonstrates clearly this Government's commitment to improving health services for rural Queensland—a commitment that is further emphasised by this Bill that we are debating today.

As the Minister said at the official opening of Bundaberg's mental health intensive care unit last year, the improvements to the hospital's facilities were only part of the new integrated approach to mental health care in the Bundaberg and Burnett districts, with an additional $770,000 a year earmarked for adult community mental health and $508,000 a year extra for child and youth community mental health, making a huge $1.27m boost to community mental health services in the Bundaberg district.

I am well aware of the very poor level of services that had previously existed due to lack of resources. However, the changes in my region since 1997 have been enormous. In 1997, in Bundaberg, full-time mental health staff numbered 49. Today, there are 62 full-time employees. On the Fraser Coast, taking in Maryborough and Hervey Bay, in 1997 the number of full-time staff members was just five. Today, there are 39. The Minister's commitment and drive to bring about a better service and a better future for mental health patients has won accolades from the mental health professionals throughout my region, who have been outspoken in praise of the advantages of the new facilities and the commitment of the Labor Government to upgrading mental health services.

We have certainly seen a big change for the better in mental health in Bundaberg, and with the massive $26m hospital redevelopment about to be officially opened, the people of my district will be able to see for themselves just what Queensland Health is providing in Bundaberg and just what is available at the Bundaberg Base Hospital. They will also be able to see just how wrong the Opposition has been in its 18-month vendetta against the Bundaberg Base Hospital. One example of how wrong the Opposition has been is the outpatients clinic, which the Opposition claimed was closing. It was being redeveloped, with 15 modern new rooms now replacing the five old ones. The latest figures show that that clinic has already treated some 22,600 patients. It is a wonderful service and a far cry from the doom and gloom that we hear so often from Opposition members about Queensland's health facilities.

The Bill before the House has been developed through a comprehensive and inclusive review process, which included considerable consultation. This has meant that the final proposals contained in the Bill are of a high quality and will ensure that the legislation is effective.

The consultation process began in 1993 with input from key stakeholders to develop proposals for a green paper, which was released in 1994. The green paper was an extensive document that outlined the proposals to reform both the general treatment provisions and those provisions dealing with people with a mental illness who have committed criminal offences. Highly specialised reviews have also been conducted on specific aspects of the current legislation, including the operation of the Mental Health Tribunal and the Patient Review Tribunal. Again, in 1999 the views of the general public and key stakeholders were sought on proposals addressing the rights and interests of victims where the offender was mentally ill or had an intellectual disability.

This Bill is the culmination of some seven years of hard work by many people grappling with difficult and complex issues. It needs to be passed to protect people's rights and to improve the care and treatment of people with serious mental issues, and to assist their carers and mental health providers and to protect public safety in the broader community. I hope all members in this House will offer bipartisan support for this very important legislation.

Mr SULLIVAN (Chermside—ALP) (4.02 p.m.): I rise to support the legislation before the House. In view of the time, my comments will be very brief. As the previous member said, the legislation has taken many years to come to fruition and is a result of the work of both Labor Party and coalition Health Ministers. I was privileged to be on the caucus health committee with Ken McElligott, who first brought to his committee changes that were being looked at in this area. It is good to see that they have come to fruition today.

I congratulate mental health workers, nursers, doctors and support staff who work throughout Queensland Health. They do a tremendous job, in many cases under difficult circumstances. I want to pay particular attention to the Winston Noble Unit at the Prince Charles Hospital site, which for more than 40 years served Queensland mental health patients, particularly those from Brisbane's inner northern suburbs. When it was first built, it was the leader in its field. But over time it has not been able to cope with the changes needed in this area. The new mental health facility which opened recently was completed on time and under budget. It is tangible evidence of this Government supporting patients who have a mental illness.

I want to congratulate also the community health teams working in the Prince Charles Hospital Health District. They do a great job in assisting people to lead productive, satisfying lives within the community. There has been some criticism of the deinstitutionalisation process. While there may have been some well-publicised so-called failures in this process, we must be aware of the majority of patients who have made a successful transition to live with their family, usually with support from community nurses. It is a difficult area of nursing and patient care, and I congratulate the Minister and former Ministers who have assisted in bringing this Bill to the House.

Hon. W. M. EDMOND (Mount Coot-tha—ALP) (Minister for Health) (4.03 p.m.), in reply: May I firstly thank all honourable members for their interest in this important issue and for their contributions to the debate. I am going to take some time to sum up because so many important issues were raised and some clarifications need to be made for the Hansard record.

The importance of the Bill is reinforced by the number of speakers and the keen interest that they have shown in its development. Most members of this House will have had some personal experience of dealing with people who have a mental illness at some stage in their careers, if not in their personal lives. I guess it is the luxury of Opposition that allows its relevant spokesperson to give the Opposition version of the history of policy and legislation, but I have to admit that rarely in this House have I heard such a blatant rewriting of history as we heard from the member for Maroochydore.

Clearly, the member did not seek the advice of the previous Minister. It would take too long to go through line by line correcting her many untrue statements, and this House should be spared that tedium. However, there are statements that are so far from the truth, so blatantly dishonest, that they must be corrected for the record.

Miss SIMPSON: I rise to a point of order. I find the Minister's comments offensive and I ask that she withdraw.

Mr DEPUTY SPEAKER (Mr Kaiser): Order! The Minister will withdraw.

Mrs EDMOND: I withdraw. The member for Maroochydore claimed that the former Minister, the member for Toowoomba South, was the first to quarantine mental health funds. That is not true. Mental health funds have been accounted for separately since 1993, when the Commonwealth first provided separate, discrete mental health funding.

The then director of mental health, Dr Harvey Whiteford, whose name has been mentioned quite often during the debate in this House, issued a directive to that effect in April 1993. I am pleased to acknowledge that Minister Horan followed the example set by Ministers Hayward, Elder, Beattie and also now by me.

Miss SIMPSON: Mr Deputy Speaker, the Minister is misleading the House. There is evidence to show that the previous Labor administration did not quarantine funding and was reprimanded by the Federal Government.

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

Mrs EDMOND: Secondly, Minister Elder was not reprimanded by the Federal Minister for "siphoning off mental health funds" in her letter of 1995, as stated by the member for Maroochydore. She wrote that she was pleased to see the increased expenditure on community-based services and commended the increased mental health funds in the 1995-96 State Budget. The member for Burleigh, Mrs Gamin, who also repeated this allegation, was asked to table the letter but she did not do so. I am happy to read from the letter, which says that—

Miss SIMPSON: Mr Deputy Speaker, I ask that this document be tabled in full in accordance with Standing Orders.

Mr DEPUTY SPEAKER: Will the Minister table the document?

Mrs EDMOND: I am happy to table it. The member for Burleigh said that she would table it, but she has not done that. I am happy to table it. The letter states—

> "There has been a shift of resources away from institutional care and growth to much needed services to support people in the community."

It is a pity that those opposite did not read the rest of the sentence. The letter continues—

> "New arrangements also exist to give consumers and carers a voice in the design and evaluation of services.
>
> ...
>
> With regard to Queensland, I was pleased to see that expenditure on community-based services and allocations to non government organisations have increased. Nevertheless, I am concerned that Queensland has reported as the lowest per capita spending jurisdiction on mental health services in 1993-94 and that per capita expenditure has fallen over the previous year."

We all know that we inherited a dreadful mess and that it will take decades to improve things. The letter states further—

> "I am pleased that the State 1995/96 Budget has provided additional funds for mental health, indicating a greater commitment to achieving the objectives of the national strategy."

I read that into Hansard because Jim Elder has been slurred. He deserves an apology from the member for Maroochydore for wilfully and deliberately misleading this House.

Miss SIMPSON: I rise to a point of order. The comments by the Minister are offensive and untrue. I have not misled the House.

Mr DEPUTY SPEAKER: The Minister will withdraw.

Mrs EDMOND: I withdraw.

Thirdly, the member for Maroochydore stated that the Ward 10B inquiry revealed shocking issues that had to be addressed. That is true. But she seemed to imply that it was under a Labor Government. That is totally untrue. The Ward 10B debacle was exposed by the previous member for Thuringowa, Ken McElligott, when he was in Opposition and the National Party was in Government. Ken McElligott, as Health Minister, established the Carter inquiry into Ward 10B and set about righting the wrongs of Ward 10B and setting Queensland on the path of mental health reform—belatedly, but as soon as possible upon Labor gaining office in 1989.

The Opposition spokesperson asserted that Mike Horan, as Minister for Health, was responsible for the 10-year mental health plan. He was not. Again, this is totally untrue. In 1994, when Ken Hayward was Minister, the Labor Government approved the Queensland mental health plan. That followed the release in 1993 of the mental health discussion paper. The mental health plan was then developed into the 10-year mental health strategy, which was approved in 1996 under Mr Horan soon after he took office—in fact, probably about a month after he took office.

I have always acknowledged the bipartisan support there has been until the past year or so in progressing mental health reform in Queensland consistent with national and international standards. As I said earlier, much of this Bill has been developed in parallel with the development of these plans for and reforms to service delivery. Many of the legislative changes were drafted prior to 1996. The areas of the Bill relating to areas other than forensic issues and victims of crime are much the same as they were prior to 1996.

However, when I became the Minister I found that there had been little progress on resolving the forensic issues and no consideration of the effects on the victims of offences committed by people with a mental illness. As the member for Toowoomba South said in the House yesterday, this area was a stumbling block for him. He acknowledged how difficult it is.

I was concerned about getting the balance right. I met with a number of the people whose circumstances have been described so passionately in this House. As a result of those meetings, a discussion paper on the role of victims of crime committed by a mentally ill offender was released for wide community consultation. This did lead to delays and to quite significant changes in these sections of the legislation, and I make no apology for that, because I believe it was essential to take to heart the messages from those people and address their needs in this Bill.

I know the Bill can never totally satisfy their wishes. No-one can undo the harm that has been done or the hurt they have suffered and no-one can bring back their loved ones. I will not pretend that I can. What I have tried to do is balance the rights of individuals who have a mental illness and at the same time do everything possible to protect the community. But it is a bit rich for the Opposition spokesperson to suddenly discover victims and to demand more when previously this whole issue was abandoned by members opposite without one line or one word about the effects on victims or any method of dealing with those effects.

Perhaps the worst inaccuracy is the claim by the Opposition that research shows that there is a high correlation between violent crime and mental illness. This is the sort of untrue assertion that does great harm to those with a mental illness and increases the prejudices against them. A significant body of research indicates that people with a mental illness are less likely than the general population to commit crimes. The far greater majority of violent crimes are committed by people who do not have a mental illness and who are just bad people. For example, in a one-year period—1996—only 60 people were found to be of insane mind in respect of violent offences whereas 7,760 people were convicted of similar offences in Queensland. This represents a ratio of 129 to 1, or 0.77% of all violent offences disposed of by the courts.

As always, the member for Maroochydore runs around calling for independent audits of all mental health facilities and issues in Queensland. "Independent audit" must be the new term in her word processor. She has called for them in relation to hospitals, infection, the grass growing—whatever—without the faintest idea of what she is calling for and of the fact that in every case she has mentioned so far auditing mechanisms are already in place. Similarly, with respect to mental health, Queensland Health already provides detailed financial reports to the annual National Mental Health Report, which is publicly available.

Mention was made of deaths. At the systems level, the Mental Health Facilities Mortality Committee, which was formed by me in 1998, is empowered under section 154M of the Health Act 1937 to investigate deaths of patients at Queensland mental health facilities. In addition to these measures, the Director of Mental Health is notified of all deaths of persons receiving or having recently received a mental health service. In addition, all honourable members should know that the coroner is required to be notified of all deaths that may have occurred as a result of suicide. I will not demean this office by giving credence to the member for Maroochydore's attack on the honesty and diligence of Queensland Health staff and public servants and in particular her continuing attacks on the Director-General of Health.

Miss SIMPSON: I rise to a point of order. I have not cast a slur on staff. I have asked for an independent audit such as was carried out five years ago, which also indicated that there was a problem with funding and standards. There was no attack on staff.

Mr DEPUTY SPEAKER (Mr Kaiser): Order! There is no point of order.

Mrs EDMOND: A range of assertions cast slurs on staff, indicating that they could not be trusted to report—

Miss SIMPSON: I rise to a point of order. The Minister's comments are offensive and untrue, and I ask that they be withdrawn.

Mrs EDMOND: I withdraw.

In relation to some of the specific issues raised, the area of intellectual disability is a difficult one. The Bill provides for detention in a mental health service of people with an intellectual disability who are found to be of unsound mind. This is necessary because there is no other system that provides for the detention of these people. The system in the Mental Health Bill ensures the safety of the person and the community, because mental

health services are the most appropriate place of care at this time.

In respect of criminal compensation, the Criminal Offence Victims Act 1995 was enacted in December 1995. Under Part 3 of the Act, victims of offences committed by persons with a mental illness may seek an ex gratia payment of compensation from the Attorney-General. To suggest a scheme outside that provided by the Criminal Offence Victims Act would be unnecessary and is clearly a duplication of what is now properly available.

There was much talk about resourcing, in particular in rural and remote areas. I draw the attention of the House to the fact that an extra $26m was provided in the 1998-99 Budget to fund more than 200 new positions in mental health services throughout Queensland. I am advised that only 21 of these positions are still vacant. Most of these positions relate to extra specialist staff for regional and rural areas and to enhancing in-patient and community mental health services. Recruitment problems in some areas have led to innovative outreach arrangements and also to increased cooperation with other services, such as the GPs through the GPAP program that I launched last year.

So what do the extra funding and resources mean on the ground for communities? In towns such as Weipa, Longreach, Emerald and Warwick, where there have never been mental health services, I am delighted to report that positions have been filled. The member for Maroochydore mentioned our services in Bundaberg and district. She regularly uses Bundaberg as an example of the dreadful things that I as Minister am supposed to have done. Let us look at the Fraser Coast/Bundaberg area, which was significantly underresourced. From memory, it had the worst mental health staff to population ratio in Queensland when I took office. In 1997 on the Fraser Coast there were five full-time positions in community mental health. In 2000 there are 39 full-time equivalent positions—12 in community mental health and 27 in the new in-patient unit. Fraser Coast used to be covered by Bundaberg psychiatrist Dr Marsh May and his team. In fact, they covered an area, as mentioned by the member for Barambah, from Kingaroy to Miriam Vale. I know how stretched they were. The member for Bundaberg and I met them at the Bundaberg Community Cabinet before this Government put a record $29m into mental health funding.

In 1997 Bundaberg had 49.6 full-time equivalents. It how has 62.6. The number of mental health staff in the Bundaberg/Fraser Coast area has almost doubled, from 54.6 in 1997 to 101.7 in 2000, and still the only thing the Opposition can do is whinge about it. Unused new initiative funding does go back for reallocation, as always, and that is for a very good reason: that puts pressure on the district managers to perform, to implement new initiatives and not to squat on funding and use it for other reasons. In Bundaberg's case it was reallocated to upgrade the accommodation for the new expanded mental health staff. The new staffing initiatives start again at the beginning of the next financial year.

Turning to some of the contributions of the other members, I was disappointed to hear the member for Burleigh repeat many of the untrue allegations of the member for Maroochydore. I was disappointed because the member for Burleigh is usually a reasonable human being and I am sure that, when she reads the letter and knows how badly she has been used, she will be embarrassed.

