

FRIDAY, 10 MAY 2002

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

PETITION**Leap Station Road North-Bruce Highway**

Ms Jarratt from 396 petitioners requesting the House to consider the construction of a safe intersection with traffic islands to significantly improve the performance, usage and overall safety of the Bruce Highway at Leap Station Road North/Bruce Highway possibly in the vicinity of the existing water reservoir.

MINISTERIAL STATEMENT**Job Creation**

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.31 a.m.), by leave: Queensland created a staggering 86 per cent of the 4,300 full-time jobs created in Australia in April. It is the ninth month in a row that we have recorded positive growth in full-time jobs. An extra 2,800 jobs were created in April. This brings the total number of jobs created in Queensland over the past 12 months to 47,300. This is 31 per cent of the jobs created nationally, even though we account for only 19 per cent of the population. A unique feature of the Queensland labour market has been the strength in full-time employment. Full-time employment growth shows that business is confident and prepared to commit to the future. This is a clear endorsement of our strategy of getting the economic fundamentals right and a clear endorsement of the Smart State strategy we are pursuing.

Some 28,600 more Queenslanders have full-time jobs now than 12 months ago. In contrast, over the same period the rest of Australia unfortunately lost 17,200 full-time jobs. Given our high participation rate, which is 1.4 percentage points higher than the participation rate nationally, reducing unemployment is a difficult but rewarding and important challenge. People are drawn to this state by the opportunities it offers. We are meeting the challenge head on through delivering the strongest jobs growth of any state. Compared to a year ago, the unemployment rate is down from 8.6 per cent to 7.7 per cent and there are now around 15,500 fewer unemployed in Queensland than there were a year ago. Increases in leading indicators such as the ANZ job advertisements index suggest that employment should remain strong over the coming months. Government policy is delivering jobs— and lots of them.

MINISTERIAL STATEMENT**Community Cabinets**

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.33 a.m.), by leave: Sunday, 21 April and Monday, 22 April saw the cabinet gather in Moranbah for a community cabinet meeting. This coalfields community cabinet meeting was a resounding success, and I thank all those who supported us. Since then of course we have had a meeting at the State Library for the 100th anniversary of the library, suggested by the Minister for the Arts. The next community cabinet is set for Sunnybank Hills on 26 May. It will be the 50th community cabinet meeting— the golden anniversary of our community cabinet process. It is timely to consider some of the meetings of the past, and I am reminded of what things were like three years ago by an article in an academic textbook.

Patrick Bishop and Jim Chalmers at the School of Politics and Public Policy at Griffith University focused on the community cabinet at the Currumbin-Palm Beach RSL Club on 18 March 1999 in a report presented at a Sydney University conference. They thought that our community cabinet process was so innovative that it was worth studying. In order to save time, I seek leave to incorporate the rest of this ministerial statement in *Hansard* because I have another ministerial statement to make.

Leave granted.

The academics described the event—our tenth Community Cabinet—as "a lively interaction between representatives and citizens".

"The Premier, Ministers and Directors-General all dress informally, tea and coffee is served and the meeting is carried out in a relaxed manner."

They said most participants "simply appreciate the chance to be heard while recognising that final decisions remain in the control of the Minister".

Our community cabinet process has continued to evolve and improve since then.

The Ministers and I have held 4,500 formal and about 3,500 informal deputations, adding up to about 2,000 hours of discussions with some 21,000 people.

A recent meeting at Moranbah on April 21 and 22 was typically successful, and Government representatives left the Coalfields with an enhanced understanding of the issues that matter most to people of the region.

On the preceding Friday Environment Minister Dean Wells detailed a unique project to help the recovery of an endangered species with Queensland Parks and Wildlife service releasing 12 bridled naitail wallabies into the wild at avocet nature refuge, south of Emerald

On the Sunday I officially opened the new Moranbah electorate office of the hard-working Christine Scott

Christine joined Employment Training Youth and the Arts Minister Matt Foley, and myself to test our skills on the State's new mining simulator.

The simulator provides a safe way to train operators and means mine owners do not have to take expensive equipment out of service to make it available for lengthy training sessions.

Deputy Premier and Sports Minister Terry Mackenroth presented trophies at the Moranbah junior tennis masters.

Local Government Minister Nita Cunningham released details of how this government has given Mackay/Whitsunday and hinterland region councils assistance to the tune of almost \$45 million in local government grants and subsidies since 1998.

Mines Minister Stephen Robertson and I announced an airborne geophysical survey of the coal geology in the northern Bowen basin.

This is presently under way and we hope it might lead to the discovery of new coal and other mineral deposits.

The 15,000 kilometre airborne survey is centred around Moranbah and involves low-level sorties by specially equipped aircraft.

The aircraft will fly grid patterns 400 metres wide at a height of 80 metres and collect about 41,250 line kilometres of magnetic and radiometric data during the survey which is expected to take six to eight weeks to complete.

Emergency Services Minister Mike Reynolds and I presented all members of the Moranbah Fire crew with a certificate of commendation for their bravery and quick and proficient team action for February 16 and the fuel tanker roll over.

On Monday Employment Minister Matt Foley announced that the government has granted \$60 000 to a training and employment project to help 60 unemployed people in the Belyando shire find work.

Police Minister Tony McGrady detailed how the government and Police will ask mining companies to help improve awareness of driver fatigue among their workers.

Since 1997 there have been more than 200 accidents on the peak downs highway between Walkerston and Clermont. It is estimated 70 percent of these accidents were single vehicle accidents and a high percentage of these were fatigue related.

Primary Industries Minister Henry Palaszczuk announced that primary producers are backing a state government initiative to plant thousands of hectares of butterfly pea, in a bid to restore fertility loss from soil after decades of cropping with reduced fertiliser applications.

Education Minister Anna Bligh and I also announced an essay competition urging Queensland Secondary School students to honour the 60th anniversary of the Battle for Australia as well we also inspected about \$40,000 worth of new computer hardware and software at Moranbah High.

Tom Barton, the Minister for State Development announced that further studies into the Urannah dam project will commence shortly with \$88,000 in funding approved to investigate its viability.

The project consists of a major dam on the broken river, 100 kilometres west of Mackay and a potential irrigation area of 20,000 hectares near Collinsville.

Also Minister Robertson and I announced that the government has established an independent review panel to progress the development of legislative and administrative arrangements for the emerging coal seam gas industry.

The review panel will be headed by former Criminal Justice Commission Chair, Mr Frank Clair; and comprise Professor Don McKee, Head of Department, Mining, Minerals and Material Engineering, University of Queensland; and Mr Peter Dowling, company director and former Ernst & Young Minerals and Energy Partner.

I want to thank Christine, her staff, the Mayor of Moranbah Matthew Athanassiadis and his staff and the people of Moranbah for making it such a success.

The meeting included more than 85 formal deputations. Deputations included representation from Rockhampton, Aramac and even Ravenshoe.

The next community Cabinet is set for Sunnybank Hills on May 26.

It will be the 50th—the Golden Anniversary of our community cabinet process.

MINISTERIAL STATEMENT

Federal Budget

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.35 a.m.), by leave: Next week is the federal budget. If the federal government is fair dinkum about delivering services to Queensland, then its budget next Tuesday must, as a bare minimum, honour its commitments in such matters as specific purpose payments, particularly in areas such as housing, disability services and education. For example, \$18 million is required to meet the Commonwealth share of unmet demand in the area of disability services. However, no mention is made in its forward estimates, and its silence on the issue has been deafening.

It appears that the federal government is also backing away from its commitment to the Asian languages program. If this is true, it illustrates a true lack of vision from the Commonwealth, which is not attuned to our own Smart State philosophy. We are on the doorstep of the biggest market in the world—Asia. It is important that we have Asian languages. Education Queensland leads Australia in the teaching of Asian languages, and we need support from the Commonwealth. But I do look forward to the budget delivering on the commitment by Minister Nelson, the new Education Minister, to improving the literacy and numeracy skills of Australians and in particular indigenous students.

Overall the federal budget needs to deliver a funding package for Queensland that recognises our role as the engine room of the national economy. The federal government must urgently address the damage caused by its disastrous decision to use hundreds of millions of dollars of taxpayers' money to prop up private health funds at the expense of public hospitals. An immediate additional \$200 million is needed to address the impacts on public hospitals of the federal government's disastrous policies. The problem has been exacerbated by the medical indemnity and public liability insurance fiasco and the lack of federally funded GPs in many of our rural and regional centres.

If the Howard government was fair dinkum about providing proper funding for Queensland, it would immediately reverse the downward slide in funding for social housing programs. As the Minister for Public Works and Minister for Housing, Robert Schwarten, indicated to the House earlier this week, the Howard government intends to further reduce funding through the next Commonwealth-State Housing Agreement. On top of the \$90 million Queensland has effectively lost under the current agreement, preliminary estimates suggest that we stand to miss out on a further \$109 million under the new CSHA starting mid-2003. This downward spiral in federal funding makes no sense when demand for public housing is rising, when homelessness is increasing and when we need to secure jobs in the building industry in light of uncertainty over interest rates and as GST compensation offered through the First Home Owners Scheme starts to wind back.

State government funding for roads has doubled in real terms since 1993-94, but the federal government has lagged way behind in the slow lane. The Howard government must deliver on a range of pre-election commitments, which include upgrading the Peninsula Development Road, the Mount Morgan-Kabra Road and the Douglas Arterial. The federal member for Herbert, Peter Lindsay, promised Townsville voters before the last election that the federal government would provide \$41 million to build the Douglas Arterial. Funding for the Douglas Arterial Road must be included in the federal budget if the government is going to keep faith with north Queensland voters. We have done the planning. We have done the design. We are ready to call tenders. We just need the money. The Minister for Transport is ready to act on it right now.

In 1998 the federal coalition government committed to funding 50 per cent of the Tugun bypass—an arrangement made with the Queensland coalition government. This is a priority for my government. We have made an initial contribution of \$55 million to progress this project. While we are talking about roads, the federal government must also show a continuing commitment to upgrading works for the Barkly Highway, six-laning of the Ipswich Motorway and the Bruce Highway south of Cairns and between Brisbane and Caboolture. The sale of National Rail to the Toll-Lang Corporation netted the federal government \$1.2 billion. A share of this money should be put towards upgrading rail infrastructure and improvements to track in various rail corridors. One of course could be from Melbourne to Brisbane via Sydney. This investment is crucial to ensure that rail remains a competitive mode of transport.

The federal government needs to make a serious commitment to jobs, in particular labour market programs, so that it can respond in good faith to the urgings of the Australian Council of Social Services and the Productivity Commission for a better deal for the long-term unemployed.

The federal government needs to work with Queensland on programs like the highly successful Breaking the Unemployment Cycle, which the Minister for Employment is pursuing. If the federal government is to be taken seriously by Australia's scientific community, it must increase its level of research and development expenditure. Only a small proportion of the Commonwealth government's direct R&D effort is spent in Queensland. In 1998-1999, the state government spent \$232 million on R&D, compared with only \$111 million spent on R&D in Queensland by the federal government. Queensland spends \$64 per person, compared to \$38 per head in New South Wales and only \$33 in Victoria.

The federal government should invest an extra \$100 million on R&D in Queensland to buy future high-tech jobs for our children. The Treasurer and I emphasised Queensland's commitment in this area with another major announcement yesterday—the \$100 million BioCapital Fund. So we are delivering. We want the Commonwealth to do the same next Tuesday.

A government member: A fair go.

Mr BEATTIE: That's right; all we want is a fair go for Queensland. If the federal government is to have any environmental credentials in Queensland, it should increase funding for the day-to-day management of world heritage areas. There should be \$36 million as the federal government's contribution to the \$80 million cost of the highly successful South East Queensland Forests Agreement. To match the compensation costs of our Queensland Vegetation Management Act, the Commonwealth needs to match our management costs, now estimated at \$119 million over four years—that is up from \$111 million—with at least \$103 million over that period. And we are still waiting for most of the \$40 million promised by Mr Howard for Cape York under the National Heritage Trust.

The federal Treasurer should also announce full reimbursement to the state for providing support to unaccompanied humanitarian refugee children and young people without families or relatives. If the federal government is fair dinkum, it will give Queensland communities a fair share of the funding pie by increasing federal assistance grants for councils so that they can improve services for their communities. That means the federal government must increase the overall amount of money it allocates for Queensland councils to bring it up to a fair share.

We need funds for any additional costs associated with expected extra training and administration required as a result of the new transnational crime arrangements. And the federal government needs to provide a fair go for Queensland in Commonwealth arts funding instead of Queensland continuing to receive the lowest per capita Commonwealth arts funding of any Australian state or territory, notwithstanding pursuit of such funding by the Minister for the Arts.

I challenge the federal government to match our commitment to the tourism industry, to provide additional funding for regional infrastructure development and for the Australian Tourist Commission. Also, there is an urgent need for research dollars for the study of marine stingers. The two deaths in Queensland over the past few months could have a multi-million dollar negative impact on Queensland's tourism, with the resultant loss of hundreds of jobs. We call on the federal government to provide \$5 million for urgent research to be undertaken.

If the federal government is fair dinkum about regional development, it should undertake the need to improve urban centres throughout Queensland and provide a \$100 million commitment to urban renewal projects in cities such as Cairns, Townsville, Mackay, Rockhampton, Bundaberg, Maryborough, Hervey Bay, Toowoomba, and so on.

They are some of the issues which we believe are important for the federal government to tackle. Clearly, it is not an exhaustive list. There are areas in primary industries and mining we want to see supported, but this is a fair, balanced request from the Queensland government for a fair go in the federal budget next week.

MINISTERIAL STATEMENT

Queensland Museum

Hon. M. J. FOLEY (Yeerongpilly—ALP) (Minister for Employment, Training and Youth and Minister for the Arts) (9.44 a.m.), by leave: Today marks a special moment in the life of the Queensland Museum, namely, the announcement of a new vision which signals the future growth of the museum network across the state.

The Queensland Museum has reached a crossroad in its 140-year-old history. Its potential to contribute to the Smart State, its ability to engage with all sections of the Queensland community and its capacity to enrich the lives of Queenslanders has never been greater. This blueprint for

the future sets the direction for the growth of the museum network over the next four years and beyond. It includes exciting new initiatives to rejuvenate our state's flagship museum at South Bank and its campuses throughout Queensland. It will mean better services for regional Queensland with the development of a new regional services division; an enhancement of the museum's award-winning museums loans service; the creation of an Ipswich campus with the opening of the Workshops Rail Museum; and vastly improved electronic delivery of information and services. It will also ensure that public access to museums will be improved and opening hours will remain unchanged across the museum network. And it will mean re-aligning existing resources and sound business management to ensure that the vision becomes a reality. A new science centre, an indigenous cultural centre and the creation of a fundraising foundation will be significant features of the strategy. The new science centre at the Queensland Museum will be created by mid-2003, which will take over level 4 of the building.

This relocation of the science centre from George Street to the South Bank campus will ensure that a visit to the Queensland Museum at South Bank will be a total experience for visitors. It will see new science exhibits—not to mention some of the old favourites—improved visitor access with closer public transport, car and bus parking. The indigenous cultural centre, which is expected to open in early 2004, will be a dedicated special place for Aboriginal and Torres Strait Islander peoples with exhibitions, storytelling, information services and a meeting place for indigenous people. Currently, the museum dedicates 120 square metres to indigenous exhibits. The new centre will be 600 square metres. This centre will be developed in consultation with the Queensland Museum's Aboriginal and Torres Strait Islander Consultative Committee chaired by respected elder Dr Robert Anderson, who is also deputy chairman of the Queensland Museum Board and who I note is present in the gallery of the parliament today. The centre will work with and complement the new Musgrave Park Cultural Centre in South Brisbane which has been funded under the Queensland Government's Millennium Arts Project. Construction on the Musgrave Park Cultural Centre is expected to start later this year. Extra space at the museum has been created for the science centre and the new indigenous cultural centre with the purchase of a new off-site storage facility at Hendra, also under the Millennium Arts Project, freeing up much-needed public exhibition space.

In addition, a new public entrance, off a new public plaza, will be developed to provide easier public access to the South Bank campus. By mid-2002, the Queensland Museum will establish a new foundation similar to the Queensland Art Gallery Foundation. The newly established foundation will optimise fundraising and sponsorship opportunities, attract and manage donations gifts and bequests, and develop new partnerships. And on 30 August this year, the world-class Workshops Rail Museum in Ipswich will open as the latest addition to the Queensland Museum network.

At the Museum of Tropical Queensland in Townsville, an \$800,000 gateway project, funded through the Queensland Heritage Trails Network, is planned for completion by the end of the year. The government remains committed to the ongoing success of the Museum of Tropical Queensland to provide a great facility for Townsville.

The vision for the museum network will involve sound business decisions. One of these decisions will involve the sale of land owned by the museum at Coomera which will provide a necessary injection of funds to initiate the new directions I have just outlined. Also, this realignment process, by necessity, will involve change to ensure future growth. There will be an overall net growth in jobs across the Queensland Museum network during the process of realignment, and there will be a number of voluntary early retirement packages offered at the South Bank campus, but there will be no forced redundancies.

The museum will be working very closely with its talented and dedicated staff and union representatives to ensure a strong museum for the future. This is a plan which will ensure that the Queensland Museum network will be for all Queenslanders and will strengthen its position as one of our state's leading cultural institutions.

MINISTERIAL STATEMENT

Kelso Reef Deaths; Coroner's Findings

Hon. S. D. BREDHAUER (Cook—ALP) (Minister for Transport and Minister for Main Roads) (9.48 a.m.), by leave: Yesterday the coroner, sitting in Townsville, released his findings from an inquiry into the death of two men at a pontoon at Kelso Reef on 10 November 2000. The two men involved in this tragic incident were asphyxiated when they descended into what is referred

to as a 'void space' on the vessel. The coroner's report contains a series of recommendations on ways in which safety for workers and others in a marine environment might be improved. This government takes seriously its responsibilities towards maritime safety in Queensland. I have requested my department undertake a detailed analysis of all of the coroner's findings and recommendations and provide me with advice on a process to implement those recommendations, as appropriate, to ensure the highest standards of maritime safety are maintained. We will also work with other agencies to ensure that our standards of workplace health and safety continue to achieve the highest levels.

MINISTERIAL STATEMENT **Biodiscovery Policy Discussion Paper**

Hon. P. T. LUCAS (Lytton—ALP) (Minister for Innovation and Information Economy) (9.50 a.m.), by leave: We have all heard how biotechnology is the 21st century hot sector of science with the potential to solve many of the world's medical, agricultural and environmental problems. When I was in northern Queensland last week I looked at the exciting work we are doing in the Smart State and I also talked with our tropical research and marine science leaders about the recently released Queensland biodiscovery policy discussion paper. I table that paper. The paper is designed to help foster our biodiscovery industry for the benefit of the whole community.

Biodiscovery is the collection of tiny samples of flora and fauna such as a leaf, a branch, and usually just a few grams. From this sample, our scientists and researchers can determine its molecular and genetic information for potential use in medicines, agrochemicals and so on. The Smart State has chalked up many successes already in this dynamic industry. We have seen new sunscreens and herbicides developed from corals found on the Great Barrier Reef. We have had a new pain management drug from the venom of cone shell snails and an insecticide developed from a species of eucalypt found on the Atherton Tableland.

But what this policy discussion paper does is call on industry leaders and the public to give us their views on the future direction. We have developed this discussion paper because we just do not have a consistent regime to govern biodiscovery. For any biodiscovery company in Queensland wanting to collect a petal from a protected plant sample in a state forest, they may be required to obtain licences and permits from several government agencies. Existing regimes also do not provide for complete access to all of the state's biological resources. What we hope this discussion paper will do is streamline access regimes, provide strict controls and ensure access to our resources is gained legally without threatening plant or animal species.

Our resources are huge and world leading. When I was up north last week I learned that in one hectare of the Daintree there are more tree species than in the whole of North America. But our unique environment belongs to all Queenslanders and we want the Smart State to share in the many benefits that biodiscovery offers. We also want these agreements to commit biodiscovery companies to undertake commercialisation in Queensland wherever feasible.

Already we have several of these access agreements that are proving to be a win-win for Queensland. For example, the Western Australian company BioProspect, which signed a benefit sharing agreement with Queensland last year, announced last week that it is transferring its operations to Queensland—from Perth and Lismore to Queensland. When it comes to biodiscovery, we want this policy to create better certainty for the industry, jobs and training for Queenslanders, and more private investment in research and infrastructure. A consultation period is now under way and public forums are being held across the state. To better inform my parliamentary colleagues, I have arranged briefings on the discussion paper at parliament next week.

Biotechnology has benefits for all Queenslanders. However, I note the concerns that Queensland Advocacy Incorporated has raised when it comes to a number of genetic issues. This government shares those concerns. That is why we have our code of ethical practice for biotechnology in Queensland. On the issue of genetic selection and prenatal testing, clause 58 of the code of ethics says—

While bio-medicine may offer increasing ability to diagnose, prevent and treat disabilities and birth abnormalities, we will show the fullest respect and support for those with disabilities; those with disabilities who cannot be cured or remedied by biotechnology; and those who decline genetic treatment options for ethical reasons.

We treat these matters very seriously. That is why we have tough legislation and we are the only state with a code of ethics. Since the code's introduction last year, it has been lauded widely

overseas by the United Nations and various other countries. I am inviting Queensland Advocacy Incorporated to contact me to discuss any potential concerns.

PERSONAL EXPLANATION

Member for Tablelands, Use of Limousine

Ms LEE LONG (Tablelands—ONP) (9.53 a.m.): I refer to an article in 'The bottom line' of the *Courier-Mail* this morning about my arriving at parliament in a limousine. On arrival at Brisbane airport on Wednesday morning I was offered transport in a limousine at the same price as an ordinary taxi fare.

An honourable member interjected.

Ms LEE LONG: That is right. So I accepted that offer on the condition that it was no more expensive than an ordinary taxi would have been. I seek leave to table a copy of the cab receipt.

Leave granted.

QUESTIONS WITHOUT NOTICE

Vehicle Tolls, Brisbane

Mr HORAN (9.54 a.m.): I refer the Minister for Transport and Minister for Main Roads to the musings of the ever popular Labor Lord Mayor of Brisbane, Jim Soorley, the friend of firefighters and bus drivers, and his latest vote-winning scheme of a \$1 toll for non-Brisbane vehicles entering the city—or the walled city. I ask the minister: given his inability to reach agreement with 'Traffic Jam' Jim on integrated ticketing and a fully integrated public transport service between the Brisbane City Council and Queensland Transport, when will he, in accordance with true Labor Party solidarity, be announcing his support for Councillor Soorley's \$1 toll for non-Brisbane vehicles?

Mr BREDHAUER: I thank the honourable member for the question, because funding our transport infrastructure needs in south-east Queensland is an important issue and the Lord Mayor is a passionate advocate of a range of means of doing that. As a state government we have considered a number of requests that from time to time have come from the Brisbane City Council and various regional organisations of councils. Most recently, the Local Government Association of Queensland commissioned Professor Allan Layton to undertake a review of some of the funding mechanisms that might be used to meet the transport infrastructure requirements in south-east Queensland.

Let me say first and foremost that we need to make sure that we are able to find additional resources for our public transport infrastructure. This government, through the Minister for State Development, is working strongly towards freeing up resources by way of private-public partnerships as an innovative way of involving the private sector in providing infrastructure. My portfolio is one of the key line agencies that is working with the Department of State Development and other government agencies to deliver that.

Other mechanisms that we are looking at include the government adopting a policy in relation to toll roads which, although it does not rule out the possibility of toll roads, puts very strict conditions on them, including making sure that there are free alternatives that are readily accessible to motorists in circumstances in which we might contemplate building a toll road. But all of those would have to be in the concept of the IRTP.

We do not support the 'cordon' pricing proposal that has been put forward by the Lord Mayor. I have had discussions with the Lord Mayor and I know that other ministers have also had discussions with him about that. There is an issue to do with travel demand management that came up in the discussions around our *Transport 2007* document and we are investigating ways in which we can manage travel demand into the city and in other parts of south-east Queensland. There is a range of what are called soft demand measures that include education, providing public transport and providing better integration. Those are the kinds of things that we as a government are pursuing.

We do not support the \$1 toll—the 'cordon' pricing proposal that the Lord Mayor has put forward. However, I am sure that he will continue to advocate a variety of ways for us to meet our infrastructure financing requirements. In his report, Allan Layton talked about the notion of the fuel subsidy trade-off and registration. The Premier has made our view on that quite clear. We as a government are determined that we will continue to work to provide transport, and particularly

public transport, infrastructure. What I said yesterday about the busway indicates that that is successful and we will continue our work in that regard.

Nixon Family; Shelburne Station

Mr HORAN: I refer the Minister for Natural Resources and Minister for Mines to his unsuccessful campaign to evict the Nixon family from their pastoral lease at Shelburne Bay on Cape York following the expiration of the final extension of that lease in 1999 and the answer that the minister gave to a question in this House on Wednesday in which he said—

Shelburne has been a priority acquisition for conservation for over 25 years. It was well known on the cape that the government would not renew the lease upon expiry.

I ask the minister: if that were the case, why did his government renew two sandmining leases on the Shelburne property in 1998? Would not the renewal of those mining leases lead the Nixons to a reasonable expectation that their pastoral lease would also be renewed?

Mr ROBERTSON: I thank the honourable member for the question. I am unaware of the details surrounding the renewal of those two leases to which the member referred. The member said that they occurred in 1998. As to when during 1998 that may have been the case, I am not aware. I will have a look at that matter. If there are matters that I need to inform the member about, I am certainly happy to do so.

I reiterate what I said in answer to the question from the member for Tablelands on Wednesday, and that is that my department's door is open to further discussions with the Nixons. We will be in contact with Mrs Nixon to facilitate any further discussions to bring this matter to closure in the quickest possible time.

Mr Seeney interjected.

Mr Horan interjected.

Mr SPEAKER: Order! I call the member for Callide and the Leader of the Opposition to order.

Freedom of Information

Mr TERRY SULLIVAN: I direct my question to the Premier. At times, his government has been criticised—unfairly, I think—for a supposed lack of support in providing information to members opposite. I understand that the Premier and his staff have gone to great lengths to support members opposite and to disprove that shallow criticism. Can the Premier confirm the true situation? Have his gracious offers been taken up or has there been a waste of time at public expense?

Mr BEATTIE: I thank the honourable member for the question because it enables me to answer not just his question but the question asked yesterday by Lawrence Springborg. The National Party and the Liberal Party are not taking advantage of our openness and generosity with information. On 27 February I agreed to a request by Bob Quinn, the member for Robina, to provide him with daily copies of the news clippings received by my office.

Mr Mackenroth: Merrimac.

Mr BEATTIE: Merrimac—Robina—wherever!

I agreed to do this because we are generous people. For the first couple of weeks the member for Robina's staff came and collected those, and then they stopped. They have not collected them since 18 March. My staff have been very cooperative and they have been liaising with the Liberal Party office. They have agreed to a new system. Starting today, we will be hand delivering the clippings to the Liberal leader's office. Every Friday my staff will drop off a week's worth of news clippings to Mr Quinn. Obviously the member's staff could not find my office, or they were having difficulty finding my office. So that is what will happen. As members opposite are having trouble finding my office, I table for the information of the House that the Premier's office is situated at 100 George Street, Brisbane. It is the building with the big logo on it. You cannot miss it. I table that for the information of the member for Robina, so he knows where we are. Come and see me any time. You cannot get any friendlier service than that Queensland-style service!

It is not just news clippings that members opposite do not collect. They also have trouble getting their staff to look at FOI documents. For example, Steve Bredhauer, the Minister for Transport, has given the Nationals and the Liberals access to two lots of FOI documents which

they have not even bothered to look at. Vaughan Johnson, the Deputy Leader of the Opposition, has had access to almost 550 documents on the Pacific Motorway since July last year. This was before the new system, so he paid the access fee of \$31. That was the only fee payable because the application was lodged before the amendments introducing a new structured fee system. I am advised that the department spent about 126 and a half hours processing the application. The department estimated the cost of this to be \$4,472. To this day, the opposition has not made contact with the department to view the documents; in fact, those documents have gone back within the department. For the information of the House, I advise members that the FOI Unit is at level 6 of the Capital Hill building, the large building opposite the Executive Building. It has a large, angular glass front on it. You cannot miss it. That is where Steve Bredhauer hangs out. I table that for the information of the House because members opposite cannot find that office either.

But that is not all! Bob Quinn, the member for Robina, has been granted access to 30 documents on vehicle registration since 18 December. His application was lodged before the new structured fee and cost \$31. The department is still waiting to hear from him or from his staff. We offer them the works, we are open and accountable and we never hear from them. What a waste of money!

Urban Fire Truck, Gympie

Miss ELISA ROBERTS: I direct my question to the Minister for Emergency Services. Yesterday he spoke about the number of new urban fire trucks which are being allocated throughout the state. The Gympie fire station is currently using a fire truck which is over 10 years old. Since the usual policy is that trucks which reach ten years are to be replaced, can the minister advise when the Gympie Fire Station will be receiving its new urban fire truck?

