THURSDAY, 16 MAY 2002

The House met at 9.30 a.m.

ABSENCE OF MR SPEAKER

The Clerk informed the House that Mr Speaker was leading a Construction Queensland trade mission to the People's Republic of China, including a reciprocal visit to the Shanghai Municipal People's Congress.

The Chairman of Committees (Hon. J. Fouras) read prayers and took the chair as Acting Speaker.

PETITION

Papillon Mining and Exploration Pty Ltd; Mining, North Arm

Ms Molloy from 748 petitioners requesting the House to stop all present mining activities and reject the mining lease application No. 50184 taken out by Papillon Mining and Exploration Pty Ltd and further stop any future mining of minerals in the North Arm district of the Sunshine Coast.

MINISTERIAL STATEMENT

Death of Mr Bob Marshman

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.32 a.m.), by leave: Today I want to pay tribute to Bob Marshman, who died yesterday. Bob and his family moved to Queensland in 1992 to take responsibility for driving the government's employment, training and industrial relations policies, which included workplace health and safety and workers compensation. He was instrumental in developing our Breaking the Unemployment Cycle initiative. When my government was elected in 1998, Bob again took over as director-general of the newly named Department of Employment, Training and Industrial Relations. Bob played a major role in designing new and innovative labour market programs to deal with long-term unemployment in Queensland, with a particular focus on those most disadvantaged in the labour force.

Bob leaves Rae, daughters Nicole, Tanya and Kelly and two grand-daughters. In life we meet all sorts of people. Some of the people we meet we are not real keen to meet again, and there are those we meet who make an impact on us. There are some really good people. Bob Marshman was one of those really good people. I recall that during the last election campaign, after the debate between the leaders when Rob Borbidge and I had been debating at Channel 9, I visited Bob at the Wesley Hospital. He was a person of enormous optimism. While he had a tumour and was obviously in very bad health, all he wanted to talk about was policies and future direction and, regardless of who was elected, whether we would continue to have programs to give young Queenslanders and all Queenslanders a fair go.

In these circumstances, there is nothing that one can really say other than that Bob was a great Queenslander who will be sadly missed by his family and by all of us. As this is not a normal condolence motion, I say to the Leader of the Opposition that I know Bob was well regarded on the opposition side. He really was a great guy and it is a tragedy that he has died so young.

MINISTERIAL STATEMENT

Premier's Literary Awards

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.34 a.m.), by leave: Today is a bit of a crazy day in the sense that in a minute I will make a long ministerial statement in relation to indigenous matters, which will be followed by a statement from the Minister for Aboriginal and Torres Strait Islander Policy. However, there are a couple of matters that I need to draw to the attention of the House. I will deal with them quickly and then seek to incorporate the balance.

Later today, along with the Minister for the Arts, Matt Foley, I will be launching the 2002 Queensland Premier's Literary Awards, the richest literary awards program in Australia. The

awards are worth a record $150,000 in prize money. There is also an extra $5,000 to go towards publishing the work of the winner of the best emerging Queensland author category. I have made a personal commitment to nurture and encourage a vibrant writing culture in our state as part of our Smart State philosophy. I am acutely aware that we need to have a strong, authentic voice in the world and that voice comes from our writers. We want Australian writers, not just Americanisms.

Last year's Queensland Premier's Literary Awards attracted 496 entries, 193 of these from Queenslanders. This year's awards have been extended to include a new category for best young adult book, which recognises the growing young adult book field.

I seek leave to incorporate the rest of my ministerial statement in *Hansard*.

Leave granted

It means the children's book category now targets readers aged 6 to 11 with the best young adult book targeting readers aged 12 to 16.

I'm delighted to report that authors helped through the Emerging Queensland Author category are achieving not just critical success but commercial success as well.

Nicole Bourke who won the Best Emerging Queensland Author award in 2000 has since published her novel The Bone Flute.

As well, things are progressing nicely for last year's winner of the Best Emerging Queensland Author category—Deborah Carlyon

With the help of the terrific team at the University of Queensland Press, Deborah's manuscript Mama Kuma: One Woman, Two Cultures will be published nationally later in the year.

This year's categories with their prize money are as follows:

Best fiction book—$25,000
Best literary or media work advancing public debate—$15,000
Best manuscript of an emerging Queensland author—$20,000, plus $5,000 towards publication
Best history book—$15,000
Best non-fiction book—$15,000
Best children's book—$15,000
Best young adult book—$15,000
Best drama (stage)—$15,000
Best film or television script—$15,000

The Awards are a national contest—the only award exclusive to Queenslanders is best manuscript of an emerging Queensland author.