The member for Mooloolah raised the question of retrospectivity of the forensic provisions. The provisions are not retrospective. However, the new provisions will apply to those patients who are detained under the old provisions of the Mental Health Act 1974, for example, when they come before the Mental Health Review Tribunal in the future. The member for Mooloolah raised a number of other questions which seem to imply that, not only had he not read the Bill or the Explanatory Notes, but he also had not read my introductory speech, which I believe answers all the questions he asked. I would suggest that he now reads it before opposing the Bill.

The member for Caboolture raised concerns about the role of police with the mental health provisions and the difficulties they face, and I acknowledge them. It has been a very difficult area. I am not saying that we have solved every problem, but I hope we have solved some of them. I acknowledge his positive comments regarding the briefing by Queensland Health staff and his support for this new Bill.

The member has touched on a very sensitive point: how difficult it is to draw the line between respecting a person's privacy and rights and the perceived need for treatment. He also sought clarification on the powers of the ambulance and police to transport a patient. When a patient is being taken to a

mental health service by police, an ambulance officer or a mental health worker can take over the transportation of that person when it is no longer necessary for the police to be involved. The Bill enables this to occur by empowering the mental health practitioners and ambulance officers to transport a person to a mental health service for assessment and treatment. It should be noted that, under the Ambulance Service Act, ambulance officers do have the power to enter places in an emergency if they believe a person's life is at risk. So they can do it at that time.

The member also raised the issue of administering medication in the home. This was an issue that was discussed quite extensively in the consultation period, and the Bill proposes that a person can be treated involuntarily only within a health service and not in their home. This is to safeguard against the person losing the sense of control over their home environment and the risk of abuse and poor quality care due to inadequate supervision and oversight. It also, of course, avoids an extra burden being placed on carers.

The member for Caloundra identified the need for longer term accommodation. I was pleased to hear her support for such community care accommodation on the Sunshine Coast. I am pleased to advise her that 20 beds are due to open at Lady Musgrave House in December 2000. Regrettably, this much-needed service was opposed and delayed by the member for Mooloolah. Lady Musgrove House is one of a number of community care facilities under construction, the others being at Strathpine, Redcliffe, Windsor and Kippa-Ring.

The member for Lockyer—and I note he supports the Bill—raised the question of single-member panels. The provisions in the Bill were provided to ensure that the system was effective throughout Queensland. However, major safeguards are provided to ensure that there are not inappropriate hearings involving single-member panels. For example, for reviews, single-member panels can occur only if the president of the tribunal is satisfied that it is in the patient's best interests and it is appropriate and expedient to do so.

The member for Fitzroy raised the important point about safeguards against someone providing vexatious information. The Bill provides a number of safeguards against inappropriate or vexatious requests for a person's involuntary assessment, and these were further identified by the member for Lytton. Apart from requiring that the request be accompanied by a recommendation of an experienced mental health professional before a person can be assessed, the Bill also provides a penalty of 40 penalty units, or about a $3,000 fine, against making any document vexatiously or falsely. The Bill also makes it easier for a person to be charged with such an offence.

The member for Fitzroy also asked whether honorary ambulance officers have the same powers as ambulance officers under the Bill. Under the Bill an ambulance officer is defined as an ambulance officer appointed under section 13 of the Ambulance Service Act 1991, and this defines an ambulance officer as an officer employed on a salary or wage or engaged and employed under contract, which does not include an honorary ambulance officer.

I am grateful to the member for Gladstone for her support for the Bill. The member has raised the issue of whether rural and remote patients will be disadvantaged by the provision of giving seven days' notice to members before a hearing of the Mental Health Review Tribunal. The provisions relating to notice provide for at least seven days' notice to be given of a hearing. The requirements of natural justice ensure procedural fairness. Accordingly, if a patient is disadvantaged by receiving notice only seven days before a hearing, the tribunal would be required to remedy that situation by granting an adjournment of the matter. In relation to the requirement that a psychiatrist sit on the Mental Health Review Tribunal, this is required except when a psychiatrist is not readily available, and in those circumstances another experienced medical practitioner can sit on the panel.

The member for Callide queried the resource requirements for the Mental Health Review Tribunal. The provisions have been based on the Victorian legislation. The implementation of the proposals involve an extrapolation of the Victorian model. The requirement for extra positions will be taken into account.

I have indicated that there has been a long gestation period for this Bill, and I am happy to acknowledge the efforts of many people who have contributed, including the long list of previous Ministers: McElligott, Hayward, Elder, Beattie and Horan. I also acknowledge the contribution of Queensland Health staff, especially Harvey Whiteford for his original work, both in Queensland and at the national level, and also his supportive critique while inaugural head of the Mental Health

Program for the World Bank. I also acknowledge the current Director of Mental Health, Peggy Brown, and Queensland Health staff. I also noted the very positive remarks made by many members, including those opposite, about the assistance they receive from Queensland Health and my staff, and I am pleased to hear those remarks.

Most of the other issues raised by the member for Maroochydore have been well canvassed and investigated during the evolutionary development of the Bill. The issues she is now raising are not new and have all been well considered and incorporated into the Bill where we believe it was appropriate.

The member for Warwick raised some issues about whether or not it was appropriate at this late stage—after seven years of consultation and seven years of development—to stick with the idea of a separate court or tribunal as it was in the past and deal with it. These are issues that have been around and raised over and over again and were raised in 1996. I have to say that when I was a backbencher and in Opposition I met and talked to some of my now colleagues and their predecessors in other States. We discussed this issue about whether Queensland or the other States had the right model. I have to say that most of the people to whom I talked said that they believed that Queensland had the best model, even with the problems it had at the time. However, most of them said that the reason they could not go along with the Queensland model was that the lawyers in their areas would never let them do it because it would cut so many lawyers out of the system, and I see a few smiles around the House. I guess it was a brave move made by the then Minister for Health, Mr Austin, back in 1985, I think it was. He clearly made it without that thought in mind. I congratulate him on it.

The reforms that are proposed in the Mental Health Bill change what was wrong with the system and keep what was right. A separate body to determine criminal responsibility is retained, and the reasons for retaining that are very important. The Mental Health Court, the separate body, will retain the inquisitorial powers of the previous mental Health Tribunal. One of the things this does is that it actually makes it easier for people to give evidence regarding a person's state of mind, etc. The greatest advantage is that it is not constrained by the technicalities and vagaries of the adversarial system where so much can depend on how clever a person's lawyer is in finding loopholes. In fact, a lot of evidence which would otherwise not be admissible in a criminal court of law, such as previous history, may be heard. I do not know how many members have ever read stories of rape cases, in particular, in court where the history is one of continuing attacks and violence. However, that is not allowed in the court hearing and only the evidence related to the particular case that is being heard is allowed.

In this case the history of the patient can be discussed. The mental state of the patient can be discussed. There can be a range of evidence. It is also important that the bias of experts engaged by the defence is taken into account. The Mental Health Court commissions its own independent examinations of any person referred to it. In a jury trial, the defence choose the experts who examine the accused and the defence call that expert evidence. I would say that many of them are very expert in deciding which experts they will call. This is an important fact. In many ways it makes it easier not only on the people who have a mental illness and who have committed a crime but also on those who are trying to get to the truth of the matter of their mental illness without being subjected to the many tricks that can be played.

The fact that this matter is not tested before a jury does not prevent rigorous testing of the evidence from taking place in an open and accountable forum. One thing this Bill does do is make it quite clear that, where there is a dispute of fact, whether that fact is even whether or not the person has a mental illness, it must then be referred to the criminal court. The other changes that we have made are designed to make the system far more open. The evidence given by the assisting psychiatrist is now given openly. There is a whole range of improvements to the model which keep the benefits of the current inquisitorial system while at the same time adding other benefits as well. Most importantly, victims will be able to provide information to the Mental Health Court that is relevant to the determination of the judge.

As I indicated, the examples given by the Opposition throughout highlight the problems of the current Act. These were problems that needed to be addressed carefully and humanely to achieve what I believe we now have, that is, a well-balanced Bill. I intend to move a number of amendments that merely correct some technical matters that have been identified by Parliamentary Counsel and departmental officers since the introduction of the Bill. I circulated those yesterday. I understand that the member for Maroochydore has also had a copy of those

since yesterday. One corrects a grammatical error; another an incorrect cross-reference. The final amendments make the Attorney-General's right of appeal against decisions of the Mental Health Review Tribunal in relation to forensic patients consistent across all decisions of the tribunal. The Attorney-General's right of appeal against decisions on applications for forensic patients to move out of Queensland was inadvertently omitted during drafting. The amendment ensures that this will now be the case.

One final matter that was raised again by the member for Warwick related to firearms. One of the major safeguards against inappropriate granting of licences is a requirement that a person be a fit and proper person. A wide range of considerations are taken into account in determining whether a person is a fit and proper person. That would enable those decisions that he was so concerned about to be made. I commend the Bill to the House.

Motion agreed to.

Committee

Hon. W. M. EDMOND (Mount Coot-tha—ALP) (Minister for Health) in charge of the Bill.

Clause 1, as read, agreed to.

Clause 2—

Miss SIMPSON (4.35 p.m.): In relation to clause 2, which of course refers to commencement, I ask the Minister to give an indication to the Committee as to when she expects the Act to be proclaimed. We all recognise that this is fairly complex legislation and involves quite a dramatic change in many respects compared with the previous legislation and will require significant regulations to be drafted, as well as training of mental health personnel, let alone police, ambulance officers and other members of the community whom this touches upon. I seek the Minister's advice as to when she envisages this Act being proclaimed.

Mrs EDMOND: We expect the Act to come into place, after all the training, etc., in about 18 months. There is a long training period involved.

Clause 2, as read, agreed to.

Clause 3—

Miss SIMPSON (4.36 p.m.): Clause 3(2) states that the State is not liable for prosecution for an offence. I wish to highlight this clause, which is probably not that unusual in Government legislation, to draw attention to the irony that the State can excuse itself from liability for prosecution for an offence under the Act. However, there is a later section in the Bill which I have a lot of concern about relating to notification orders. Somebody who has received a notification order with regard to an offender can suffer prosecution if they breach the terms of that notification order.

In brief, notification orders are supposed to assist people, particularly victims of crime, in order to gain access to information about the offender who has offended against them but who is mentally ill and has proceeded through the mental health system. I believe it is an irony that there are provisions allegedly to help the victim, but in fact they can find themselves in breach of the law and yet there does not seem to be anything written in the legislation about the standards that the department has to adhere to in upholding those notification orders and properly notifying the victim.

Mrs EDMOND: The standards of how public servants act and comply with their duties are set out in the Public Sector Ethics Act 1994. There are provisions for penalty if they abuse the standards in the Public Service Act 1996 which govern the behaviour of public servants in these matters. The issue of notification is a very vexed one. One of the things that has not been considered is that some people do not want to know. They want to get on with their lives. They do not want to know every action taken by a person who has affected their life in the past. Some people just want to get on with their lives and not hear anything more about it, and that has to be taken into account as well. There certainly are provisions within the Public Sector Ethics Act 1994 about the performance of official duties in that public officials should exercise proper diligence, care and attention and seek high standards. If they do not, there are provisions in the Public Service Act 1996.

Clause 3, as read, agreed to.

Clauses 4 to 7, as read, agreed to.

Clause 8—

Miss SIMPSON (4.39 p.m.): This clause refers to the administration of the Act which raises concerns about the training of staff, as well as the minimum standards of the State's mental health facilities and services. I already raised in the course of debate on the second reading the issue of an independent audit undertaken about five years ago which indicated that the 75 mental health facilities in the State did not come up to the minimum standards. This is a matter of concern. We are dealing with people who are extremely vulnerable. We are dealing with a significant change in the way that mental health services

are delivered and a recognition from Governments at all levels that there have to be significant funds applied to improving mental health services and to put a focus on community-based services.

However, as I have mentioned, people who are mentally ill are people who are in need of help. They are in need of best quality services. The concern that was raised in the audit undertaken five years ago was that minimum standards were not being met and there was an onus on the Government to seek to address that. I reiterate my call for another independent audit. I think it is a healthy process, given the previous problems in delivery of mental health services. We have alluded to the Ward 10B situation, but then only five years ago—well after the Ward 10B situation, after the Carter inquiry—an audit was undertaken that indicated that there was a problem with minimum standards not being met by mental health facilities in Queensland. I think that is extremely significant. I believe the question is worthy of an answer. Do all of these facilities now meet those minimum standards?

Mrs EDMOND: The standards have changed. Queensland's minimum service standards for mental health services, which the member quite rightly indicated were in place under the Labor Government, have now been superseded by the national standards for mental health services. All health service districts are in the process of transition to those new standards.

There is a whole different range of criteria. Obviously it will take some time to progress to them, but it is under control. The 18 districts are to meet and maintain all four priority areas by June of this year and progress from there. We are going through a transitional period, both in the issuing of those standards and in the development of mental health services across Queensland.

Miss SIMPSON: I thank the Minister for her answer. Will there be information about whether those standards are being met in all of those facilities in the report to Parliament of the Director of Mental Health, by the Minister or by other means?

Mrs EDMOND: It is a requirement of the Australian Health Care Agreement that all services undergo external accreditation. That is a process that is currently in place. That will occur.

Miss SIMPSON: I seek a clarification from the Minister. Will it be published whether the Queensland mental health services are meeting the minimum national standards? I understand the Minister when she speaks about there being a change in standards. I imagine that the existing minimum standards remain until the new standards are in place. I believe there has to be information available to the Minister as to whether the facilities meet the existing minimum standards. If the standards have been raised, that is well and good, but we still need to know whether the previous minimum standards have been met. Surely that should be the first step. With the transition to these new national standards, will the public have access to that information? I believe this is all about bringing about accountability and better outcomes in health. I seek the Minister's answer.

Mrs EDMOND: It goes into the National Mental Health Report, as I said before.

Clause 8, as read, agreed to.

Clauses 9 to 12, as read, agreed to.

Clause 13—

Miss SIMPSON (4.43 p.m.): I seek the Minister's advice with regard to references in this clause to the Guardianship and Administration Act 2000. I ask for an explanation as to why this provision has been written in this way, as it seems that it is actually excluding guardians from the process.

Mrs EDMOND: It does not exclude guardians from being involved. It does mean that guardians cannot consent on their own to involuntary treatment.

Clause 13, as read, agreed to.

Clauses 14 to 89, as read, agreed to.

Clause 90—

Mrs EDMOND (4.45 p.m.): I move the following amendment—

"At page 70, line 21, 'or imprisonment or'—

omit, insert—

'of imprisonment or period of'."

Amendment agreed to.

Clause 90, as amended, agreed to.

Clauses 91 to 119, as read, agreed to.

Clause 120—

Miss SIMPSON (4.46 p.m.): I seek clarification from the Minister as to why it takes seven days to give written notice of a change of category, given that a person may have been admitted. What was the reasoning behind allowing seven days to actually give the written notice?

Mrs EDMOND: That is just a standard provision to allow time for the patient to appeal.

Clause 120, as read, agreed to.

Clauses 121 to 131, as read, agreed to.

Clause 132—

Miss SIMPSON (4.47 p.m.): I move the following amendment—

"At page 88, after line 19—

insert—

'(aa)a forensic patient;'."