Mr REYNOLDS: I thank the honourable member for Gympie for that question. As I indicated yesterday, I reconfirm that the Beattie government is very committed not only to our provincial cities and metropolitan areas but to the bush and the rural and remote parts of Queensland. A record number of urban pumper tankers and rural fire trucks are being distributed right across Queensland. I recommit to our program in regard to rural fire brigades. By December 2005, we do not want any rural fire truck over 20 years of age unless there is an agreement with each rural fire brigade with such a vehicle that there will be a roadworthy certificate issued every year. That is an agreement between the Rural Fire Brigade Association, the Queensland Fire and Rescue Service and me.

Each year we allocate a very large amount of money for both urban fire trucks and rural fire trucks. Once again, that will be the case in this budget. Of course, I cannot tell the member for Gympie today what will be announced on 18 June and beyond. However, I assure the member that rural and urban fire trucks will be a very strong priority indeed in this budget. I would welcome a letter from the member with regard to the situation in Gympie. That will be scrutinised by the Queensland Fire and Rescue Service and the member will receive a reply in terms of when she might expect an additional or new truck.

Anzac Day

Mrs ATTWOOD: I direct my question to the Premier. Anzac Day is a day which unites all of us and is special for so many people. It is a day for individuals and for all of our society, which strives for greater respect for others. Could the Premier inform the House as to his involvement in celebrating Anzac Day?

Mr BEATTIE: I am delighted to do that. On Friday, 19 April I joined a great Queenslander, Eric Abraham, to celebrate his 104th birthday—a constituent of the honourable member. While the party was at the Brisbane Convention and Exhibition Centre on Friday, Eric Abraham's birthday was actually on Saturday, 20 April. Eric is the sole surviving member of the Dungarees recruitment march from Warwick to Brisbane in 1915. He enlisted at the age of 17 and a half years.

Dr Watson interjected.

Mr BEATTIE: If the member for Moggill wants to claim him, that is fine. We all love him. If he is in the honourable member's electorate, my humble apologies. We will let the member claim him as well. The honourable member's slick hairstyle makes him so quick on his feet.

Mr SPEAKER: And the redistribution, too.

Mr BEATTIE: It is the redistribution and the slick hairstyle.

As I was saying, Eric is the sole surviving member of the Dungarees recruitment march from Warwick to Brisbane in 1915. He enlisted at the age of 17 and a half years, and served on various battlefields in France with the signal engineers. While he survived the war, two of his brothers did not. In 1998, Eric was awarded France's greatest honour, the Chevalier Legion of Honour. Joining us at his birthday celebrations was that other great Queensland veteran, Ted Smout.

Mr Seeney: What was that?

Mr BEATTIE: It's all right. The member would not understand it, even if it was in English. The honourable member should show a bit of respect; I am speaking about Anzac Day.

Just six days later, Eric and Ted were together again for the Anzac Day parade through Brisbane streets. We owe our servicemen and women a great debt of gratitude for their sacrifice and service during the many wars and conflicts in which they served in the over 87 years since that first landing at Gallipoli. I am delighted that Queensland children and young people instinctively seem to relate to the spirit of Anzac and to the efforts of men such as Eric Abraham and Ted Smout. I also believe that the renewed interest in Anzac Day that we saw again this year should focus on the appalling loss of life caused by wars as well as on honouring Australian soldiers who have fought for Australia.

I had the privilege of speaking after the Anzac commemorative ceremony for students at Anzac Square, Brisbane on 24 April, the day before Anzac Day. About 1,800 students from more than 100 schools attended the hour long ceremony, which was organised by Education Queensland on behalf of the state government with the appropriate committee. I congratulate all those young students for their involvement in demonstrating that a new generation of Australians will remember all those who fought and died for Australia. Those who fought and died in World War I truly believed that it was the war to end all wars. Tragically, they were wrong. We should all remember that more than 8.5 million people died as a result of World War 1 and more than 21 million were injured. What a terrible waste of human life and human potential. We have to work hard to find ways of bringing people together instead of focusing on what divides us. That is why multiculturalism is so important in Queensland and in Australia. It gives us an opportunity to understand the cultures, customs and religions of people from a vast array of different ethnic backgrounds. As we see some of the conflicts around the world, we should remember on Anzac Day—in fact, on every day—what a great nation we live in.

Queensland Rail, Livestock Transport

Mr JOHNSON: I refer the Minister for Transport and Minister for Main Roads to his media release on 14 March this year in which he reaffirmed that the existing railheads would remain open for livestock business and that claims to the contrary were nonsense. I refer him to Queensland Rail board submission No. S01152—I got that from my own FOI source—which was endorsed at the December board meeting and which approved a strategy that will terminate livestock loading at Nebo, Wandoan, Sarina, Gracemere, Blackall, Springsure and Mareeba. This submission also endorses livestock freight increases of up to 35 per cent by October next year. Does the minister still claim that all existing railheads will continue to operate? Does he or his department have any concern about the capacity of the roads system to handle the additional road transport that will result as a consequence of this strategy? Does he have any concern about the road safety implications of these additional road journeys?

Mr BREDHAUER: I can confirm that all of the rail sidings in Queensland will remain operational. Consideration has been given by the QR board to its livestock business. One of the primary reasons is that Queensland Rail is the only railway left in Australia in the livestock business. We want to make sure that we have the capacity to continue to service the requirements of the livestock industry in the long term. Over the last 12 months we have dramatically increased our livestock carrying capacity and we have dramatically increased the number of livestock that we are carrying on QR services. The comments that I made on 14 March in my press release are true. If the member wants to know what the government thinks and what it will do, he should ask the minister and the minister will inform him. The information that I put out on 14 March is true and accurate. The reason I had to do that is that the member was up and down the length and breadth of Queensland whipping up apathy all over the place in an attempt to scare primary producers into thinking that we were going to move out of the livestock business.

Mr Johnson: Do you call Agforce scaring them?

Mr BREDHAUER: No, I do not—

Mr JOHNSON: I rise to a point of order. I will have the minister know that Agforce had the same concerns as the opposition. The minister might like to tell the truth.

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

Mr BREDHAUER: I met with Agforce last Friday to discuss its issues—

Mr Johnson: But I'm talking about back then.

Mr BREDHAUER: Just pipe down. I spoke with Agforce last week. I spoke with AMH last week. I put in place a separate process of consultation to make sure, because the view coming to me from the industry was that they were not confident that QR's—

Mr Johnson: There's more to the industry than AMH.

Mr BREDHAUER: Just give me a break. They were saying, in terms of QR's livestock consultative committee, that they were concerned their views were not getting directly to government. So I gave a commitment that my department would consult directly with industry, and I met with them personally so that they could put their views to me. The comments I made in March are true and accurate. We still have another 100 wagons coming off the Townsville Railway Workshops, which will continue to increase our capacity. How even the member for Gregory could conclude that our spending millions of dollars producing 300 wagons at the Townsville Railway Workshops represents a lessening of our commitment to carrying livestock in Queensland is beyond my comprehension.

Mr JOHNSON: I rise to a point of order. I never said anything at all to that notion, and I ask the minister to withdraw that.

Honourable members interjected.

Mr SPEAKER: Order!

Mr Johnson: There are two sets of rules in here—one for him and one for this side.

Mr SPEAKER: Order! The member for Gregory! Did you find those words offensive?

Mr Johnson: Yes, and I asked him to withdraw them.

Mr SPEAKER: If you find them offensive, you ask for a withdrawal.

Mr Johnson: I did.

Mr SPEAKER: Order! No, you did not.

Mr JOHNSON: I find the words offensive and I ask him to withdraw, because I never said anything of the kind.

Mr SPEAKER: Order! Now the minister will withdraw.

Mr REYNOLDS: I withdraw the comments, Mr Speaker.

Mr SPEAKER: Order!

Mr JOHNSON: Mr Speaker, at all times I support the concept of Queensland Rail—

Mr BREDHAUER: Mr Speaker, if he found anything that I said offensive—

A government member: Ever.

Mr BREDHAUER:—ever in the 13 years we have been in parliament, since the—

Mr JOHNSON: If you want to go outside, we'll have it out out there.

Mr SPEAKER: Order! We will not have a debate.

Business Development, Gold Coast

Ms KEECH: I refer the Minister for State Development to the fact that the Gold Coast is quickly becoming home to a number of highly successful and notable Queensland businesses. Only this week we saw the Premier fly down to Coomera—and, may I add, not at public expense—to open the Riviera Group's multimillion-dollar training and boat-building facility at the Gold Coast Marine Precinct. I ask the minister: can he outline how the Queensland government is assisting Gold Coast companies to move forward and grow?

Mr BARTON: What a great question! Riviera is a great company in the member's electorate, and the company's headquarters and marketing arm are in the electorate of the member for Broadwater. It is a great company. But it is not the whole story on the Gold Coast, because my

department is assisting a number of innovative companies. Small businesses along the length of the Gold Coast are benefiting because of our programs.

Another notable one is outdoor and wet weather apparel manufacturer Driza-Bone, which manufactures its Australian icon brand apparel from Eagleby, employs more than 100 people and is preparing for a renewed onslaught on the United States and European clothing markets. With the help of my department, Driza-Bone has received \$22,000 under the Queensland Industry Development Scheme, or QIDS. Its funding will provide an export boost for Driza-Bone—an Australian icon sold off overseas some years ago. I am pleased to say that it is now back in Australian hands through its innovative owner, John McGuire. The company is now preparing a strategic overview and an export plan with the help of my department's QIDS funding that will enable Driza-Bone to build on its past successes. Driza-Bone also is in the electorate of the member for Albert. I am a little sad in a way, because it was in my electorate until the boundaries changed. But, of course, my loss is the member for Albert's success; it is a great company producing great products.

Driza-Bone is not the only one to benefit, because all of Labor's Gold Coast members are constantly working with small business and lobbying me on their behalf for funding, which we are considering. In the past week, I have also been pleased to announce a range of other recipients of QIDS funding to help with export programs, including Lane Labs Biotech, which manufactures herbal nutraceuticals as well as clinical grade shark and bovine cartilage products. It received \$16,500. Australian Lawn Concepts from Canungra, which specialises in turf farming, received \$12,500. Nerang based Habitat Environment Management, which specialises in marine environment management, received \$11,000. Coolangatta's Sheepskin Express Australia, which markets and distributes sheepskins for medical purposes, received \$11,000.

Arctic Heat Products at Burleigh, which manufactures a range of sophisticated cooling clothing, including vests and hot and cold rehabilitation packs for sportspeople, including the Australian Cricket Team, the AFL and Australian Tennis Open participants, received \$11,000. Southport based SCI International, which manufactures and sells industrial and car airconditioning equipment and manufactures plug in and play low-maintenance violins, received \$11,000. Nada Gourmet Natural Food Products also received assistance. The list goes on and on. We are helping small business with incentives all over Queensland but particularly on the Gold Coast.

Unemployment

Mr QUINN: I refer the Premier to yesterday's jobless figures, which confirm Queensland's 7.6 per cent unemployment rate is still nowhere near the Premier's five per cent target. I draw the Premier's attention also to the state budget of the Victorian Labor government handed down last week in which its projected unemployment rate for the forthcoming year is six per cent, and I ask: will the Premier give jobless Queenslanders a commitment that he can at least keep pace with the other premiers by assuring this House that next month's Queensland budget will be based on an unemployment projection equivalent to Victoria's six per cent?

Mr BEATTIE: As I indicated this morning, Queensland created a staggering 86 per cent of the 4,300 full-time jobs created in Australia in April. I will not under any circumstances drop back the incredible rate of employment growth that we have in this state. We will continue to drive that growth. This is the ninth month in a row that we have recorded positive growth in full-time jobs. This has helped drive Queensland's trend unemployment rate down to 7.7 per cent in April. Overall, the figures reveal that 2,800 Queenslanders were able to get full-time or part-time jobs in the past month. That is great news for job seekers and great news for our state economy.

The Australian Bureau of Statistics yesterday also revealed that Queensland has created more than 30 per cent of all the new jobs in Australia in the past 12 months. In this period, we created 47,300 of the 151,100 jobs produced nationally. That has helped drop our unemployment rate from 8.6 per cent 12 months ago to 7.7 per cent. When the member for Robina was last a minister, the unemployment rate was in excess of nine per cent.

Mr Nuttall: 9.5 per cent.

Mr BEATTIE: 9.5 per cent. The last time I was in school and when he was a school teacher, 7.7 per cent was less than 9.5 per cent.

Ms Bligh: It still is.

Mr BEATTIE: It still is. The Minister for Education has helped me. 7.7 per cent is still less than 9.5 per cent. The Leader of the Opposition was part of a government that had the rate at

9.5 per cent. I advise the Leader of the Opposition also that 7.7 per cent is less than 9.5 per cent. So the Leader of the Opposition had the rate at 9.5 per cent; the Leader of the Liberal Party had it at 9.5 per cent; under my government it is 7.7 per cent, which is less.

Let us move on. Let us look at the participation rate. The opposition ran around yesterday trying to mislead people by saying that there was a big change in the participation rate. The participation rate in Queensland is 65.1 per cent. The Australian participation rate is 63.7 per cent. What was the percentage change a month ago? Queensland still had the same participation rate—65.1 per cent. The Australian participation rate was 63.8 per cent. That is a slight change. But Queensland still has a higher participation rate—1.4 per cent higher than the national average. That is why our figures are the way they are. It has been that way since Joh's day. It is that way because it is the nature of the Queensland economy. What was the percentage a year ago? Let us look at the participation rate a year ago. In Queensland it was 65.2 per cent. Nationally it was 63.7 per cent. That is the answer.

Primary Producers, Assistance

Mr SHINE: I direct my question to the Minister for Natural Resources and Mines. Can he inform the House of any practical measures being implemented by the Beattie government to help Queensland farmers improve the long-term viability of their farms?

Mr ROBERTSON: I thank the honourable member for the question. I am pleased to announce today that we have some great news for the bush. The interim guidelines that we are announcing today are another example of the Beattie government's commitment to the long-term viability of rural industry in Queensland. Last year I announced that the government would examine options to interpret the Land Act more broadly to allow rural leaseholders to diversify into additional land use activities to improve their economic viability and sustainability. This was in response to concerns raised by grazing leaseholders that the Land Act was too narrow and restrictive in its interpretation to readily allow diversification into other complementary on-farm activities such as tourism or aquaculture.

The government went through a lengthy public consultation process on this issue, and today I am pleased to announce interim guidelines that will provide new opportunities for many rural leaseholders to diversify into complementary land use activities. The new guidelines apply to holders of term leases for pastoral purposes, term leases for grazing and/or agricultural purposes and perpetual leases for grazing or agricultural purposes. I want to stress that these are interim guidelines pending further consultation and review as part of the process to develop a new strategy for managing state rural leasehold land in Queensland. Nevertheless, this new policy gives many lessees certainty to diversify into new activities to assist their grazing and agricultural businesses to become more viable.

The kinds of activities that leaseholders will be able to undertake include low-key tourism enterprises such as farm home stay, some forms of aquaculture, timber plantations, small-scale feedlots, nature conservation, documentary and film-making and crops traditionally not associated with these types of properties. However, the scale of diversification will be an important consideration. It will not be possible to approve new land uses intended to become the dominant enterprise on a property. For example, you cannot turn a grazing property totally into a red claw farm.

I have decided on this new approach to land diversification because I am acutely aware of the economic difficulties being faced by many rural land-holders. In a general climate of declining rural profitability, farmers have genuine concerns about the long-term viability of their farms and their ability to respond to changing local and international markets. The interim guidelines that I will release today will allow Queensland leaseholders to spread their economic risk into complementary activities, thus making them less reliant on traditional commodities and less vulnerable to commodity price crashes. As I said at the beginning of my answer, this is great news for the bush.

San Antone Fishing Company

Mr ROWELL: I refer the Minister for Primary Industries to the application lodged by the San Antone fishing company with him eight months ago to catch and value add 350 tonnes of pilchards in its factory on the Sunshine Coast, an area where unemployment stands at 14 per cent—well above the government's five per cent promise. Extensive scientific studies have been

completed, community consultation has taken place and the minister's department has conservatively estimated the resource's stocks at 25,000 tonnes. I also refer to the minister's continuing delays in assessing San Antone's application, which now means the company is faced with closing down and putting another 20 workers on the unemployment queue. I table copies of letters those workers have written to the government. I ask: when does the minister intend to make a decision on the future of this company and its 20 workers and their families?

Mr PALASZCZUK: I thank the member for the question. I can confirm that the Queensland Fisheries Service has received an application for the establishment of a developmental fishery for pilchards off southern Queensland. However, pilchards are not currently taken commercially in Queensland. The proponent seeks to harvest pilchards using a modified lift net. I understand the proposal seeks to take pilchards for the domestic human consumption market and for the bait market. The proposed fishery area is between Breaksea Spit at the northern extremity of Fraser Island and the Queensland-New South Wales border.

As part of the developmental fishery process, the QFS released an information paper for the proposed fishery, as the honourable member indicated. The information paper contained extensive detail on the application received as well as technical, statistical and scientific information. The paper provided an opportunity for interested parties to comment on whether a pilchard fishery should be developed. The deadline for those submissions was 3 December 2001. However, due to concerns over the time provided to lodge submissions, QFS continued to accept and consider submissions up to 31 January 2002. QFS received a total of 286 submissions with respect to the proposal. A summary of these submissions was made available to the applicant to comment on any matters that were raised during the public consultation phase.

An external consultant has provided QFS with an independent review of the application and issues raised during the public consultation phase. The applicant was recently provided with a further opportunity to address specific concerns with the proposal. The applicant has now submitted further information in support of the proposal, and this information is now being considered. It is expected that this issue will be resolved in the very near future. However, a previous developmental fishery for pilchards was closed in 1999 following concerns over the number of dolphin mortalities.

I cannot comment any further because I have received a letter from this gentleman's legal representatives in which there is a threat of legal action. I intend to leave it at that.

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

RESIDENTIAL SERVICES (ACCREDITATION) BILL

Second Reading

Resumed from 18 April (see p. 1256).

Ms NELSON-CARR (Mundingburra—ALP) (10.30 a.m.): I rise to join previous speakers who have supported this very important legislation. The Residential Services (Accreditation) Bill 2002, coming so soon after the recent Childers tragedy, is to be commended. The fact that it is inextricably linked to the Building and Other Legislation Amendment Bill is reassuring.

Many residents who are forced to live in shared accommodation are residing in premises which, until now, have not had minimum fire safety standards. Because of limited regulation, this industry, which includes rental accommodation for the aged, supported accommodation, hostels and boarding houses, has actually put some of our most vulnerable at serious risk. These same people who are at risk for a number of reasons, including some who are unemployed, many who are suffering a mental illness or an intellectual disability and some who are just living in poverty, have had no options and limited choice in their residential arrangements.

Mr DEPUTY SPEAKER (Mr Fouras): Order! There is too much conversation in the chamber.

Ms NELSON-CARR: It sounds as though nobody is interested in what I am saying.

Mrs Lavarch interjected.

Ms NELSON-CARR: I thank the member for Kurwongbah. This week I met with Beverley Funnell on behalf of Ian Boardman from the Office of the Public Advocate. We discussed the annual report from that office. It, too, is to be commended as a first report which highlights the global issues which affect these people, the most vulnerable in our community.

While our government is trying to build into legislation protection for those at risk—this bill is one example—we have a serious shortage of low-cost housing, which has to be a community

issue at all levels of government. Of course it is of great concern. This bill seeks to give residents some form of compulsory safety, but often they are living in these complexes because of the status or their physical, social, intellectual, emotional and economic problems—problems which are about to escalate because the federal government is set to pull back \$100 million in disability funding across Australia.

While John Howard has been spending up big on defence, detention and advertising the GST as a warm and loving concept, his government has decided to pull back in the areas of critical social need. I recommend everybody here read the book *Telling the untold: Families, disability and institutions*. These are stories of banned and unrequited love coming out of the Office of the Public Advocate. This book will bring people down to earth with a real thud.

I am pleased that a lot of work has been done in preparing for and consulting on this bill. The mandatory accreditation scheme is also very welcome. I am pleased that the minister has said that there exists an ongoing need to improve housing and support arrangements for residents in Queensland. As a consultative government we must ensure that these welcome provisions do not drive facilities out of existence to create an even bigger homelessness problem. The bill goes a long way to securing safer practices for those accessing these residential facilities and I commend the minister, the hostel industry task force and all those involved in formulating the legislation. I commend the bill to the House.

Mr CUMMINS (Kawana—ALP) (10.33 a.m.): I rise to speak on the Residential Services (Accreditation) Bill 2002. I congratulate the minister for introducing this bill. The issues surrounding regulation of this industry are clearly very complex. With this legislation the minister has achieved an outcome that acknowledges both the immediate need for improving the living conditions of residents and the unique characteristics of this for-profit industry. The registration and accreditation requirements in this legislation will ensure that residential service providers meet crucial safety and suitability standards before they can operate and that improvements to services will be a continuous process.

The staged approach to implementation of this legislation is to be commended. It recognises the importance of urgently implementing critical standards to protect the most vulnerable residents in our society. However, at the same time the legislation affords service providers time to assess their own practices and facilities in order to make staged improvements, thereby reducing the immediate impact of this regulation. This bill will see an accreditation scheme that aims to meet the needs of a for-profit industry which the government cannot afford to replace and to ensure community standards about the care of people who are aged, have a disability or are one step removed from homelessness.

The bill establishes compliance processes and provides for sanctions ranging from agreed corrective action and improvement orders to the capacity to remove or refuse accreditation and close a premises where industry operators do not or will not meet the minimum requirements. A closure order is only likely in circumstances where there is a serious risk to the health and safety of residents and when all appropriate avenues of corrective action have been pursued. Where a service provider disagrees with an accreditation or registration decision, it will have the right to seek review of the decision by the accreditation body. Where a service provider disagrees with the review decision, it will have the right to appeal the decision by lodging an application with the Queensland Building Tribunal.

The purpose of the bill is obviously to establish a regulatory framework to mandate the standards and conditions under which residents of the residential services industry live. The bill aims to protect the health, safety and basic freedom of residents, encourage service providers to continually improve the way they conduct residential services and support fair trading in the residential services industry. The residential services industry is one of the few within the broader residential rental market that remains without consumer protection legislation.

This bill is one component of a reform package that has been developed, and it is only the Labor Party that continues to ensure that those less fortunate are looked after. Conservative members must realise that their mealy-mouthed colleagues have removed millions from the most needy in our society. They will be condemned. I therefore commend the bill to the House.

Mr DEPUTY SPEAKER: Before calling the member for Whitsunday I acknowledge the presence in the public gallery of parents, teachers and students from Nanango High School in the electorate of Nanango.

Ms JARRATT (Whitsunday—ALP) (10.36 a.m.): I am very pleased today to rise in support of the Residential Services (Accreditation) Bill 2002. In my first speech in this House, in April of last

year, I affirmed my deep and sincere conviction that the true measure of a society can be assessed through the way in which it embraces the least fortunate amongst its number. In my life I have been very fortunate in that I have had a loving family to steer me through the inevitable hard times and to support me financially and emotionally when the need arose. That support has enabled me to overcome the hurdles in my life and to be one of the privileged majority who experience good health and emotional and financial security.

This bill seeks to protect a group of our citizens who, for a variety of reasons, and not always as a matter of choice, are accommodated in private sector supported accommodation hostels, boarding houses or aged pensioner rental complexes. It is well recognised that many such residents, apart from being socially isolated, have limited incomes, which in reality restricts their choice when it comes to accommodation. In addition, many suffer the complication of physical or mental disability or are victims of drug or alcohol abuse.

These people have traditionally had little or no recourse to mechanisms which may improve the standard of their accommodation as, until now, residential services accommodation has not been covered by industry standards or legislation that applies in other residency situations. For the same reason, there has been no mechanism to assess the suitability of persons who might provide care services within such accommodation facilities. Other than the homeless, it is difficult to think of another group in our society that is more vulnerable to exploitation and abuse.

This bill seeks to not only ensure a minimum standard of accommodation and service; it will also establish security for residents who wish to lodge a formal complaint about the conduct of a residential service. As the minister pointed out in her second reading speech, the bill establishes minimum standards and living conditions in private sector supported accommodation hostels, boarding houses and aged pensioner rental complexes by providing for a mandatory accreditation scheme to be administered by the government.

The first step is for a residential service operator to seek registration. This involves a requirement to demonstrate compliance with a number of minimum standards that address issues relating to the immediate wellbeing and safety of residents. Following registration, residential service operators will be required to apply for accreditation, which aims to ensure that services meet agreed industry standards. This process involves components of self-assessment as well as external assessment by an audit team. The level of accreditation required will depend on the nature of the service provided. This can range from services providing accommodation only through to services that provide food to residents to those services providing additional personal care. It is important to note that the introduction of the registration and accreditation process will be carried out in an incremental fashion across different accommodation types to minimise the risk of closures, an event that would be contrary to the intent of the bill.

This bill represents the high-water mark in legislation that goes to the core of providing protection for those in our society who have been powerless to protect themselves. It reflects the very heart of what I had hoped to achieve as a member of this Labor government, because it is legislation that will bring about meaningful social reform and give protection to those who have had no voice. I commend the minister, her staff and all who have assisted in bringing this bill before the House today. I am proud to support this bill.

Mr REEVES (Mansfield—ALP) (10.40 a.m.): It gives me great pleasure to rise to support the Residential Services (Accreditation) Bill before the House today. The cost of meeting registration and accreditation standards will impact most significantly on operators who have not maintained their premises to acceptable standards. It is not anticipated that costs will be significant for those operators who own new buildings or who have regularly maintained their buildings or for those who have operating policies and procedures in place. I have inspected one such property very close to the electorate of Mansfield, and that is Green Meadows Court. It is extremely well managed by Loraine Gorman. It provides a great service to its residents with as many services for its clients as possible. However, it needs a little assistance in getting its buildings up to standard. Loraine has encouraged the government to bring this bill to the House because of unscrupulous operators. This is what this legislation is all about.

There is evidence that some residential service providers have not maintained their buildings to a satisfactory standard having regard to the health and safety of residents. Those service providers adhering to current building standards and whose operating policies and procedures ensure the safety and wellbeing of residents are financially disadvantaged and, in the absence of enforced legislative standards, are not operating in a competitive market. As in many industries, it is the facilities with particularly low standards that attract public attention and result in the image of the whole industry being tarnished. This further impacts negatively on businesses that have

invested time and financial resources to maintain standards. The introduction of mandatory standards will require all facilities to meet minimum standards to achieve registration and operate legally. This will present a level playing field for operators and improve competition. Over the longer term, it will also improve the image of the industry and provide greater credibility to this form of affordable housing.

Let us be very clear about what these costs relate to: they relate to establishing procedures which will ensure that residents are treated with dignity and respect and live in an environment where they are free from abuse and neglect. The costs also relate to building upgrades where necessary, such as ensuring that there are enough toilets and showers for residents and that they have doors or some other screening to protect privacy. Kitchens should contain safe and hygienic areas for food preparation and residents' rooms should be of a minimum size and have adequate light and ventilation. This is not revolutionary; it is what we are all fortunate enough to be able to take for granted.

Case studies of 10 supported accommodation hostels and 10 boarding house premises have been undertaken to obtain independent estimates of likely upgrade costs. The costs ranged from zero to \$50,000 for the supported accommodation buildings inspected and \$2,000 to \$54,000 for the boarding houses inspected. These costs included kitchen and fire safety improvements that are already required by other legislation. Of the boarding houses inspected, 70 per cent required improvements to kitchen facilities and common areas and 50 per cent required improvements to sanitary facilities. Of the supported accommodation buildings inspected, 50 per cent required improvements to common areas and sanitary facilities. These results can be compared to cases studies in December 2000 when the cost of building improvements ranged from about \$7,000 to \$105,000. Again, a large proportion—that is, 41 per cent—of these costs related to the improvement of kitchen facilities.

The need for industry standards was reinforced by comments made by the coroner during the recent inquest into the death of a resident of a Queensland supported accommodation facility in 1999. The coroner commented—

In my view this is an area which cries out for a thorough and proper investigation by an appropriately appointed independent Inquiry. For example perhaps there should be an independent regulatory body appointed to oversee the conditions of facilities such as these.

This legislation is one component of a reform package being delivered by the government. It will be accompanied by measures of industry assistance, including an affordable loan scheme to be administered by the Department of Housing that will aim to assist eligible operators making building upgrades by way of a low interest loan. The Department of Housing has developed a loan product to assist industry operators to upgrade their premises to a level that will enable compliance with minimum building safety and suitability standards. The provision of financial assistance will be targeted to minimise the negative impacts of closure on residents and government funded services. I congratulate the Department of Housing on introducing this bill. Many of these great operators just need a little bit of assistance to fulfil the requirements of the legislation. The Department of Tourism, Racing and Fair Trading has also commenced a project to assist industry operators developing processes and practices that will lead to improved performance.