This amendment seeks to toughen up the provisions of the Mental Health Act in regard to forensic patients. These are patients who have committed a criminal offence—

Mrs Edmond: We do not have a copy of the Opposition amendments.

Miss SIMPSON: They were distributed and I signed for their distribution this morning.

This amendment seeks to toughen up the provisions of the Mental Health Act in regard to forensic patients. These are patients who have committed a criminal offence but who may have been found unfit to stand trial or of unsound mind at the time of the offence. An amendment to clause 132 follows on from this amendment.

The categories of patients who are entitled to or who must have escorted leave are a matter of concern. The Bill contains a limited category of patients who must be escorted on leave. The coalition is seeking to strengthen those provisions to ensure that forensic patients are escorted. Further to that, the conditions of the escort require certain higher thresholds and consideration should be given to whether more than one person from the health service should actually be providing the escort.

This amendment arises from the many concerns raised with me by people in the health sector and the community regarding forensic patients who have been on unescorted leave or who have had inadequate staffing provided as part of that escort and who have subsequently gone absent without leave. We are talking about certain categories of patients who have come into the mental health system by way of the fact that they have been charged with an indictable offence.

We are not talking about lightweight issues; we are talking about issues relating to people who have committed serious offences. Instead of proceeding through the criminal justice system, these people have proceeded through the mental health system because they have been in need of the appropriate mental health treatment. However, I believe that we need to strike a balance by providing these people with adequate escort services so that we can ensure that they remain in treatment. We have heard of forensic patients who have absconded while on leave. They have caused a great deal of concern to the community. As a result of absconding, their own treatment has been very abruptly interrupted. The coalition wants to see that issue appropriately addressed by ensuring that these people are escorted.

Mrs EDMOND: The member is having a problem with the old Act. These are the very provisions which have been changed quite dramatically. In the past there was no, I guess, enforcement of the view that protection of the community had to be a major consideration when looking at whether a person was able to be treated in the community or not. Previously, there was no provision for community treatment under an involuntary treatment order.

Escorted leave is now part of the limited community treatment. It is defined as taking some treatment or rehabilitation in the community other than under the community category of an involuntary treatment order. It is a staged response to people who are considered to be at risk leaving the unit. It is for a specific period. It strengthens the power of the Mental Health Court or the Mental Health Review Tribunal to impose conditions of limited community treatment. One of those conditions can be that the person must be escorted.

However, as an added safeguard, limited community treatment will only occur after the assessment has been made at the particular time as to the mental state of the patient and a consideration of the patient's clinical needs in relation to rehabilitation. The safety of the community has to be taken into consideration. This Bill contains a number of provisions dealing with the authorisation of limited community treatment. These will be effective in ensuring the protection of the community and the rehabilitation of the patient. The Government does not accept the Opposition's amendment.

Miss SIMPSON: Speaking further to the Opposition's amendment, I wish to place on the record that what we are seeking to do is ensure that all forensic patients who are undertaking limited community treatment have a level of escort. This recognises that they are still forensic patients under a current forensic order. The escort is provided so that the

patient's treatment options are available while ensuring that the person remains in treatment. This recognises the concerns that have been expressed to me by people in the health sector and in the community. Many patients have absconded while they have been on leave. This refers to people who are classified as forensic patients. They are in an authorised mental health service. It is possible for those people to go back into the community without an escort. That is the crux of the coalition's concern. The coalition seeks to provide people with the appropriate treatment while ensuring that all safety issues are appropriately dealt with.

Question—That Miss Simpson's amendment be agreed to—put; and the Committee divided—

AYES, 38—Beanland, Black, Borbidge, Connor, Cooper, E. Cunningham, Davidson, Elliott, Feldman, Gamin, Grice, Healy, Hobbs, Horan, Johnson, Knuth, Laming, Lester, Lingard, Littleproud, Malone, Mitchell, Paff, Pratt, Prenzler, Quinn, Rowell, Santoro, Seeney, Sheldon, Simpson, Slack, Springborg, Turner, Watson, Wellington. Tellers: Baumann, Hegarty

NOES, 39—Attwood, Barton, Beattie, Bligh, Boyle, Braddy, Briskey, J. Cunningham, Edmond, Elder, Fenlon, Foley, Hamill, Hayward, Hollis, Kaiser, Lavarch, McGrady, Mickel, Miller, Mulherin, Musgrove, Nelson-Carr, Nuttall, Palaszczuk, Pearce, Pitt, Reeves, Reynolds, Roberts, Robertson, Rose, Schwarten, Spence, Struthers, Welford, Wilson. Tellers: Sullivan, Purcell

Resolved in the **negative**.

Miss SIMPSON: I move the following amendment—

"At page 88, lines 25 to 27—

omit, insert—

'(2) The administrator of the patient's treating health service must ensure the patient, while undertaking limited community treatment, is accompanied by at least 1 employee of the health service in which the patient is detained.

'(3) The administrator must decide how many employees are to accompany the patient having regard to the following—

(a) the person's treatment and security requirements;

(b) the seriousness of the offences with which the patient has been charged or for which the patient is serving a sentence of imprisonment or period of detention.'."

This amendment also refers to clause 132. As alluded to in the previous amendment that the coalition moved, we have concerns with regard to the appropriate level of security being provided to mental health patients who are on escorted leave. As alluded to in the previous amendment, the coalition also has concerns about the appropriate level of security of patients who have escorted leave.

I was very disappointed to find that the Government did not believe that people who have been charged with indictable offences should not have that appropriate level of security when they are undertaking treatment in the community. The coalition feels that that issue must be addressed.

However, in regard to this amendment, mental health workers in this area have raised with me the concern that it is all too easy for the administrators of facilities to look at their budgetary pressures and decide that they would downgrade the security needs and, in order to save money, to not have more than one person providing security for a patient on escorted leave. It really concerns me that the decisions that are made take into account the financial difficulties of a mental health institution more than the security needs of the community and the appropriate security needs of the patient. If the patient is absent without leave or if the patient is not attending their community-based treatment, then their treatment options are also extremely limited.

I believe that, as outlined in the amendment, it is absolutely imperative that the administrator, in determining the level of security escort, has regard to the person's treatment, security requirements and the seriousness of the offences with which the patient has been charged, or for which the patient is serving a sentence of imprisonment or a period of detention.

As I mentioned, it is a major concern when I hear stories from people who have been involved in providing professional care and treatment to patients about patients who have not received the appropriate level of security escort that they require. That creates a security risk for the staff who may be part of that escort. That recent incident in relation to Janaya Clarke's murderer is well and truly on the record. That person was picked up after once again escaping. I believe that was while that person was on leave. I may be corrected on that. However, there are many examples where people have actually absconded—

Mrs Edmond: He hadn't got far. He'd only just got out.

Miss SIMPSON: The Minister said that he had not got far; he had only just got out. I do not think that is good enough. I think that if the Minister talked to the family of that young

murder victim, she would find that they also agree that it is not good enough to say that that person had only just got out and did not get very far.

The concerns are that too many incidents have occurred, whether it is people going absent from grounds when they had ground leave, or absent under escorted leave. In this clause, I am referring to limited community treatment and the need for appropriate security to be provided to forensic patients—people who have been charged with indictable offences—while they are receiving treatment in the community. As we know, these treatments are being approved sometimes only a matter of months after people have been put in detention in the mental health facility. That is where the greatest concern of the community lies—that decisions are being made that do not take fully into account the security needs of not only the patient but also the staff and the community.

Mrs EDMOND: Queensland Health staff take the security of people who are a risk to the community very, very seriously. What I was saying about the person that the member mentioned was that he was not on leave. He did escape, and the staff took it so seriously that he was back in within a very, very short period. That is how seriously they took it.

Certainly, it is a slur and a serious allegation that staff are putting funding interests before the security and safety of community members. I think most people who are working in difficult circumstances in mental health facilities around Queensland will be very disappointed that people are spreading stories to the effect that they are putting funding considerations before the safety and security of the community.

The conditions applying to the granting of leave are the same as those that apply in determining whether or not a person may remain in the community, having regard to the safety of the community as a major factor. For that reason, we believe that the Opposition has highlighted once again the problems with the existing legislation. The member has not given full credit to the changes that are contained in this Bill.

Miss SIMPSON: I would have to disagree with the Minister in that there are still major concerns that security matters will not be dealt with if the provisions relating to escorted leave are not tightened. Those matters have not been addressed adequately in this Bill. I urge all members, including Government members, to consider this amendment, because it is designed to ensure that we do not have a situation in which forensic patients—people who have been charged with indictable offences—are able to, even in relatively short periods, gain limited community treatment and then go out on that treatment without the appropriate level of escort.

Through this amendment, the Opposition is seeking to ensure that security measures have to be taken into account more seriously than they are. If they are simply left as they are, somebody can say, "It is too expensive for us to have two people on an escort", or, "It is too expensive for to us have one person." Mental health staff—people who have worked in these facilities—have told me how concerned they have been that people at a higher level in the Health Department have not listened to their concerns about providing the appropriate security for people whom they have nursed 24 hours a day and whom they have come in contact with on a much more regular basis than has the Minister. Those people have been concerned that the patient gets the best treatment. However, they have also been concerned because they have known that there has not been the appropriate level of security that they have requested. Those people have felt that their security concerns were ignored, even to the point—as we have seen time and again—at which staff have found their own safety issues ignored and they have suffered quite severe attacks.

I am talking about people who are trying to do their best to serve the needs of the patient. However, it is well known that there have been a number of attacks upon staff. I think that it is about time that their security concerns were addressed.

This amendment tries to address the concerns of those people who are providing that service and care, who are not operating at the higher echelons of the Health Department. They are not sitting in a corporate health office near the Minister's office in an ivory tower; they are providing that care. Too often, they are the ones who find that, when their security concerns are raised, they have a Minister such as this one who says, "No, they are not important. This does not happen."

I think that the Minister should consider those people's workplace health and safety concerns and listen to the complaints of the staff who have been attacked. I think that it is time we started listening to their security concerns. Perhaps we should take into consideration that, when those people say that there needs to be higher levels of security provided with an escort, we should listen to them.

Mrs LIZ CUNNINGHAM: In speaking to this amendment, I want to seek some clarification from the Minister. I support the intention of this amendment, simply because I believe that it reflects the community expectation of somebody who is released for a defendable reason—to have treatment or to have some other procedures carried out. I think that, if we asked people in our community whether patients should be accompanied, the majority would answer: yes.

If we asked people in our community whether patients should be accompanied, the majority would answer: yes. Conversely, if a patient was on leave for a defendable reason but was unaccompanied, the community would ask why someone was not with them. I would be interested to know whether the Minister has some concerns about this particular amendment. I believe it reflects community expectation.

The previous speaker talked about the safety of staff. That is an element to be considered as well. That is taken into account because it talks about the treating health service having to determine how many employees should accompany a patient, giving consideration to the seriousness of the offences with which the patient has been charged. If patients are violent, they will not be given one escort.

Mrs Edmond interjected.

Mrs LIZ CUNNINGHAM: Would the Minister mind repeating that interjection so that it can be recorded in Hansard?

Mrs EDMOND: It is totally appropriate that we try to legislate for this, because this is part of a planned treatment. The release of someone who has been in a secure unit for many years needs to be staged. Maybe I am being ridiculous, but the first time they are released they might have half a dozen escorts. They may need to be weaned over the years until they are considered safe. Then, as a result of ongoing tests which take into account their mental status, they may be gradually weaned down to none. If we legislate that they must always have escorts, that means we can never wean them off. We say that this would be inappropriate legislation.

In making a decision to order or approve limited community treatment, the Mental Health Court or the Mental Health Review Tribunal must have regard to the patient's mental state and psychiatric history, each offence leading to the patient becoming a forensic patient—that is, how dangerous they are—the patient's social circumstances, the patient's response to treatment and the patient's willingness to continue treatment. Having somebody who is totally unwilling to continue treatment is very different from somebody who has recognised that they have a problem, is willing to be treated and is going back into limited community treatment with a family which is also able to provide supervision.

Decisions need to be made on a case-by-case basis taking into account different factors. The security of an individual patient under escort is ultimately not something that we can legislate for. It must be left to the discretion of those people who know their mental status and who have an understanding of the acts they have committed and what is trying to be achieved at that particular point in time. We keep hearing that this may be a month or two after they have committed some dire offence. It may be 20 years down the track.

Miss SIMPSON: I would like to put on the record that the concerns being expressed are a result of people receiving community treatment or being let out into the community. We are seeking to establish clear legislative principles as to the level of security required for people who still have a current forensic order. These are people who have been charged with an indictable offence. These are people who have a current forensic order, meaning that they require a certain level of mental health care.

There is provision in this Bill to allow those people to move to a lower security unit, to still be in a mental health facility and to not be classified as somebody receiving community-based treatment. We are talking about somebody who is receiving community-based treatment. We are saying they must have an appropriate level of escort. This is a far more sympathetic amendment than the provision in the Corrective Services Act. I think it is appropriate that I refer to what is in the Corrective Services Act, which makes it very clear who the chief executive can or cannot grant a leave of absence to and the conditions under which they must have an escort.

Section 61(2)(b) of the Corrective Services Act talks about the conditions under which a prisoner may be released. Subsection 2(b) says that a prisoner released under subsection 2(a) may only be released under the control of a custodial corrections officer. "Prisoner" in this case is somebody who is serving a sentence for an indictable offence for a serious violent crime. The coalition is proposing that mental health patients can still receive treatment but that they have a secure escort. There is a provision for the number of escorts to be

reduced, but they should still have a minimum of one.

Dr PRENZLER: I would like the Minister to clarify an issue in the amendment proposed by the Opposition. Is the Minister saying that patients may need six people to look after them, or one? Is it a graduating form of release where there may ultimately be no escorts? The Opposition's amendment is proposing to put all of that into the legislation.

Mrs Edmond: It is currently there. They can order that now.

Dr PRENZLER: Under this Act or under the old Act?

Mrs Edmond: Under the Bill before the Chamber, the court can order that now.

Miss Simpson: Under what section?

Mr Beanland: Where is it spelt out?

Dr PRENZLER: To my way of thinking, the Minister's response to the amendment is precisely what the Opposition is asking for.

Mrs Edmond: We don't see that the Opposition is adding anything to the Bill.

Dr PRENZLER: It goes on to say that the number of employees who should accompany a particular patient depends on the person's treatment and security requirements. The Minister has commented on that. Subclause (1)(b) mentions the seriousness of the offences with which the patient has been charged or for which the patient is serving a sentence of imprisonment or period of detention. To me, what has been said by way of explanation by the Minister is precisely what the Opposition amendment is asking for. I cannot see what the problem is, unless the Minister can explain it somewhat differently.

Question—That Miss Simpson's amendment be agreed to—put; and the Committee divided—

AYES, 38—Beanland, Black, Borbidge, Connor, Cooper, E. Cunningham, Davidson, Elliott, Feldman, Gamin, Grice, Healy, Hobbs, Horan, Johnson, Knuth, Laming, Lester, Lingard, Littleproud, Malone, Mitchell, Paff, Pratt, Prenzler, Quinn, Rowell, Santoro, Seeney, Sheldon, Simpson, Slack, Springborg, Turner, Watson, Wellington. Tellers: Baumann, Hegarty

NOES, 39—Attwood, Barton, Beattie, Bligh, Boyle, Braddy, Briskey, J. Cunningham, Edmond, Elder, Fenlon, Foley, Hamill, Hayward, Hollis, Kaiser, Lavarch, McGrady, Mickel, Miller, Mulherin, Musgrove, Nelson-Carr, Nuttall, Palaszczuk, Pearce, Pitt, Reeves, Reynolds, Roberts, Robertson, Rose, Schwarten, Spence, Struthers, Welford, Wilson. Tellers: Sullivan, Purcell

Resolved in the **negative**.

Clause 132, as read, agreed to.

Clauses 133 to 165, as read, agreed to.

Clause 166—

Mrs EDMOND (5.27 p.m.): I move the following amendment—

"At page 100, line 18, '203(2)(c)'—

omit, insert—

'203(2)(d)'."

Amendment agreed to.

Miss SIMPSON: I move the following amendment—

"At page 100, after line 18—

insert—

'(4) However, the director must not order the transfer of a patient from a high security unit to an authorised mental health service that is not a high security unit other than on the order of the tribunal.'."

This amendment pertains to clause 166. By way of explanation, I point out that, when members read clause 167 of the Bill, they will see a fairly explicit explanation of what is required to transfer a patient to a high-security unit. However, the Bill is not at all specific in relation to downgrading someone's security; that is, the conditions for downgrading someone from a high-security unit to a lesser security classification. Why have the conditions concerning transferring someone to higher security units been spelled out without the same provision being made in respect of downgrading someone from a high-security unit? The coalition seeks to address this anomaly with our amendment to clause 166.

Clause 167 provides a higher threshold for decisions made to upgrade a patient's security requirements than there is in respect of downgrading them. As I said, this raises questions. Any decisions to downgrade a person's security requirements are a serious issue and relate not only to the treatment needs of the patient but also to the safety of those who treat them in the wider community. The coalition's amendment seeks to make the downgrading of a forensic or classified patient's high-security requirements a matter for a direction of the tribunal rather than the director so as to provide a more thorough review of these decisions.

Mrs EDMOND: Once again, this is an attempt to interfere in a clinical decision. The decision to transfer a patient is a clinical one which should take into consideration all of the matters involved in the treatment and security needs of that patient. The proposed scheme provides that it is not simply the patient's

treating doctor who authorises the transfer. The Bill provides an added safeguard of an independent review of the transfer decision for forensic patients. Only the Director of Mental Health or the Mental Health Review Tribunal can authorise such a transfer.

Miss SIMPSON: This proposed section states that the mental health service and the director must order the patient's transfer. The coalition is seeking to set a higher threshold on matters to do with patients being downgraded from a high-security unit. This is not interfering with treatment decisions; it is providing for treatment decisions by allowing them to go through the tribunal. It also makes sure that greater consideration is given to the person's security requirements and treatment, but still through the tribunal.

Mrs Edmond: It is in section 166. It says it gives effect to the tribunal's decision.

Amendment negatived.

Clause 166, as amended, agreed to.

Clauses 167 to 171, as read, agreed to.

Clause 172—

Mrs EDMOND (5.31 p.m.): I move the following amendments—

"At page 103, line 4—

omit, insert—

'(a) the parties to the proceeding for the application;'.

At page 103, lines 8 and 9—

omit."

Mr BEANLAND: I ask the Minister to give some explanation to the Chamber of amendments 3 and 4. It is customary, when amendments come in in this format, for the Minister to indicate the reasons for the amendment to the original legislation circulated. We have not had any indication from the Minister of the reasons for these amendments. I ask the Minister to kindly give the Chamber the courtesy of an indication of the need for the amendments.

Mrs EDMOND: The member may not have been in the Chamber, but I previewed the amendments and the reasons for them. Most of them are just technical amendments, except for the one regarding the Attorney-General. We also offered the Opposition spokesperson a briefing yesterday. Amendments Nos 3 and 4 ensure that a notice is given to the parties to the Mental Health Review Tribunal's decision, that a party may appeal to the Mental Health Court and that a party may request written reasons for the decision. Similar to what is required of the Director of Mental Health, if the patient is a forensic patient, the Mental Health Review Tribunal must give the Attorney-General the reasons for the decision within seven days of receiving a request from the Attorney-General. This ensures that the Attorney-General is in a position to launch an appeal about transfers within the required time.

Mr BEANLAND: I thank the Minister for that. I was here when the Minister stated earlier that the amendments were just technical amendments except for the one in relation to the Attorney-General. However, it is clear that this amendment is quite significant. I do thank the Minister for the explanation, because it is very significant. I think it is an important amendment. I certainly classify it as more than technical. It is quite a significant amendment.

Amendments agreed to.

Clause 172, as amended, agreed to.

Clause 173, as read, agreed to.

Clause 174—

Mrs EDMOND (5.34 p.m.): I move the following amendments—

"At page 104, line 8, 'patient'—

omit, insert—

'parties'.

At page 104, lines 10 and 12, 'the patient'—

omit, insert—

'a party'.

At page 104, lines 15 and 16—

omit, insert—

'(3) If asked to do so by a party, the tribunal must give the party reasons for the decision.'.

At page 104, lines 22 to 25—

omit, insert—

'(6) Despite subsections (2) to (4), the tribunal must give written reasons for the decision—

(a) for a forensic patient—to the Attorney-General and director if asked to do so by the Attorney-General or director; or

(b) for another patient—to the director if asked to do so by the director.

'(7) The tribunal must give the Attorney-General or director the reasons for the decision within 7 days after receiving the request from the Attorney-General or director.'."

Mr BEANLAND: Minister—

Mrs Edmond interjected.

Mr BEANLAND: I am not being difficult. I appreciate the comment that the Minister made across the Chamber that the amendments are similar to the previous ones. However, I think we need to have a clear indication for the record because, as I said, the previous amendments were quite significant and very important. I think there is some significance in the changes made by these amendments also. I would like some explanation from the Minister, please.

Mrs EDMOND: It was found that the provisions for the Attorney-General to have a right of appeal was covered in all aspects except for the movement of patients interstate, and we believed that it was important for that to be there for reasons of continuity and uniformity. That is what these amendments are aiming to do.

Amendments agreed to.

Clause 174, as amended, agreed to.

Clauses 175 to 183, as read, agreed to.

Clause 184—

Miss SIMPSON (5.35 p.m.): Clause 184 refers to the apprehension of persons absent from interstate mental health services and their return. Could the Minister explain the provisions for the apprehension and return of involuntary patients to an authorised mental health service within Queensland? I am actually seeking the Minister's explanation on the provisions for the apprehension and return of involuntary patients. There are provisions, but I seek the Minister's explanation to the Chamber so that we have an understanding of the procedures and the provisions.

Mrs EDMOND: Clause 184 ensures that a person who is absent without leave from an interstate mental health service if found in Queensland can be returned to the interstate mental health service. The clause also allows for the person to be taken to an authorised mental health service in Queensland if interim care or treatment is necessary or if the person now resides in this State.

Miss SIMPSON: I will repeat my question. I referred to this clause because it deals with persons absent from interstate mental health services and their return. My question was actually in relation to what the provisions were for the apprehension and return of involuntary Queensland patients. I seek the Minister's explanation as to what the provisions and the procedures are in regard to involuntary Queensland patients' return.

Mrs EDMOND: That is covered in clause 185.

Miss Simpson: That is interstate, Minister. I am after Queenslanders.

Mrs EDMOND: Clause 185 covers Queensland patients who are interstate.

Miss Simpson: No, in Queensland.

Mrs EDMOND: Queensland patients in Queensland?

Miss Simpson: That's right.

Mrs EDMOND: A Queensland patient can be taken—I am not sure what the member's question is. Clauses 507 and 508 cover the situation of a Queensland patient who is found away without leave.

Clause 184, as read, agreed to.

Clause 185, as read, agreed to.

Clause 186—

Miss SIMPSON (5.38 p.m.): I move the following amendment—

"At page 111, line 15—

omit, insert—

'(4) For a classified patient charged with or convicted of an indictable offence or a forensic patient, the approval must be subject to the condition that, during the period of absence, the patient is accompanied by at least 1 employee of the health service in which the patient is detained.

'(5) The director must decide how many employees are to accompany the patient having regard to the following—

(a) the person's treatment and security requirements;

(b) the seriousness of the offences leading to the patient becoming a classified or forensic patient.

'(6) The approval may be given on the other conditions the director considers'."

This amendment deals with the temporary absences of particular patients with the director's approval. With this amendment, the coalition is seeking to once again provide clearer provisions and perhaps toughen up these provisions to reflect the concerns that have been expressed to us by mental health workers, families and members of the community in regard to what appropriate levels of escort should be provided to people who are, in fact, forensic patients.

Temporary absence is another issue that has been raised which is of concern. We believe that, in keeping with the previous

amendments, there needs to be a far stricter approach to this. Where people have genuine needs that would normally be afforded to them if they were in the criminal justice system where there are ways of having leave but also quite clear security concerns to be met, we believe that there also needs to be quite clear security measures put in place with regard to temporary absences. That is why we have proposed this amendment.

Amendment negatived.

Clause 186, as read, agreed to.

Clauses 187 to 203, as read, agreed to.

Clause 204—

Miss SIMPSON (5.40 p.m.): I draw this clause to the Minister's attention because I have some concerns with the way the Bill has been drafted, and this occurs in other clauses as well. Clause 204 makes reference to sections 613 and 645. This refers to the Criminal Code's sections 613 and 645 but does not actually say that in the legislation. I note that that is also a problem in latter clauses. While there are references made to Criminal Code sections in different parts of the Bill, it is a very large Bill, as the Minister would appreciate. If we are talking about drafting and presenting legislation in a way to provide the most understandable legislation for the benefit of the public or mental health workers, there really should have been an explanation that those sections related to the Criminal Code and some form of referencing.

The CHAIRMAN: The question is that clause 204—

Miss Simpson: Isn't the Minister going to reply to that?

Mrs Edmond: You told me that you don't approve of the drafting.

Miss SIMPSON: Minister, I will make it a little clearer. I would really appreciate the Minister's comment on the fact that, in this legislation, which is complex legislation, there are several clauses that refer to sections of the Criminal Code, but it is not footnoted on those pages of the legislation that it is actually referring to the Criminal Code. I seek the Minister's comment on that and also her advice as to whether she would change their methodology of drafting in future to truly provide a clearer draft for people. This is complex legislation. It is just that it is unusual that it does not say on those pages that it refers to the Criminal Code. I know a lot of time has been spent drafting this legislation and staff have worked very hard, but I am looking at this from the point of view of other people who will pick up the legislation and not realise that these sections refer to the Criminal Code.

Mrs Edmond: It is in a dictionary at the back.

Miss SIMPSON: The Minister says that it is in a dictionary at the back. When sections 613 and 645 are written on the page, it really should say that that refers to the Criminal Code. I know people get very close to the legislation they are drafting. They have tried to do their best, but it would be a lot clearer for members of the public when looking at the legislation. They are not necessarily lawyers. It would make it a lot easier if it was more clearly referenced.

Clause 204, as read, agreed to.

Clauses 205 to 219, as read, agreed to.

Clause 220—

Miss SIMPSON (5.44 p.m.): I move the following amendment—

"At page 132, lines 9 to 18—

omit, insert—

'220. This part applies to a forensic patient.'."

I note that this clause also has references to the Criminal Code. Clause 220 refers to section 647 but does not clarify that it refers to section 647 of the Criminal Code. References are made elsewhere in the Mental Health Bill 2000 to the Criminal Code, but this should have been properly identified and referenced to assist in the reading of the Bill. I know the Minister chose not to take up my request for a comment on that, but I would ask that in drafting of legislation these issues be taken into consideration. We should remember that people who read these things are not always lawyers. There are no clauses over 600 in this Bill, but they would look at that and not necessarily know when making reference to that section that it refers to the Criminal Code.

I want to address the issue of notification orders. Notification orders have been touted as the answer to addressing the concerns of victims and anomalies between the criminal justice system and the mental health system in recognising victims' rights to know certain things about the offender. The coalition will be seeking to amend clauses 220 and 221 to ensure that victims have access to the same information as they would have about an offender who was in the criminal justice system.

The Bill before us limits conditions of notifications and also limits the kinds of forensic patients about whom they can be made. Clause 220 outlines which patients this

refers to. I have concerns that it excludes certain categories of patients and thus their victims from receiving information. The coalition is seeking to remove this doubt by giving provision for notification orders to apply to all patients with a forensic order. I would also question the Minister as to why section 647 of the Criminal Code was specified in the Bill in relation to making notification orders but not section 645. Section 647 concerns people who are acquitted on the grounds of insanity at the time of the offence, but section 645 relates to someone who is found insane during the trial and thus unfit to stand trial at that time.

I ask: why did the provisions for making notification orders, which primarily give victims information about offenders, not include offenders who are found unfit under section 645? I believe that these are anomalies, but it would be far clearer to give all victims of offenders who happen to be forensic patients the right to seek those notification orders. That is why, through this amendment, we want to make it clear that anyone who has been a victim of a crime committed by a forensic patient who has a forensic order has provisions under the notification orders section of the Bill to seek information. We believe that that should be available.

There should not be discrimination between victims. There has been a lot of discrimination between victims previously. Obviously those who were in the criminal justice system found that, after suffering a horrendous offence committed by somebody, they were able to track through the Concerned Persons Register seeking information concerning that offender. I acknowledge that this Bill seeks to provide some provision for victims, but it in fact does not clearly apply to all categories of forensic patients. If the Minister begs to differ, one would have to say that our amendment simply makes it clear that all forensic patients—every patient who has a forensic order—should be subject to the provision that their victims may apply for a notification order so that those victims have the right of access to information.

Mrs EDMOND: We appreciate where the Opposition is coming from on this, but there are a number of things that have to be considered. The first thing that has to be considered is that this legislation has been out for quite extensive consultation. We recognise that there will be differences of opinion on a number of these issues. Even in the event of victims, there are a number of differences of opinions about how many of those victims want to be notified every time the circumstances of the perpetrator of their offence change. Some of the victims do not want to be advised. They want to be able to get on with their lives and forget the incidents that have occurred.

It must be remembered that persons found not fit for trial have not had their charges determined. That is an important difference. Accordingly, the issue of notification is inconsistent with the notification scheme applying to offenders within the criminal justice system. Such notifications are adequately covered by the Criminal Offence Victims Act 1995, where there is a duty upon the police or the public prosecutor to advise complainants of the status of that matter. If the status of that finding changes, then they should be notified.

Miss SIMPSON: The Minister made reference to the fact that not all victims want to know. The provisions of this Act, and certainly the provisions we propose, do not conflict with the fact that victims do not have to apply for that information. They have to actually seek a notification order. The coalition's amendment seeks to make sure that victims of an offence committed by a patient who has a forensic order made against them do not find themselves caught in a quagmire of bureaucracy where there are different kinds of notification orders which some can get and some cannot.

This is a simple amendment. If victims do not want the information, they do not have to apply for it. We are proposing a clear provision by which people can apply for the information and there is no discrimination between different types of victims. If people do not want the information, they simply do not apply for it.