The final part of the bill I want to talk about relates to the exemption of retirement villages. As chair of the minister's review of the Retirement Villages Act, I am interested in this aspect of the bill. Retirement villages providing a component of rental accommodation and services to older persons will be granted exemption by way of regulation. However, this will not be a blanket exemption. The proposed exemption will apply only to those retirement villages that are registered under the Retirement Villages Act and accredited under the Aged Care Queensland accreditation scheme within two years of the residential service legislation commencing or, in the case of a new retirement village scheme, within two years of the scheme commencing. The exemption will remove the potential for retirement village schemes being required to obtain accreditation under two different systems. However, if these service providers fail to obtain accreditation under the Aged Care Queensland scheme within the proposed time frame they will not be exempted from the Residential Services (Accreditation) Bill. I commend the bill to the House.

Mrs LIZ CUNNINGHAM (Gladstone—Ind) (10.46 a.m.): The Residential Services (Accreditation) Bill will cover boarding houses, hostels, supported accommodation, those facilities which provide meals and personal care to assist disabled people, and certain aged care accommodation units. I commend the minister at the outset for the thought that has gone into the implementation of this bill. After reading parts of it in detail, I believe that it has taken into

account that there will be a number of accommodation places that do not comply. If those were instantly closed down because of immediate application, it may be a good and severe application of good standards but would also mean that a significant number of people would be homeless. There are just not the places for folk who stay in those residential type accommodation modules to relocate to. I commend the minister for the thoughtful way in which the bill is being applied.

The application for registration will be accompanied by a building compliance notice for the premises that is less than 12 months old, a prescribed fire safety document, consent by the applicant and their associates to a criminal history check, and the requisite fee. In a moment I will ask the minister a question about complaints or criticisms of the bill, but none of the application requirements are onerous and all of them are within the bounds of reasonability. It is my understanding that a building compliance notice ensures the soundness of the building. The fire safety document ensures that, in the event of a fire, the occupants can actually exit safely—that is, all fire exits are accessible, and things like fire alarms, which are not expensive to install, are available. The requirement regarding the suitability of the operators to operate the facility after undergoing a criminal history check is certainly not onerous. Providing the fee is kept to a reasonable level, then those requirements should all be easily achievable.

The explanatory notes go on to say that accreditation may be granted where a service provider does not fully meet the required standards in instances in which they agree to meet certain conditions within a nominated period. I believe it is that forethought and practicality that deserves a great deal of commendation. I would suggest that, if an owner of this type of rental accommodation in country areas, where everybody knows everybody—perhaps not so much in the south-east corner; perhaps there is more of a mercenary commercial interest here where people are not as friendly—is in breach of the standards that will apply, it would be a breach of omission or ignorance rather than wanton disregard for safety. Therefore, giving them time to comply is a very practical way to proceed.

We have a building inspector at Calliope shire who is a very practical person. I found that his attitude to work was similar in terms of not being at the point where a lack of safety was evident—quite the opposite—but he was practical in the application of the building requirements to the point where people were prepared to rectify problems when they were shown that there was a problem. Perhaps time will prove me wrong, but I believe that many of the operators are in that boat where they just do not know that they do not comply. Therefore, giving them this time is certainly a very good and practical way to go. The range of compliance and non-compliance sanctions shows a flexibility in the situation that accommodation providers actually fall into. Some have the capacity to fix a problem but have a belligerent and intractable attitude. As I said, those people certainly need to be addressed in a firmer manner; otherwise, if it is just a matter of ignorance or oversight, the flexibility enshrined in this legislation is welcome.

I have a question with regard to the additional role that the Queensland Building Tribunal will be asked to fulfil, that is, what assessment has been made of the additional workload and its resources to be able to meet that? One of the biggest areas of complaint to my office is the work of the BSA and the Queensland Building Tribunal. These complaints are for various reasons, none of which are uniform. One such complaint relates to the workload of the QBT and the time it sometimes takes to get a matter finalised. I would be interested to know what additional resources will be allocated to the QBT to meet this additional demand.

The minister may have already addressed this group's concerns, but a number of organisations—the Queensland Tenants Union, the Queensland Disability Housing Coalition, the Queensland Shelter and Queensland Advocacy Inc.—have criticised both of the proposed housing bills. They call the bills draconian and say that they will disadvantage people who find it very difficult to get accommodation. They have called the legislation discriminatory and they have said that it may not achieve what the government intends. Could the minister indicate whether she has had meetings since March with these groups to resolve their concerns and whether there is an answer to those concerns? Are those concerns misplaced, or have they been expressed on the basis of a lack of information?

The information I received from these tenancy groups also says that the industry groups have rubbished the legislation. The Supported Accommodation Association has expressed quite significant concerns about the bills. I would be interested to see how the minister responds to those concerns. These are groups that I believe are well informed. They are operating in the area of disability housing and housing for people most at risk; therefore, I feel their criticisms are very important. I will be interested to hear the minister's answer and I will ask a similar question during deliberation on the subsequent bill.

Mrs MILLER (Bundamba—ALP) (10.54 a.m.): The Residential Services (Accreditation) Bill 2002 was developed by the hostel industry task force and other groups as a direct response to the poor conditions and poor standards in the industry. The bill has three principal objectives: to protect the health and safety of residents and ensure residents' basic freedoms; to encourage providers to improve the way they conduct residential services; and to support fair trading in the industry.

Some of the most vulnerable and disadvantaged people in our community are residents living in these hostels. They are often on disability pensions, age pensions or other limited income. They often have psychiatric illnesses or an intellectual or physical disability. Some have serious drug problems. Some are alcoholics. Some residents are simply old people who have been shunned by their families yet are not old enough or indeed sick enough to enter a nursing home facility. All these people have the potential to be socially isolated from their family and friends and from the community at large. Just because people have these problems in their daily lives it does not mean that they have to live in poor conditions, that they have to live in second-class conditions or even no class conditions. At present, many residents live in shockingly poor conditions. They have little protection of their rights and, worse still, are open to abuse, neglect and exploitation. Thank God we have a Labor government in Queensland, because such conditions will not be tolerated once this bill is passed and the staged implementation of this bill is completed. It is only Labor governments that look after the poor and disadvantaged. It is only Labor governments that care, and it is only Labor governments that can deliver such socially important reform legislation.

Mrs Rose: Basic rights.

Mrs MILLER: That's true. The bill will establish minimum standards and living conditions for residents in hostels, boarding houses and age pension and rental complexes. There will be a mandatory accreditation scheme administered by the government. The highest risk premises will be targeted first in the staged implementation process to avoid the risk of closures and potential homelessness of residents. In simple terms, a residential service operator will not be able to conduct such a service without being registered first and accredited to the required level of service.

The first part of the process is registration. Minimum standards will have to be complied with, including building standards, fire standards and the suitability of persons involved in the management of the service. The next part is the application for accreditation. This scheme will ensure that the service complies with industry standards that will be set out in subordinate legislation. The providers will be required to undergo an external assessment by an audit team, but at all times they will be encouraged to continually improve the quality of their service. All residential services will have to be accredited at level 1. Level 2 accreditation will include those services that provide food to residences. Level 3 accreditation includes those services providing a personal care service to residents.

One of the most important aspects of the bill relates to protecting people making a complaint. This will ensure that a resident is not asked to leave a facility simply because a complaint has been lodged or for that person to be adversely affected because they made a complaint. I congratulate the minister on her work on this bill and also the industry associations for their contributions. Minister, this is great Labor legislation for the poor and disadvantaged, and it is one reason why I feel so proud to be a Labor member of this House. I commend the bill to the House.

Ms LIDDY CLARK (Clayfield—ALP) (10.58 a.m.): I, too, like the member for Bundamba, want to talk about the residents of the sector who will be affected by the Residential Services (Accreditation) Bill 2002. People accommodated in the industry come from a range of diverse backgrounds and have a range of needs. Many people choose to live in boarding houses because they offer convenient, affordable accommodation while they are studying, working or looking to establish themselves in a new location. For others, cheap accommodation is the choice of last resort before homelessness. For aged people or people with a disability, the residential services industry offers accommodation and support in the form of services such as meals, linen and cleaning.

While the needs of each individual resident have not been assessed and documented, work has been done to develop a profile of people living within this sector. For example, a survey undertaken in 1998 by the HIDU of those in supported accommodation facilities indicated that 48 per cent have a psychiatric disability, 41 per cent have an intellectual disability, six per cent have acquired a brain injury, and some have dual diagnosis. In addition, information collected by

the community managed boarding houses in the inner Brisbane north area, which includes the electorate of Clayfield, indicates that 26 per cent have a mental illness, 2.3 per cent have an intellectual disability, 14.4 per cent have a physical disability, over seven per cent have an alcohol or drug dependency and a further 32 per cent are unemployed.

It is important to note that the data reported here is based on residents giving information about their health status and/or disability to operators of premises and was not based on an assessment by independent health practitioners. However, the data reflects a similar picture to the situation in New South Wales and Victoria where more comprehensive assessments have been undertaken. An analysis of confidential Centrelink data that was undertaken of boarding house and supported accommodation residents by the Department of Housing in December 2001 reveals a much higher proportion of residents with a disability than previously known, with 84 per cent of all residents having an assessed disability. Of these, 66 per cent of residents have a psychological, psychiatric, or intellectual disability.

That brings me to the electorate of Clayfield, which has supported accommodation facilities, three of which look after and accommodate people with mental disabilities and physical disabilities. Some people have been living in these houses now for 20 years. The people they live with are their family. It is all they know. They really need the support of that accommodation.

The people in my area with whom I have been dealing—and I have had many discussions at their houses and also in my office—have grave concerns. They welcome the legislation. They have worked very hard with it. There have been some concerns about the compliance and the cost of that compliance, because some of these houses are old Queenslanders that have been around for a long time and, certainly, they are in need of repair. We understand that. But I support them in their compliance and they are willing to do that.

I have to acknowledge the minister's staff and the departmental staff who have actually come out to my electorate office. We have had long discussions with the people who run these hostels or supported accommodation areas. I thank them for that. I know that they are very supportive of what happens in Clayfield. I do not want to see these places, especially the three major ones in my area, being closed down and then there being more homelessness in the Clayfield area. I congratulate the minister and her team and I support the bill.

Ms BOYLE (Cairns—ALP) (11.01 a.m.): I am pleased indeed to stand with other Labor members of the House in supporting the Residential Services (Accreditation) Bill 2002. This bill is needed and it is a sign of the times in that for many years we have had poor control over boarding houses and supported accommodation. Previously, this was not an issue because the poor—those who were limited not only in means but also in terms of their capacity to participate in life through disabilities and so on—were not particularly assisted. They were left to live in poor accommodation and the standards of that poor accommodation were not scrutinised as well as we expect them to be in 2002.

This bill is certainly, too, a sign of the times in terms of the need for categories of accommodation that come under the auspices of this bill. That is certainly so in the electorate of Cairns. Unfortunately, over the past decade or 15 years we have lost the boarding houses that were so much a part of the inner city of Cairns. As the city has become much more developed and land prices have risen, as predicted the old boarding houses have been replaced by much more expensive buildings that are mostly commercial or tourism related.

Thanks to the Honourable Minister for Public Works and Minister for Housing, I am pleased to say that one magnificent boarding house on the fringe of the CBD in Cairns has been built by the department and is now run by Access Community Housing. It is a large boarding house with different kinds of boarding accommodation within it. That has been a great success and, I hope, will be the model for more boarding houses built in Cairns and perhaps in other places throughout the state.

Cairns still has quite a number of hostels. Members would be aware that Cairns is a place where people sometimes come to live for short periods—for six months, for one or two or even three years. Therefore, Cairns has a considerable turnover of residents, many seeking a break from the exigencies of colder climates as well as the pressures of city life. Frequently they live for periods in hostels. Therefore, it is important that we not only keep those hostels as they reflect the needs of the population of Cairns but also that we ensure that the standards within them are appropriate.

I have to say, too, that there has been increased pressure on the hostels in Cairns—and dare I say elsewhere—since across Australia we have had the fashion of emptying out

institutions. For a while it seemed as though institutional living for those with intellectual disabilities, physical disabilities, psychological or psychiatric disabilities had become such a no-no that, somewhat to the extreme, we forced people—many of whom had lived for very long periods in institutions and many of whom had quite extensive disabilities—to live in the community. Unfortunately for those people, many do not have families with whom they are able to live, so they need supported accommodation.

I must admit that I am particularly concerned about those people in Cairns who have chronic psychiatric disabilities. Although many of them do not require institutional living, they require some support and some sensitivity in the kind of accommodation that they are offered. We need these hostels, as well as some that offer additional support, for such people. The other important point about this accommodation is that it also needs to be made available on the fringe of the CBD. Generally, these people do not have much in the way of financial resources. In terms of travel costs, they cannot afford to live in the outer suburbs. If they do, they are too isolated and that is not good for them in terms of their social, educational, employment, lifestyle or personal needs.

Unfortunately, some people who are of a very strong development mentality in the city of Cairns see this provision of affordable accommodation on the fringe of the inner city of Cairns as inappropriate. They insist on referring to it as welfare housing. Of course, it is not; it is supported accommodation, often run by the private sector, in which those of lesser means can live quite appropriately close to the city and have access to all of the needed facilities. Nonetheless, because many of the people who live in supported accommodation have a limited ability to speak for themselves, and that is particularly so of those who have psychiatric disabilities and who may become anxious or distressed and find difficulty in asserting their proper rights, it is important that they are provided with accommodation that meets certain standards and, if those standards are breached, action taken to ensure that is remedied.

I am pleased also to inform members that aged care accommodation run by the private sector is on the rise in Cairns. Only last week I saw the plans for one new development in the southern suburbs of Cairns. I would like to refer to an excellent publication by the Queensland Parliamentary Library, on this occasion written by Nicolee Dixon, in regard to this bill. It states—

Many residents in residential services facilities are disadvantaged by physical or mental disabilities, age and infirmity, and/or low incomes and are vulnerable to exploitation and abuse by unscrupulous service providers.

That quotation well emphasises the need for this bill. The bill will accomplish the new standards through three actions: registration, accreditation and then enforcement, where necessary. I absolutely support this bill.

Madam DEPUTY SPEAKER (Ms Liddy Clark): Order! Before calling the member for Hervey Bay I would like to welcome to the gallery teachers and students of year 7 of St Agatha's Primary School in the electorate of Clayfield.

Mr McNAMARA (Hervey Bay—ALP) (11.08 a.m.): I am very pleased to support the Residential Services (Accreditation) Bill 2002. I am very strongly of the view that this is among the most important legislation to be introduced into this House, certainly in my short time here so far, because it sets out to protect the health, safety and basic freedoms of some of our most vulnerable people.

It is a matter of fact that many of the residents of residential service facilities, including boarding houses and hostels and, more obviously, supported accommodation and aged care accommodation, are disadvantaged. These residents are aged and often infirm and frequently are on low incomes. For better or for worse, over the past decade the process of deinstitutionalisation has resulted in many people with physical and mental disabilities living in boarding house and hostel accommodation where they are vulnerable and, regrettably, sometimes exploited. I congratulate the minister on bringing in this legislation. I suggest that for deinstitutionalisation to work as a policy, it is essential that there be this type of concurrent increase in the degree of regulation of the environment in which these deinstitutionalised people must live. It is clearly understood that when public enterprises are privatised, it is essential that the environment in which the newly privatised entity operates will need to be more highly regulated. But this piece of economic theory has not always been recognised as being necessarily applicable to a social policy such as deinstitutionalisation. I would argue that it is the same and that this bill is a very sound and necessary reform.

As a community, we have effectively privatised the care and housing of a great number of people who would once have lived in institutions. I make no observation on the success or otherwise of this policy shift. That can wait for a more appropriate debate. Also, I do not want to

obscure my very strong support for this legislation, which will directly address some of the issues of greatest concern to disadvantaged residents. This legislation will ensure that minimum standards and living conditions are in place, and residential service providers will be encouraged to improve continually the residential service they provide.

The system of registration for residential service providers is particularly welcome. It provides that not only the residential service provider but also their associates must be suitable persons. The abuse which some physically and intellectually disabled persons suffer at institutions can be just as easily inflicted on those vulnerable people in boarding houses or hostels—perhaps even more so—so this reform is vital. Further, the safety and suitability of these boarding house premises will be improved by this bill. It is so obviously necessary that residential accommodation that is substantially let to people with mobility problems and intellectual disabilities has to have the highest possible safety standards.

I am also very pleased to see that this legislation includes strong compliance and enforcement measures. It is a sensible, stepped system which starts with compliance officers initially seeking undertakings from the service provider and then moving up through to the issuing of a compliance notice and, finally, if necessary, amendment or cancellation of accreditation or registration. Of course, closure of any premises would be a last resort, as it would be hugely dislocating and traumatic for residents and financially disastrous for the service providers. Protection from reprisals is also built into the bill for people who make a complaint about the conduct of a residential service. It is a vital protection for residents, who will be able to feel safe from eviction as a reprisal for making a legitimate complaint to the appropriate person.

Finally, I wish to touch on the very sensible support which the Minister for Housing is offering the accommodation industry to make this legislation work. I congratulate the minister and the government for committing to put in place a loan product through the Department of Housing for use by accommodation providers who want to do repairs and improvements to their premises in line with the objects of this bill.

The phasing in of the legislation gives industry time to adjust and meet standards and I am aware that seminars and training courses for owners, managers and employees have been run throughout the state. Queensland leads Australia in being the first state to require mandatory accreditation of residential accommodation service providers and minimum standards for this type of accommodation. Around Queensland, this legislation will make a real difference to the lives of about 10,000 of our most vulnerable people. I am immensely proud to be able to vote in favour of this bill. It is the sort of legislation that reminds all of us why we are in this place. In this cynical and insular world in which many people often ask what do politicians ever do for battlers, we should point to this particular piece of legislation with a real sense of pride and achievement.

I congratulate the minister and her ministerial staff and her department for bringing forward this bill. It is great Labor legislation which will make the lives of some of the most disadvantaged and disempowered people in our society safer, more comfortable and more secure and provide a legitimate expectation that their living standards, like those of everyone else, will improve over time, not get worse. On behalf of the aged, the infirm, the disabled and the poor and vulnerable in my community of Hervey Bay, I thank the minister. I commend the bill to the House.

Mrs PRATT (Nanango—Ind) (11.13 a.m.): I rise to address the House on the Residential Services (Accreditation) Bill 2002. I congratulate the government on its initiative to protect, in particular, the aged and disadvantaged in our community from unscrupulous exploitation and to raise the standards for accommodation service providers. That does not mean people with other social problems who need to be protected are any less important. However, in my electorate of Nanango I am constantly meeting with people, mostly relatives of the aged or the mentally ill, over the failure of service providers to meet the standards of service advertised by them.

As stated in the reasons for the legislation, many of these people—and this is very much reflected in rural areas—come from the lower socioeconomic part of the community. These people are more likely to need residential services on a pro rata basis than those living in metropolitan areas, where relatives and community support organisations are more prevalent and accessible. Many of these community organisations are disappearing from rural Queensland. Therefore, the aged and mentally ill are more likely to experience exploitation by service providers. These people are more likely to be taken for granted and to face the disadvantages experienced by residents from low income families in high unemployment areas. The trauma, especially for the aged, is often worse in rural areas for those receiving care under a service provider, as there is a greater lack of access to medical facilities and specialist treatment. The older style boarding houses which gave a sense of security to many residents, where the owner/operator often had

the residents in a more family-style atmosphere, are virtually non-existent. I believe that is possibly a detriment to society as a whole.

In particular, I refer to the mentally ill in our community. Community organisations in the Nanango electorate are now banding together to help each other and to deal collectively with these problems. In particular, I refer to those suffering with intellectual and psychological disabilities. I constantly hear cases from constituents that reflect just how hard it is to obtain any accommodation at all. The main complaints which come to my notice are of substandard housing and overcharging. The aged and mentally afflicted turn to their relatives for help but, in my experience, relatives of these disadvantaged people are usually unable to assist due to a lack of resources or understanding of the rights of their relatives. As the bill states, these people are the most vulnerable in our community and they have little or no access to consumer choices.

I am often disgusted at the amount of money left for pensioners after the many residential service providers have taken their cut. In some cases there is no money left, and the family has contributed quite substantially as well. These people are denied the chance to enjoy even a very basic day out. Even more disturbing is the lack of safety for residents in many cases. There are many well-recorded and published instances of substandard housing, which leads to substandard safety and a substandard existence for many people. This equates to a quality of lifestyle which, especially for those in their twilight years, no-one in an affluent society such as ours should ever have to suffer.

Not all accommodation service providers fall into the greedy and non-caring category that the bill is designed to address. In fact, they are in the minority. I acknowledge those who do their best for the community and the residents as a whole. They do a great job. I only hope that the more unscrupulous providers do not look for even easier ways to milk more money out of pensioners under the guise of having to meet the requirements of this bill. The government is considering a minimal payment for application fees. However, in my experience, when new regulations and fees are introduced, in many instances it is a perfect 'out' for explaining away those extra costs that must be passed on. Considering the high percentage of a pensioner's income that is already deducted, I hope that these changes will not erode the minute amount left. It is a popular way, as I said, to explain away any increased fees.

This accreditation bill and the accommodation bill to be debated next are intended to protect approximately 10,000 vulnerable people. With that in mind, I wholly support the bill and I commend it to the House.

Mrs CARRYN SULLIVAN (Pumicestone—ALP) (11.17 a.m.): I am delighted to rise today in support of the Residential Services (Accreditation) Bill 2002. It is primarily directed at private operators in the residential services industry. The aim of the bill is to set industry standards and conditions under which occupants will reside. This bill will regulate the behaviour of the residential services industry to protect the wellbeing, basic rights and freedoms of residents. It will also prompt service providers to keep improving their residential services and it will support fair trading.

This Labor government believes that consumer protection is paramount for all groups within the community. Therefore, the residential services industry will be brought into line with every other residential rental market through these proposed changes. This will go a long way towards halting the sometimes continual exploitation, neglect and abuse of some of the most vulnerable and disadvantaged groups within the community. Anything which helps preserve those people's rights should be supported by every member of this House. As consumers, whether on a limited or a low income, it will provide them with an opportunity to attract at least some market power in the industry. The bill will afford those residents who make formal complaints some protection against unscrupulous providers who may seek retribution against those complaining. On the other hand, it will provide those reputable service providers with an improved image of their industry by bringing any substandard operators up to their level of service.

This bill, along with the Residential Services (Accommodation) Bill 2002, which establishes the accommodation rights and responsibilities of residents and service providers and which will be debated in this House shortly, forms the core of the government's reform package. This package has been formulated in conjunction with the Hostel Industry Task Force and in consultation with key stakeholders, including residents, consumers, industry and the community, in a direct response to concerns about sometimes substandard conditions in the residential services industry. Since in most cases residents give over a large portion of their pension to their service providers, it is not unreasonable to expect a certain quality of standard and range of services. This bill will help provide that quality. It will establish minimum standards and living conditions for those residents living in private sector supported accommodation, boarding houses and aged pensioner

rental dwellings by providing compulsory accreditation which will be overseen by the state government. This will require operators, firstly, to be fully registered and then accredited under the act at the appropriate level. Levels vary according to the types of services provided, but all must attain at least a level 1. Controls will be in place to ensure that they comply with the minimum requirements, which will be set out in subordinate legislation and include building safety measures and a fire safety management plan to meet the regulation and standards regarding the suitability of those involved in residential services management. The suitability of service providers will be established through a number of checks and balances, including a criminal background check—that is, convictions recorded against a person before or after the commencement of the act. Automatic disqualification may result for a person convicted in the past five years of certain offences against a residential services act. These may be harsh measures, but I must emphasise again that this legislation is designed to protect one of the most vulnerable groups in society and it is recognised that the public interest in meeting this objective outweighs any infringement of this principle.

However, the provisions contain a number of safeguards for service providers, including a review and appeal process that will protect the rights of the service providers. Information obtained through a criminal check will be used appropriately and strictly for the purpose for which it was intended. These safeguards are mandatory to enable openness and accountability of the government in operating the accreditation process. Service providers will also need to examine the performance level of their own service against set standards and will be required to undergo external assessment by way of an audit. This legislation regulates the industry through a combination of registration and accreditation requirements and it is an important step in recognising the need for the continuing improvement of housing and support arrangements for residents in the residential services industry.

I take this opportunity to compliment the Minister for Fair Trading and her department and staff for the effort they have made in bringing forward these most welcome changes, and I commend the bill to the House.

Hon. K. W. HAYWARD (Kallangur—ALP) (11.22 a.m.): I am pleased to be able to speak in support of this bill. I congratulate the minister and her department on developing this important piece of legislation. Prior to this legislation, some of the most vulnerable people living in our community—many with limited incomes and some experiencing a range of intellectual, psychiatric or ageing disadvantages or, in some cases, a range of problems associated with drug and alcohol consumption—were without consumer protection legislation. Like the other component of this government's reform package for this sector of our community, which we will debate later this afternoon—the accommodation bill—this legislation will guarantee that people living in boarding houses, supported accommodation and aged rental complexes have a regulation framework to refer to and, consequently, ongoing improvement in the quality of their lives.

I take the opportunity to recognise the organisations that have invested their time and energies during the development of this bill. In particular, I acknowledge the contributions of those organisations that represent residents—advocate organisations such as the Queensland Disability Housing Coalition, the Boarding House Action Group and the Australian Pensioners and Superannuants League. It was these organisations that recognised the lack of rights of residents of this type of accommodation and, as a consequence, lobbied both past and present governments to provide a legislative framework. I take the opportunity again to congratulate the minister on bringing this important piece of legislation to the House. I am sure their interest in the legislation will continue, because of the inherent difficulties faced when trying to balance the interests of a for-profit industry, such as the rental accommodation industry, operating in what in many cases is fundamentally a human service area. All honourable members can see the difficulties involved in that balancing act. I look forward to resident advocate organisations continuing their work in monitoring the effectiveness of this legislation and thus improving the lives of the people they represent.

However, the introduction of the proposed legislation has not been without criticism from people in the community who are basically concerned that it will lead to increased costs to residents who are, as has been pointed out by me and a number of other speakers in the parliament, in receipt of a limited income. The worst consequence of that, if they can no longer afford to live there, is the possibility of increased homelessness. In fact, Brisbane City Councillor David Hincliffe has raised the issue of possible homelessness as a consequence of the government's good intentions to improve the lives of residents of the residential services sector. I think he was reported as arguing, although praising the government for addressing vital building

and fire safety issues, that in reality boarding house owners would not necessarily upgrade their premises because of the financial cost involved in obtaining accreditation and that, therefore, they would take the opportunity to cease to be in that business. I think he further pointed out that inner-city boarding houses are sited on land worth millions of dollars. This is not just about inner-city boarding houses. Areas such as Sandgate come to mind straightaway as examples of places sited on land worth millions of dollars and where councils do not have the power to prevent owners from redeveloping their properties. However, the strength of this legislation is that it specifically addresses these commercial issues.

It is important to note that in order to ease the financial burden of owners the legislation provides for an incremental approach to regulation, which will be staged across different accommodation types. In addition, the Minister for Housing has indicated that a loan product would be developed and made available from his department to further ease the burden on providers. The issue has been looked at closely by the government. Nevertheless, there is a potential problem in the implementation strategy.

Most importantly, on a positive note, the legislation establishes for the first time in the history of the industry a legal framework which defines three levels of services to be provided. This component in the legislation is a welcome initiative on the government's part, because previously residents living in residential service arrangements were often victims of uncertainty in terms of what was to be provided to them. From my experience, I can cite an instance where a doctor prescribed urgent asthma medication for a resident and then informed the provider of the residential complex. The owners did not believe it was their responsibility to have the prescription filled for the resident, who was incapable of obtaining it for themselves. However, the owners did not discuss their views with the doctor. As a consequence, the resident did not receive vital medication and ended up in hospital on a life support system. Importantly, this legislation defines the different levels of care and determines the standards and what must be provided at each level. Through that, incidents such as the one I just mentioned, are hopefully less likely to occur. Therefore, this legislation is to be applauded for the potential it has for improving the quality of life of people living in residential services accommodation. I strongly commend this bill to the House.

Mrs DESLEY SCOTT (Woodridge—ALP) (11.29 a.m.): This bill will forge new standards in what has been a very neglected area of the accommodation sector. It seeks to protect the most vulnerable and sometimes most marginal members of our community. We owe our aged community members a great debt of gratitude for the freedom we enjoy in this country and the kind of society that Australia has become. Many have made remarkable contributions to our communities, raised their families and been hard working, and they thoroughly deserve to live out their years in a safe, caring environment in which all their basic needs are met and they are free from exploitation, fear or intimidation.

I must admit that there have been times when I have wished that my area was far older and had a number of old guesthouses. When the Logan City area, then part of Albert shire, began its rapid expansion, we had reached the era of the small three-bedroom house. Thus, single people looking for accommodation in my area can have difficulty finding it. Yes, there are many units, but they require a bond and may also not give people the level of security and support services they require.

Many of the people who seek to live in hostels and boarding houses or rental facilities for the aged may have a physical or mental disability, they may be aged without family support or they may simply be seeking the additional security offered. They may require meals and their rooms serviced as well as personal care services. I recall many years ago I assisted a friend in removing an elderly lady from a boarding house for the aged. The memory of that very sad experience lives with me very vividly. The elderly residents sat on a chair or lay on their beds in dark, dank rooms—no sunshine, few staff, inadequate meals. When we sought to rescue this lady, her belongings were thrown at us in a tirade of abuse. As a 22-year-old, that was a frightening experience for me.

Over the years I have witnessed people who may have been happily married, financially secure, enjoying an independent life, and then, through an accident or catastrophic event—sometimes through mental illness or drug or alcohol abuse—they have slipped away into a realm of existence which could almost be described as the twilight zone. Life can deal cruel blows to some individuals, and should they not have the love, tolerance and support of family members, they may end up in a very dreadful circumstance.

This legislation first of all deals with registration, where such important issues as fire safety and building compliance are addressed and then criminal history checks of operators carried out.

Following registration, the accreditation process takes place. I appreciate the need for a time frame to be registered and granted accreditation, as many of these establishments may fall short in a number of areas. The three levels of accreditation cover the broad range of services from simple residential to residential with food services and, finally, the higher level, where personal care is required.

In recent years, a number of aged residential facilities have been built in or near my electorate. My predecessor, Mike Kaiser, was very active in responding to complaints to his office by aged residents. I know that he will welcome these initiatives. I note that the third level of accreditation seeks to meet individual needs, protect their interests and enhance their quality of life. I like the word 'enhance' for it encourages a positive effort to enrich and bring greater quality of life to the residents—a happy social life, perhaps visits for shopping, bus outings and the like. Why should our elderly citizens expect anything but respect and care in their sunset years? The same applies to people with disabilities and special needs. They too deserve our care.

I offer my support for this bill, which has been prepared with due attention to those in this sector who are well meaning but may need time to comply. For those who do not and will not comply, there may need to be some weeding out. For our society to claim to be civilised and caring, these residents must receive our protection. I thank the minister and her staff for this very worthy legislation and commend the bill to the House.

Mr WELLINGTON (Nicklin—Ind) (11.34 a.m.): I rise to participate in the debate on the Residential Services (Accreditation) Bill 2002. In speaking to this bill, I congratulate the minister on her initiative. In my mind, this bill has been necessary only because some operators in the industry have simply not been doing the right thing by the occupiers of the premises covered by the intent of this legislation.

While I do not intend to repeat comments already made by other members who have participated in the debate on this bill, I would like to comment on clauses 171 and 172 of the bill. These two clauses effectively reverse the onus of proof in proceedings for offences under the bill's provisions. I note that the Scrutiny of Legislation Committee has referred the question of the reversal of the onus of proof to the parliament for consideration. I certainly believe the circumstances are justified and warranted for the reversal of the onus of proof and have no objection to it whatsoever.

I refer members also to clauses 134 and 135 of the bill where the bill expressly denies certain persons the benefit of the rule against self-incrimination. I understand that these circumstances relate only to the documents which must be maintained by the operators under the legislation. I note that the Scrutiny of Legislation Committee, whilst commenting on this issue, also referred the appropriateness of this clause to parliament for consideration. Again I put on the public record that I believe the removal of the protection available to persons under the rule against self-incrimination is also justifiable. I commend the minister for her strength in being prepared to support these commonsense clauses.

Before concluding, my challenge to service providers throughout the length and breadth of Queensland is: do the right thing or expect more regulation and more control by the government, together with the associated fees, charges and costs which go with new legislation. I commend the bill to the House.

Mr ENGLISH (Redlands—ALP) (11.36 a.m.): I am pleased to offer my full support to the minister upon the introduction of this bill. The need for this legislation has been illustrated by a number of highly publicised instances of abuse of residents and unacceptable living conditions. There are, however, residential service providers who have invested time and financial resources in developing well-run establishments that provide high standards of care and accommodation. I would like to quote the state secretary of the Australian Pensioners and Superannuants League Queensland Incorporated, Yvonne Zardani, who has welcomed the government's move. She has said—

Standards in the private sector hostel and boarding house industry have been an ongoing concern for a number of years. While there are many good operators, there has also been a history of operators who have delivered sub-standard accommodation and less than satisfactory service.

I could not agree more. The good service providers have operated at a financial disadvantage for too long. The introduction of mandatory building and service standards, combined with the systems to ensure that they are being complied with, will provide operators with a level playing field on which to compete for business.

How is it possible for one service provider to compete fairly and equitably with another when one service provider has a commitment to maintaining fair, reasonable living standards for its residents while another shonky operator is prepared to sacrifice human dignity and human health at the altar of making a profit? This bill facilitates the level playing field that we all aim for.

This bill is another example of the Beattie Labor government being committed to core Labor principles—looking after those less fortunate, looking after those who are unable to look after themselves. It is just another extension of the Beattie Labor government putting into practice in this House key Labor principles.

Mr Briskey: What an outstanding minister as well.

Mr ENGLISH: We should compliment the minister on her commitment to those key Labor principles.

Some sectors have raised concerns about the cost of implementing this bill. There will be costs to those shonky operators, who will have to spend money to upgrade their services and facilities to provide reasonable standards of care. I think we acknowledge that, but we have to conduct the reasonableness test—the cost of implementation to those shonky providers against the cost of not implementing the standards. What will be cost in human abuse? What will be the cost in human suffering? What will be the cost of continued human degradation? I believe that, on balance, the cost of implementation pales into insignificance when we consider the cost of not implementing measures to improve the standards of the shonky operators in the residential services sector. The service providers who refuse to acknowledge the rights of residents to improved standards must accept that they can no longer operate in the marketplace. I commend the bill to the House.

Ms STONE (Springwood—ALP) (11.40 a.m.): I rise to speak in support of the Residential Services (Accreditation) Bill 2002. Supported accommodation hostels, boarding houses and aged rental complexes are certainly underrepresented when it comes to consumer protection. This bill is all about consumer protection for some of the most vulnerable people in the state, many of whom are living in properties that are in poor condition and of a poor standard. The hostel industry task force raised concerns regarding these poor conditions. The only responsible thing to do is to regulate residential services and providers and to provide consumer protection legislation.

The Beattie Labor government has legislated in the past and will continue to legislate in the future to improve the lives of all people in our state. This bill is a fine example of the government doing just that. This bill provides for a mandatory system of registration and accreditation of residential service providers to protect the health, safety and basic freedoms of all residents. These are basic things that all of us expect for ourselves and for our loved ones.

I have been saddened to read about the abuse and exploitation of people who need our help—people who may have drug and alcohol problems, mental health problems or perhaps a physical disability. These people need to be protected and assisted, not treated inhumanely. Many of the residents' only crime is that they are unable to buy their own properties because they lack financial resources. Some of these people are ageing and some of these people are lonely, without family in their lives. They deserve to be treated with respect and compassion. Most of all, they deserve to receive the quality of service they are paying for.

It sickens me to hear that many of the residents this bill will protect are now paying a high percentage of their low wages, usually a pension, and receiving very little for it. While I am sure there are providers who are doing the right thing by these people, I believe it is important that legislation be implemented to provide a balance between the interests of residents and those of the provider. This bill responds to immediate concerns regarding the safety and wellbeing of residents. It ensures there are strategies in place to minimise the immediate risk of abuse and exploitation faced by people who choose—in some cases they do not have a choice—to live in this type of accommodation due to their circumstances.

A database developed by the Hostel Industry Development Unit and boarding houses throughout the state indicated that approximately 2,000 to 2,500 people are using these facilities. The facilities range from those with low numbers of residents, for example 15 people, to those of high density, with 100 residents in a facility. When it comes to boarding houses, the database indicates that state wide there are around 305 boarding houses and flatettes with shared facilities. Resident numbers vary, with some containing 15 and others up to 40. We are looking at 5,000 to 5,500 people, with the majority being located in south-east Queensland, who are living in this type of accommodation. In relation to aged rental complexes the database records 32 complexes,

mainly in south-east Queensland, accommodating approximately 1,000 residents. These are the people this bill will protect.

There are three major aspects to the bill—registration, accreditation and continuous improvement delivery. In respect of registration, it is important that suitable people are providing a residential service. This bill will ensure that criminal history and undischarged bankruptcy are considered in the registration process. To be registered, service providers will also have to demonstrate that they have met prescribed building standards and suitability standards for persons involved in the management of a service. Once registered, the service provider will be required to apply for accreditation.

This bill will require three levels of accreditation for all residential services, to be administered by the Department of Tourism, Racing and Fair Trading. The accreditation process is based on a standard process of self-assessment, quality improvement, external assessment, and quality improvement and monitoring. This accreditation process is based on a continuous improvement model, with an audit team assessing facilities. Providers will have to ensure that facilities reach a standard of housing and support services for residents that provides opportunities for them to be a part of the community. Obviously not all providers would be applying these standards currently, so there will be a lead-in time to allow for any of these necessary changes. This will allow opportunities for providers to increase their skills and knowledge. This type of process will also allow for the protection of the most vulnerable.

Another very important part of this process is the implementation of a complaints system. Residents, their families or representatives, advocacy organisations and government services will all be able to register concerns about any of the facilities. I am pleased to see this complaints system implemented, as many people find it difficult to complain. I imagine that it would be very hard for someone to complain about something to the person who is providing their housing, food and other services. This is especially hard when they do not have anywhere else to go or they do not have the financial resources in order to move. Many providers are in a position where they can make someone's life unhappy if they complain. I am sure that many families and residents feel threatened by this and therefore accept conditions that we would find unacceptable.

While today we see legislation before the House to improve the lives of some of our most vulnerable people in the state, I see nothing from the Commonwealth government in relation to housing. The average federal government funding for public housing since July 1996 is \$141.5 million. This figure is lower than the 1996-2002 average and is certainly reducing all the time. I note that the federal Minister for Housing, Senator Vanstone, has once again delivered bad news to the people of Australia and has indicated further funding cuts for public housing programs. This will only increase the demand for public housing and will certainly place many people at risk of homelessness. It is unfortunate that the federal Howard-Costello government plans to spend record amounts on defence at the expense of the most vulnerable people in our society. The federal government is more concerned about building new detention centres than about providing houses for our families, people with disabilities and, indeed, our aged. This is not acceptable.

Affordable and safe public housing should be a priority on every government's list. I know that it is a priority for the Queensland Labor government. It certainly is not a priority for the federal government. This is reflected in the miserable amount of funding given to public housing. A national housing policy framework is needed—a framework that supplies and maintains public housing to those who need it. I commend the Minister for Housing, Robert Swarten, for his commitment to ensuring that the people of Queensland have affordable, safe and attractive housing.

In developing this regulatory framework the government recognised the need to consider the most appropriate forms of support services for residents. While the needs of each individual resident have not been assessed, it has been identified that some residents in supported accommodation have the highest needs, so it is vital that we target improved resident support services, and this bill does that. Some people choose to live in this sector; others are forced to due to circumstances. Some live in the sector because of their financial situation, while others need support options. In other words, many of the most vulnerable are in this sector. They are at risk of homelessness and we must ensure that they are living in conditions they deserve.

This bill covers all bases. It covers initial registration and accreditation requirements based on the continuous improvement framework. It ensures compliance and enforcement. There is a complaints process, as well as a review and appeal of accreditation decisions. It allows a provision for staged implementation.

I am very proud to be a member of this government with its introduction of mandatory accreditation standards for the residential services industry. We all need and deserve to live in a safe, healthy and happy environment. I commend the minister, Merri Rose, for bringing this bill before the House. This bill will improve the lives of many people who deserve it. I also wish to acknowledge the hard work done by her staff and the department on the bill. We as a government must ensure that we support these people in the sector. I commend the bill to the House.

Mr NEIL ROBERTS (Nudgee—ALP) (11.48 a.m.): The Residential Services (Accreditation) Bill is a major step forward in establishing basic standards and improving standards of service provision and is also about improving the health and safety standards for residents living in a range of supported accommodation, including boarding houses, hostels and supported accommodation aged care units, where additional services such as meals are provided.

As has been indicated, this is a part of a package of reforms put forward by the government in this area, the other bill being the Residential Services (Accommodation) Bill. I have particular interest in these two bills as I have a hostel in my electorate that recently received some adverse publicity as a result of the poor standards of service and facilities provided to some of my constituents.

There are a number of reasons why the Residential Services (Accreditation) Bill and the Residential Services (Accommodation) Bill are necessary. Currently, around 10,000 people live in over 500 residential service accommodation premises across Queensland. Essentially, this area is unregulated, resulting in a wide range of quality and standards of services and facilities offered to people who require this form of accommodation. This type of accommodation is not covered by protective legislation such as the Residential Tenancies Act except in cases where a bond is required by a tenant. As has been pointed out by previous speakers in this debate, people using this accommodation are amongst the most vulnerable in the community. One study showed that 84 per cent of residents in boarding houses and supported accommodation had a disability and of those 66 per cent had a mental disability. These are the people least able to advocate for their rights or indeed to negotiate on fair terms with a landlord. So this legislation will be welcome relief for many people.

We must acknowledge, however, that a large majority of service providers in this sector genuinely endeavour to and do provide quality and caring services for their residents. But, as with most regulations, it is necessary to legislate in many instances to ensure that the unscrupulous operators—those who do not provide the level of services required—lift their game to the standards delivered by the many good operators within the sector. There are many strong social justice reasons underpinning the creation and need for this bill as well as a range of economic and safety issues. Another pressure on this sector is the growing demand for hostel and supported accommodation services. As was pointed out by the previous speaker, public housing is under increasing pressures and demands.

Mr English: Increasing pressure from the federal government.

Mr NEIL ROBERTS: Absolutely. One of the significant difficulties facing the public housing sector at the moment is the low priority given to this area by the federal government largely through underfunding. In the last few years at least \$90 million has been taken out of this sector. Earlier this week the Minister for Public Works and Minister for Housing indicated in this place that a further \$9 million or \$10 million is expected to be lost in the near future. Many people who might otherwise be waiting on public housing lists are now being added to the increasing demand for the more affordable hostel and supported accommodation sector. All of these issues have impacted upon the need for this bill. I join with other speakers in congratulating the minister and the department for putting in place a very sensible and practical framework for the regulation of this industry.

The accreditation process is a two-step process, with registration being the first step. To become registered, a provider must demonstrate compliance with a number of minimum standards, including building and fire safety standards and standards regarding the suitability of persons who will be involved in the management and delivery of services in the facility. Additionally, following registration, a service provider will be required to apply for accreditation. A number of industry standards will be used in that process.

The self-assessment process is a very sensible way to deal with an industry which, for a long time, has not been regulated. The accreditation process will initially allow operators to self-assess against standards which have been developed. That will involve seeking feedback from residents

and families, audits of their files and assessment of other conditions required for formal accreditation. The process also involves, if necessary, the development of a quality improvement plan, and assistance can be provided to operators in the development of those plans. Following that stage and the submission of the application, there will be external assessment by a departmental assessment team. If the team is satisfied that all the standards and requirements are met, it will make a recommendation to the chief executive who can then fully register and accredit the service.

The other important aspect to the bill relates to sanctions and the process by which sanctions can apply, and this is a graduated process. I note that a premises will only be closed in exceptional circumstances where there is a serious risk to the health and safety of residents. There is also a very sensible and practical grievance and appeals procedure for operators and, most importantly, protection for residents or tenants who make a complaint about the conduct of a residential service provider. As has been indicated, these are exceptionally vulnerable people without power in the community. This bill strengthens their negotiating position with their landlords. It is indeed an offence for a landlord or operator to retaliate or cause detriment to another person who has made a complaint.

The introduction of the bill will be staged over a number of years. I support the bill. I commend the minister for introducing a very sensible and practical framework of regulation for the industry. I commend the bill to the House.

Hon. M. ROSE (Currumbin—ALP) (Minister for Tourism and Racing and Minister for Fair Trading) (11.55 a.m.), in reply: Firstly, I thank all members on both sides of the House for the contributions they have made to this very important legislation and for the support and recognition it has received as being very necessary. It represents significant reform of the residential services industry. Its implementation will be staged across the industry over a period of four years. This approach aims to target the highest risk premises first as well as minimise the risk of closures by allowing service providers reasonable time to make necessary improvements to their premises and services.

A number of members have raised the issue of the costs to the industry that this legislation will present and the need for some form of industry assistance to meet the new standards. I thank those members for their comments and for their support of the bill. I am aware of industry viability issues and share members' concerns that this legislation should not impact so severely on industry participants that they close their doors, forcing residents into inappropriate accommodation or homelessness. That is why every effort has been made to balance the need to provide much-needed protection for residents while ensuring that expectations on industry operators are reasonable.

Let us be very clear about what these costs relate to. They relate to establishing procedures that will ensure residents are treated with dignity and respect and live in an environment where they are free from abuse and neglect. The costs also relate to building upgrades where necessary. I refer to things like ensuring there are enough toilets and showers for residents and that they have doors or other screening to protect privacy. Kitchens should contain safe and hygienic areas for food preparation and residents' rooms should be of a minimum size and have adequate light and ventilation. This is not revolutionary; it is what all of us in this House are fortunate enough to be able to take for granted. This legislation is not about closing down premises unnecessarily. It is in everybody's interests to ensure that as many premises as possible are able to meet the new standards.

The bill contains a range of measures designed to mitigate closure of residential services as a direct result of the introduction of the legislation. Such measures include the staged introduction of the legislation to allow residential service providers sufficient time to make necessary building and service improvements. Mandatory building standards will be presented as a performance based code which will allow service providers to put forward alternative solutions to meet building standards. Residential service buildings may be registered on conditions if they are safe and substantially comply with the building standards.

In relation to industry financial assistance, members have acknowledged that the government is offering assistance in the form of low cost loans and that further financial assistance is an issue for consideration by my colleague the Minister for Housing. I place on the record that the member for Southern Downs raised this issue with me. I can assure him that the Minister for Housing will address that issue in the next bill to come before the House—that is, the Residential Services (Accommodation) Bill.

However, with regard to practical assistance, there are a number of measures to assist the industry to comply with the new legislation. A number of subsidised training courses have been developed and are available to residential service providers. The training package has been developed in conjunction with industry members and has been accredited by the Department of Employment and Training. The flexible package provides a suite of training courses suitable for employees, managers and accommodation owners ranging from certificate 1 to a diploma in residential services management. The training aims to provide employers and staff with the skills, knowledge and attributes required to competently manage a residential service.

Industry representatives have raised concerns that the preparation of written policies and procedures required in order to meet accreditation standards will necessitate significant resources. My department has listened to these concerns and has commenced a project to assist industry operators to develop and implement those policies and procedures. A residential services policy and procedures manual will be developed and distributed for adaptation and use by service providers. It will provide a blueprint for industry operators to tailor to the needs of their own facilities.

Members have highlighted the need to monitor the impact of the new legislation on industry and for protocols to be put in place to deal with closures should they occur. I would like to reassure members that impacts arising from implementation of the accreditation scheme on industry and residents will be closely monitored by both my department and the Department of Housing and an across-government coordination group that will take over from the Premier's Hostel Industry Task Force following passage of this legislation. I recognise that some existing operators may not wish to meet the new standards and will decide to close their premises once the regulatory system is introduced. Such decisions may be based on the potential for capital gain on a property, the cost of compliance with the proposed standards or a reluctance to invest in upgrading a property if it is to be redeveloped for a different purpose.

Interdepartmental procedures for the relocation of residents prior to the closure of a residential service will be established. This will ensure that clear procedures for relevant line agencies and other stakeholders to address the relocation of alternative accommodation needs of residents are established. The bill requires that service providers give the accreditation body a minimum of 30 days notice before ceasing to conduct a residential service. This will allow a reasonable period of time to ensure that appropriate housing and support arrangements can be established for residents.

The member for Darling Downs drew attention to the experience of New South Wales where legislation to regulate boarding houses providing accommodation for people with disabilities was originally introduced through the Youth and Community Care Act in 1973. In particular, the member drew our attention to a number of closures experienced in that state following the subsequent increase in homelessness. That legislation was not accompanied by any industry assistance, nor was it based on a continuous improvement model. It provided for a licensing regime with active enforcement. Following a subsequent review of that legislation, there have been some reforms involving a move to a more supportive, outcome-based approach. This government has learnt a lot from the New South Wales experience and has chosen a continuous improvement model with practical and financial assistance for the industry.

The member for Southern Downs has raised a number of important issues, and I thank him for providing me with an opportunity to discuss them. The issue of the existing broad range of legislation applicable to premises accommodating aged residents was considered very carefully when deciding on the application of this legislation. I recognise that these places are often already required to comply with a number of existing standards, and that is why I have proposed that aged care services conducted under the Commonwealth Aged Care Act be exempt from this legislation and why an exemption will be included in regulations to the bill that remove registered retirement village schemes from the scope of the legislation under a set of specific circumstances. That was addressed earlier by the member for Mansfield.

With regard to aged rental complexes, there is sufficient evidence available to show that this legislation should apply in order to ensure that standards are improved. The communications strategy that is part of the implementation process will ensure that industry members are clear on how this legislation will apply to them. The member for Southern Downs also spoke of establishing an internal or external advocacy process through this legislation. As the member rightly stated, the Office of the Adult Guardian advocates on behalf of people with impaired decision-making capacity.

In addition, there are numerous community organisations that represent residents' interests. While I recognise the importance of resident advocates, I am not of the opinion that the bill would be the appropriate vehicle for establishing a standing advocacy. The object of this legislation is based around the protection of residents' health and safety and basic freedoms and improvement of standards in residential services and fair trading.

I am pleased that the member for Southern Downs also raised the issue of compliance and enforcement measures that will ensure that this scheme is properly policed and enforced. As the member said, the success or otherwise of any system very much depends upon the capacity of those overseeing the regime to do their job. I and my department are certainly very much committed to ensuring that this legislation is given every opportunity to succeed.

The accreditation unit within my department that will administer the scheme will include dedicated residential service investigators and complaints handling staff. The unit will receive complaints about residential services, and I can assure members that complaints will be thoroughly investigated. The legislation provides a range of enforcement powers to enable officers to do their job effectively, including powers of entry and power to seize evidence and to obtain information. Compliance processes contained in the bill range from injunctions and undertakings to compliance notices. Of course, for those service providers who refuse to comply with the law, there is the option to prosecute. The registration process will involve conducting criminal history checks on service providers. This is intended to prevent persons who by community standards will be considered unsuitable to provide services to vulnerable members of our community who may have impaired capacity.

The member for Toowoomba North expressed some concerns about protecting the confidentiality of that information and that no sanction is imposed for the misuse of criminal history information. The legislation contains strict controls over how such information can be used and time frames for destruction of criminal history reports. Additionally, clause 180 provides an offence for breaches of confidentiality. The chief executive, a public service employee in the department, an administrator and an accreditation officer or associated accreditation officer who makes a record of or discloses criminal history information in circumstances other than those specified in the bill commits an offence and may be subject to a penalty of up to 50 penalty units.

I would like to thank the members for Mundingburra, Kawana, Whitsunday and Mansfield for their contributions today and, to go back to the last sitting day, the members for Indooroopilly, Bulimba, Algester and Thuringowa. I have acknowledged the contributions of the members for Southern Downs and Darling Downs.

I thank the member for Gladstone for her support of the bill and for her kind remarks in acknowledging the effort put in by my departmental officers to ensure that we came up with fair legislation. The member did, though, raise how the issue of resources at the Queensland Building Tribunal would be addressed. I reassure the member that the tribunal's review has established that the additional workload can be met from efficiencies generated by an amalgamation of functions and other outcomes of the review. The member for Gladstone also raised the issue of whether or not I had actually met with the tenants' rights groups. I advise the member that I in fact met with representatives of the Boarding House Action Group on 10 April. These representatives were Jeremy Hill, Penny Carr and Anne Tierney. They supported the legislation and I gave them an undertaking that they will be fully consulted in the review of the legislation planned after the legislation has been in operation for four years. I also undertook to include them in any other consultations.

I also thank the members for Clayfield and Hervey Bay for their contributions. The member for Cairns raised a concern that psychiatric cases need accommodation near the CBD. I want to assure the member that my department will continue to monitor implementation and consult closely with the Department of Housing.

I would like to thank the member for Nanango also for her support. She raised the issue of fees. She had a concern that they might lead to increased charges for residents. Fees are being set on a minimum cost-recovery basis and there will be further consultation before they are set.

I would also like to thank the members for Pumicestone, Kallangur, Woodridge, Nicklin, Redlands and Springwood for their contributions. Finally, I would like to thank my staff, and not only my personal staff of Dr Harold Thornton and Mike Kelly but also the departmental staff who have done an absolutely amazing job of putting this together: Dianne Jeans, Rebecca Foote, Lisa Pritchard, Donna O'Shea, Gary Penfold and Wil Brown. When Dr Thornton was off for a couple of months, Wil stepped in—

Mr Lucas: Mr Thornton.

Mrs ROSE: No, he is a doctor. Wil very ably filled the gap when Dr Thornton was away. Again, I would like to thank all members for their contribution and I would like to commend this very important legislation to the House.

Motion agreed to.

Committee

Clauses 1 to 198 and schedules 1 and 2, as read, agreed to.

Bill reported, without amendment.

Third Reading

Bill, on motion of Mrs Rose, by leave, read a third time.

RESIDENTIAL SERVICES (ACCOMMODATION) BILL

Second Reading

Resumed from 6 March (see p. 374).

Mr HOPPER (Darling Downs—NPA) (12.13 p.m.): I rise to speak to the Residential Services (Accommodation) Bill. Before I do, I would like to thank Minister Schwarten and Minister Rose for making their staff available to give me a briefing on this bill and the Residential Services (Accreditation) Bill. I would also like to thank the concerned service providers who offered me their views and other relevant information.

This legislation is long overdue. For too long the tenants of budget accommodation facilities have suffered at the hands of unscrupulous service providers in this industry. For too long the tenants of the substandard accommodation houses have suffered living in what can only be described as squalor and for too long tenants have suffered because the only protection they had was common law protection, which was nearly impossible to enforce.

It is widely accepted that the majority of the people who live in budget accommodation and boarding houses are aged and infirm. Some are disadvantaged by mental and physical disabilities, alcohol and drug related disabilities and they are low-income earners. These people are the most vulnerable in our society and too often they are exploited by some of the more dodgy landlords. It is a sad fact that no government department can give statistics on how many people are housed in boarding houses or, in fact, how many boarding houses and budget accommodation places there are in Queensland. Therefore, I hope that this will be one problem addressed by this bill and the Residential Services (Accreditation) Bill.

I am sure that everyone in this House remembers the *60 Minutes* story which was aired a few years ago and which revealed such horrors as residents being tied up and others in cramped and filthy conditions with an obvious lack of facilities. I am not saying that all operators are bad, and I acknowledge that there are some very, very good service providers in the boarding house industry. However, their names and businesses have been muddied by the improper actions of a few.

With the introduction of this bill and the Residential Services (Accreditation) Bill, it is hoped that we never again have to read about the suspicious deaths of residents, the sexual and physical assaults against women and young men and psychological harassment. I am also concerned about the way in which medication has been handed out willy-nilly to residents in budget accommodation places. There are even reports of some residents being sedated with medication that was prescribed for someone else.

I know of one boarding house resident—a lady, in fact—who was illegally medicated for years and when she was removed from that place and not forcibly given medication she became a different person and had a new outlook on life. Fortunately she was rescued. However, others have not been so lucky. I am also informed that in a lot of cases unqualified people dish out this medication.

Whilst this legislation allows for residents to be given written information regarding rent increases and other notices, I am concerned that residents who have an impairment will not be able to make an informed decision and it will be easy for crooked providers to take advantage of

them. Many of the residents of these budget boarding houses are former residents of institutions. Indeed, there is evidence of many occasions when clients have been referred from the mental units of hospitals to boarding houses. Obviously, this has occurred because the hospital wanted to get rid of the patient and there was nowhere else to send them.

We only have to read the coroner's finding into the death of Lynette Deamon in Ipswich to realise how government departments abrogate their duty of care of with these clients. Sadly, the responsibility for Lynette Deamon's welfare was treated like a hot potato between government departments. As coroner Ms Donna MacCallum said in her finding—

The government agencies seem to spend a lot of time trying to avoid responsibility for their actions or lack of actions.

She stated further that it was clear that no-one wanted to take responsibility for those people. This situation is an absolute disgrace and the ministers of these two departments should hang their heads in shame. Clearly, Lynette Deamon was sent to this boarding house because the Health Department and the Department of Disability Services did not want the responsibility of caring for her any longer. As she was sent to live at a questionable boarding house, she no longer was costing the state government any money. I might add that if had not been for the Adult Guardian and the Queensland Advocacy Service Inc., the facts surrounding Lynette's unfortunate death might never have been investigated.

Although many people think the state has come a long way since institutions have closed their doors, it can be argued that some people who are living in budget accommodation have effectively been reinstitutionalised because their level of care and protection is so bad. The people who live in budget hostels and boarding houses cost the state government nothing. Most are in receipt of a Commonwealth government pension and, in many cases, their welfare has become the responsibility of the accommodation operators. Residents hand over most or all of their pensions and that is their lot week after week. No-one is assigned to their social, physical or spiritual needs. All too often we hear about these people being attacked and harassed when they are alone in the public arena.