Question—That Miss Simpson's amendment be agreed to—put; and the Committee divided—

AYES, 38—Beanland, Black, Borbidge, Connor, Cooper, E. Cunningham, Davidson, Elliott, Feldman, Gamin, Grice, Healy, Hobbs, Horan, Johnson, Knuth, Laming, Lester, Lingard, Littleproud, Malone, Mitchell, Paff, Pratt, Prenzler, Quinn, Rowell, Santoro, Seeney, Sheldon, Simpson, Slack, Springborg, Turner, Watson, Wellington. Tellers: Baumann, Hegarty

NOES, 39—Attwood, Barton, Beattie, Bligh, Boyle, Braddy, Briskey, J. Cunningham, Edmond, Elder, Fenlon, Foley, Hamill, Hayward, Hollis, Kaiser, Lavarch, Lucas, McGrady, Mickel, Miller, Mulherin, Musgrove, Nelson-Carr, Nuttall, Palaszczuk, Pearce, Reeves, Reynolds, Roberts, Robertson, Rose, Schwarten, Spence, Struthers, Welford, Wilson. Tellers: Sullivan, Purcell

Resolved in the **negative**.

Clause 220, as read, agreed to.

Progress reported.

CENSURE OF MINISTER FOR PUBLIC WORKS AND MINISTER FOR HOUSING

Hon. R. E. BORBIDGE (Surfers Paradise—NPA) (Leader of the Opposition) (5.58 p.m.): I move—

> "That this House censures the Minister for Public Works and Minister for Housing for his assault on Mr Craig Brown, the husband of the Federal Labor member for Capricornia."

By any standards, the lack of standards of the Beattie Government is absolutely breathtaking. By any standards, the Minister for Public Works and Minister for Housing should have had the decency to submit his resignation as a Minister of the Crown and a member of the Executive Council.

We have seen an extraordinary series of events that raises very serious questions as to how far this emerging scandal goes across the Beattie Government. This morning in this place we saw the incredible defence by the Premier, who referred to an incident that happened in 1976 to justify his lack of leadership in the year 2000. Things have changed a bit since then. The circumstances relating to the Minister for Public Works and Minister for Housing are the most serious actions relating to ministerial propriety that we have seen in this State since the Fitzgerald inquiry.

We have seen the assertion by the leader who will not lead, by Mr Beattie, that a king hit was self-defence—that someone can have a crushed beer can in their hand and assault someone and call it self-defence. I understand that the eyewitness accounts of the incident indicate very strongly that Mr Brown did not hit the Minister for Public Works and Minister for Housing, that it was an assault on the part of the Minister for Public Works and Minister for Housing.

I also understand that the investigating police officer determined in his report that there was justification for a charge of assault occasioning bodily harm to be laid against the Minister. If the Minister had been charged and convicted, he would have ceased to be a member of this place. Of course, then the Government would have to negotiate with one of the Independents in order to continue to occupy the Treasury benches.

Let us ignore all of that. Let us go through some of the other sins of the Minister who, I understand from the speaking list put forward by the Government Whip, does not intend to participate in this censure motion against him tonight. Once again, the Parliament and the Opposition are giving the Minister for Public Works and Minister for Housing the opportunity to come clean—the opportunity to respond. He is treating this Parliament with so much contempt that he has not even fronted the House for his own censure motion. That is treating this Parliament with absolute and total contempt.

Let us look at some of the other allegations against the Minister for Public Works and Minister for Housing. There is a suggestion in the police report that the Minister's office gave the police inaccurate information as to his whereabouts when they wanted to question him. So the Minister lied to the police—and that is acceptable under the standards espoused by the Premier and the Labor Party. The Minister's office, the Minister, or people acting on the Minister's behalf lied to the investigating police and said that he was not in town. Subsequently, the police saw him down the street.

The Minister said that he would be available for interview at 6 p.m. Then, of course, he had another excuse—he was changing his legal team and they could not get to Rockhampton by 6 p.m. So again we had a deliberate pattern of evasion on the part of the Minister for Public Works and Minister for Housing.

We have a situation where the Premier did not tell the truth about the seriousness of the charge. The Premier peddled the untruth that it was only common assault. If the Minister was convicted of mere common assault it would not affect the Government's majority on the floor of the House.

Mr BEATTIE: I rise to a point of order. The comments made by the Leader of the Opposition are untrue and they are offensive and I seek for them to be withdrawn.

Mr BORBIDGE: I withdraw, but let it be on the public record that the Premier's office was background briefing the press gallery in this place that it was only common assault. I guess it is a bit like some of those phone calls—he did not know what people close to him were doing. I say this to the Premier: no-one believes him anymore. His credibility is in tatters.

We have the incredible example of the Government calling in the flying psychiatrist, the Minister for Local Government and Planning. It was the Opposition who exposed the secret meeting in Mackay where a deal was not done—they merely settled things in the Australian way. One can call it whatever one likes, but when people have different points of view, and when there is a situation in which one party is pressing for criminal charges

against another and at the end of the meeting that particular person decides not to proceed—or ask the police not to proceed with those charges—I guess one could be polite and say that we have an agreement. I would have thought that it would have been a deal.

Is it not interesting that everyone who was at that meeting had a pivotal role in terms of the faction plays within the Labor Party in regard to the endorsement, or the continued endorsement, of the Federal member for Capricornia and the wife of the gentleman who was assaulted by the Minister, Mr Craig Brown.

This is as serious as it gets. Let us get back to the Minister for Public Works and Minister for Housing. Let us accept that the Premier is an innocent party in all of this. The Premier acted on the premise and on the advice that the Minister for Public Works and Minister for Housing was not the person who threw the punch. The Premier said that the Minister for Public Works and Minister for Housing acted in self-defence. Aside from anything else, on all the evidence available, that is a lie. The Minister for Public Works and Minister for Housing lied to his Premier—unless the Premier was part of the cover-up, anyway; unless the Premier decided that he would go along with this incredible and particularly serious charade.

The fact is that over the last few days we have seen an appalling lack of standards on the part of the Government and the Premier. The Premier says that it is the Australian way. Is it the Australian way to use a king hit as self-defence? Is it the Australian way to lie to the police about one's whereabouts when the police want to question one in respect of an indictable offence that would disqualify one from being a Minister of the Crown and a member of Parliament? Is it the Australian way not to tell the truth in respect of the seriousness of the charge that the investigating police at the Rockhampton CIB were recommending against the Minister for Public Works and Minister for Housing? Is it the Australian way to call in the flying psychiatrist, the Minister for Local Government—the man who fixed everything in every Labor Government that he has served in? This is the Minister who gave up a Saturday morning to go up to Mackay with Mr Slowgrove to sit down with a Labor barrister from Rockhampton, to sit down with Mr Brown and to sit down with the Minister. What was offered and what was threatened?

Why did the circumstances change so dramatically after Mr Brown supplied photographs to the police and after he turned up so that the police could take photographs of the very serious injuries that he sustained? Why was there a change of mind? Why are we expected to believe what Mr Brown now says—"It was all a misunderstanding. I want to get on with my life." This shows an absolute lack of standards by this Government and this Premier.

Time expired.

Dr WATSON (Moggill—LP) (Leader of the Liberal Party) (6.09 p.m.): I rise to second the motion. This Minister has form. He has a track record of abusive and aggressive behaviour, particularly with a few beers under his belt. In just two years as Minister he has been implicated in at least three cases of Rocky rage.

Firstly, he abused a backflow contractor in the Strangers Bar. We all remember that. Then he threatened a fellow member of Parliament. Now he has king-hit the husband of a Federal Labor member. This was not a case of self-defence; it was a vicious assault occasioning bodily harm.

The Premier has not even tried to deny that the Minister king-hit Mr Brown with a beer can. He has not even tried to deny that the Minister threw the first punch, the last punch and everything in between. Yet he continues to maintain that the Minister acted in self-defence. The Premier wants us to believe that the Minister was defending himself against the bloke who did not swing a single punch. I have not heard anyone suggest anywhere that he threw a single punch. The Premier wants us to believe that it is okay for a Minister of the Crown to beat the living daylights out of those who cross their path.

The assault itself was bad enough, but the subsequent cover-up makes it pale into insignificance. The Premier has not even tried to deny that the Minister's staff lied to police. He has not even tried to deny that the Minister ducked a police interview. Yet the Premier continues to claim—

Mr Beattie: I'm happy to do that. I'm happy to do all of that.

Dr WATSON: The Premier had his chance during question time this morning. The Premier had his opportunities, and he has not done so.

Mr Beattie: You didn't ask me.

Dr WATSON: The Premier had plenty of time. During question time, he had to go back to 1976 to try to dredge up something. So the Premier should not tell me that he did not have time to make the denials.

The Premier continues to claim that this scandal is a personal matter and does not have any bearing on the Minister's fitness to serve as a Minister of the Crown. The Premier has not denied that the members of the ALP colluded to fabricate false evidence. He has not denied that the Minister's brother harassed witnesses. Yet the Premier continues to claim that the whole process was above reproach.

The Premier is treating this House with contempt. He is treating the people of Queensland with contempt. He is treating the rule of law and order with contempt. The Premier claims that this matter is at an end because Mr Brown withdrew his complaint. Nothing could be further from the truth. The real question is why Mr Brown withdrew his complaint. We believe that it is blackmail. We believe that the factional heavies got to Mr Brown and told him that his wife would get the chop if he did not toe the line. We believe that Mr Brown withdrew his complaint to save his wife from political assassination. The factional heavies applied the blowtorch and cut a deal—"You spare the Minister and we will spare your wife."

The Premier wants us to believe otherwise. He claims that there was no deal, no deal, no deal, but the evidence is mounting. This Premier has form. I ask members to remember what happened to Bob Gibbs. When "Bollinger Bob" became a liability for the Government, the Premier cut a deal: a one-way ticket to Hollywood, a $920,000—

Mr BEATTIE: I rise to a point of order. That comment is untrue. It is offensive and I seek that it be withdrawn.

Dr WATSON: The Premier cut an arrangement: a one-way ticket to Hollywood—

Mr SPEAKER: No, the member has to withdraw.

Dr WATSON: I withdraw. The Premier cut an arrangement: a $920,000 lump sum and $250,000 a year. I ask members to remember "The Phantom", Bill D'Arcy. The Premier admits that when Bill became a liability to the Government, he cut a deal: a $700,000 lump sum, a special tax break of $14,000 and a promise not to claw back his super.

Mr BEATTIE: I rise to a point of order. Those comments I find offensive and untrue, and I seek for them to be withdrawn.

Dr WATSON: I will withdraw, but the record shows that the Premier was claiming the credit for getting rid of Bill D'Arcy. We know the Premier cut a deal, because we know about the $14,000 tax break.

Mr BEATTIE: I rise to a point of order. I find those comments untrue and offensive, and I seek for them to be withdrawn.

Dr WATSON: I withdraw. The Premier did a deal down behind the cowshed at Bethany, that is for sure. He knows that.

Time expired.

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier) (6.13 p.m.): I move the following amendment—

> "Omit all words after 'This House' and insert the following—
>
> 'censures the Opposition for bringing Parliament into disrepute today by including in its questions baseless allegations and innuendo naming people who had nothing to do with the matter and behaving in an unparliamentary manner.'."

Tonight, we have heard two speakers, the Leader of the Opposition and the Leader of the Liberal Party, make wild and unsubstantiated allegations without one skerrick of evidence. They think that they are the trial, the jury, the prosecutor—they think that they are God. They are not. We have a system of justice in this country and in this State—a system of law, where things have to be proven in accordance with the law. Let the record show that there was not one skerrick of evidence produced by either the mover or the seconder of this motion tonight—nothing new, no evidence.

These matters are entirely a matter for the police and the CJC. The Opposition is seeking to intimidate and to try to influence the CJC and the police into taking a particular course of action. The evidence in this matter is not only very clear but also direct, and it is direct in this sense: we had a disagreement in the Labor Party family. As I have said all along, it should never have happened. However, like many family disagreements, there is now harmony. Why? Because two people sat down in the Australian way and resolved it. The two people who fell out did the Australian thing and sorted out their differences.

All the way along the line I have been open and honest about this. I state again very clearly that there were no deals done, there was no political interference in the police process, this was nothing to do with good governance and there was no cause for public concern. This matter needed to be determined by the police.

In all of this, one of the things that I find extraordinary is the fact that it has been lost that there was a report from police that said

that there was no inappropriate behaviour. For example, for two nights in a row the Channel 10 news has run one claim but has never run the full story that there was a report saying that there was no inappropriate behaviour. Reports like that are not only untrue but also misrepresent the circumstances. I believe that my Government is entitled to be fairly represented on this issue, and it has not been. I know that Channel 10 is experimenting with different political reporters, and tonight it seems that Mr Borbidge wrote the script. We are entitled to be treated fairly in these matters, and Channel 10 has not done so.

I raised that as well as some comments that appeared in the Courier-Mail for this reason: at the end of this exercise, when the CJC clears all of those people involved—because it will, because everyone has acted appropriately and the CJC has no alternative but to clear everyone involved because they have acted properly and because the police have said that there was no inappropriate behaviour—I look forward to an apology from Mr Borbidge, an apology from Dr Watson, an apology from Channel 10 and an apology from the Courier-Mail.

The bottom line is that Mr Brown wants this matter ended. He has said so. The police said that there is no improper behaviour, and there has been no deal. So what is the issue? Very simply, Mr Borbidge, the master of sleaze, wants to use this and any other opportunity that he can to defame people, as he did with the three other examples that I gave, to try to get some cheap political advantage.

Mr BORBIDGE: I rise to a point of order. I think I have been reasonably tolerant, but I do find those remarks offensive and I ask for them to be withdrawn.

Mr BEATTIE: I withdraw. I will move to the point that is important. The Leader of the Opposition is prepared—

Mr Borbidge interjected.

Mr BEATTIE: Here he goes again, disrupting the House. No wonder this Government has moved an amendment to this motion to see some standards here, because we have had none during this debate. Let me make this point—and I put this on the record again—Craig Brown, the person who was allegedly assaulted in this matter, said—

> "Rob Borbidge is trying make a political football out of what was basically a personal matter."

They are not the words of Rob Schwarten; they are the words of Craig Brown. He said that there was nothing to pressure him to make the decision that he did.

Time expired.

Hon. J. P. ELDER (Capalaba—ALP) (Deputy Premier and Minister for State Development and Minister for Trade) (6.18 p.m.): I rise to second the amendment. All this week, all we have seen is a bucket of sleaze and a bucket of mud dropped by the Opposition. The disappointing feature—

Opposition members interjected.

Mr ELDER: The members opposite should wait for it. The disappointing feature about where this debate has gone for the members of the Opposition is simply this: when Labor was in Opposition, a number of National Party Ministers had allegations of criminal offences pushed in their direction. There were a number of them—and the members opposite know them—who had allegations made and police were seeking evidence. A number of the members opposite came to people such as me and others and said, basically, "They are personal matters. They are matters not to be debated in this Parliament. They are matters on which you should take a personal interest and not debate them in this Parliament."

Time and time again I had members of the Opposition come to me as the Deputy Leader of the Opposition and say, "Don't raise those issues." They were not raised in here because they were personal issues, and I agreed with that. The way in which the Opposition and the Government deal in business differs because we see those issues as personal. I never ran personal issues at the Opposition Leader or at his Ministers—not once.

Mr Borbidge: You did.

Mr ELDER: Not once did I raise that in a debate. That is the difference. Each and every member opposite who came to see me knows that is the truth. That is why their actions this week have been despicable and sleazy. They are dropping mud over a situation in which the complaint has been withdrawn. They have done it for political advantage.