I have a further concern about fire safety in these premises. I would like to know how often fire safety checks are done on premises and how often residents are taken through fire safety exercises. Furthermore, I wonder how knowledgeable the staff are regarding fire safety, especially when I am told that many junior workers are employed on these premises.

I am uneasy about clause 82 of the legislation, which states that if a service provider has given a resident a notice to leave and the due date has passed and the resident refuses to leave, then in the presence of a police officer it is lawful for the service provider to use necessary and reasonable force to remove the resident and their property from the premises. There has to be a definite clarification of the meaning of 'reasonable force' and an explanation of why force can be used to evict residents from accommodation houses when the law is different for residents of rental properties. There has to be consistency in legislation. People who live in budget accommodation should not be discriminated against.

While this legislation will force some improvements into the standards for living conditions in budget accommodation, the Residential Tenancy Authority, which will administer this legislation, will need to be vigilant in its administration of the processes of the legislation.

Mr LIVINGSTONE (Ipswich West—ALP) (12.20 p.m.): I rise in support of the Residential Services (Accommodation) Bill. In so doing, I congratulate the minister, the director-general and their staff on their work in order to present this bill today. While there are many good operators in this sector, there has also been a history of poor operators exploiting vulnerable people. Many residents in the residential services industry live in accommodation that is poorly maintained and receive minimal services for their money. Quite often some of the establishments they live in could be better described as hovels. Currently there is little legislative protection and these people are open to exploitation, neglect and abuse.

This legislation is one of a number of measures that the Beattie government has undertaken to significantly improve this situation. The other key legislative measure is the Residential Services (Accreditation) Bill, which has been introduced by the Hon. Merri Rose, Minister for Tourism and Racing and Minister for Fair Trading. The accreditation bill will establish standards for the provision of residential services in Queensland. It will also set up a mandatory accreditation system for the industry. This scheme will provide for and encourage continuous improvement in the delivery of residential services. It will be a long-term driver of change and it will significantly improve the quality of service in the sector.

The accreditation bill will support and assist the many good operators in the industry by providing them with a framework within which to operate. Many operators have worked with government agencies for the improvement of this sector and their efforts are greatly appreciated. The accreditation bill also sets minimum standards that operators will have to meet. They will be given a period of time in which to do so, but they will certainly have to do a lot better.

While the accreditation bill will drive improvement in the medium to long term, the accommodation bill will immediately address some basic accommodation issues. This bill sets out the accommodation rights and responsibilities of both residents and service providers. It also puts in place practical mechanisms to give these rights meaning. It introduces measures such as written agreements, standard house rules, rules about entry, procedures for dealing with breaches of agreements and dispute resolution procedures. Together, these bills will provide a sound legislative basis on which to drive improvements in the sector.

However, legislation is only one element within the overall strategy to improve the industry. I understand that a range of resident support measures are under consideration. Such measures would include enhancement of the delivery of basic services and support to residents. This would include improvements and enhancements to existing health services, disability support services and services which provide advice and support in relation to accommodation. At the same time, consideration is also being given to measures to support operators in the sector in the provision of adequate services. Building on existing assistance to develop sound business systems through model operational policies and procedures, measures under consideration include access to expert advice, some targeted financial assistance, ongoing consultation during implementation of the legislation and monitoring of industry viability in the context of maintaining an adequate supply of affordable housing.

This legislation, in conjunction with measures under consideration for resident and industry support, forms a robust framework to ensure that residents have access to accommodation and associated services which are of an acceptable standard. I commend the bill to the House.

Ms PHILLIPS (Thuringowa—ALP) (12.23 p.m.): I rise to support the Residential Services (Accommodation) Bill 2002. In so doing, I wish to focus on a particular key feature of this proposed legislation, that is, the introduction of a recognised process to address disputes which may arise between residential service providers and tenants. Under current legislation, when a dispute arises, the service provider and the resident must work it out between themselves. Often this does not happen, as we all know. Human nature is such that sometimes people are unable to resolve their dispute. Residents are often reluctant to complain, and the outcome of any dispute may not always be a fair one.

The approach adopted by this legislation has been to develop preventative measures to reduce the likelihood of disputes occurring. Provisions such as setting out the obligations of each party, compulsory written agreements, prescribed house rules, defined rules for entry and processes to deal with breaches of agreements will give residents and service providers a clearer understanding of their obligations to each other.

However, no legislation can guarantee that there will be no disagreements. Therefore, this bill includes a dispute resolution process to help the parties work through their disagreements to achieve workable outcomes as quickly and as simply as possible. There is no conciliation and dispute resolution process currently operating in the residential services sector, yet the Residential Tenancies Act provides for such in relation to tenancy agreements. Currently, disputes about breaches of agreements must occur through the court system.

This accommodation bill will establish a three-stage dispute resolution process to deal with residential services disputes. The process is similar to that applying to other residential agreements under the Residential Tenancies Act. This staged approach, with parties required to go through each step of the process, has proved to be effective over many years in the wider residential rental market.

The bill also makes amendments to other legislation in order to achieve its objectives. It amends the Residential Tenancies Act 1994 to provide for the administration and enforcement of the legislation by the Residential Tenancies Authority. The Residential Tenancies Authority was established in 1989 and has considerable experience in administering legislation which regulates the broader residential rental industry. Its work is highly regarded and the government decided to build upon an existing and recognised base for these new arrangements.

The bill also amends the Small Claims Tribunal Act 1973 to provide tribunals with the power to deal with accommodation disputes. The use of conciliation, in particular, as an alternative

dispute resolution procedure has been very effective in resolving disputes quickly and simply. In terms of the legal system, the Small Claims Tribunal has also proved to be a more accessible and quicker way to resolve rental disputes.

The three steps outlined in the bill for the dispute resolution process are: firstly, self-resolution; secondly, if that is unsuccessful, conciliation through the Residential Tenancies Authority dispute resolution service; and, finally, if the dispute is still unresolved, a hearing with the Small Claims Tribunal. The first step is for parties to attempt to resolve an issue relating to the residential service agreement themselves or through some applicable dispute resolution process. Self-resolution by discussion between the parties is the quickest and best way to deal with a dispute. If the dispute is about an alleged breach of the residential service agreement, either the resident or the service provider, or both, will be able to contact the Residential Tenancies Authority for information about the legislation and the procedures to follow.

Part 10 of the bill sets out a conciliation process as a next step. It will apply to suitable cases and is triggered by either party making a dispute resolution request to the Residential Tenancies Authority. It is understood that the conciliation process has been effective in other sectors of the rental industry in achieving a satisfactory settlement without the need for formal court intervention.

If the parties cannot reach an agreement, then the Residential Tenancies Authority's dispute resolution service can help. The Residential Tenancies Authority offers a free conciliation service which aims to help parties resolve their dispute to achieve a successful outcome for all. The Residential Tenancies Authority's dispute resolution officers and tenancy conciliators may be able to help resolve the dispute with just a few telephone calls or, where appropriate, by a face-to-face meeting or even a telephone hook-up between the parties and an impartial conciliator. Any special needs of clients can also be catered for.

The Residential Tenancies Authority can help the parties generate a written agreement at the settlement of the dispute, which will then become a term of the residential services agreement. Participation in conciliation through the Residential Tenancies Authority's dispute resolution service is voluntary. However, the parties cannot apply to the Small Claims Tribunal for a hearing unless dispute resolution has at least been attempted through the Residential Tenancies Authority. If the matter cannot be resolved, the Residential Tenancies Authority will issue formal advice of an unsuccessful dispute resolution, which the Small Claims Tribunal will require before it will accept an application.

In the Residential Tenancies Authority's experience, self-resolution and conciliation are the most effective means of resolving disputes, particularly where the intention is for an ongoing relationship between the resident and service provider. This is because the parties have a greater involvement in negotiating the outcome in terms of what is acceptable to each of them and are more likely to adhere to an agreement where they have both had input. However, sometimes outcomes cannot be negotiated and the parties will still need to go to the Small Claims Tribunal for a decision.

Part 11 covers the situation where the conciliation process is either not suitable for the matter or conciliation has failed to reach resolution of the matter. If the preliminary steps that I have outlined have been followed, either party can apply to the tribunal. That is the third step. The usual applications will probably concern disputes about whether there is a breach of a RSA; disputes about periods of notice in notices to remedy a breach or notices to leave; or disputes about entry to a room or the removal of a resident. The tribunal will have a wide range of powers and orders that it can make.

The outcome of the tribunal is binding on the parties and may not necessarily reflect what either party has sought. The notice periods for dispute resolution processes for breaches and to terminate agreements were formulated after consultation with stakeholders and taking into account the communal nature of residential services premises and facilities.

In conclusion, the introduction of a dispute resolution process is one of the most important features of this bill. The use of this process will go a long way towards achieving better outcomes for both residents and clients within this sector. I commend Minister Schwarten and his staff for the considerable work and community consultation involved in developing this very important legislation, which clearly operationalises this Labor government's social justice agenda. I am proud to be part of such a government and I commend the bill to the House.

Mr CUMMINS (Kawana—ALP) (12.32 p.m.): I rise to speak on the Residential Services (Accommodation) Bill 2002, which will work in unison and complement the previous bill we debated, the Residential Services (Accreditation) Bill.

The Residential Services (Accommodation) Bill 2002 will regulate accommodation generally referred to as boarding houses, supported accommodation and aged rental complexes. Boarding houses generally provide a degree of communal living in which the resident rents a room and has shared access to kitchen, bathroom and other facilities. Generally, only accommodation is provided. Residents are diverse and may include students, transient workers, people with transitional housing needs, people on low incomes, people with a disability and people with substance abuse issues—people often in genuine need and people our side of politics proudly support to try to get back on their feet. We are committed to making a difference for those people in real need.

Supported accommodation is primarily targeted at people with a disability. It provides accommodation, which may be in shared rooms, and access to shared facilities. Meals and personal care services, such as cleaning, linen and medication management are generally provided. Aged rental complexes are targeted to older people. Accommodation is generally provided in self-contained rental units, with services such as meals, cleaning and linen also provided, requiring access to the premises by operators. Communal dining rooms may also be a feature of this type of facility.

This bill is being introduced in conjunction with the Residential Services (Accreditation) Bill 2002, which provides the definitions of residential services to be regulated by both bills and which sets up a mandatory standards and accreditation system. The aim of this bill is to balance the interests of service providers and residents. This is a balance between the rights of service providers to be paid for the provision of accommodation, to have their property looked after and to manage the facility to ensure the interests of all residents; and the rights of residents to safe and secure housing and quiet enjoyment of their accommodation.

Residents in this sector often have no formal rights or protection in regard to accommodation. The service provider may have an agreement for the accommodation provided, but is free to set out whatever conditions they wish. Such agreements would only be enforceable through legal action in a court. A key issue is that a service provider can require a resident to leave at any time without notice and without grounds. They may take action to remove the resident if the resident does not leave, with the criminal law as the only restriction on the means used to remove the resident.

This bill will change the situation and set out the rights and responsibilities of residents and service providers. It will also establish standard contractual arrangements through written agreements and standard house rules. The bill will change the situation and regulate the operation of agreements on key issues such as entry, handling of abandoned goods and the ending of tenancy agreements, and establish a three-stage dispute resolution process for accommodation disputes. This bill will give the clarity that is obviously warranted and needed.

There has been consultation with the Office of the Public Advocate about issues for people with an impaired capacity due to the greater proportion of residents with impaired capacity in this sector. Consequently, the bill requires notices relating to residential service agreements to be given to financial administrators appointed under the Guardianship and Administration Act 2000 or to personal attorneys appointed under the Powers of Attorney Act 1998. This issue will be addressed further in standards developed by the accreditation agency and in community information resources developed through the implementation of the accommodation bill.

This legislation seeks to balance the rights and responsibilities of both residents and service providers. It has been developed through extensive consultation with all stakeholders. The government understands there will not always be agreement among stakeholders about where this balance has been struck in the legislation. However, the importance of addressing the total lack of protection for residents in this sector remains the Peter Beattie Labor government's key priority in the introduction of the legislation. This legislation will be reviewed after two years of operation.

The introduction of notice periods for dispute resolution processes for breaches and to end agreements follows consultation with all stakeholders. These periods were developed after considering the communal nature of the premises where residents do not have exclusive possession of the premises as in the case of premises covered by the Residential Tenancies Act 1994. The risks of closure of facilities are minimised by an integrated strategy involving a package of resident support initiatives and industry viability measures. The costs of tenancy regulation for operators are minimal but this will provide basic protection for residents who have no current tenancy safeguards. It also provides greater certainty for operators in dealing with tenancy related disputes with residents.

A resident in a residential service has the following responsibilities: to use their room in the common areas only or mainly as a place of residence; not to use their room or common areas for any illegal purpose; not to interfere with, and to ensure their guests do not interfere with, the reasonable peace, comfort and privacy of another resident in their use of their room or the common areas; to pay the rent when it falls due; not to keep an animal on the rental premises without the service provider's permission; not to intentionally or recklessly damage or destroy or allow their guests to intentionally damage or destroy any part of the rental premises or a facility in the rental premises; and to maintain their room in a condition that does not give rise to a fire or health hazard.

The service provider for a residential service has the following responsibilities in relation to each resident in the service: to take reasonable steps to ensure the resident has quiet enjoyment of the resident's room and common areas; not to interfere with, and to ensure the service provider's agents do not interfere with, the reasonable peace, comfort or privacy of the resident in using their room or the common areas; to take reasonable steps to ensure the resident always has access to the room and to bathroom and toilet facilities and has reasonable access to any other common areas; to take reasonable steps to ensure the security of the resident's room and the resident's personal property in the room; to maintain the resident's room and common areas in a way that the room and areas remain fit for the resident to live in; to take reasonable steps to ensure the resident's room and common areas and facilities provided in the room and common areas are kept safe and in good repair and, subject to any agreement with the resident about cleaning the resident's room, are kept clean; and to ensure that the times which the service provider or agent of the service provider is able to be contacted by the resident are reasonable having regard to all circumstances, including the services being provided to the resident under the residential service agreement.

It is pretty clear that the legislation has been well thought through. Consultation has been carried out. The minister should be commended, as should his department. Therefore, I commend the bill to the House.

Mrs LAVARCH (Kurwongbah—ALP) (12.40 p.m.): The bill we are debating today provides, for the first time in Queensland, a system of rights and responsibilities for the residential services sector. It covers establishments such as boarding houses and hostels, which house some of the most vulnerable people in our community. The alternative to such accommodation for many is homelessness. We heard from many speakers in the debate on the previous and sister bill to the Residential Services (Accommodation) Bill, the Residential Services (Accreditation) Bill, the plight of people who cannot be housed in boarding houses, hostels and refuges. I also want to take the opportunity to canvass some of the issues surrounding homelessness because they are essential to the debate on this bill and its companion bills.

Central to homelessness is the subject of funding—in particular, federal funding—for social housing programs. Unfortunately, the problem of homelessness will become more visible in Queensland and in the whole of Australia unless the Howard government reverses its cuts to public housing programs. It simply defies logic for the federal government to be cutting funds while homelessness is becoming more prevalent. The state government, local councils, churches, community and charity groups are all doing what they can to address the issue.

On this note, I want to congratulate the Minister for Housing, the Hon. Robert Schwarten, not only on this bill but also on his ongoing advocacy on behalf of the social housing sector. The minister is a great champion for those who are most disadvantaged in our community. I am most heartened by the leadership he shows, not only to government members but also to the whole Queensland community.

The minister answered a question without notice this week regarding the negotiations of the next Commonwealth-State Housing Agreement. He advised the House that at this stage the negotiations are not looking good. It could mean another \$109 million being taken out of Queensland under the Commonwealth-State Housing Agreement. That is disgraceful. I know that I really do not have to do this, but I urge the minister to keep up the battle. We are behind him. Someone in this country—and I hope it is the leaders of all the states and territories joining together—will make Howard see sense and provide increasing funding to housing rather than taking it away.

It seems to me that everyone in Australia except federal coalition members knows that their failure to adequately fund housing programs is aggravating homelessness. Everyone knows that public waiting lists are growing and that available stock numbers could be let many times over. Everyone except the Howard government knows that it is a problem and knows that something

has to be done urgently. Since the Commonwealth-State Housing Agreement started after World War II, the federal government has had the prime responsibility for funding housing programs. It is a responsibility that it is abdicating. As Minister Schwarten has repeatedly stated over the course of the current Commonwealth-State Housing Agreement, Queensland effectively loses \$90 million and, as I said previously, looks to be losing a further \$109 million. It is little wonder that our public housing system and the state government's ability to respond to homelessness are so constrained.

According to a 1999 analysis by the Australian Bureau of Statistics, Queensland has the second highest rate of homelessness of any state or territory in Australia. Almost 26,000 people were homeless—or more than 77 people per 10,000 of population—at the time of that survey. Only the Northern Territory had a higher rate, with 523 people homeless per 10,000 of population. Another 1999 study by QCOSS and the Social Action Office shows that 250,000 households in Queensland live below the poverty line after meeting their housing costs. This means that Queensland has an after-housing poverty rate of more than 20 per cent—one in five Queenslanders—the highest rate in Australia and well above the national average, which is just under 18 per cent.

Adding to the problem has been the decline in the supply of low-cost housing in the private rental market. Between the 1986 census and the one in 1996, a total of 93,000 new dwellings was added to the private rental market in Queensland, but 80,000 of them were in the top end of the market, renting for more than \$150 a week. The number of dwellings renting for less than \$150 grew by only about 12,000. I had a conversation with a real estate agent—

Mr Schwarten: You've been having a few of those, haven't you?

Mrs LAVARCH: I have had a lot of those.

Mr Schwarten: You'll be very popular.

Mrs LAVARCH: I suspect I will be very popular in the real estate industry over the next six to eight weeks. This owner of a real estate agency was telling me that his rent roll, or the number of properties he is managing, is decreasing dramatically. The number of properties that he has to rent each month is only a handful. I asked him what he attributed that decrease to. He said that it is a fact that not many houses are being built for investment in the area, but he said also that, in our area, there are a lot of mum-and-dad investors who used to negative gear one or several rental properties. But since the GST has come in and they have to submit BAS statements and IAS statements every month, the hassle of doing all that paperwork outweighs the benefit of having a rental property. So under the federal government's GST regime, the attractiveness of owning a rental property in the affordable market has diminished greatly.

One has to ask how the Howard government can slash housing funds in all of these circumstances. It has no heart. The federal government's own president even called it mean and tricky. There is no doubt that the failure by the federal government to properly fund state and territory housing programs is making it harder for those governments which care about the plight of the homeless. It is much harder for them to provide public housing. In turn, it is much harder for low-income earners to find accommodation in the private sector. This means more people knocking on the door of an already stretched public housing system. These and other pressures all add up to a growing homelessness problem. If a person cannot find housing through the public housing system and if the private market is off limits, it is no wonder that homelessness is an increasing problem in Queensland and Australia. The bottom line is that if we had a federal government which cared about housing, we would be in far better shape to battle homelessness.

Before I conclude, I want to make a comment about some of the correspondence we have received from groups that have been lobbying on behalf of tenants. I am sure all members of parliament have received such letters. Some of the press or media comments by the coordinators of those services have been very unfair criticisms of Minister Schwarten. No-one could ever dispute the minister's commitment to those who are most disadvantaged in our community. I looked at their criticisms of the proposed legislation. I could easily satisfy myself that the minister had done everything in his power to strike a fair balance between the competing interests. I feel that the initial criticisms were unfair, and the continued criticisms are also extremely unfair. I want to place that on record. I commend the bill to the House.

Hon. K. W. HAYWARD (Kallangur—ALP) (12.49 p.m.): I am pleased to be able to speak in support of the Residential Services (Accommodation) Bill. I take this opportunity, as a number of speakers have already, to congratulate the minister and his department for developing this innovative and important piece of legislation. Prior to this legislation some of the most vulnerable

people in our society, specifically residents living in boarding houses, supported accommodation and aged rental complexes, were without any form of legislative protection. There was a distinct imbalance between the rights enjoyed by tenants covered under the Residential Tenancies Act and those of the residents living in this type of accommodation. For the first time in the history of Queensland this minister has seized the opportunity to develop a piece of legislation which guarantees a reasonable life space for residents.

I take this opportunity to recognise the organisations that have contributed to the development of this bill. In particular I acknowledge those advocate organisations that represent residents, organisations such as the Queensland Disability Housing Coalition, the Boarding House Action Group and the Australian Pensioners and Superannuants League. Indeed, it was these organisations that recognised the lack of rights for residents of this type of accommodation and consequently lobbied both past and present governments to address this issue. The work of these organisations continued during the consultation and development stages of the legislation. As I understand it, that has been a period of some three years. I congratulate the minister, Robert Schwarten, for the effort he has put in to get this legislation before the House today. I am sure that those organisations' interest in the legislation will continue. As the minister has indicated, this legislation will be subject to a monitoring and review. I think he signalled possibly an amendment process.

Indeed, it has been acknowledged by the minister that the legislation will possibly need some finetuning down the track. The minister has recognised that, although there has been a concerted attempt on behalf of the government to balance the rights of accommodation providers and the rights of residents, not all parties will be completely satisfied with the result. I note that the resident organisations did voice their concern with the provision in the legislation for the provider or manager to evict people using necessary and reasonable force. I think they are key concerns, with the potential for violent situations to arise if providers or managers are allowed to use arbitrary justice in determining an eviction.

But the minister is a very practical fellow and he understands these circumstances. The minister based the decision to still include this section of the legislation on the need to protect other residents living in the complex if a resident were behaving in an aggressive and violent manner. I think this is a very practical approach to a very difficult issue. It recognises the reality of particular circumstances and the rights of other people in particular situations, particularly people who may be vulnerable and may be being bullied. The minister took into consideration these situations with congregate living arrangements, where living spaces such as kitchens, bathrooms and lounge areas are often communal. Consideration must be given—it was given by the minister—to the protection of other residents sharing those facilities. I think it is so important to recognise the practical reality of the circumstances this legislation is trying to address. Necessary and reasonable force can, however, only be used when a police officer is present. That is a significant part of this legislation. The legislation also allows for independent arbitration through the Small Claims Tribunal if the evicted resident or residents feel they were subjected to a capricious eviction.

I will highlight some welcome and positive aspects of the legislation, because this bill covers situations that have been of concern to residents living in these complexes but that, up until this legislation came before the parliament, have been ignored. In particular, I welcome the provision in the bill for conditions and notice time for entry. Again I acknowledge the contribution of the Queensland Disability Housing Coalition in the development of this bill for ensuring that an important issue to people they represent has been adequately addressed. That issue is, of course, the right to privacy. It was not uncommon, I understand, for accommodation providers to intrude on a resident's privacy, in many cases simply because they said there was no law in place which said they could not do that. For example in some complexes, particularly those catering for people with disabilities, it was not uncommon for a resident to return and find that their room had been entered or for an accommodation provider to intrude on personal moments in that person's life. For the first time, some of the most vulnerable people in our society will be afforded some semblance of the right of privacy. It is important to think about that, because privacy is a right that all of us in this place and most people in our society take for granted.

Other provisions worthy of note are the introduction of procedures to ensure that residents have the right to appeal notices to remedy breaches such as rent arrears or making excessive noise. This legislation mirrors the provisions of the Residential Tenancies Act, which provides for a three-stage process—a negotiation, mediation and arbitration process to ensure that justice is

delivered as evenly as possible to both parties to a dispute—and encourages security of tenure for people who live within that particular form of accommodation.

With the introduction of this legislation residents of boarding houses, supported accommodation and aged rental complexes for the first time have access to the same set of procedures that the tenants of private and public housing have had for some time in this state. Therefore, I restate how important this legislation will be in improving quality of life, rights and security of tenure for residents living in residential accommodation. I congratulate the minister and his department on the work they have done to bring this bill to the parliament. I commend the bill to the House.

Mrs LIZ CUNNINGHAM (Gladstone—Ind) (12.57 p.m.): In commenting on the Residential Services (Accommodation) Bill, I will respond to a statement made by the member for Kawana. Contrary to what the member said, I do not believe there would be anyone in this chamber who does not have a care and a concern for those in the community who, for many reasons, are unable to defend themselves or to adequately understand their rights and the obligations of others.

Mr Cummins: You don't hear anyone telling the federal government that.

Mrs LIZ CUNNINGHAM: I am talking about in this chamber. I am talking about this state government. Care and concern is not confined to one group of people in this state parliament. Many people here have expressed concern about the quality of life of residents in all of our electorates. In fact, that is what the majority of us are here for. We care about people. We want to see that they are not unnecessarily or in an unwarranted fashion disadvantaged and are not mistreated in any way.

Mr Cummins interjected.

Mrs LIZ CUNNINGHAM: The federal government may have a great deal of responsibility, but we cannot change that here. Certainly I cannot change that here.

Mr Cummins: You can lobby them.

Mrs LIZ CUNNINGHAM: And how does the member know that we haven't lobbied them?

Mr Cummins: We never hear it.

Mrs LIZ CUNNINGHAM: That is because I will not play the party political game that the member plays.

There are people in our community who need our support. This bill is to cover people in residential service facilities who are disadvantaged. The list of disadvantaged areas includes things such as physical or mental disabilities, age and infirmity, low income and those who are vulnerable to exploitation and abuse. Not long ago there was a segment on a television program involving another group of people who were disadvantaged; that is, those who had come to Australia as full fee paying students in rental accommodation. The problem was partly that they did not understand if they had rights in these areas—a right to privacy and a right to decent accommodation. It sent the wrong message to the families of those students who were over here, who expected that the community here would support their children in a fair and reasonable way. This legislation will give great relief to them as well.

The need is not only for that group of people. I know that the minister is aware that in my region there is a growing number of people who would not need the sort of coverage this legislation is rightly offering but who are now falling into that bracket because of the demand on housing in our region. I know that the minister is aware of it, because he has written to me—he has also written to others in the community—about the fact that housing has become a critical issue in the Gladstone and Calliope area. We have talked before about the need for a boarding house. I note that Cairns had what appeared to be a new boarding house opened. I look forward to the minister giving consideration to that need for my area.

There has been an emerging problem with older men in particular whose marriages have broken up, those who have lost partners or those who have been unmarried. The opportunities for accommodation for them are limited. They fall outside a lot of the criteria for the ordinary three-bedroom house type accommodation, yet their needs are no less important. The members for Cairns and Hervey Bay talked about the impact of deinstitutionalisation, and it is a very real impact. People who had accommodation previously in institutionalised care—I know there were problems attached to that care, but not in every facility—and who have been left with nowhere to live face a crisis in that it is very hard to find alternative accommodation.

Sitting suspended from 1.01 p.m. to 2.30 p.m.

Mrs LIZ CUNNINGHAM: I commend the minister for the contents of the bill, particularly the protection for residents with impaired capacity. It seems an irony that it is often these people who get the worst landlords and who are abused and mistreated. There is now an obligation on those landlords to provide written documentation with regard to these residents. This will ensure that either the legal support or other supporters—it says in the explanatory notes their administrator or their attorney, but often they have other closer support people—of the people living there can interpret that documentation, give them advice and reiterate that advice, and that is certainly helpful.

In many instances people come into our electorate offices who are in a difficult situation. They may have some diminished capacity and, because of that diminished capacity, have not been able to get any information in writing. They certainly do not have any information that demonstrates their rights in a particular matter. Therefore, it is very difficult for anyone to give them assistance and defend their position because there was no clear statement of their position at the commencement of that agreement. That obligation for these agreements to be in writing, particularly for those people who need some assistance in their decision making but who are free and welcome members in the community, is certainly an advantage.

There are also guidelines for that same group of people in relation to house rules, standard terms and special terms of the agreement, and that is also welcome. I refer to things like the allocation of parking, but I am not too sure about the consumption of alcohol. I would assume that, if the lease was a general tenancy, albeit in shared accommodation, they should be free, if they wish, to consume alcohol in moderation. The use of illegal drugs is obviously governed by law anyway. In relation to things like noise, the keeping of pets, et cetera, it is essential for all tenants that those matters be clearly defined so that all participants in the agreement can understand it. I also welcome the protection given to people in these tenancy agreements to be able to negotiate, if you like, unpaid rent and the fact that there has been some structure put in place. That is necessary not only for the tenant but also for the owner of the property.

There are only a couple of other issues I want to raise with the minister. One relates to the rights and freedoms of residents in shared accommodation to expect and receive privacy. I again refer to that TV coverage where a woman operated a certain facility. She was abominable in that inappropriate amounts of privacy were afforded to a number of tenants. There were no doors. In one instance, I think there were curtains. There were mixed genders living in that house and those young people were very much at the mercy of this person, who entered and left rooms as she saw fit. I understand that these rooms were not serviced rooms and therefore allowing people access to clean the room, collect linen and carry out maintenance was not an issue. This particular operator just walked in and out at her whim.

Generally when tenants rent a house they have rights. There is an obligation on the owner to give them a certain amount of notice before they can even attend at the property. Fortunately, in many instances the tenant is a good tenant and the owner is a responsible owner and tenants only ever see owners when maintenance work needs to be undertaken, and that is the ideal situation. I believe that folk in shared accommodation deserve no less consideration as far as their rights to privacy.

I also want to raise with the minister a matter that I raised with the Minister for Fair Trading, that is, the response from the Queensland Tenants Union, the Queensland Disability Housing Coalition, Queensland Shelter and Queensland Advocacy Inc. They appear to have quite significant concerns both with this legislation and the previous legislation we debated. The rights and obligations research brief for the Residential Services (Accommodation) Bill states that one aspect of the bill that the QTU and the Queensland Disability Housing Coalition attacked was the right for summary eviction in certain circumstances. The brief says that the government considers that the proposed eviction provisions attempt to protect the residents while also acknowledging the rights of the service provider. Unfortunately, irrespective of who the tenants are, if there was an absolute prohibition on summary eviction there would be those who would take advantage of it. There may not be many, but there would certainly be some.

That information could be passed through the sector and could create quite significant problems. Queensland Housing had that difficulty some years ago when there was a great reticence to evict bad tenants—and I do not mean general tenants; I mean the tenants from hell—and Queensland Housing had to revisit that policy. I would be interested to know if there are other concerns held by those housing sector agencies besides their concern about summary eviction. I would be interested not only in their concerns but also in the minister's response to their

concerns. As I did with the Minister for Fair Trading, I commend the minister for the thought and the compassion that went into drafting the bill and I look forward to its passing.

Mr PURCELL (Bulimba—ALP) (2.36 p.m.): I relish the opportunity to speak in the House today in support of the Residential Services (Accommodation) Bill 2002. There is a definite need for this legislation. Accommodation in the residential services industry is largely unregulated in contrast to much of the broader residential rental market. I spoke on the previous bill before this House, the Residential Services (Accreditation) Bill, and mentioned some of those places that operated in my electorate. One was the ponderosa, as it was known. It was a large house broken up into something like eight to a dozen rooms with a common eating area. It was called the ponderosa because only blokes lived there. It was dreadful accommodation with no regulation. It has gone by the board now. Sadly, some of that accommodation is needed, but it was dreadful accommodation for those people who lived there. There was no privacy, with doors falling off and glass and windows broken all over the place. It was a very dilapidated building.

Many residents who live in boarding houses and hostels are often the most vulnerable people in our society. In a report of the review of the Residential Tenancies Act initiated by the Goss government in 1995 it was recommended that specific legislation be developed for boarding houses and similar residencies. This legislation is the fruition of those recommendations. I congratulate the minister and his staff on getting this bill before the House today, and I must say that there would be people out there who would say that it is not before time. The report highlights the different features of the service provided in boarding houses and hostel style accommodation and the need to develop legislation which provides basic protection for all parties in the residential services sector. The bill before the House today responds to this need. It aims to strike a fair balance between the rights and responsibilities of residents and service providers relating to the accommodation.

For the first time this reforming legislation will set out the rights and responsibilities of tenants and service providers. Broadly, the responsibilities of the residents are to pay the rent for their accommodation, not damage the premises and not interfere with other people living in that accommodation and respect their privacy in the common areas. The corresponding responsibilities for service providers are to provide accommodation that is safe, secure and in good repair, to take steps to ensure that the resident has quiet enjoyment of the accommodation, and not to interfere with the resident's privacy or quiet enjoyment of the premises. Other members have spoken about that. Some landlords used to make people's lives a hell on earth if for some reason they wanted them evicted.

An important feature of this bill is that it requires for the first time that an agreement about the accommodation provided be made in writing. The benefit of written agreements is that both parties are clear about their obligations at the start of the relationship. They also help to ensure that the terms of the agreement are consistent with the legislation. Prescribed in the bill are a standard set of house rules which form part of every agreement and which must be displayed prominently in the accommodation. House rules are commonly used for the management of premises in this sector because of the communal nature of the accommodation. We are trying to ensure that, when it comes to eating meals and taking showers, the accommodation does not become congested and everyone gets a fair go.

The bill also regulates important matters relating to the accommodation provided once a person becomes a resident. A key issue for both parties concerns entry to rooms. The bill takes a practical and reasonable approach to this issue. I heard the member for Kallangur speak before lunch. I thought that some of the ideas that he spoke about were very practical, and I agree with them. The bill sets out the allowable grounds for entry and also the amount of notice, made by mutual agreement, which must be given to a resident before the entry is allowed at any time at all. Landlords cannot just barge into someone's room and conduct an inspection or enter someone's room for a look-see and annoy them.

The intention of the legislation is to minimise the occurrence of disputes over the accommodation provided. As the minister stated, no legislation can guarantee that disagreements will not occur. This bill provides a staged approach, with parties required to go through each step of a process to help deal with disputes when they arise. The first step requires self-resolution between the parties by direct negotiation. If agreement cannot be reached, either party can lodge a dispute resolution request with the dispute resolution service operated by the Residential Tenancies Authority. Conciliators from that service will be available to assist parties to negotiate a satisfactory outcome. If that is not successful, either party can apply to the Small Claims Tribunal for a decision. I would hope that most of those problems would be resolved

during the first negotiation stage, when the parties can sit down at the table and sort out their differences.

This legislation strikes a fair balance between the interests of the residents and service providers. It provides unprecedented protection for some of the most vulnerable clients in the rental housing market. This legislation is greatly needed. I noted from the minister's second reading speech that the Residential Tenancies Authority will be required to monitor the operations of the legislation. The minister has also called for a full review to be carried out after two years of the bill's operation, so we will be able to see whether this legislation is working and hear from both sides. I am sure that once the legislation takes effect we can evaluate whether or not it is working. There are important safeguards to ensure that the intention of the legislation is fully realised. This is an important bill. For the first time, residents in this sector will have legislative protection. It will help to improve their quality of life. It will also provide certainty for service providers and require those who are not doing the right thing to improve their levels of service delivery.

I want to put some facts on the record. It is estimated that there are 368 boarding houses in Queensland. There is a great need for this accommodation. In a lot of areas, particularly in the inner city, people who come from the country need accommodation. A lot of these people are single men who like to live reasonably close to the services—

Ms Liddy Clark: Not just men, either.

Mr PURCELL: And women. There is a great need for boarding houses. Students away from home and the vulnerable young people in our community use that sort of accommodation because it is cheap. Transient workers and builders labourers—people I have represented over many years—tend to use accommodation that is close to a job so that they do not have to travel very far. Sometimes their accommodation can be an old house that has been divided up into rooms. Others who need this type of accommodation include people who are moving between houses, people looking for jobs, low income earners and people with disabilities. People who have substance abuse problems tend to use their funds to obtain the substances they are addicted to and therefore end up with very little money to spend on rent and so forth. They invariably end up in accommodation that does not cost much.

Support accommodation is also needed. There are 134 supported accommodation premises throughout Queensland. Again, this figure indicates a great need in the community at large. The area of support accommodation is mostly targeted at people with disabilities. They are the most vulnerable people in our society—people who need all the support we can possibly give them. A lot of aged people also end up in this type of accommodation. The average number of residents in aged rental complexes in Queensland is 32. That is a disturbingly large number. This type of accommodation is targeted at older people. Accommodation is generally provided in self-contained rental units, with services such as meals, cleaning and linen provided. This requires access to the premises by the operators. The number of people who will be affected by this bill will be very large and will continue to grow. Once again, I congratulate the minister and his staff on the bill before the House. I support the bill.

Ms NOLAN (Ipswich—ALP) (2.48 p.m.): I rise to speak strongly in favour of the Residential Services (Accommodation) Bill. This is a bill which I have been very involved with and keen to see introduced for some time. It is desperately needed. I have often encountered surprise among people who have learnt that the government does not in any way regulate the many boarding houses and hostels which dot our suburbs and which house thousands of people. People have expressed amazement to me that, while these operators are able to take up to 87.5 per cent of a person's pension, there has not been any regulation of the quality of accommodation or the standards of care that must be provided.

As it stands, anyone can set up a boarding house or hostel and provide accommodation for those in serious need. The people who tend to live in these places are among the most vulnerable in our community. They include the victims of the massive levels of undiagnosed and untreated mental illness in our community, those with intellectual disabilities, some of whom used to be institutionalised, and those simply down on their luck.

This bill will, for the first time, regulate the standard of accommodation and care which these places must provide. It will also put in place tenancy agreements—effectively leases—which state both tenants' and landlords' responsibilities. At present, residents have no legislative protection and very few, poorly defined rights. While there are good operators who do the right thing, there are others who provide substandard accommodation and who exploit residents.

The challenge in introducing legislation to regulate the residential services industry is to protect residents but to do so in a practical way that recognises the legitimate interests of service providers. The accommodation bill responds to this challenge by setting out a framework of accommodation rights and responsibilities both for residents and service providers. The legislation recognises that both parties have interests and seeks to strike a balance between those interests.

While providing this balance, the challenge has been to ensure that the bar is not set too low—with no effective protection for residents. At the same time, the bar cannot be set too high with very long notice periods or onerous and protracted dispute handling procedures. The net result of that approach would be to wipe out a sector that accommodates many vulnerable people who would otherwise be homeless.

So how does the bill strike this balance in practice? The approach taken in dealing with breaches of the agreement due to non-payment of rent is a good example. The bill distinguishes between rent and other breaches, because rent is a key concern to operators. In dealing with rent, the bill distinguishes short-term residents as those who have been at the premises for less than 28 days. These residents have two days to remedy the breach or make an alternative agreement to pay before the agreement is ended. On the other hand, longer-term residents who have been at the premises for 28 days or longer have a process of a total of 10 days, including notice to remedy and to leave if the breach is not remedied. What is noticeable in this approach is that the fundamental importance of rent to the service provider is acknowledged through a reasonably quick process to deal with the issue. At the same time, residents are given a specific time in which to pay or make alternative arrangements. Longer-term residents receive a longer period in recognition of their accommodation history at the premises.

While individual rights need to be protected, these rights need to be balanced with the rights of all residents to quiet enjoyment of their accommodation. That is why this bill provides for an agreement to be terminated immediately in case of very serious breaches. If a resident is seriously damaging the premises, endangering other people or very significantly interfering with the quiet enjoyment of the premises by other residents, speedy action to protect the rights of the majority is necessary. Overall, I believe that this bill achieves a reasonable balance between the competing interests of residents and service providers.

There has been criticism of this legislation, much of which I consider to be unfair. The Tenants Union has—I believe, quite amazingly—actively campaigned against change. As I understand it, the crux of its argument is that the legislation provides what it sees as insufficient protection for tenants. But just where we find the logic in opposing the introduction of some quite substantial protection when there is currently none is absolutely beyond me. I have also encountered some surprise in the community at the length of the implementation period—four years. The bottom line is simply, though, that private supported accommodation providers do not receive direct government support. They must run their establishments from the fees paid by residents, many of whom are on the dole or the disability pension. This is at best a marginal exercise and to put the high bar of regulated standards up overnight would simply close down many of these places, leaving many extremely vulnerable people homeless. This legislation absolutely must be implemented over time.

There is a strong case that private supported accommodation providers, particularly those who deal with the mentally ill and those with disabilities, should receive direct government assistance. Many are providing services that are not unlike those provided by nursing homes, yet we well know that nursing homes find it hard to manage, even with direct federal support. This is a question for the community and not just for the government to seriously consider. The bottom line is that there is simply no money, at least at a state level, for the huge responsibility of bringing these private providers of supported accommodation into the funding net. We all wear our hearts on our sleeve and say that it is important that those in need are taken care of, but the community needs to seriously decide if we are willing to provide that support. I always find it shocking when I encounter people who tell me that they very much support public housing, but they do not want any of those kinds of people living in their street, or they sincerely believe that there should be better care for those with disabilities but become hysterical at the mention of higher taxes.

The days of institutions locking away people who are different—who are not white or who do not act in the appropriate way—are well and truly over. That is a very good thing. But for integration into the community to work, we all have to take on the responsibility ourselves. We must be willing to have a house for people with disabilities in our street. We must be committed to not totally giving up on the person with depression or a drug addiction in our family. We must think about the tax that we are willing to pay. We must assist, not pretend not to see, the person

in distress in the street. These are big issues, but integration will work only if we all take on the personal responsibility. It is not up to somebody else.

Ipswich has a number of boarding houses and hostels and the difference in the standards of care provided by them are huge. Some, like the one at Blacksoil that I visited last year with the Minister for Disability Services, Judy Spence, are well maintained, modern and peaceful. The two couples who run the home have been disappointed to find that their retirement business is not a real money spinner, but they make a huge commitment in terms of time and care.

Others are less attractive. They provide food and board in old buildings that are places of depression—where people sit around, often caught up in the nightmares in their head with very little to do. I have very serious concern about the care provided at Palmville Court, which is located near the fiveways at Ipswich. Palmville Court is a boarding house in an old timber building. It used to be a nursing home called Rossili. I believe that Palmville Court provides accommodation for more than 20 people at a time. Many of those people have mental illnesses or physical or intellectual disabilities.

On 3 May 1999, Lynette Deamon, a young woman who was born with an intellectual disability and later in life suffered from manic depression and bipolar effective disorder, was found dead at Palmville Court. Her death, while tragic in itself, appeared to be the result of a difficult person finding few people who cared. Ms Deamon had been at Palmville Court for about three weeks before she died. Immediately before that, she had been in the integrated mental health unit at the Ipswich Hospital, but when ready to leave the unit she was unable to be returned to a Disability Services Queensland house because the staff refused to work with her. The causes of Ms Deamon's death were not immediately clear. At first, police were concerned that she had been sexually assaulted. Later, the coroner established she had died from an adverse reaction to the multiple drugs that she was on.

Palmville Court Hostel is owned and run by Roseanne Brown, a registered psychiatric nurse. The coroner was highly critical of Palmville Court and of Ms Brown herself, stating—

By the end of the Inquest I held grave concerns that Ms Brown should be operating a facility of this type.

In particular, the coroner found that Ms Brown's care of Ms Deamon 'left a lot to be desired'. She found her evidence about who had found Ms Deamon's body unreliable and seriously considered charging Ms Brown with perjury on the basis that there were serious contradictions within the evidence that she provided to the inquest at different times. The coroner also expressed serious concerns that, while residents like Ms Deamon are often on a range of medications, at Palmville Court, 'there is no proper recording of medication administered'. The coroner did not commit anyone for trial over Ms Deamon's death, but she recommended that the Queensland Nursing Council 'determine if any disciplinary action should be taken in respect of Roseanne Brown or indeed whether her registration should be cancelled'.

I have serious concerns about the care provided at Palmville Court and its suitability to continue operating. The hostel is situated on Ipswich's busiest road, Brisbane Road, and there is a sister hostel directly across the street. However, for a considerable time Palmville Court did not even have a front fence, meaning that residents who were not able to judge traffic well wandered across the busy street. Not surprisingly, recently this situation resulted in an accident where an elderly man was hit by a car and seriously injured while crossing the road. The carers at Palmville Court had neither the power nor the responsibility to keep residents locked in, but the absence of a front fence failed to provide any safety at all. I am pleased to see that a fence has now been built, albeit somewhat after the damage has been done.

Palmville Court does not have planning permission to exist as such a facility where it is. Currently, the council is considering an application to grant that approval in order to allow the hostel to operate where it is. Such a decision is clearly a matter for the council and must be made on planning, not care grounds. However, I believe that it is important that, should Palmville Court be given planning permission to continue to operate, it should be a priority for inspection under this new legislation.

Importantly, the coroner investigating Lynette Deamon's death also found serious problems in the way that the Department of Families—now DSQ—and the mental health area of the Department of Health interacted. Damningly, the coroner said that the government agencies at the inquest 'seem to spend a lot of time trying to avoid responsibility for their actions or lack of action'. I am pleased to say that this criticism has been taken very seriously by government agencies, both at central and local levels.

Since Ms Deamon's death, Disability Services Queensland has been established as a separate and independent department, allowing it to focus wholeheartedly on care of its clients with disabilities. At a local level, a project has been established whereby local mental health and DSQ staff meet regularly to share information and improve cooperation in dealing with clients who have previously fallen between the gaps. This is bringing about significant improvements in the way that people with intellectual disabilities and mental health issues, such as Miss Deamon, are cared for.

The coroner in the Lynette Deamon case noted—

Perhaps there should be an independent regulatory body appointed to oversee the conditions of facilities such as Palmville Court.

Setting up a regulatory regime to be administered directly through the government is closely akin to what this government is doing. Lynette Deamon should not have died and she should not have died largely because no-one cared. However, the community within which she died is changing and will take much more care in the future as a result of this bill.

Ms MALE (Glass House—ALP) (3.00 p.m.): I rise this afternoon to speak about the Residential Services (Accommodation) Bill 2002. Concerns have been raised with the government over many years regarding the residential services industry and its various standards. Whilst there are many good operators, there are also a number who provide substandard accommodation and services that can only be described as far less than satisfactory. We have heard a lot of instances of that during the debate on this bill and the previous bill.

This bill will provide legislative protection and peace of mind for both residents and service providers for the first time. The types of accommodation it covers are boarding houses, which generally provide a degree of communal living with access to shared facilities; support accommodation, which is primarily targeted at people with a disability; and aged rental complexes, which are targeted at older people. Residents of these types of establishments need a certain level of support and care because they are some of the more disadvantaged members of our society. We need to ensure there are legislative arrangements to protect their rights. We also need to balance that with the rights and abilities of providers of accommodation. Ultimately, we do not want people out on the streets and homeless because accommodation providers cannot provide the right amount of care.

This bill deals with the rights and responsibilities of both parties, which will be clearly set out via a written agreement. This agreement will include a set of standard terms and house rules, as well as the amount of rent payable, division of services and various other items. That will all be included in the bill. Details regarding use of specific areas, such as shared facilities and parking areas, are also covered. It is vital to point out that a lot of these arrangements were not previously in place. The arrangements were ad hoc and residents had no right of reply when things were changed. Indeed, they could be evicted without any major concern at all. This legislation will cover the rights of those people to ensure that they are adequately housed and that their lives are much more comfortable than they would otherwise be.

The Catholic community run Lavally Lodge, which is hostel type accommodation, in my electorate at Beerwah is a perfect example of how caring and committed service providers can look after people who are less able than themselves. They look after about eight people with disabilities, predominantly intellectual but also physical. Each resident has their own room; they have shared facilities; their meals are provided and they also have the opportunity to help with cooking the meals. It is a very social place. When I attend events in my community, I often see the residents of Lavally Lodge there with their care providers, who volunteer their time on weekends and at night to ensure that the residents have a very good quality of life and get to be a part of their community.

Mr English: It is a very caring and supportive community.

Ms MALE: It is a very caring and supportive community and I commend them for their work at Lavally Lodge. It is wonderful to see people concerned about the residents there. Their being out in the community is wonderful and, of course, the community accepts them and welcomes them with open arms. I would like to see that repeated throughout the state. Returning to the bill, hopefully concerned residents of other lodges and establishments will be able to use this legislation to live in a much more cohesive environment.

Service providers have raised concerns with me and with other members about aspects of this legislation. Some claim that it is too harsh, too strict and that it will be too expensive. However, we need to ensure that members of our community are well provided for. The

government is supportive of what is happening and hopefully together it will work out in their best interests. The minister has consulted widely during the legislative process and has stated that he is willing to consider suggestions which may be implemented. A review will be held in two years time to make sure everything is on track and to see if anything extra can be done to make the legislation even better.

The Beattie Labor government has a proud history of supporting the most vulnerable members of our community. That is evidenced once again by this legislation. This legislation continues that tradition and, for the first time in history, will deliver benefits to residents of boarding houses and other supported accommodation that they would not otherwise have had if this minister had not been caring and committed to his work. I commend the bill to the House.

Mrs ATTWOOD (Mount Ommaney—ALP) (3.05 p.m.): With the scaling down of institutions for the psychiatrically disabled, more and more disadvantaged groups are now living in the suburbs. Some people have lived in hostel type accommodation for many years. Without that accommodation, those people would be homeless. I have seen many of these hostels, which offer the bare bones of living conditions. The people in these hostels are mostly disadvantaged by physical or mental disabilities, age and infirmity and/or low incomes and are vulnerable to exploitation and abuse by some unscrupulous operators. On the other hand, there are many reputable hostel owners who care greatly about the welfare of their boarders and endeavour to provide a comfortable place to live at low cost.

The Residential Services (Accommodation) Bill aims to balance the rights and responsibilities of residents and hostel owners. The bill seeks to regulate the making, the content, the operation and the ending of residential service agreements. It provides for resolving any disputes about service agreements and establishing administration and compliance processes. As part of a program of reforms, this legislation aims to improve the lives of residents in this sector. This is foremost in the philosophy behind the bill. It addresses a gap which was brought about by the fact that it is one of the few sectors of the industry without legislative protection. There were many years of extensive consultation on the bill, which involved industry stakeholders and residents. Residents were previously classified as licensees rather than tenants and this meant that they were not protected by the Residential Tenancy Act 1994, except in relation to bond money. Any rights that residents had were those provided by common law.

This bill focuses on the need to protect the vulnerable. Particularly of concern are those with impaired capacity who cannot understand the nature and effect of decisions about financial matters—those people who cannot freely and voluntarily make relevant decisions or communicate them. There is still a lot of stigma attached to such people and those with mental and physical disabilities. Provision will be made, in the case of people with impaired capacity, for the service provider to give notice to the resident's administrator or attorney appointed under relevant legal instruments.

I have one hostel, Tanderra Lodge, located in my electorate of Mount Ommaney. A number of months ago I visited this accommodation and spoke to Neil King, who manages the premises. Since then, I have had many conversations with him and he has met with people from various government departments in relation to this bill. The accommodation provided at Tanderra Lodge was neat, tidy and clean. However, because of the cost involved in salaries and providing care, meals and personal services, there is not much left to upgrade these facilities. Neil King is supportive of the new legislation which protects the rights of residents. However, he is concerned about the ability of hostel owners to afford improvements.

The Department of Housing intends to provide an affordable loan for the residential services sector to assist with costs associated with accreditation. While the specific terms and conditions of the loan product have yet to be finalised, the proposed government loan will have a concessional interest rate and is likely to offer different repayment options in comparison with a standard commercial loan.

The Minister for Public Works and Minister for Housing, Robert Schwarten, is aware of the potential implications of the new regulations and will monitor the residential services sector to gauge the impact of regulation on housing supply. The government needs to balance the needs of the vulnerable and disadvantaged in our community against the ability of the industry to provide an acceptable standard of accommodation for those people. The minister is aware of the need for the general population to provide better conditions and to allow residents to maintain their dignity. He is also endeavouring to allow service providers time to conform with their legislation and to gain financial help to upgrade facilities to the required standard. It is unfortunate that the federal government thumbs its nose at these issues and refuses to provide adequate

funding to this state to help ensure that Queenslanders have access to affordable, decent accommodation. I congratulate the minister and commend the bill to the House.

Mr SHINE (Toowoomba North—ALP) (3.10 p.m.): It is a great pleasure to speak to this bill, just as it was a pleasure to speak to its accompanying bill, the accreditation bill, during the last sittings. These are important pieces of legislation in terms of the social justice endeavour of the Beattie government. I wish to personally thank the minister, Mr Schwarten, and the minister with respect to the first bill, Merri Rose, for their application in bringing these pieces of legislation before the House.

Much discussion and investigation with respect to both pieces of legislation has taken place over well in excess of a decade. Therefore, it is particularly pleasing to see the legislation now before the House. I wish to look briefly at the process leading up to the introduction of the legislation into the House. That process commenced formally through committees of the parliament in about 1989, when the relevant minister, the Hon. Glen Milliner, requested an investigation by the law reform committee, firstly, into the residential tenancy area and, subsequently in 1992, into the nature of the accommodation we are looking at today and hostels generally.

Mr McElligott, the then Minister for Health, issued a discussion paper which concluded that one of the implications of not registering hostels was that, with no regulatory requirements, the current situation, whereby both the existence of hostels and the number of beds available is unknown, will prevail. Obviously, this unsatisfactory position would inhibit the proper assessment of medical requirements and the ability of appropriate services to meet needs. Without regulations there would be no provision of even minimum standards of accommodation or nutrition.

The discussion paper listed the benefits of a regulatory proposal as follows: to provide a necessary level of care, and to ensure that this care is of an adequate level and is maintained; to prevent abuse or exploitation of the elderly; to allow a period of grace for proprietors of existing hostels to upgrade their premises; and to give power to close a substandard hostel where repeated requests for compliance with regulations have not been acted upon. Associated with that discussion paper were draft regulations that went into great detail as to how the industry should be regulated. As I said, the discussion paper published in 1990 contains detailed information and I commend it to members.

The next investigation into this topic occurred in the general review of residential laws chaired by Mr Welford. The review committee, under its terms of reference, was charged with a duty to examine, report and make recommendations with respect to the relationship of landlord and tenant. This investigation was not exclusively on the point of the current legislation before the House dealing, as it does, with boarding houses, hostels, supported accommodation and aged care accommodation units. Nevertheless, this reform committee, which issued its report in November 1991 to then Minister Milliner, recommended that the question of whether the new act would appropriately apply to residents of homes for the aged and disabled should be referred to a consultant engaged with a view to coming up with specific regulations or suggestions concerning boarders and lodgers.

The second committee noted that in Queensland a large number of boarding premises cater for the needs of the aged and the physically and intellectually disabled and are usually described as hostels. They are usually places inhabited by persons who are not suitable for hospitals or other institutions. Again, the committee found that a growing proportion of the hostel market is directed towards accommodating persons with psychiatric disabilities as primary health care facilities move increasingly to deinstitutionalisation and the integration of patients into the general community. The committee found—and strongly supported the approach—that boarders and lodgers provisions should be incorporated into the proposed new residential tenancies legislation.

I note that public calls for action followed in the late nineties. I was interested to read of a call by Kevin Cocks for reform in an address to the Paddington Workers Club in July 2000. He indicated that since 1997 there have been at least 11 government working party groups, reports, internal investigation units, ministerial task forces, law reform recommendations, boarding house support projects, as well as the Burdekin report and the establishment of the Hostel Industry Development Unit.

Mr Cocks reiterated many of the things that I have mentioned and which have been referred to by other members and by some of the committees that investigated the issue previously. He concluded that 'while governments continue to turn a blind eye, this issue will remain a public

shame, disgrace and scandal for Queensland'. He called for the government to address the situation and advocated that the 'focus has to be on the people—the most vulnerable people in our society'. He called for a public inquiry to address the injustice of the past and to ensure systemic cultural change for the future. He raised questions about the process of deinstitutionalisation itself. He referred in detail to the lack of adequate expenditure on people with disabilities of this nature. He suggested that various strategies were required with respect to the problem and warned that, in his view, the people suffering from such disabilities 'do not require cluster-grouping solutions where they sit and waste away their lives, where they are abused and neglected due to the fact of their isolation'.

I was pleased to read Premier Beattie's response to the issues raised. He confirmed his concern that Queenslanders with disabilities and mental illness were living in substandard accommodation. He explained that this is why in June 2000 he established a task force to tackle the problem. The Premier confirmed that the government was intending to legislate. The bill before the House and the bill recently passed are the fruits not only of this task force's efforts but also of those of various committees over the years.

This bill will regulate the residential services industry in that it will cover boarding houses offering accommodation, hostels, supported accommodation and aged care accommodation units. The bill aims to balance the rights and responsibilities of residents and service providers by regulating the making, content, operation and ending of residential service agreements, providing for the resolution of disputes about such agreements and establishing administration and compliance processes. It also provides house rules and regulates matters such as entry to rooms and notice periods for terminating agreements. Dispute resolution procedures embracing conciliation and review are also included.

I am very pleased to support this bill, which as the minister said is part of a program of reform that aims to improve the lives of the residents of this sector, who are some of the most vulnerable people in our society.

Mr ENGLISH (Redlands—ALP) (3.18 p.m.): I rise to lend my voice to the chorus of voices supporting the hard work of Minister Schwarten. The aim of this bill is to strike a fair balance between the interests of residents and service providers. It does this by setting out the rights and responsibilities of both parties with regard to the accommodation and the manner in which the accommodation is provided.

This is part of a package of bills being debated in the House this afternoon. The bills are very similar. It is all about balancing rights and responsibilities. Service providers have various rights, and we do not wish to trample on them. Residents also have various rights which need to be explored and protected. It is reflective of the attitude taken by this government as a whole that our policies are about balance—looking after the rights of the workers and, at the same time, trying not to stifle business development in this state. In many areas the Beattie government has that balance right, and the bill before the House is an example of that.

In trying to juggle the rights and responsibilities of service providers and residents, there will quite often be conflict between the two parties. This bill provides a quite extensive dispute resolution process to manage such disputes. The rights and responsibilities of both parties will be considered. At the same time, there will be cheap, fair and equitable access to arbitration and conciliation processes. The minister is to be complimented for including those in the bill.