The reason I am disappointed is that a number of them know the Leader of the Opposition is taking them down a dead-end path and they just cop it. The position that he is taking will cost them in the long run, and they know it. That is the hard part for a lot of them to comprehend. They want to take him on for the leadership, but they do not have the

bloody guts. My apologies, Mr Speaker; I withdraw that term. It frustrates me to see a party that has fallen so far in such a short space of time under his leadership.

Where is the evidence? There is not any evidence. As the Premier says, Craig Brown has withdrawn the complaint. He has basically said that those opposite are playing politics and that they are using this issue as a political football. The members opposite are a disgrace to Parliament. There is one rule for us and another rule for them. That has always been the case. It is certainly the case with the Leader of the Opposition. He is the master of sleaze. There was a whole range of issues that were never raised when he was Premier. I bet he wished he had someone like Terry Mackenroth who could fix it, because he never could when he was in Government.

Mr Borbidge: He fixed it, did he?

Mr ELDER: No, that is your allegation.

Mr BORBIDGE: I rise to a point of order, Mr Speaker. Let the record show that the Deputy Premier said that Mr Mackenroth fixed it.

Mr SPEAKER: Order! Hansard will record it; we do not need that as well.

Mr ELDER: Let the record show clearly that the allegation of fixing it came from him. I said that I bet he wished he had someone who had the ability to do that.

Mr BORBIDGE: I rise to a point of order. He cannot worm out of it; he said Mr Mackenroth—

Mr SPEAKER: Order! There is no point of order. Resume your seat.

Mr MACKENROTH: I rise to a point of order. I wish I was half as good as my reputation.

Mr ELDER: As I said, imagine the member for Moggill saying that he knows something about numbers. For heaven's sake! He cannot even do the numbers in his own party. He is on borrowed time as it is. He has drawn the short straw. He knows nothing about numbers and he certainly knows nothing about the numbers in Capricornia. Neither does the Leader of the Opposition, or he would not have made a fool of himself this morning in the Parliament.

There is another issue that I want to raise. Last week in Cairns the Leader of the Opposition was floating through regional Queensland saying, "I think East Trinity is a scandal. I'm going to raise the issue in the Parliament next week. I'll be representing the people of Cairns." He has not asked one question about East Trinity. Explain that to John McKenzie on Monday, because I will.

Time expired.

Mr HORAN (Toowoomba South—NPA) (6.23 p.m.): In Queensland, off duty police officers involved in fights at their social club are investigated by the CJC, taken through the criminal proceedings of the court system, judged by the court, punished by the court and then punished and disciplined by their Police Service. In Queensland, footballers and cricketers who get involved in pub brawls after a game are fined, lose their contract or are suspended.

But in Queensland Cabinet Ministers have privilege extended to them. Senior Cabinet Ministers have secret meetings and do deals. Political influence is brought to bear, the complaint is withdrawn, they are not available to the police as average citizens are and they walk away scot-free. At the same time, the reputation of this House and every one of its 89 members is once again pulled even lower.

The Deputy Premier earlier spoke about what he did and did not do regarding debates about the personal lives of people. But we are talking about a public matter. Can members imagine if, at the end of the St Patrick's Day parade, a National Party person hauled off and belted someone—

Mr ELDER: I rise to a point of order. All those issues with their members were public matters.

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

Mr HORAN: This major public incident occurred while a Minister was on duty. Ministers are on duty all the time, particularly at public functions, but the issue has gone further than that. This Minister has tarnished the image of his Cabinet, his party and this Parliament. He has also dragged other people into it. A senior Minister has gone off and done a deal. Whatever was said to Mr Brown, whether he was promised something or was threatened, it was strong enough to influence him—a fellow who had been belted—into withdrawing his complaint. I think it was particularly unfortunate to do that to a young married man. What choice did he have if the career of his wife was threatened?

There has been a litany of examples by the Beattie Government which have lowered the standards of this Parliament. Mr Gibbs was sent to Hollywood for a job paying a quarter of a million dollars a year. Mr McGrady tried to influence a judge with a letter and interfered with police in the seatbelt matter. We have

seen the net bet affair. We have seen jobs for Labor mates again and again.

Now we have this type of protection, which has lowered the standards of the Cabinet and the Parliament in the public's eyes. No wonder the public think of us as low-lifes when such things occur. This Parliament does not have the courage, the fortitude or the decency to say, "We'll draw the line at Cabinet Ministers brawling publicly in a park after a public function."

The question we should be asking tonight in this censure motion is: should a person who has perpetrated a vicious assault be a Minister of the Crown? Should a person who has been responsible for the trail of secret meetings, secret deals, forced withdrawals of complaints following the secret deals and a web of intrigue be a Cabinet Minister? Things were not reported to the Premier. The Premier did not tell the Police Minister about the Saturday meeting. Is this the standard we want in Queensland for one of the highest political officers; a person responsible for the sudden visit of a senior Cabinet Minister to Mackay to fix up this matter?

I say to every member of this Parliament: if they were going to vote according to their conscience tonight, which way would they vote? If they aspire to be Cabinet Ministers, is that the standard they set themselves? Is that the standard they want of their colleagues? Similarly with the Independents, what is their standard? That is what we are debating tonight. Tonight we want to censure a Cabinet Minister for hauling off and belting someone in the face at a public rally in Rockhampton. That is the standard that exists now. If the Parliament passes this censure motion, it will mean that it has some standards.

If the censure motion is not passed, if Labor members vote for this Minister, he will walk away unpunished for this action—not because he is an average, working-class citizen, not because he is an honest police officer, but because he is a member of a privileged, corrupt Beattie Government.

Time expired.

Hon. T. M. MACKENROTH (Chatsworth—ALP) (Minister for Communication and Information, Local Government and Planning and Minister for Sport) (6.28 p.m.): All week I have sat here listening to the conspiracy theories of the Opposition and the allegations they have made against individuals, including allegations against me for my having helped a friend. The Opposition has claimed—and the Leader of the Opposition said this tonight—that all it wants to know is the truth about what happened. If they were to have us believe that that was really all they wanted to know and that they were not just trying to score cheap political points by keeping the issue going all week, one would have thought that the logical thing to do would have been to ask me a question on Tuesday. They claimed that I was at the meeting. They knew I was at the meeting.

Mr Horan interjected.

Mr MACKENROTH: Mr Beattie was not there. They did not bother to ask me a question on Tuesday, Wednesday or today. They did not really want to know.

Mr Littleproud interjected.

Mr MACKENROTH: I will tell the member in a minute. All they wanted to do was keep the issue going in order to score cheap political points—that is all. The allegation that somehow I have done a deal is absolute rubbish.

Mr Borbidge interjected.

Mr MACKENROTH: He did not say that at all.

Mr Borbidge interjected.

Mr MACKENROTH: That is utter rubbish.

Mr SPEAKER: Order! The Leader of the Opposition will cease interjecting. That is his final warning.

Mr MACKENROTH: I will tell members exactly what happened. On the Thursday I spoke to the Minister for Public Works and Minister for Housing and he told me that someone had told him that Craig Brown was prepared to talk to him. I said, "Robert, if you want me to go along with you, I am quite prepared to do that." I did that for one reason and one reason only: Robert Schwarten is my best mate in this Parliament. He is a close personal friend—something Mr Borbidge would find very difficult to come to grips with; I do not think he has any. That is the reason I did that.

Mr Horan interjected.

Mr MACKENROTH: We will get to that in a minute.

Mr Borbidge interjected.

Mr SPEAKER: Order! The Leader of the Opposition will allow the Minister to make his speech.

Mr MACKENROTH: On Friday the Minister rang me and said that there was going to be a meeting; that if I wanted to go along with him he would be happy for me to come. I did. I can tell members opposite that no deals were done—no deals at all. There were no threats made. The Leader of the Opposition asked,

"What happened to make things change so dramatically?" The thing that happened to make things change so dramatically was that the two people who had been involved on the Monday sat down in a room and talked for the first time since that Monday. They actually sat down and talked to one another and they shook hands. Mr Brown was on Rockhampton television tonight. He said that he did not understand what the kerfuffle was about and that he would be happy to have a beer with Robert Schwarten any time.

Mr Borbidge: He had a beer with him on Labour Day.

Mr SPEAKER: Order! The Leader of the Opposition will cease interjecting. That is my final warning.

Mr MACKENROTH: The Leader of the Opposition is the master of slime; the Premier is right about that. When one of his Ministers was involved in a fight, did we raise it in the Parliament? No! Were any charges laid against his Minister for being involved in a fight? No! It was never raised.

Mr Borbidge: Was there a police investigation?

Mr MACKENROTH: I have been the Minister for Police. I understand what happens. The police made the decision not to proceed when the complaint was withdrawn. When I was the Minister for Police, the police made a decision to proceed when a complaint was withdrawn. That is the way it is. The police make that decision. As a matter of fact, both of those decisions were made in Rockhampton. I helped a friend. I can tell honourable members that there were no deals. This can be investigated by anybody they like. No-one will ever find a deal; there wasn't one.

Mr LAMING (Mooloolah—LP) (6.33 p.m.): Tonight I rise in support of this motion. Since the events of 1 May, Queensland has witnessed a deliberate cover-up by a corrupt Government in an attempt to protect and shield the Minister for Public Works and Minister for Housing from both public scrutiny and the consequences of breaking the law. The Minister and the Government have exerted pressure and threats on third parties in an attempt to suppress the full details of this disgraceful act from becoming fully public and to obstruct the due process of the law.

However, this is not the only occasion on which the temper of the Minister has landed him in trouble. Who can forget the now infamous Strangers Bar incident involving the Minister? However, what I found more interesting than the previous form of the Minister was the comments he made when questioned in this House about that incident. In another effort to deflect attention from his disgraceful behaviour, the Minister said—

> "The Minister for Transport would have been little assistance in that regard had a fracas been under way. I actually donned gloves when I was younger and I was not too bad at it."

The Minister actually boasts about his ability to belt up people! The corker for me was when the Minister said—

> "I, as always, conducted myself in a proper manner."

All I can say is that, if this Minister was conducting himself in a proper manner in the park that day, I fear for the innocent public of Queensland if the Minister ever decided to misbehave in a public place. However, if the actions of Mr Schwarten in that park in Rockhampton were not bad enough for a member of Parliament, they were abhorrent for a Minister of the Crown. The Minister should recognise that he holds a very high office within our democratic society—a position which not only brings him additional benefits but also significant responsibilities, one of which is the administration of a portfolio.

It is becoming clearly apparent that the Minister no longer cares about community expectations and cares even less for his portfolio responsibility. In December 1998 the Minister for Public Works and Minister for Housing claimed that his new tender reform would "eliminate cowboys from the industry and avoid problems rather than trying to solve them after they occur". It appears that his rhetoric has exceeded his ability yet again. This is evident by the string of subcontractors burned by their dealings with Designer Steel Homes Pty Ltd working on Government projects at Cunnamulla, St George, Cleveland and Coopers Plains. Designer Steel Homes has now appointed a voluntary administrator and has assets of only $28,900 whilst owing about 260 trade creditors over $620,000.

One has to question how and why Designer Steel Homes was doing Government work in the first place and why it was given further Government work on other projects after having failed to successfully complete its current projects. If anybody had bothered to check the corporate history of a key individual in Designer Steel Homes, Mr Stephen Black, they would have discovered that he was also a director of Nu-Steel Constructions Pty Ltd, which also ceased to operate after a deed of agreement in 1998. How did the company get

pre-tender qualification under his administration and what checks into that company and its financial details were carried out by his department?

I will tell honourable members why. It is because the Minister no longer cares about people, small business owners or the laws of Queensland. Through the Minister's maladministration, he has inflicted hardship and suffering on hardworking and dedicated subcontractors who expected and deserved the protection of the pre-tender qualification system that the Minister promised. The Minister should hang his head in shame.

The member for Capalaba spoke about not raising issues when the coalition was in Government. During the debate on the MOU in this place, day after day Rob Borbidge and Russell Cooper were accused of corruption. The Minister for Public Works should have acted like a normal Australian in the park on May Day instead of behaving like a common thug and cowardly king-hitting a member of the public. The Minister should also have faced the consequences of his action instead of hiding from police and using the ALP to broker a deal to get him off the hook. The honourable member should vacate his office as a Minister of the Crown and allow it to be filled by someone who will demonstrate the appropriate behaviour expected of a holder of that high office.

Mr KAISER (Woodridge—ALP) (6.38 p.m.): Tonight it is with pleasure that I rise to oppose this censure motion and to support the Minister. I support the Minister not just because he is my friend—and he is—but because this censure is not over a serious matter in relation to his performance as a Minister or his performance in his portfolio; it is in relation to a personal matter.

In his contribution tonight, the Leader of the Opposition had the hide to talk about a lack of credibility. This is the same Opposition that claimed that this was the most serious incident in Queensland relating to accountability since Fitzgerald. What a joke! These are the people who gave us the Joh jury. These are the people who gave us the infamous memorandum of understanding to which the member for Mooloolah had the stupidity to refer in this debate. When we censured members opposite when they were in Government for a brief single term, it was on issues of substance, not sleaze; it was on issues of importance, not innuendo. It was never on personal matters. It was on issues such as the memorandum of understanding, the Carruthers inquiry and the Connolly/Ryan inquiry, which the Supreme Court of this State found was set up in a biased way to nobble Carruthers. Those were the matters on which we censured members opposite, not personal issues.

Mr Johnson interjected.

Mr KAISER: It was Russell Cooper and Rob Borbidge who were involved in the memorandum of understanding; that is precisely my point. When we censured the coalition Attorney-General and he lost the censure motion, he did not have the decency to resign from his portfolio, despite losing the numbers in the House. The member should not come in here and lecture us about dignity, as he did the other night, or lecture to us about credibility when we were the ones who censured the coalition for issues that mattered not only in this place but out in the electorate. If the member opposite thinks that he is on an electoral winner with this one, then he is in more trouble than I thought.

Nothing inappropriate was done in relation to the Minister's portfolio. In relation to the personal issue involved, the police described the process that occurred after the incident as "mediation". That is how the police described it. Mr Brown said that he took an independent decision after he had calmed down. There is no evidence of interference because there was none. This is all just allegations presented in this place as facts. This is a personal attack because members opposite cannot fault the performance of the Minister.

When it comes to public housing issues, my constituents know the difference between Labor in office and the lot opposite. They know the difference under this Minister because they know he cares deeply for them and they know he will fight for them. I have a dozen letters here that the Minister has written to me during my short period in this place not giving bureaucratic responses, but actually fixing people's problems. That is what matters to the electorate, not this nonsense.

The Opposition wants to pursue these gutter tactics because it has nothing of substance to say that matters to the electorate. It will not get the support of the electorate until it develops issues of substance that it can put before people, because people want policies, not mud-slinging. This does not matter. However much the Courier-Mail might think this matters to the electorate, it does not. If honourable members need proof of that, I will read into Hansard some of the responses on talkback radio today. On 4QR this morning a person—

Mr Seeney interjected.

Mr SPEAKER: Order! The member for Callide!

Mr KAISER:—by the name of Jim said—

> "Well, I think it's a waste of time, the Criminal Justice Commission investigating such matters ..."

Jim went on to say—

> "... if the other person doesn't want to press charges, well, the matter should lapse, because it's nothing to do with Parliament."