Some of the key features of this legislation include the provision for rules to be made by a service provider in specific areas such as the use of shared facilities, parking and noise and the processes for residents to dispute any changes to those rules. The requirement to maintain rent receipts and records can be essential in justifying money taken out of residents' accounts. The bill also contains procedures for determining rent increases and rent decreases.

Ms Male: That's very important.

Mr ENGLISH: It is extremely important. The bill provides for a prohibition on the seizure of residents' goods in lieu of rent or any other amount due. This bill is about protecting some of the more downtrodden members of our society. It seems vindictive to take the little that many of these residents have in lieu of some back rent that may be owed. This bill prohibits the taking of any items in lieu of back rent.

Some criticisms of this bill have been that the notice periods for dispute resolution processes for breaches and to end agreements are too short. Again, it is a balance of the fairness and equity of all parties concerned. Quite often in these disputes there is a level of urgency. If someone is making too much noise, a party cannot wait for up to eight weeks to resolve the

dispute. The dispute resolution procedures must come into force very quickly. Another criticism is that the regulation may lead to the closure of facilities due to reduced industry viability. I spoke about this issue during the debate on the complementary legislation introduced by Minister Rose. There are some costs to service providers in implementing this legislation, but they have to be weighed against the cost of failing to implement it—the continued abuse and misuse of some of society's most vulnerable members. I believe that in aiming to provide a minimum basic standard for service providers, this legislation strikes the correct balance.

Another criticism that has been levelled at this legislation is that, in some cases, residents can be summarily evicted. This issue comes down to a basic understanding of this type of communal living. A conflict will not always be between residents and service providers. On occasion, it may be between one resident and another. Because of the communal living environment, the service provider must have a mechanism available to deal with such conflicts. If one resident was attacking another resident, the police would presumably be called. They would conduct an investigation. It is very likely that the offender would be released on bail pending a court hearing. Is it fair and reasonable to allow that offender to return to that house where the victim might be living in a state of fear? I believe it is not. There must be some protection and oversight, but there must also be a mechanism in place to facilitate the eviction of residents at short notice for the protection of the greater good of other residents. I understand this criticism, but I feel that because of the communal nature of these establishments, this bill strikes the right balance. I commend the bill to the House.

Mr CHOI (Capalaba—ALP) (3.24 p.m.): I also want to echo the voices of my learned colleagues in support of the Residential Services (Accommodation) Bill 2002. This bill, along with the Residential Services (Accreditation) Bill, is one component of a reform package to regulate the private sector residential services industry. This package was developed as a result of the Premier's hostel industry task force in response to concerns for the safety and wellbeing of residents in boarding houses, supported accommodation and rental complexes providing accommodation for aged community members.

This bill will specify the responsibilities of residents and service providers under a residential service agreement. Those responsibilities, for a resident, could be the payment of due rent and the allowance for pets while, for a service provider, it may include the continual maintenance of the premises. Therefore, this bill increases the protection not only of the resident but also the service provider.

Along with the establishment of administration and compliance processes, a system will be established so that any disputes arising from the residential service agreement may be resolved. It is currently not compulsory for written agreements to be made in the residential services sector. There is potential for exploitation of residents by deceitful service providers. With the introduction of this bill, a residential service agreement must be written and signed by both parties and must comply with the relevant regulation. However, pre-arranged house rules need not be in writing. House rules are generally brought to the attention of a resident by the controller or manager of the premises. This bill will govern the house rules for rental premises, ensuring that residents are receiving fair and just treatment. With residents being made aware of the house rules and provided with a copy of the residential service agreement, they will have full knowledge of their rights. By the same token, service providers will also benefit in being able to act knowingly, lawfully and confidently should a resident breach the agreement.

This bill also aims to increase the period of notice which a service provider must give to a resident in relation to the raising of rent, except when a residential service agreement is for a fixed term. In that instance, the rent may not be increased until the end of the term, unless otherwise stipulated in the agreement. In the event that a resident is behind in rent, this bill will deny service providers the right to dispose of or seize a resident's goods. Many cases involving lack of rent payments are due to financial struggles a resident may be facing. Some service providers will then seize goods, with the intention of selling them to recoup rent payments, sometimes selling items for far less than they are worth. The Residential Services (Accommodation) Bill will not allow this kind of behaviour to be undertaken.

In the event that a service provider may need to enter a room of a resident for a reason other than that of an emergency situation, under this bill notice must be given to a resident before doing so. Entry can occur for any reason with a resident's agreement. This will ensure that the privacy of residents is protected. Of course, this does not include the residents of *Big Brother*, who have voluntarily subjected themselves to the mercy of their service provider for our enjoyment!

A dispute resolution process will also be established so that any accommodation disputes between a service provider and a resident will be handled in a fair and proper manner. A three-stage procedure will be introduced which involves self-resolution, conciliation and, ultimately, arbitration by the Small Claims Tribunal.

This bill outlines the procedures that must be taken should a service provider or a resident need to terminate the residential service agreement. Firstly, to cancel an agreement, a notice period must be given, the length of which depends on the reason. If this involves the eviction of a resident, set processes will be in place for this to occur. Currently in many cases such as this service providers will forcibly evict a resident without any restrictions other than those under the criminal law. This behaviour is no longer acceptable. This bill aims to cease these harsh practices. However, in special circumstances in which a resident has breached the agreement and will not cooperate with a service provider, force may only be used in the presence of a police officer.

It is also my understanding that some service providers have voiced concern regarding possible financial difficulties in complying with this act. I can understand the concerns of the service providers, but the Beattie Labor government will not compromise on the living standards of residents and its duty of care to residents. It is pleasing to note that the Department of Housing is developing a loan product which perhaps will assist service providers in this regard.

The protection of residents has been an ongoing concern in Queensland. Credible service providers and residents will be comforted on learning that for the first time in Queensland they are being protected. By introducing this bill, the Beattie Labor government is continuing to provide a better quality of life for all Queenslanders. I take this opportunity to thank the minister and his hardworking team for bringing this legislation to the House. I commend the bill to the House.

Ms STRUTHERS (Alger—ALP) (3.30 p.m.): There is something very encouraging happening in this parliament. The new National Party recruit, the shadow minister for housing and public works, Ray Hopper, is trying to out-left the Labor government. Good on him! In supporting this bill he has championed the rights of tenants, some of the most vulnerable people in our community. He has called on hostel operators—most of them probably see themselves as small business operators—to do the right thing by tenants. I say good on him. The member for Darling Downs represents the new left of the National Party—the Nationals' third way. In fact, it is probably the only way to go for the Nationals. They have tried the far right. They have tried the centre. They have tried everything. Good on them for trying the left. That is the good side of politics. I am very encouraged that this bill has bipartisan support. It deserves that, and I am very pleased that the member for Darling Downs has led the charge in this bipartisan manner.

By regulating residential service agreements between tenants and owners and by improving dispute resolution processes, this bill will provide welcome relief to a sector that has been fraught with rougher than usual handling—an industry where tenants have had very limited rights, where too many tenants have been thrown out on their ear without notice or dealt with in an uneven-handed way by some of the operators in the industry who are not doing the right thing, and where many of the owners have at times felt that their hands were tied. They have felt at a loss to manage troublesome tenants in a reasonable way.

Over the past few years and certainly recently, many decent people who run hostels and boarding houses in my electorate have come to me with some of their concerns in relation to this bill. They have come to the table with the minister, the other industry stakeholders, members of the RTA and others to try to get a balance between rights and responsibilities in this bill. I think overall this legislation has achieved that very well. Like other members, I support the minister in the efforts he has made. He is certainly someone who does not turn a blind eye to the plight of the most vulnerable people. He is a champion for battlers. Again, I pay due credit to the minister. He certainly goes in there to bat for public housing tenants and others in this industry.

I certainly think, too, that a number of people have come in good faith to sort through the difficulties in this sector and to come through with this bill. I support members of the Supported Accommodation Providers Association, who have come to the table in good faith, as well as departmental officers, tenants advocates and the RTA. It is good to see Carolyn Mason here today. The RTA, in my view, has been one of the great success stories of government policy and programs in the past decade. It really has brought a lot of good sense and good activity to the whole area of tenancy across the state. In this area it has been long awaited, but this package of reforms we are currently debating in the House is very important.

I will come to one concern shortly. First, I join with the minister and others who in this parliament this week have raised concern about the forthcoming federal budget and the sort of

cuts we will see to the key areas of housing and disability services. The current federal government is not sharing Mr Hopper's love of the new left. It is going even more far right, becoming even more mean-spirited. The current federal government, through GST-related measures, has pulled over \$90 million out of the housing budget. I hear from the minister that there will be a further \$100 million or so in the new arrangements, under the new Commonwealth-State Housing Agreement. It is utterly disgraceful. The federal government does not give a damn about people who do it tough in this state and around the nation. I certainly hope that Mr Hopper, in his new-found role within the National Party, can do something about that.

I do not want to overlook the savage cuts that were made by the then state coalition government in 1996 or 1997. With the debt reduction strategy arrangements with the federal government, David Watson and Joan Sheldon led the charge to hand \$100 million or so—

Mr Schwarten: \$130 million.

Ms STRUTHERS: \$130 million—straight out of the state public housing budget to their mates in the federal government as part of the debt reduction strategy. Other states spread that debt reduction strategy across a number of portfolio areas, but the opposition does not give a damn about public housing tenants. It does not give a damn about people doing it tough who find it difficult to get a secure roof over their head. It handed over \$130 million. I do not want that to be forgotten, either. I will keep reminding the House of that act of savagery that occurred a few years ago. I certainly call on the federal government in next week's budget to rectify those mean-spirited actions and put more money into disability services and public housing. I think we will see a lot more opportunities for people over coming years if there is better cooperation with the federal government.

The one concern I have with this bill is one that other members have raised. I put on record the concern I have about the self-eviction powers in this bill. I have met with a number of people who are, because of mental illness, psychotic episodes or something going on in their lives, very difficult to manage in a communal housing situation. I understand the need for operators to have a swift and fair way of dealing with that. I understand the need, therefore, to have an immediate power to move people on or to have them evicted. I understand that the minister is very aware of these concerns and will be ensuring that the RTA will closely monitor the impact of this provision within the bill. The minister is nodding his head in agreement. He is showing that he is keen to make sure that this provision does not unduly abuse or cause harm to people. I certainly encourage him to keep a close eye on that. Given the sophisticated and professional way in which the RTA operates, I am sure that this will be monitored closely.

That is the area of this bill that is most likely to be abused. It only takes a few cases. I am not suggesting that there will be tens or hundreds of breaches of this provision, but one or two bad cases is enough to lessen people's confidence in the package of reforms. I think it is certainly a very good package and one that is well worth supporting. I commend all of those industry stakeholders, departmental officers and others who have been involved in the development of this package of reforms and specifically this bill.

Mrs DESLEY SCOTT (Woodridge—ALP) (3.37 p.m.): This Residential Services (Accommodation) Bill is yet another protective mechanism to ensure that residents in boarding houses, supported accommodation and aged pension rental facilities are not exploited and that the conditions of their tenancy are fair and equitable. It aims to protect the interests of both the resident and the operator of the facility and is complementary to the recently passed residential services bill.

This end of our accommodation sector is a very important one. If it were not for these boarding houses and supported accommodation complexes there would be many more people living on our streets homeless. In these boarding houses people find a room. They may share a kitchen and bathroom facilities. Some are supplied with meals and personal care. This may be their only support network and social outlet. Here we may find people with disabilities, both mental and physical, people who may be battling drug or alcohol addiction or people on low incomes whose housing may be in transition. In other words, this sector supplies low-cost accommodation and offers additional support services as required.

In more recent years complexes have been built to allow older people to live in independent units with various levels of care available such as meals, cleaning and personal care. Many of these facilities are well run, with operators clearly having a high duty of care towards their elderly residents. However, everyone is aware that from time to time we hear of sad cases of neglect and exploitation. This legislation is designed to ensure that whatever level of accommodation we seek,

a set of rules and guidelines will provide protection. The operator has an obligation to provide their residents with a clean, safe room and whatever level of care is agreed upon in a written contract which clearly establishes the house rules, including right of entry and termination of tenancy agreement. On the part of the resident, there is an obligation to pay the rent, keep to the house rules and keep the peace.

There is one aspect of this legislation that I am particularly pleased to see, and that is the right of the tenant to have a voice and to seek conciliation in the case of a dispute arising. Unfortunately, people in this sector of the residential market have for too long suffered in silence. Many have feared that if they express a negative comment or, worse still, an actual complaint, they will then be immediately tossed out—no negotiations entered into. They have become used to being the underdog and not having a voice. While some matters may not be suitable for mediation, I am certain that this provision will indeed give the message that we as a government believe people in whatever situation are important and deserve safeguards to protect their basic rights—in this case, to safe, affordable accommodation and to be free from intimidation and exploitation.

To access the conciliation process, an application must be made on the appropriate form with the required fee to the RTA. However, in certain circumstances there is the provision to waive the fee. The conciliation process may take place by telephone conferencing, joint sessions or interviewing the parties separately. Should it prove necessary, the matters may be referred to the Small Claims Tribunal, which offers similar protection to all parties as if it were being heard in the Supreme Court. The tribunal has been given the powers to order remedy of a breach and may require restraining orders to be given, payment of money, performance of work, compensation, payment of rent and other appropriate actions as required. Hearings may relate to a resident's notice, provider's notice, entry to a resident's room, removal of a resident, or indeed a general dispute or dispute between co-residents. I am very happy to see such a comprehensive set of guidelines to allow disputes to be settled.

I believe many difficulties arise when rules are made up on the run. This legislation gives a clear set of guidelines and will make a considerable difference to give security of tenancy and bring this sector closer to the rights which every other tenant enjoys. An eviction is never easy to handle. However, this bill goes a long way towards fairness, allowing immediate eviction should the behaviour warrant such urgent measures. Nevertheless, a member of the police should be in attendance and the least possible force used to effect the removal of the tenant.

These two bills—that is, the Residential Services (Accreditation) Bill and the Residential Services (Accommodation) Bill—are all about improving the lot of those in our communities who require very low cost accommodation in either a boarding house or supported accommodation facility and the section of aged rental housing, which to date has escaped any type of regulation. All of these facilities, left unregulated, would retain the potential for abuse and deprivation of the most vulnerable in society. Unfortunately, there will always be someone willing to prey on others. I am very proud of my government for tackling this very difficult issue with empathy and understanding.

I pay tribute to people like my immediate predecessor, Mike Kaiser, who raised this issue in the House and had a strong commitment to see this legislation enacted. I recognise also Lorraine Bakon in Logan City, who for so many years has been an untiring advocate for the housing needs of this sector in society. Lorraine has a big heart and has helped countless people in need. Other groups who have also added their voice to improve the lot of those who seek out low cost housing are InterLink Housing and Kingston East Neighbourhood Centre. Our volunteers such as Jean Succi and her team from the Logan and Neighbouring Areas Regional Tenants Association, LANARTA, work tirelessly. Sunnybank Family Support and Southside Caring Group, where I first worked as a volunteer supporting families in emergency housing, also assist many people. I must also acknowledge the valuable work done by Sister Catherine Hefferan of Anawim, who has devoted many years to offer accommodation and support to women with severe mental disorders.

I am pleased I have a caring community and wish to commend our minister, the Hon. Robert Swarten, for his real commitment to providing suitable and affordable housing to people in this state and to this regulation of the private sector. I am also aware that his interest in regulating this sector of the accommodation market is more than simply a matter of tidying up and filling in the gaps. I am glad to serve on his caucus committee and do so knowing that he has a real burden for those we seek to protect by these two bills. I thank the minister's staff for their assistance and all those who contributed to this legislation.

Mrs REILLY (Mudgeeraba—ALP) (3.45 p.m.): I am happy to rise in support of the Residential Services (Accommodation) Bill. I begin by commending the minister and all those involved in the preparation of this bill for their continued commitment to protecting the interests of tenants of privately run boarding houses, supported accommodation and aged persons rental complexes. Some 8,000 people in Queensland live in such accommodation and they are the most marginalised and vulnerable members of our society and the ones to whom we have the greatest responsibility. As other members have described, many of these residents are ageing, alone, have psychiatric or intellectual disabilities and very low incomes. The Beattie government has been concerned for some time about the standards of accommodation and service provision in this sector. This bill is part of a legislative package to regulate, for the first time, the private sector residential services industry.

In June 2000 the Premier established the Hostel Industry Task Force to look at practical solutions to address some of the exploitation and discrepancies of service in this sector. The task force developed a strategy of legislative reforms supported by resident support measures and industry assistance in response to these issues to better regulate the sector. As a result of this process, complementary legislation has been developed with the Residential Services (Accreditation) Bill and the State Housing and Other Acts Amendment Bill, the next bill to be debated. The proposed regulation of boarding houses, supported accommodation and aged rental accommodation will provide, for the first time, improved conditions, safety and wellbeing for residents.

I do want to say, however, that I have some concerns about aspects of the bill and have discussed these with the minister. I am concerned about the ability of some residents of these hostels and boarding houses to understand the provisions of this legislation and indeed to understand that they do have rights regarding their accommodation and that they can fight to maintain these rights. As I have said, the majority of these people are ageing or incapacitated to some extent. They have varying degrees of intellectual disability, mental illness or psychiatric illness and, for many reasons, are weak and vulnerable. There are many who have low levels of literacy and could easily be taken advantage of by unscrupulous operators who have prepared a written agreement which may not have the resident's best interests, rights and responsibilities clearly outlined. However, because these people may be desperate for a place to live, they may be forced into signing something that they do not understand or cannot even read.

People with a mild intellectual disability are, in the main, very trusting and gullible and are not likely to be suspicious of a service provider who as far as they can see is providing them with a roof over their head and, in some cases, regular meals. Therefore, the provisions for written agreements in notifications, while a vast improvement, still leave me somewhat nervous. However, I am not prepared to throw the baby out with the bathwater. I have no doubt indeed that this bill does provide the most protection and safeguards that these residents have ever had in this state.

I fully understand and support the need for this legislation to be balanced to protect both the residents and the service providers. We do not want to see a situation where service providers cannot evict a resident who may be disturbing, threatening, abusing or bullying the other residents. We also do not want to see service providers so burdened that they abandon the field altogether and give up and close down the facility, forcing even more people into homelessness. This bill and the previous bill debated today provide a very good balance and a very practical balance of legislation.

Over the next two years I will be watching with great interest, as I know will be many other community organisations, advocates and others, to see how the legislation is working. I look forward at that time to seeing the results of the review. There is no doubt that this legislation is desperately needed and that it will provide safety and safeguards for the first time. I am satisfied that the minister has considered these matters and balanced them with the need for practical management of these facilities. I am satisfied that the necessary safeguards as outlined by the member for Kallangur earlier, such as the presence of a police officer at any attempt at eviction and an appeals process for people who are evicted, are included in this bill.

This is great Labor legislation. I am pleased to see the members opposite support it and also make public their desire to protect the weak and marginalised in our society—I always knew they had it in them, notwithstanding the fact the National Party had over 20 years in government to introduce such important legislation. Of course, only a Labor government would dare think about supporting and protecting those in our society who are at most disadvantage. I say to the non-government members who spoke with such genuine concern for the sick, the poor, the weak and

the exploited—please make those thoughts known to your federal government colleagues. Tell the Howard government how you feel, join with us and lobby, lobby, lobby. Be serious, put your money where your mouth is and fight, fight, fight, because it is these very people who this morally bereft federal government seems determined to throw on the scrap heap.

If members opposite do not believe me, wait until next week's federal budget, a budget which will sacrifice the most vulnerable people in our society, people with disabilities, in the name of defence and detention. In next week's federal budget it is likely that some \$18 million in funding earmarked for unmet need in the disability sector, over \$100 million Australia wide, will be funnelled off to fight asylum seekers, the world's most wretched, poor and victimised people, people this federal government has chosen to demonise and exploit for base political purposes. 'Kick them when they are down'—that is National Party, Liberal Party and federal coalition policy. If members opposite are genuine, beg and plead with John Howard and Peter Costello not to abandon the 16 per cent of people in our community, those with disabilities. If members opposite—and I see a lot of them in the chamber this afternoon—are genuinely party to a federal coalition government, they should tell their Prime Minister that they are ashamed of his government, his approach and his cynical spending on border protection and they should spurn his stone-cold heart.

That is the challenge to the newest member of the National Party, the new left of the National Party as the member for Algester said. That is the challenge I throw to this new frontbench member, the former Independent member for the Darling Downs. The member should prove his sincerity or forever be damned as a false pretender by his silence. The member can be sure that I will be fighting for that money and the money that has been siphoned off from public housing. I will be fighting for these people and will certainly ask my federal Gold Coast members, Margaret May and Stephen Ciobo, to show me how they can justify this disgusting, despicable, deplorable act. I commend this bill to the House.

Mr FENLON (Greenslopes—ALP) (3.55 p.m.): It is a great pleasure to speak in support of the Residential Services (Accreditation) Bill 2002, which provides definitions for residential services covered by this and the previously considered bill and which establishes a mandatory standards and accreditation system. In doing so, I must point out a great deficiency in this bill, that is, the fact that there appears to be one house towards the Gold Coast that does not seem to be covered by this. Of course, that is the *Big Brother* house! I can picture *Big Brother's* ratings going up with the minister at the controls of that house and directing its operations! I can just see the minister tasking the residents on day release to slip out and put a coat of paint on some Queensland housing stock to keep them active! I am sure this would improve the show.

More seriously, I know that the minister's great empathy for the people affected by this bill would have been shaped by his and my early experiences of a boarding house behind the town hall in Rockhampton near the Gresham Hotel when its residents sat on alderman Pilbeam's purple Fairlane. The less than empathetic and warm approach that Councillor Pilbeam showed to those people was certainly indicative of the attitude conveyed to the people in those days and indeed since. I raise that point very seriously, because these people have suffered a great stigma in the past and have been at the so-called lower end of our society. I wish to make it very clear whom we are talking about. These are people often only one degree away from being on the streets and sleeping rough. They are often people only one degree away from some form of nursing home accommodation. As such, they really do need particular care. I urge the minister and the Residential Tenancies Authority involved in administering this bill to use great caution, because I know a lot of the people in my electorate who live in this form of accommodation and that they are aware of this legislation.

There is some nervousness out there about the prospect of shaking up the system and making it harder for these places to operate. I know the minister would agree with me and everybody else in this place that the last thing we want is one person who is in that accommodation at the moment to be back out on the street. That would be a disaster for us all. We want to make sure that this legislation, along with the package of other legislation that is now in place, is implemented cautiously and in such a way that everybody is given a fair amount of time to make appropriate changes. We need to ensure that we do not overregulate, especially in relation to those people going into and out of this accommodation on a very ad hoc basis. Often, these are people who have just been released from prison or psychiatric institutions. They need the utmost care and understanding in terms of the difficult situations in which they have found themselves.

It is pleasing indeed to see the two-year review period in this respect and that this legislation will be examined very carefully after that two-year implementation period. There are a number of other measures to ensure that there is a smooth transition, including the availability of loans to providers to help them with any particular renovations and changes to the accommodation that may need to be implemented.

The other very significant issue that stands out in this bill is the regulation relating to possible forced eviction. This might seem draconian in some circumstances, but if members know of some of the arrangements in this form of accommodation, in my experience some people who live in those places are very scary and may indeed need a very firm hand in terms of being required to leave. The people who work as supervisors in these boarding house arrangements are often faced with a very difficult task in arbitrating disputes between residents and in dealing with very difficult and sometimes dangerous people who may be asked to leave in circumstances where their conduct is unwarranted or in other circumstances.

In conclusion, the health and wellbeing of people in this form of accommodation is also of extreme importance. As I said, a lot of these people are close to requiring nursing home accommodation, and often they are on a range of medical support and medical drug support. We need to ensure that there is great empathy in the future for these people and that there is adequate support and capacity within these regulations so that people with these illnesses are looked after well and so that when they overstep the mark they are treated empathetically. I commend the minister for bringing this bill to the House and I wish well those overseeing its implementation.

Mrs SMITH (Burleigh—ALP) (4.00 p.m.): I am pleased to offer my support for the Residential Services (Accommodation) Bill 2002. The purpose of this bill is to improve the situation for residents in boarding houses, supported accommodation and aged rental complexes. The residents of these premises are often among the most disadvantaged in the community and I congratulate the minister on his efforts to improve their lot in life.

Currently, there is no legislation to cover residential services. At present, it is one of the very few sectors of the entire residential market that offers no protection to tenants. We are aware that many residential service providers are scrupulous in their dealings with clients and work hard to provide excellent care. However, it is true that many residents are often disadvantaged by physical or intellectual disabilities, age or infirmity and/or low incomes. This makes them particularly susceptible to exploitation by some service providers. Because tenants often have little or no options and this type of accommodation is the only alternative to homelessness, they are obliged to submit to uncaring treatment and poor conditions.

In my electorate of Burleigh there are a number of converted motels, boarding houses and the like that provide basic, affordable accommodation. Most of those are well run, but there are some that will need to be brought up to scratch. This bill does not seek to phase out this type of accommodation but to improve conditions for residents through regulation. The bill aims to take into account the rights and obligations of both tenants and providers and to regulate and protect the interests of both parties. At present, residents of this type of accommodation have no formal rights or protection in relation to their tenancy. A service provider can ask a resident to leave at any time without notice and without grounds. They may take action to remove the resident if the resident does not leave, with the criminal law the only restriction on the means used to remove the resident. That means that, currently, tenants are protected only by common law. Many may not be aware of their rights or cannot afford to enforce them.

These legislative changes will mean that a residential service agreement ends only by written agreement after a period of notice due to a breach of the agreement that has not been remedied or if the resident had abandoned the premises. It further sets out a list of rights and responsibilities of both service providers and tenants and allows for disputes to be settled through a new three-stage dispute resolution process similar to that applying to other residential agreements covered by the Residential Tenancies Act. This includes the provision to seek arbitration by the Small Claims Tribunal. This prevents the present unfair system of residents being unable to seek legal assistance due to lack of funds.

Safeguards have been put in place to ensure that the new legislation is effective. The Residential Tenancies Authority will monitor the new legislation and it will be reviewed in two years to ensure that the legislation works correctly and is as fair as we hope it is.

I believe that this bill will go a long way towards improving the living conditions of residents and will provide legislative protection for both residents and service providers. It has my full support.

Mr LEE (Indooroopilly—ALP) (4.03 p.m.): I rise to enthusiastically support the Residential Services (Accommodation) Bill 2002. This bill is part of a very sensible legislative package to regulate—and, I add, for the first time—the private sector residential industry. This industry is made up of premises commonly referred to as boarding houses, supported accommodation and aged rental complexes.

A combined legislative package has been introduced to the parliament as a response to what are ongoing concerns about standards in the residential services industry. At the outset, I acknowledge that there are many good operators in this industry, but there are also many operators who have delivered substandard accommodation and services. This package aims to improve the lives of the residents in this sector who are often among the most vulnerable people in our society. The bill aims to balance the rights and responsibilities of residents and service providers to regulate the making, context and operation, and ending of residential service agreements and to establish a process for resolving disputes about residential service agreements. It will also establish administration and compliance processes for the legislation. The bill addresses concerns by providing a system of mandatory standards and accreditation.

There has been wide-ranging consultation. Although I acknowledge that it is very rare that we can please everyone when making legislation, I believe that this bill makes a good start. The Hostel Industry Development Unit consulted with all key stakeholder groups, including the board of the Residential Tenancies Authority, with industry, with peak disability organisations, with the Boarding House Action Group and with the Disability Housing Coalition as well as with government at state and local levels.

While speaking to this bill, I would like to note that I have received some fairly sensible representations from people on behalf of the Cerebral Palsy League, including staff, family, friends and former staff as well as residents from the Seven Oaks facility at Fig Tree Pocket, which is within my electorate. I would also like to note that they have some significant concerns on behalf of around 90 people living within the electorate of Indooroopilly who suffer from cerebral palsy.

I refer to a letter that I received from some of these concerned people. In it they point out that over the past 15 years they believe that the disability sector has lacked adequate government funding and that the Cerebral Palsy League has committed more than \$20 million of its own resources over this time over and above any government funding that they have received to meet their clients' needs, the community's expectations for services and to maintain levels of service delivery. The cost of these services has been met by the sale of assets and by drawing down on cash reserves.

The letter notes also that the board of directors of the Cerebral Palsy League has made a decision that they will be forced to cease the provision of unfunded and underfunded services that are currently costing the league \$1.7 million a year. These include, among other things, accommodation services. They may be forced to reduce support by 528 hours per week, which will impact on approximately 85 people's accommodation support arrangements. There will also be a reduction in expenditure of \$177,000 on day services, which will impact on 194 clients. There will be a reduction in in-home support services and also a reduction in therapy services, which may result in the loss of approximately 590 completed adult referrals and the withdrawal of health and education therapy services to some 300 children in the 0-18 age bracket throughout Queensland.