June said—

> "... I think the whole thing is a whole lot of piffle, and to be quite honest, I am tired of hearing of it."

If members opposite credit us with organising these responses, then we are better than we think we are; they give us more credit than we deserve. Cathy said—

> "... we have so many more important things to deal with. The two parties have agreed that the matter is finished, and as far as the CJC taking up that matter, I'm extremely disappointed ..."

John said—

> "And just one final point on that other thing. Look, the police had a report. There was a complaint made. The complaint's been withdrawn. For God's sake, leave the police out."

Gwen said something else. But this is the piece de resistance: Alan Jones, the man who credits himself with—

Mr Lucas: No friend of Labor.

Mr KAISER: Yes, he is no friend of Labor. Alan Jones, the man who credits himself with helping to get John Howard elected, today said—

> "Look, at the end of the day this is rubbish really. This is a bit of dust-up between two blokes. We shouldn't be wasting police resources and public time investigating something that really is of no consequence whatsoever."

Mr SEENEY (Callide—NPA) (6.43 p.m.): I rise to support the motion moved by the Leader of the Opposition calling on this House to censure the Minister for Public Works and Minister for Housing, Mr Schwarten. It is right that Mr Schwarten should be censured by this House; it is right that this matter should be debated in this House; and it is right that this matter should be the subject of parliamentary scrutiny. After all the rubbish that was brought into this House by the lot opposite when they were in Opposition, it is almost sickening to come in here tonight and see them stand up, put their hands on their heart and cry false tears about how this matter should not be examined. What a farce! What a joke!

This matter could have been examined by this Parliament on Tuesday morning if the Minister and the Premier had answered the questions. But the king strategist over there, the Deputy Premier, decided to play the straight bat and deny the people of Queensland an explanation. Wasn't that one of his better ones? That was a great strategy! It is because of that strategy that this matter has been debated here for three days and it is because of that strategy that we are still trying to get for the people of Queensland the answers that they deserve about this matter. As a strategist, the Deputy Premier has proved to be about as handy as a eunuch in a harem. He has done really well!

After all the pious posturing that the Premier has done on the public stage about his commitment to accountability and openness, he has been unwilling and unable to ask the Minister to explain to the Parliament. After all the pompous, overbearing preaching that we put up with in here from the Premier, he has been unwilling to call this Minister to account and he has been unwilling to discipline him. The Minister has denied this House, this Parliament and the people of Queensland the explanation they deserve, and that is why he should be censured, and everyone opposite knows it.

The Minister refused to answer five reasonable questions. Honourable members should look at the Hansard record. They should show me anywhere else in the Hansard record where a Minister of the Crown has stood in this Parliament and refused to answer five questions in a row. They will not find such an occasion anywhere. He is either too arrogant or too ignorant to recognise the need to explain—or both. Ministers of the Crown in any Parliament cannot punch people in public. That is the bottom line. All of us are answerable to this House. We cannot go out there and act like public bar boofheads.

Boofheaded thuggery has certainly become a regular part of this Minister's contribution to this place. He has been involved in the brawl in the parliamentary Strangers Bar. We all know about that. He has been involved in intimidation and threats here in the House. All of these incidents occurred while he was carrying out his duty as a Minister of the Crown, and that is the difference. He was acting as a Minister of the Crown at the time. He would not have been in the

parliamentary Strangers Bar if he were not a Minister of the Crown; he would not have been at the Labour Day barbecue if he were not a Minister of the Crown. He was being paid to be there and he is responsible to this Parliament for his actions while he was there.

To refuse to give any explanation five times in this place is unacceptable to this Parliament and it is profoundly unacceptable to the people of Queensland. The Minister has refused to explain to the press; he has not answered any of the questions which the press quite reasonably put to him. He has refused to answer any questions in this Parliament and he has refused to give the explanation that Queensland deserves. He hid from the media and would not answer questions. He could have come in here tonight, put his name on the speaking list and given an explanation. Instead, we have a speaking list that includes an Independent and an insignificant backbencher. He could have come in here and taken the opportunity to give an explanation.

Meanwhile, the Labor heavies have orchestrated a complex cover-up. The murky details of that cover-up have been emerging slowly, and they will continue to emerge in the days to come. They will continue to emerge because there are people in Rockhampton who know what happened and there are people in Rockhampton whom the Labor heavies and Mr "Fix-it" over here cannot blackmail. They blackmailed the innocent party in the assault. They threatened his wife with—

Mr ELDER: I rise to a point of order. How can the member talk about standards when he was the person who burnt the effigy of a Minister at a public meeting?

Mr SEENEY: I did not burn Mr Hamill's effigy; I hanged it, and I am proud of it.

Time expired.

Mr WELLINGTON (Nicklin—IND) (6.48 p.m.): I cannot support the Opposition's motion. I, in common with many Queenslanders, wish this incident never happened, but it did. For the past three days members of the Opposition have pursued this matter with all the might and vigour that they could muster, and I want no part of it whatsoever.

Every day this week many petitions have been lodged by members of Parliament on a whole range of issues about which Queenslanders across the length and breadth of this State are concerned. We have seen calls for improved doctor services and improved education, and two days ago the Opposition tabled the fourth largest petition presented during this sitting of Parliament.

Mr Littleproud interjected.

Mr SPEAKER: Order! The member for Western Downs will cease interjecting. That is his final warning.

Mr WELLINGTON: There were 7,913 petitioners seeking improved radiation therapy services at the Nambour General Hospital on the Sunshine Coast. I share those petitioners' concerns. I quote from their letter—

Mr Seeney interjected.

Mr SPEAKER: Order! The member for Callide will cease interjecting. This is his final warning.

Mr WELLINGTON: They said—

> "To the Honourable the Speaker, Ministers and Members of the Legislative Assembly of Queensland,
>
> Your petitioners therefore request the House to urge the Minister for Health to approve the provision of radiation therapy services at Nambour General Hospital and to immediately provide these specialist consultations on the Sunshine Coast."

We need these improved radiation services on the Sunshine Coast for cancer patients who have to travel to Brisbane. I support their efforts 100%.

I thought the Opposition would have placed 7,913 requests for improved radiation therapy services on the Sunshine Coast at the top of their list of priorities during this sitting of Parliament. But no! In the past three days we have not heard a whisper about this request. Instead, the Opposition has focused on an alleged punch-up as their issue of priority. I am jolly proud that I am an Independent and not tied to the—

Time expired.

Mr COOPER: I rise to a point of order. It is patently obvious to me that we have now seen an example of double standards of the most despicable kind.

Mr SPEAKER: There is no point of order. I call the honourable member for Kallangur.

Mr COOPER: The member for Nicklin has now branded himself—

Mr SPEAKER: Order! Resume your seat!

Mr COOPER: as part of the cover-up by this Government.

Mr SPEAKER: Order! I call the member for Kallangur.

Mr COOPER: I beat him to the jump.

Mr SPEAKER: Order! Resume your seat!

Mr COOPER: As far as I am concerned, I am going to speak.

Mr SPEAKER: Resume your seat!

Mr COOPER: I beat him to the jump.

Mr SPEAKER: Resume your seat!

Mr COOPER: As far as I am concerned—

Mr SPEAKER: I warn you under 124.

Mr COOPER: I am sickened by the disgraceful example—

Mr SPEAKER: I warn the member under Standing Order 124.

Mr COOPER:—from the member for Nicklin tonight in backing and supporting a Government such as this which has indulged and indulged in a blatant cover-up—

NAMING OF MEMBER

Mr SPEAKER: Order! I name the member for Crows Nest.

A Government member: I move that the member be not further heard.

Mr SPEAKER: I just named the member under Standing Order 124.

SUSPENSION OF MEMBER

Hon. J. P. ELDER (Capalaba—ALP) (Deputy Premier and Minister for State Development and Minister for Trade) (6.51 p.m.): I move—

> "That the member for Crows Nest be suspended from the service of the House for seven days."

Question put; and the House divided—

AYES, 40—Attwood, Barton, Beattie, Bligh, Braddy, Briskey, J. Cunningham, Edmond, Elder, Fenlon, Foley, Fouras, Hamill, Hayward, Kaiser, Lavarch, Lucas, Mackenroth, McGrady, Mickel, Miller, Mulherin, Musgrove, Nelson-Carr, Nuttall, Palaszczuk, Pearce, Reeves, Reynolds, Roberts, Robertson, Rose, Schwarten, Spence, Struthers, Welford, Wellington, Wilson. Tellers: Sullivan, Purcell

NOES, 37—Beanland, Black, Borbidge, Connor, Cooper, E. Cunningham, Davidson, Elliott, Feldman, Gamin, Grice, Healy, Hobbs, Horan, Johnson, Knuth, Laming, Lester, Lingard, Littleproud, Malone, Mitchell, Paff, Pratt, Prenzler, Quinn, Rowell, Santoro, Seeney, Sheldon, Simpson, Slack, Springborg, Turner, Watson. Tellers: Baumann, Hegarty

Resolved in the **affirmative**.

Whereupon the honourable member for Crows Nest withdrew from the Chamber.

CENSURE OF MINISTER FOR PUBLIC WORKS AND MINISTER FOR HOUSING

Question—That the amendment be agreed to—put; and the House divided—

AYES, 40—Attwood, Barton, Beattie, Bligh, Braddy, Briskey, J. Cunningham, Edmond, Elder, Fenlon, Foley, Fouras, Hamill, Hayward, Kaiser, Lavarch, Lucas, Mackenroth, McGrady, Mickel, Miller, Mulherin, Musgrove, Nelson-Carr, Nuttall, Palaszczuk, Pearce, Reeves, Reynolds, Roberts, Robertson, Rose, Schwarten, Spence, Struthers, Welford, Wellington, Wilson. Tellers: Sullivan, Purcell

NOES, 36—Beanland, Black, Borbidge, Connor, E. Cunningham, Davidson, Elliott, Feldman, Gamin, Grice, Healy, Hobbs, Horan, Johnson, Knuth, Laming, Lester, Lingard, Littleproud, Malone, Mitchell, Paff, Pratt, Prenzler, Quinn, Rowell, Santoro, Seeney, Sheldon, Simpson, Slack, Springborg, Turner, Watson. Tellers: Baumann, Hegarty

Resolved in the **affirmative**.

Mr SPEAKER: Order! For all future divisions on this matter, the bells will be rung for two minutes.

Question—That the motion, as amended, be agreed to—put; and the House divided—

AYES, 40—Attwood, Barton, Beattie, Bligh, Braddy, Briskey, J. Cunningham, Edmond, Elder, Fenlon, Foley, Fouras, Hamill, Hayward, Kaiser, Lavarch, Lucas, Mackenroth, McGrady, Mickel, Miller, Mulherin, Musgrove, Nelson-Carr, Nuttall, Palaszczuk, Pearce, Reeves, Reynolds, Roberts, Robertson, Rose, Schwarten, Spence, Struthers, Welford, Wellington, Wilson. Tellers: Sullivan, Purcell

NOES, 36—Beanland, Black, Borbidge, Connor, E. Cunningham, Davidson, Elliott, Feldman, Gamin, Grice, Healy, Hobbs, Horan, Johnson, Knuth, Laming, Lester, Lingard, Littleproud, Malone, Mitchell, Paff, Pratt, Prenzler, Quinn, Rowell, Santoro, Seeney, Sheldon, Simpson, Slack, Springborg, Turner, Watson. Tellers: Baumann, Hegarty

Resolved in the **affirmative**.

GRIEVANCES

Access Queensland Pty Ltd

Mr LAMING (Mooloolah—LP) (7.06 p.m.): Access Queensland Pty Ltd is a registered company set up specifically to seek out and supply the lucrative London market with the very best of Queensland-grown primary products. The company is made up of 50 shareholders, virtually all of whom are primary producers. Access Queensland was registered under the Corporations Law of Queensland on 27 November 1998 and submitted an Internet domain name registration on 8 April 1999. I table the relevant letters.

The concern I bring to the House today is of fundamental importance, not only to Access Queensland but also to all companies trying to establish their name. A letter was received by Access Queensland from the Department of the Premier, asking if it would be willing to relinquish its present name. I also table that letter. Other correspondence followed between the company and the Department of the Premier. I also table those letters.

In January of this year, Access Queensland advised the Government that it did not wish to negotiate any further in relation to the issue, advising that neither the name nor the web site are for sale and that the company has no intention of granting permission to anyone in relation to either. On 9 February this year a quite astounding response was received, in which the department expressed its disappointment and stated that the State remains willing to participate in further negotiations. The letter states—

> "Notwithstanding the above, the State proposes to commence use of the name Access Queensland for its Community Service function and the Government's legal advice is that the government entity will not be in business and, by virtue of the disparity between the functions of the entity and the activities of your business, there can be no suggestion of passing off."

What an arrogant approach from a big Government to small, struggling regional businesses doing their best to earn export dollars for Queensland! I call on the Premier to immediately revoke the Government's intention to hijack the Access Queensland name.

Time expired.

Radiotherapy

Mr WELLINGTON (Nicklin—IND) (7.08 p.m.): Last night in this House I spoke about the need to appoint a second full-time resident District Court judge to the Maroochydore District Court. Tonight I wish to talk about another need of regional significance, that is, the need to have available through our public hospital system a radiotherapy service at Nambour.

Soon the Wesley Cancer Care Centre will be providing radiotherapy services through its private centre in Nambour. I urge the Minister for Health to urgently meet with the senior management of the centre to investigate with them what opportunities are available for a partnership between Queensland Health and the private health centre to ensure that not only the wealthy will be able to receive this very important cancer treatment.

Already a private hospital at Noosa provides health services to Queensland Health under a contract of service. I urge the Health Minister to use this as a precedent so that more Sunshine Coast residents may be able to avail themselves of this cancer treatment, to be available through the new Wesley Cancer Care Centre in Nambour, and not have to travel the many miles to Brisbane for treatment.

Medical Aids Subsidy Scheme, Waiting Lists

Mrs SHELDON (Caloundra—LP) (7.10 p.m.): I was recently contacted by a constituent who was greatly concerned by his wife's need for medical aids and the Health Department's lack of attention to her plight. From speaking to the shadow Minister for Health, I understand that this is a growing problem affecting many elderly people.

My constituent's wife is suffering from Alzheimer's disease and has been approved for the supply of incontinence pads through the Medical Aids Subsidy Scheme. My constituent placed his wife's order for pads on 10 December 1999. He received a letter back on 24 January advising of approval for the supply but also that, due to demand, there was a waiting list. Despite repeated calls, he has been unable to establish when his wife will be supplied.

My office contacted the department and was given the following information. A waiting list was established on 1 November 1999. Officers of the department have a meeting every Monday morning at which the list is discussed and they are told whether they can provide the aids to anyone on the waiting list. The decision is based on whether the present demand has decreased—if present clients no longer need or use them.

I could not be told when my constituent may get the incontinence pads. I was told that it was a management decision and that they had run out of money and they needed a boost to their budget to ensure that people were supplied. I asked what would be supplied to Mrs Turnbull when eventually she joined the receiving line. I was told two pads a day for 30 days and then a new order would need to be submitted with, no doubt, another six months on the waiting list. What a nonsense!