At this point I also note that I hear a very strong rumour that Australia's heartless Treasurer, Mr Peter Costello, is also about to cut approximately \$100 million from disability funding in next week's federal budget. I urge him not to do such a thing. It is an absolute disgrace on the one hand to spend millions and millions of dollars shipping refugees from Christmas Island to Nauru because of an ideological view and on the other hand to take this money away from those who are the most vulnerable and most needy within our society. It is for that reason that I enthusiastically support this bill.

Hon. R. E. SCHWARTEN (Rockhampton—ALP) (Minister for Public Works and Minister for Housing) (4.07 p.m.), in reply: At the outset, I congratulate each member who participated in this debate on their very thorough understanding of the legislation. I thank the opposition and the

Independent member for Gladstone for their support. However, the shadow spokesman raised a couple of issues concerning clause 82.

Let me say to each and every member from this side of the parliament who spoke that it is gratifying to be part of a government that has so many people who are committed to the welfare of others. It is both humbling and invigorating to share a common cause. Almost one-third of the government members of this parliament spoke in support of this bill and showed some understanding of the issue.

Today is a red-letter day for this government. Today is the day that we go forward to protect people who are among the most vulnerable and until now have been the most forgotten in our society. I applaud the shadow spokesman for making that comment. That is the fact of the matter and it has taken a long time to get to this point. I thank my predecessor who had carriage of the RTA, Judy Spence, for her efforts in that regard.

The common element has been clause 82 and, although no-one has mentioned it, clause 79. That has been the sticking point all the way along. It is fair to say that some of the landlords of these places did not want any regulation and some other people wanted total regulation. This legislation lies somewhere in the middle. But at the outset, I refer to clause 82 and answer the shadow minister's question specifically. Necessary reasonable force is not something that is just defined in this legislation. The member will find that in acts everywhere. He will find it in the courts. What necessary and reasonable force involves is well understood by the court process. It is not prudent to specify it here. Anybody who suggests that it can be misused as part of this legislation is simply being mischievous. I am not a lawyer, but there are a number of lawyers in this House who would be able to attest to the fact that that is something which is easily testable in court and which is well understood by the court system.

Mr Hopper: We weren't suggesting that.

Mr SCHWARTEN: I know members opposite were not suggesting that, but other people have been. I noted the support of the member for Gladstone for self-eviction and the support of every other member.

There are representatives from the Tenants Union present today. I say to them that never before in my life have I been so hurt by comments made by an organisation. Those who know me, who know my background and who know the people I came into this parliament to support would not suggest that I would in any way endorse a thug landlord standing over a vulnerable person. The people who have made those suggestions really do not know me. As far as I am concerned, this legislation is a jewel in the crown of this government. It is certainly not perfect. However, the reality is that we have tried to straddle a very, very large barbed wire fence and we have tried to take everybody with us. No government has ever done this before because it was too damned hard—and we have done it. I have made a commitment to the Tenants Union—and to anybody else who will listen—that if there is an outbreak of landlords throwing people out into the street with no excuse, I will do something about it. Every member here knows me well enough to know that I will do that.

Mr Terry Sullivan: You have done it with public housing and you have done it with every other area, and you will do it here.

Mr SCHWARTEN: I thank the member for Stafford for that interjection. The reality is that we do not live in a perfect world and we do not have a billion dollars to fix up all the problems which have been created in some of these boarding houses. I want to say something about the people who run some of these hostels. I have been into a lot of these hostels and I have spoken with the people who run them. They are not people from Dickens, they are not people who are vicious and they are not people who are nasty. The self-eviction laws that I am so condemned for by the Tenants Union were brought to me by one of those people. A gentleman who is a trained social worker had to evict somebody on a Saturday night because he was bashing a mentally disabled woman. The suggestion to me was that the legislation should allow that person back into the place the next day.

Mr Lawlor: No way!

Mr SCHWARTEN: I say no! I am prepared to consider the rights of other people in these tenancy arrangements as well. My vote goes with that woman. I do not want to protect the rights of that thug, and anybody who wants to protect the rights of that thug is no better than he is.

Mr Livingstone: There are none so blind as those who will not see.

Mr SCHWARTEN: That is absolutely correct. I make the commitment to keep this legislation under review. There will be more eyes on these facilities than there ever have been before. Over the years, all sorts of procedures have been legislated for in this place and all sorts of people have tried to implement them—some good, some bad. Now, for the first time, those people have some rights. They will come under the scrutiny of the Residential Tenancies Authority, the Public Advocate and a variety of other people. They have rights they have never had before, and this parliament has given them those rights unanimously.

Finally, I will thank a number of people who have worked hard on this legislation. I thank Carolyn Mason, the manager of the Residential Tenancies Authority, David Breen and Janet Arber from the Residential Tenancies Authority, Rhonda Phillips from the Department of Housing, Peter Young from the Department of Housing, Rodney Goodbun from the Premier's Department, Fergus Smith from the Department of Housing and, of course, the Director-General, the very hardworking and committed Linda Apelt.

I also thank the members of BHOMA and SAPA, which are the peak groups associated with this form of housing, who have worked cooperatively. They have not got all that they wanted, but there has been goodwill in that regard.

I will finish where I started. I am delighted to be a minister of a government which has so many people committed to the welfare of others. It is a sign of the maturity of this parliament that we are able to pass this legislation with such ease. This whole sorry affair would be a lot less uncomfortable if we had a federal government which was prepared to put the same level of funding into housing as a previous Labor government. To all those people who are attacking me and saying I am unfair and all the rest of it, I say: put some energy into taking on the federal government, because I do not hear much of that going on.

I overheard an exchange earlier between the member for Kawana and the member for Gladstone, who said she was not going to join in the political games that are played. Let me assure the member for Gladstone, in her absence, that this is not a game. I welcome back the member for Gladstone. I am glad she has returned to the chamber. I want to assure her that this is not a game. I do not indulge in games with the federal government. This state has lost \$200 million in capital funding. We have spent \$25 million in the member's electorate since I have been the minister. She does not have to be Einstein to work out what effect that will have on the member for the next three or four years.

Every single person in this parliament needs to understand that every housing minister, regardless of their political colour, supported that view. We simply cannot continue to go down the path of the removal of capital funding because we will have more and more of the problems we are trying to correct here today. I thank each and every member who has participated in this debate and I commend the bill to the House.

Motion agreed to.

Committee

Clauses 1 to 166 and schedule, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

ADJOURNMENT

Hon. R. E. SCHWARTEN (Rockhampton—ALP) (Minister for Public Works and Minister for Housing) (4.18 p.m.): I move—

That the House do now adjourn.

Feral Deer, Crows Nest

Mr HOPPER (Darling Downs—NPA) (4.19 p.m.): Tonight I wish to speak about some problems faced by farmers in the Crows Nest area, in particular the feral deer problem. In 1860, 12 deer were released at Crestbrook as a gift to the Queensland government. No doubt we are all

aware of what has happened since then. A recent survey has placed deer numbers at between 16,000 and 20,000 in an area from Gympie to the back of Crows Nest in the Darling Downs electorate. There is a zone around Crows Nest that I firmly believe needs to be looked at.

The trouble is that we really do not know enough about the diseases and the impact that these animals have on our primary industries. Take, for example, the tick problem facing our farmers. We definitely know that feral deer carry ticks. Many farmers in that area have shot deer carrying ticks. The Crows Nest area is on the tick line and there are a lot of good farmers in that area who do their best to keep their properties tick free.

In addition, we would face a massive problem if foot-and-mouth disease ever hits Queensland. Avocado farmers and small crop farmers have had a hard time with roaming deer. Honourable members can well imagine the problems these people face. Other farmers are now using feral deer as a resource. They allow shooters onto their property and charge them a fee for the privilege. No doubt feral deer are part of our ecosystem which has developed over the past 140 years. I personally would not like to see them wiped out completely, and farmers at the northern end quite like having them roaming about.

This government must set aside funding to do some impact studies on the feral deer and their control. We simply need more research data. We have to set up a collaborative research program. We do not know enough about the ticks on deer. In mid-June the National Party will be holding a shadow cabinet meeting in the electorate of Darling Downs. The shadow Primary Industries Minister, Marc Rowell, will be accompanying me to Crows Nest for a meeting on Thursday night, where we can meet with local farmers and residents affected by feral deer and get their points of view.

I wish also to speak about the potential for deer farming. If our feral deer were to get a bad name, this would also affect our deer farmers. Recently, I had the pleasure of being accompanied by Mr Baden Brown from Crows Nest, and we visited some deer farms. Deer farming has merit. I can only encourage it. Baden Brown has a vision for a small game abattoir in Crows Nest and he has the support of the Crows Nest shire. An abattoir would employ a lot of people and I know it would only increase the potential for deer farming in that area. At the moment, deer meat is bringing between \$4 and \$5 a kilo. There are many struggling dairy farmers in that area who no doubt need the benefit of this resource. I believe we can turn it into a solid primary production area.

In conclusion, I emphasise that a cooperative strategy needs to be put in place between the Queensland Department of Natural Resources and the people of Crows Nest.

Schools, Greenslopes Electorate

Mr FENLON (Greenslopes—ALP) (4.21 p.m.): It is a great pleasure to rise in this debate. The Russians had the Bolshevik Revolution and the Chinese had the Cultural Revolution; in Greenslopes, we are having a revolution in education. The \$5.8 million upgrade of the Cavendish Road State High School will revolutionise the way that school operates in the future, similar to all other high schools in my area subject to the Secondary Schools Renewal Program.

Cavendish Road State High School's reputation for excellence in the sporting arena will be further enhanced now that the state-of-the-art Biotechnology and Human Movements Centre is in operation. This centre is the first of its kind in Australia. Cavendish Road's \$5.8 million Bioscience Complex and refurbishment program is now complete. I had the pleasure of participating in that ceremony recently along with the Minister for Education, Anna Bligh. It is a great boon to the local community. This will be a school of excellence. People are coming from all over Queensland to send their children to this school. It will be a place to watch in the future.

Whites Hill State College will be opened formally by the minister this year. Despite only the Whites Hill State College sporting fields being in my electorate, with the school buildings being in the electorate of the Deputy Premier, many of my constituents send their children there. It will have a new configuration—a junior, middle and upper school. The state government has spent \$700,000 on providing new facilities, especially for the middle school.

The other major development under the program has taken place at the Holland Park State High School—

A government member: A great school.

Mr FENLON: Indeed it is. I was able to open the school on behalf of the minister recently. Again, under the Secondary Schools Renewal Program, three quarters of a million dollars has

been provided for revamped computer pods, a dance and drama studio, a science lab, a media workshop, an outdoor art space, a kindergarten, a student support centre and cabling in all blocks and classrooms. This is the way of the future and gives these schools a great new lease on life.

Coorparoo Secondary College is also progressing, with \$4.5 million of work under construction through the Secondary Schools Renewal Program. I recently inspected those works with the principal, Bevan Brennan, who is doing a magnificent job there. Some \$2.5 million of that amount will be for a new auditorium. The remainder will provide for the relocation of the ceramics room, construction of an adult student room, construction of an access ramp to the administration block, and also a new exterior for the front of the school. This is a great program. It is giving children a new start and shows that secondary schools under the state system are working. It is giving these schools a great new lease on life. It is a revolution for Greenslopes.

Public Liability Insurance

Ms LEE LONG (Tablelands—ONP) (4.24 p.m.): I rise again on the matter of liability insurance, which is a mess. It is mess that is doing nothing but harm to the life of this state. One has only to look at the HIH-FAI shemuzzle to see that. It seems to me that the insurance industry essentially blames a period of strong competition and the resultant low premiums for the present situation. If competition has proven so bad for the insurance sector, why do we expect our other industries to embrace competition as being such a good thing?

There can be little doubt that the economics of competition have well and truly lost the fight against the harsh reality of economies of scale. Even the massive home building insurance market could not support two insurers. Recent events have left the country with just one. While we may hope that at least this single insurer will remain, I cannot help but wonder where the benefits of competition have gone for those seeking to buy such insurance.

Clearly, the insurance woes are not confined to the areas generally understood to be liabilities. Even if the insurance industry's arguments about the need to boost premiums to return their businesses to profit were true, it begs the question: how can they refuse to insure some organisations and operations regardless of the premiums charged? I am sorry, but rabbiting on about the risk level seems pretty ridiculous when some of those who cannot get any cover have not had a claim made against them.

Another reason, the insurance industry tells us, for the rise in premiums is that due to competition the liability sector was not profitable and had to be cross-subsidised by other areas of insurance. They imply that this is a bad thing. Yet they then claim that poor international investment performances and the resultant cut in profits is a good and sufficient reason to increase liability premiums. That sounds like cross-subsidisation to me. But, wait, weren't we just told that that exact same thing was bad? I know there has been much talk of caps and a wide variety of other methods of dealing with this issue. The truth is that there is only one real answer, in my opinion, and that is for this government to re-enter the insurance industry with its own general insurance operation.

While group insurance schemes and so on may—or may not—provide a long-term solution for the volunteer and not-for-profit sectors, they do nothing for our small businesses and private operators. A government owned insurance operation would, of course, have to operate on a commercial basis, but it would be operating under the direction of the people's representatives in the government and would be operating in the interests of its shareholders—the people of Queensland. We can all be confident that the premiums offered were as reasonable as could be achieved and not governed by an unholy pursuit of bullion. If operated on a commercial basis, I can see no reason why there should be any significant burden on the Queensland taxpayer. However, if there were such costs, I do not doubt that they would be significantly less than the cost of losing businesses, volunteer organisations and community events such as we are faced with now.

We all have to change with the times, and sometimes those changes need to take us back to a better place, as the future, as we are finding, is not always attractive.

Tamarind Tree, Cairns

Dr LESLEY CLARK (Barron River—ALP) (4.28 p.m.): Cyclones are a part of life in far-north Queensland, and on occasions when severe damage occurs, there is always plenty of dramatic media coverage. However, in February 2000, when Cyclone Steve tore through Cairns, there was

one incident that did not make the national news but which was very significant for the Cairns community. That incident was the demise of an 80-year-old tamarind tree which stood alongside the Captain Cook Highway north of Cairns at the turn-off to Holloways Beach. This magnificent historic tree was blown over by Cyclone Steve, and despite being staked up and nurtured, it ultimately died.

This tree was an icon in the landscape of the Barron Delta and was the last survivor of a line of tamarinds planted by pioneer Dave Smart on his family cane farm nearly a century ago. These trees provided shade and shelter to the draught horses that pulled the ploughs in that bygone era. Cyclone debris normally ends life as garden mulch, but in this instance I asked Transport Minister Steve Bredhauer to allow the tree to be spared this fate and the timber made available for other uses so that its memory could live on. The project caught the imagination of the local community. I formed a small committee to progress a range of ideas, which even included cloning this special tree. While that did not eventuate, mainly because of cost, many other worthwhile creative endeavours have eventuated.

Some 20 local artists crafted a wide range of items, from bowls to clocks and cane knives, and a successful Tamarind Remembered exhibition was held at the Stratford Centenary of Federation Celebrations and the Cairns City Council Chambers, coordinated by Arts Nexus. One of these artists, Werner Schmidlin, created this beautiful gavel which he has kindly donated to the Queensland parliament.

Mr Mickel: That's beautiful.

Dr LESLEY CLARK: It is certainly a wonderful item. I am glad that members appreciate it. The Speaker has agreed to display this wonderful piece, which embodies both the history and artistic talent of far-north Queensland, and I thank him for his support and Werner for his generosity.

Future generations will also be reminded of our pioneering history as a number of tamarind trees have been planted at Stratford, Holloways Beach, Machans Beach and on the Smart Farm in the Barron Delta. These trees were propagated a number of years ago from seeds believed to have been collected from an historic tamarind and donated by the Japanese company Daikyo.

Many other people have been involved in this local cultural history project with me, and I would particularly like to thank the Taylor brothers, who cut the tree into slabs; John Rankine of Rankine Sawmills, who dried and stored the timber; Dave Smart's grandson, David Smart, his sister Christine and her husband John, who has also crafted a number of beautiful tamarind timber items; Councillor Margaret Cochrane for her great personal and council support; and other committee members Suzanne Gibson, Roger Mainwood, Tony Freeman, Les Sims, Gretchen Dickins, Eric Oates and Jenny Sweeny, who all assisted in various ways to ensure that the story of our tamarind tree is never forgotten.

Small Business Owners, Ingham; Mr R. Muller

Mr ROWELL (Hinchinbrook—NPA) (4.30 p.m.): I rise to speak on the difficulties being experienced by small business owners in Ingham as a direct result of the downturn in the sugar industry. While the information that I am about to convey relates to one particular small business owner in Ingham, the difficulties being experienced are not exclusive to Ingham alone and are being experienced in many Queensland primary-producing communities.

Mr Rob Muller has been conducting a motorcycle and power equipment business in Ingham for over 25 years. During this time, he weathered the downturn of the sugar industry in the mid 80s and, despite the difficulties of that period, was able to maintain his business for rural and recreational activities utilising motorcycles and small engines. During the last three years, though, times have again been tough for the sugar industry. Improvements have been implemented to some degree with assistance in regard to support for replanting crops, but many farmers still look like going under due to the weight of their financial burdens.

As a general rule, resources in rural communities are depleted in difficult times, and businesses such as Mr Muller's provide discount services and credit arrangements to recognise the difficulties being experienced and to lend a hand in keeping many farmers in business. However, the industry is now facing yet another significant hurdle. The world price for sugar in the last six months has dropped significantly, and this, coupled with the increase in the Australian dollar against the American dollar, means that the returns to the sugar industry will be below the cost of production.

While Mr Muller is not a cane farmer himself, he, along with the district, is dependent on the sugar industry. The situation is now at a point where well-established farms are barely able to maintain their commitment in servicing their debts to financial institutions and to businesses such as Mr Muller's. Each week, there is an indication that businesses can no longer keep their doors open. It is essential that the state government recognises the desperate position that towns such as Ingham find themselves in at this time. This includes people directly involved in the sugar industry, mill workers, harvester operators and small businesses that provide the essential services in small communities. In essence, poor yields and poor prices affect the whole infrastructure of a rural community.

There is a need for the government to recognise the rapid decline that is now occurring and to look at measures of support that can be implemented to maintain these Queensland communities before it is too late. We have had three particularly difficult years. The resources of many people have been fully expended. It is getting to the point now, given what is facing the industry in the future, where many people will not be able to carry on.

Job Swap; Mature Age Employment

Ms STRUTHERS (Algeria—ALP) (4.33 p.m.): Being an MP is a great job; it is a great honour. But yesterday, just for the day, I gave it up. The principal of Algeria State School, Jan Kazacoff, swapped jobs with me. She came to the parliament for the day as the acting member for Algeria. Being a school principal for the day when I went to the school at Algeria last week gave me some unique insights into the great achievements within state primary schools. It was the information and communication technology skills of both the students and the teachers that particularly impressed me. The children in grades 1 to 3 that I saw at Algeria State School were designing excellent web pages. Given what we saw in the parliament earlier this week with the inaccurate, out-of-date web sites for the National and Liberal Parties, I am sure that these five and six-year-old kids could show those parties a thing or two.

Teachers, many of whom did their training in the pre-cyberspace generation, have done a great job getting up to speed on computers. One problem raised with me, though, was the lack of computers and networking capacity to meet the thirst for learning that the kids have. However, I was able deliver good news to teachers, in that our new education reform package will provide a significant boost to information technology within schools around Queensland. I am excited about this reform package and the ability we will have as a government to significantly improve educational opportunities for students of all ages throughout this state.

Algeria State School has many innovative programs. It is a trial school for the New Basics curricula. I saw the rich tasks being put into action. Algeria also offers year 7 students a unique leadership program. It is a great school that is preparing kids well for their future lives and careers.

Speaking of careers, I also want to touch on another topic and remind the House of the very disturbing attitudes that many employers have towards workers over 45 years of age, with far too many of them not wishing to employ people over 45. I would not like to think that the young students of Algeria will have a career until 45 and then be shunned.

The Hon. Matt Foley has given me the responsibility of actively promoting the interests of mature age job seekers in Queensland and to monitor the implementation of our very good programs Back to Work and Experience Pays. One of the difficulties, though, is engaging employers and getting them to change their attitudes and give employment opportunities to over 45s. I am looking at the concept of 45 jobs for over 45s in 45 weeks on the south side of Brisbane. I hope I can get some legs on this very important project.

Anzac Day Services

Mrs LIZ CUNNINGHAM (Gladstone—Ind) (4.36 p.m.): I rise to commend many people in my community—and I know that similar scenes occurred across all of Queensland—for the wonderful Anzac Day services that we were part of recently. The high schools in my electorate—Tannum State High, Toolooa State High, Gladstone State High, Chanel College, Faith Baptist Christian School, St Stephens, Trinity College and the Mount Larcom High Top—all held memorial services. Many of the primary schools also held memorial services just prior to the 25th. Usually a returned serviceman speaks at those services. On Anzac Day we had dawn services at Boyne Island, Gladstone and Mount Larcom; a 9 o'clock service at Boyne Island; and 11 o'clock services at Gladstone, Mount Larcom and Calliope, and some in the Boyne Valley.

I congratulate each RSL committee, especially the Gladstone RSL committee, which for the last 12 months or so has been working under extreme pressure. All of those committees work wonderfully throughout the year in order to ensure that the memorial day, the gunfire breakfast—if there is a dawn service—the 11 o'clock or 9 o'clock service and luncheon—if there is one—are well attended and well organised.

I also commend the community. Over the years, particularly since 1995 with the Australia Remembers celebrations throughout that year, attendances at Anzac Day events have increased markedly. While there are not many World War I veterans left and World War II veterans are diminishing in number, we have returned servicemen and women from Korea, Malaya, New Guinea and Vietnam; we have peacekeeping troops as well as active forces in Afghanistan, all of whom have contributed greatly to the fabric of our community in the past, currently and in the future.

I also commend the families of returned service people who support returned servicemen and women through crises that most of us do not ever see. They are kept very private; they are kept within the family walls. Returned service partners and families in great measure pay the price for those returned servicemen and women's contribution to our freedom.

In the last few moments available to me, I want to also commend the Queensland Cancer Fund's Australia's biggest morning tea that is to be held on 29 May. Cancer affects so many of us, either through our families, ourselves or other family friends. Australia's biggest morning tea is held just once a year. It is a major fundraiser. In Gladstone, it will be held at the bowls club. Many offices throughout Queensland and Australia hold small morning teas. It is one of the major fundraisers for the Cancer Fund. It does not get funding to any extent from anywhere else. I urge all members to be involved in that fundraising and to provide whatever support possible in that arena.

Ferny Fireballs; Mr C. Keating

Mr WILSON (Ferny Grove—ALP) (4.39 p.m.): Today I wish to talk about a champion local sports club and a champion volunteer in that club. I speak about the Ferny and District Junior Cricket Club, known as the Ferny Fireballs, and the retiring president, Chris Keating. The club has over 300 local children playing in 25 teams. The club is one of the biggest junior cricket clubs on the north side of Brisbane. Recently I had the privilege of attending the annual trophy day and making a special presentation to Chris Keating on behalf of the committee of management and in my capacity as patron of the club.

Chris followed in the path of many worthy club presidents before him. He was coach of a Ferny team, from under 9s right through to under 16s, from October 1994 to the end of this current season, March 2002. Chris coached in a style that was personified by patience, kindness and understanding. He was very capable in getting the very best out of the boys and never needed to shout at them to get his message across. His hallmark was that he talked with the boys and not at them. He came from a solid cricket background, having played grade cricket some years earlier.

Chris occupied the position of president of the club from 1997 to 2002, a total of five years. He presided over many dedicated club committees. He has strong leadership qualities and got the very best out of his club committee members—a hands-on president who not only regularly coached and umpired for his Ferny team but also got his hands dirty by meeting problems and issues head on.

Whilst president of the Ferny Fireballs he was also a regular member of the management committee of the Brisbane Norths Junior Cricket Association from 1998 to 2002, serving on a number of important subcommittees as well as for a year as zone president. Chris has been a very dedicated and well respected president who has served his club with distinction, as has his wife, Liz, who has been a fantastic supporter of Chris in his role in the club and also of the club generally. Chris is a very modest and humble man and would be the very last to draw attention to his own contribution, but I am delighted in this House to do just that. Well done, Chris, and congratulations.

Queensland Thoroughbred Racing Board

Mr HOBBS (Warrego—NPA) (4.41 p.m.): I have advised the Queensland parliament that the selection process for the Queensland Thoroughbred Racing Board and other matters have been

subject to political interference by the Queensland Minister for Racing. An independent three-person panel was set up to appoint the new QTRB—one ministerial appointee and two industry appointees, one to represent TAB clubs and the other non-TAB clubs. Those representatives were approved by the full board of the then control body, the Queensland Principal Club.

The selection panel was given 15 names from an original application pool of 200 by recruiting company TMP Worldwide. Prior to interviewing the applicants the panel proposed to request all applicants to complete personal probity forms. However, due to time constraints in relation to the selection and appointment it requested only eight applicants to provide personal probity forms. Therefore, those who were interviewed first were generally asked to provide probity forms. These probity checks were carried out by the Queensland Police Service, returned and scrutinised by the panel, who found no impropriety. The final list of five names was selected and the minister was advised. They were Chairman Mrs Nerolie Withnall, Deputy Chairman Mr Stephen Lonie, Mr Tony Hanmer, Mr Michael Lambert and Mr George Pippas.

For reasons not entirely clear, the appointed chairman, Mrs Withnall, stood down from her appointment. The minister, through her director-general, then appointed a second selection panel through her nominee on the Interim Thoroughbred Racing Board, Mr Longman. That selection panel was not endorsed by the then control body, the ITRB. Some members of the ITRB only heard of the secret selection panel after newspaper reports named the new chairman. Those members of the ITRB had also applied to be on the QTRB; however, they were not successful and I believe were advised accordingly.

Under the Queensland Racing Regulation 2000 2A(4), the Minister for Racing must consult with the industry on the formation of a selection panel. It is my strong view that this was not carried out and, in an answer to my question on notice on this matter, the minister advised that her director-general contacted her nominee on the ITRB. This is clearly not consultation with the racing industry.

It has since become known that a file from the Attorney-General's office, prepared for the Department of Tourism and Racing, may have found its way into the public arena. It is believed to be the file related to the nominated chairman, Mrs Withnall. The Minister for Racing was asked on 18 and 19 April if she was aware that files relating to nominees and candidates of the QTRB were interfered with or stolen. The minister responded—

I suggest that if ... the opposition has any evidence or information to back that up he make it available to me.

She stated in answer to a further question—

There has not ... been any suggestion about any files or documents ... disappearing or whatever.

The Attorney-General later confirmed to the parliament on 18 April that an internal inquiry had been initiated on 28 March, three weeks prior, to determine how legal advice provided by Crown Law to the Department of Tourism and Racing may have found its way into the public arena. It has since advised that the matter was referred to the Crime and Misconduct Commission on 17 April 2002. Other matters relating to the ministerial interference in an official inquiry and direction by the minister to the control body to sack the CEO, Kevin Hasemann, have been raised in the parliament and referred to the CMC.

On 24 April 2002 the CMC advised that information in respect to Crown Law advice unlawfully disseminated and used to influence the process by which a member of the QTRB was selected raised a reasonable suspicion of official misconduct, and an investigation has commenced. Further matters relating to the improper interference with the selection process and interfering in the administration of the QPC and the QTRB are being sought—

Time expired.

Domestic Violence

Mr MICKEL (Logan—ALP) (4.45 p.m.): This week, dedicated to taking action against domestic violence, saw a gathering of various groups in Logan City who have developed an integrated response to this societal problem. The incidence of domestic violence is particularly alarming in the Logan-Beenleigh area. The total number of orders issued by the Beenleigh courthouse last year was 1,858, of which 1,050 were temporary protection orders. This is the second highest incidence in the state and one, as an elected representative, I have a duty to speak out against. It is unacceptable and illegal behaviour in any relationship. Even more insidious, if left unaddressed it becomes cyclical. The evidence suggests that children of violent households may themselves become perpetrators of domestic violence.

In Logan City the group called Women Against Violence Support Services has developed an integrated community response to the problem. The response is initiated by the police who attend the incident, who then fax back details to the community group for women, and now for men, who are in need of assistance. That help may come in a variety of forms—counselling, the offer of refuge, legal advice, educational help for children of victims and confidential medical help through the Logan Hospital. The program, called Fax Back, is now in phase 2, where help is provided to men to counsel them against the use of violence against their partners. As a brochure available at the conference highlighted—

The true nature of domestic violence is clear. It is about control, domination, intimidation and humiliation of women and children. It is unacceptable that these women and children live in fear in their own homes.

Studies have shown that domestic violence in many instances is a matter of choice. Men can stop the violence, and this week focuses on the services that are available. It is a timely wake-up call to men to become the agents of change. The first step on the journey for men, who are the main perpetrators, is to take individual responsibility for their actions. They, too, can use this week to help bring about non-violent, non-abusive relationships. I commend the Logan group for its activities and for the community agencies for bringing to public attention this issue that affects one in three families.

Motion agreed to.

The House adjourned at 4.47 p.m.