Since I last spoke to my constituent he has attended a support group meeting of a number of concerned constituents in Nambour. He was told that his wife should have at least been given a sample. He said that he had never been given that. He also discovered that he should have been supplied when his order was put in and that he should have been supplied with samples of the new pads the department is considering. This elderly patient has now been waiting six months for incontinence pads. She and her husband cannot afford to buy them themselves. They are still on a waiting list and there is still no indication of when they will be supplied. I think it is about time the Minister took some action on this point.

Anzac Day 2000

Mrs ATTWOOD (Mount Ommaney—ALP) (7.12 p.m.): Each year, local schools in the Mount Ommaney electorate take tremendous pride in their commemoration of Anzac Day. For many years now they have invited returned service personnel from our local community as very special guests.

I was proud to have been invited to attend ceremonies at the Sherwood and Corinda State Schools and the Corinda State High School. The excellent school bands performed many of the old favourite tunes from World War I and World War II and special guests and old friends of the schools addressed the students. Floral tributes were laid by members of the Returned Services League, by the school, by classes and by families and individuals. The depth of emotion on those young faces was intense as the Last Post and Reveille were played.

On completion of the ceremony, guests shared a morning tea and a chat about old times with the students. For schools in my local community, Anzac Day is a time for reflection, reminiscence and bonding together to pay tribute to all fallen and returned service personnel and to give thanks for the opportunities available to us today as a result of our forebears' sacrifices. These tributes culminate in the Anzac Day ceremonies.

On Anzac morning, I attended the 85th Anniversary Dawn Service at the Kokoda Memorial Stone near the Sherwood RSL. There, hundreds of people joined in as marchers and as spectators. These included many children and young adults.

At 10.30 a.m. a parade moved from the Oxley shops down Oxley Road to the war memorial at Oxley Place in Bannerman Street where a memorial service was held and wreaths were laid. Again, hundreds of people from the local community joined the ceremony. It was very pleasing to see the children from Oxley State School, the local Girl Guides and the Boy Scouts participating in the service. Everyone, including our children, are reminded of the courage of our people in the battle at Gallipoli on 25 April 1915. Eighty-five years on, the enthusiasm to commemorate this occasion is overwhelming. I am sure we will long remember these gallant men and women.

Caboolture Police Station

Mr FELDMAN (Caboolture—CCAQ) (7.14 p.m.): I rise tonight to speak on behalf of the overworked Caboolture police who, despite the repeated promises of the Minister for Police, are still under strength. The station currently has five unfilled vacancies, two general duties staff relieving in the prosecutions section—a district responsibility, not the station's responsibility—one staff member on maternity leave and one about to be, one staff member relieving in the CIB and one staff member relieving on Bribie Island.

Effectively, instead of the 10 staff promised as an increase last year—and I stood up and backed the Minister on this—the station at Caboolture has effectively had a decrease of 10. Caboolture needs more than just promises; it needs bums in the station and on the street.

Not only have staff numbers not improved, but resources and equipment are down as well. For example, the station operates without microcassettes—an essential tool. Just the other day, after sending a requisition for paperclips for their correspondence, as they were out of them, they were directed by district headquarters to drive some 15 kilometres to the Deception Bay Police Station to pick up a spare box of paperclips. That is hardly an effective or economic use of resources, cars or men when, at a stationery store across the road from the Caboolture Police Station, a packet of paperclips costs as little as $2. I have a packet of paperclips here for the Minister to pass on to the station.

What is the Minister going to do for the Caboolture residents and the business owners—those people the Minister saw last year—to ensure adequate staffing and resources for the hardworking men and women of that station?

As a tribute to their hard work, I completely support my former workmates—

especially those in the Redcliffe district who were involved in the shooting of the armed offender at Deception Bay last week. It was a tragic event which led to police officers placing their lives in danger in protecting the public from a drug-affected and crazed individual. I say this to them, "Keep up the good work because I and many others know the real pressure that you are under." I say to the Minister that these officers need his support. I ask the Minister to ensure that those vacancies at Caboolture and at Bribie Island are filled.

Time expired.

Classification of Television Programs

Mrs LAVARCH (Kurwongbah—ALP) (7.16 p.m.): Australian commercial television networks operate according to a voluntary code of practice governing the classification of the programs they broadcast. This classification system, like the mandatory system which applies to cinemas, has two aims: firstly, to ensure that programs are screened at time slots appropriate to the subject matter and likely audience; and secondly, to give viewers a clear idea of what kind of material the program will contain.

There is a program showing on Channel 10 which makes a mockery of this voluntary system and causes me to think that the classification system for television should be taken over by the Office of Film and Literature Classification. This program is called Love Rules and is broadcast at 8 p.m. on Tuesdays. It is rated PG, which means that it should be suitable for children, with parental guidance recommended. The 8 p.m. time slot is, of course, one which would be commonly viewed by children.

This program, however, is one of the most crass and tasteless examples of tripe I have ever seen. That makes it nothing special, but what makes Love Rules so appalling is its sexual content which is totally inappropriate for children and way outside what one would expect with a PG classification.

The show I saw on Tuesday, 2 May, consisted of three segments. The first featured a couple being introduced to each other and then having a plaster cast made of his buttocks and her breasts. The second segment was about a lesbian couple who spent their time mostly tongue-kissing. The third segment was another male/female couple who go on their first date and then tell the interviewers how they slept together.

I do not consider myself prudish by any means, but surely material of this type is more suited to a post-9.30 p.m. time slot and an M or MA rating. Self-regulation by the television networks is a privilege based on responsibility. Channel 10, by its decision to run the sordid Love Rules at 8 p.m. with a PG classification, demonstrates that it does not have a responsible attitude. I call for Channel 10 to reschedule Love Rules to a more suitable time slot, and I call on the Federal Government to take over the regulation of television programs.

Wool Industry

Mr JOHNSON (Gregory—NPA) (7.18 p.m.): I wish to address the recent announcement by the Federal coalition Government of the interim board to specifically manage the restructure of the Australian wool industry and for Australian Wool Services to manage the industry after 31 January 2001.

I am concerned that there is a real obstacle which relates to the appointment of Rodney Price as chairman of the board instead of the successful former hard-hitting, no-holds-barred Premier of Victoria, Jeffrey Kennett—the preferred option by 80% to 90% of woolgrowers Australiawide. The wool industry needs a leader such as Jeffrey Kennett, who has a proven track record of getting things done as well as not suffering fools—something that has persecuted and crucified the wool industry for too long.

As mentioned in Queensland Country Life today, 18 May 2000, there is an anonymously researched and distributed document which makes reference to Rodney Price's corporate management practices in the past. This was allegedly sourced from the Australian Securities and Investment Commission.

That information certainly does not give the Federal Government the image of being fair dinkum in letting the wool industry fix its own problems and manage its own agenda. I say to John Howard and Warren Truss that it is time to show the wool industry the guts and leadership that it is looking to them to provide. Australiawide, woolgrowers are telling me that they need to appoint Jeffrey Kennett as chairman to save rural Australia, which was founded on wool.

I believe that the wool industry will perish on the poor, gutless leadership that the Federal Government has displayed. The 40,000 woolgrowers, workers, rural businesses and other contractors relying on the wool industry will suffer if Jeffrey Kennett is not installed as chairman. To date, the decisions

made have further divided the wool industry and are definitely not the recipe for a full recovery to let it move forward without political interference. At this critical stage, it is paramount that the accusations against Rodney Price be addressed, because we need a harmonious atmosphere if the interim committee is to be workable.

There is no room for John Howard and Peter Costello, just because they do not like or are scared of Jeffrey Kennett, to play politics with the future of the wool industry of this nation. I believe that this issue is one on which John Howard and Warren Truss can demonstrate to rural Australia that they are prepared to listen to the concerns that are being expressed. I fear that, if this matter is not addressed appropriately, the Federal Government will bear the brunt of an electoral backlash at the next election that will resemble last Saturday's result in Benalla in Victoria.

Time expired.

Q-Rapid

Mr FENLON (Greenslopes—ALP) (7.20 p.m.): I rise to speak about a very worthwhile project in sport for the intellectually disabled. Q-Rapid, the Queensland Sport and Recreation Association for People with an Intellectual Disability, was awarded the National Australia Bank 1999 Community Link Award for Sport and Recreation in Queensland. Formed in 1984, Q-Rapid, which is based on Brisbane's south side, aims to assist people with an intellectual disability to develop their peer network, their ability to handle money, confidence and skill in travelling to and from a venue, communication skills, and social skills. Q-Rapid also provides recreation, leisure and sporting opportunities to suit all ability levels. It is the aim of the organisation to increase the accessibility of support and recreation services for people with intellectual disabilities.

Q-Rapid programs for sports skill development take the form of individual recreation projects, group recreation projects and special events. A camp at Coolum Beach on the Sunshine Coast provided a full program of sports skills coaching, which was developed to include activities such as basketball, lawn bowls, baseball, beach sports and an activity created by Q-Rapid called Rapid Spirt, which is aimed at improving participants' coordination. This award-winning project, appropriately titled the Coolum Games, was made possible through the efforts of volunteers, including the paid staff of Q-Rapid, who also donated their time. Following the success of the Coolum Games, Q-Rapid has resolved to expand the concept this year.

Q-Rapid employees five full-time staff and 25 part-time staff and is supported by more than 63 volunteers, who contribute more than 5,000 hours of unpaid community work each year. Q-Rapid is a magnificent example of excellence in volunteerism, which enhances the quality of life for people experiencing an intellectual disability. I congratulate the organisers, participants and everyone involved in the Coolum Games and, more particularly, everyone involved in Q-Rapid. I wish them the very best for their future and every support from the local community and me.

Evelyn Street, Yeppoon

Hon. V. P. LESTER (Keppel—NPA) (7.22 p.m.): I believe that we have reached the stage at which Governments and councils have to be much more careful in the granting of housing approvals. I refer to an area of land near Evelyn Street in Yeppoon. I am not blaming anybody; I am simply saying that behind that street is a natural gully that has been a breeding place for possums, scrub turkeys and all sorts of other animals. A developer has come in who, it appears, has worked within the law. To be fair, he has left a small amount of land untouched, but it is nowhere near large enough to sustain these animals.

I simply say that, when we have a natural gully or rainforest area, somehow that area must be left alone. I refer also to developments that are being constructed on top of hills. That is fair enough, but down at the bottom often there is a lot of natural rainforest where animals live. Just a small number of trees left around a suburban area can make a difference. I know of people in Brisbane who have developed small rainforests in their backyards as best they can. It is surprising to see just how those areas have attracted frogs and other little animals.

I know that this is only a small matter that relates to the whole issue of animal and environmental protection. However, Ron Watson of Yeppoon has raised issues that I believe are worth backing. Unfortunately for Ron and other people who live in Evelyn Street, this issue appears to have passed us by.

Welcome Home East Timor Parade; Sun Metals

Mr REYNOLDS (Townsville—ALP) (7.24 p.m.): Last Tuesday, 16 May was a very

memorable and proud day for the residents of Townsville/Thuringowa. Of course, I refer, firstly, to the Welcome Home East Timor parade, which was held on The Strand in Townsville—

Mr Knuth interjected.

Mr REYNOLDS: I take that interjection. It was a great day for north Queensland, including the Burdekin, Hinchinbrook, and Charters Towers areas. I think that the number of people who watched that parade was a credit to the organisers. Indeed, it was a great credit to the people of Townsville, Thuringowa and the surrounding regions who attended that parade. Something like 40,000 people from the Townsville/Thuringowa region attended the East Timor parade. That showed the pride that the people of that region have in the effort that has been made in East Timor. Indeed, the Townsville community plays a very critical role in the defence of Australia. In terms of any threat that Australia may face or any defence support that Australia may give to other nations of the world, the deployment forces that are based in Townsville are critical.

The second memorable occasion about which the people of Townsville are very proud is the opening of the Sun Metals refinery. It is really a great addition to the industrial fabric of the City of Townsville. It now joins with the copper and nickel refineries and establishes the Townsville region as the base metal refining area of northern Australia. So the people of Townsville are very proud of the opening of Sun Metals.

We now await with keen interest the gas pipeline that will go up the east coast of Australia and also the base load power station.

Hymenachne and Aleman Grasses

Mr KNUTH (Burdekin—CCAQ) (7.27 p.m.): In mid February, an outbreak of hymenachne was identified in Lilliesmere Lagoon, which is part of the Kalamia Creek system in the Burdekin Shire. Further outbreaks have been found along the system. At a meeting attended by local landowners, officers of the shire councils, the Department of Natural Resources, productivity boards, water boards, Canegrowers Burdekin and Landcare, it was resolved to attempt containment of the outbreaks until resolutions moved at the meeting take their due course.

These resolutions included the group resolving that the State and Federal Governments should take full responsibility for the introduction of hymenachne and aleman grasses and, therefore, must take responsibility for its management and control costs; that hymenachne and aleman grasses be declared at P2 eradication status throughout the State of Queensland; that the Queensland Canegrowers Council be requested to seek legal advice regarding compensation from the State and Federal Governments for the management and control of hymenachne and aleman grasses in all cane-growing areas throughout Queensland; that no non-indigenous plant species be considered for release in Australia until much stricter assessment guidelines are implemented and registered chemical controls are available; that given the implications for the internationally recognised Ramsar wetlands and fisheries habitat in the lower Burdekin the State and Federal Governments be requested to immediately implement and fund control and eradication of hymenachne and aleman grasses; and that the Burdekin Shire Council, North Burdekin Water Board and affected landowners approach the Department of Natural Resources for assistance through the SWEEP program to undertake reduction measures of the hymenachne and aleman grasses in the Lilliesmere system, which has been assessed as one outbreak which at this point is manageable.

I seek leave to table a report from the Burdekin Shire Council and the hymenachne control committee.

Leave granted.

Defence Force Reserves

Hon. K. W. HAYWARD (Kallangur—ALP) (7.29 p.m.): Last Tuesday in the Matters of Public Interest debate I spoke about the unfair situation that exists in Australia whereby defence reservists risk their continued employment if they voluntarily undertake to perform peacekeeping activities in places such as East Timor. Since I made that speech, reservists have contacted me concerned about the unfairness of the Defence (Re-establishment) Act 1965, which covers defined areas of "defence service". Without having any knowledge of the details of this Act, I wish to acknowledge publicly the information and support for this issue provided to me by the shadow Minister for Defence, Science and Personnel, Mr Laurie Ferguson.

That Act unfairly excludes full-time service in the reserve forces that is undertaken voluntarily, as distinct from service that is undertaken as a result of a call-out. The Defence Act 1903 defines the circumstances in which a call-out can occur—situations of war,

a declared defence emergency or other circumstances short of war, or an emergency where it is considered necessary to do so for the defence of Australia.

Overseas peacekeeping missions such as that in East Timor fall outside those provisions. So while the Defence (Re-Establishment) Act 1965 is still on the statute book and is located in Minister Reith's portfolio, it offers no protection for reservists currently serving in East Timor. This is an unfair situation for many people who are serving Australia overseas and doing their best for Australia in the various peacekeeping missions around the world in which they volunteer to take part.

SPECIAL ADJOURNMENT

Hon. W. M EDMOND (Mount Coot-tha) (Minister for Health) (7.31 p.m.) I move—

> "That the House, at its rising, do adjourn until 9.30 a.m. on Tuesday, 30 May 2000."

Motion agreed to.

The House adjourned at 7.31 p.m.

R. G. GILES, GOVERNMENT PRINTER, QUEENSLAND—2000