MINISTERIAL STATEMENT

Central Queensland University, Sydney Campus; Tourism, Gold Coast

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.36 a.m.), by leave: Tomorrow I will be travelling to Sydney to support and promote two great Queensland products: the University of Central Queensland and the Gold Coast tourism industry. Between them, they represent two great Queensland brands: the Smart State and the Sunshine State. They create thousands of jobs for Queenslanders and generate millions of dollars in export income.

Education is now an important export industry. Each year Australia hosts more than 107,000 international university students, with more than 17,000 of them currently studying at Queensland universities. Last month the chair of the Queensland Education and Training Export Board, Paul Braddy, led a delegation of 14 education providers to China to identify education export opportunities in that country. Mr Braddy will join me in Sydney tomorrow when I officially open the new Sydney campus of the Central Queensland University. What particularly pleases me about the event is that a Queensland university is spreading its wings. The Minister for Public Works and Minister for Housing, as well as the member for Fitzroy, Jim Pearce, are very supportive of this university.

Opposition members interjected.

Mr BEATTIE: As is—as I was about to say—the member for Keppel. Manners are important!

Central Queensland University has a network of campuses in Australia and the Pacific. It operates campuses specifically for international students in Brisbane, the Gold Coast, Melbourne, Fiji and Sydney. It also has teaching operations in Hong Kong, Singapore, Malaysia and Japan. All up, around 40 per cent of students enrolled at the many campuses of the Central Queensland University are international students. In fact, most of the 3,000 students at the Sydney campus are international students, and the number is growing. The students are mainly studying

information technology and business, subjects that are vital to a future in business. The campus also offers students the flexibility to study over a shorter period, if they wish, by offering four terms in one year as an additional option to the standard two terms.

Tomorrow morning, 300 of Central Queensland University's Sydney students will graduate with degrees from the university's five faculties. These students come from a range of countries including Bangladesh, Brazil, China, Hong Kong, Indonesia, Japan, Malaysia, Pakistan, Russia and Taiwan.

In Sydney, I will also be announcing an important initiative to support the Gold Coast tourism industry. It will be a colourful event that will make people feel good, especially if they are involved in tourism on the Gold Coast. While I have to keep the details under wraps until tomorrow, it is an important initiative that I am sure will have the support of all members of the House.

MINISTERIAL STATEMENT

Harry Redford Cattle Drive

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.38 a.m.), by leave: On Sunday I will again head outback to be part of more special celebrations for the Year of the Outback. On Sunday I will join Christine Scott, the member for Charters Towers; Bruce Campbell, Founder and Chairman, Year of the Outback; Gary Peoples, Mayor of Aramac; Bob Marshall, the Boss Drover; ABC doyen Colin Munro; Vaughan Johnson; and many hundreds, possibly thousands, of others for the start of the Harry Redford Cattle Drive

Some might ask: why are we commemorating a crime? After all, what Harry Redford did 132 years ago was plain and simple cattle stealing. But the cattle drive is not about celebrating a crime, it is about courage and the celebration of an amazing feat of navigation, cattle droving and survival. In doing so, communities and people will be brought together, and the Starlight Children's Foundation will benefit. At the end of the drive, the 600 head of cattle will be sold at Roma and part of the proceeds will go towards that wonderful organisation, which grants wishes to seriously ill children. It may have taken over 130 years to right a wrong, but the crime of the man later dubbed Captain Starlight will have a direct benefit to the Starlight Children's Foundation.

The value of Queensland government support to the Year of the Outback is in excess of $2 million and there is something for everyone. Our support includes $80,000 for the Year of the Outback Calendar of Events, $50,000 for the Harry Redford Cattle Drive, and $20,000 for marketing and promoting the Isa Rodeo in August. In addition, the development of the $110 million Queensland Heritage Trails Network is providing more than 30 new or much-expanded attractions for tourists in outback Queensland, with many of them opened already or due to open this year.

Another way we are supporting the Year of the Outback is through the Queensland Premier's Year of the Outback Awards as announced last week by Primary Industries Minister Henry Palaszczuk.

Mr Speaker, I seek leave to incorporate the rest of my ministerial statement in *Hansard*.

Leave granted.

The Harry Redford Cattle Drive will pass through Muttaburra, Longreach, Stonehenge, Jundah, Windorah, Quilpie, Charleville, Morven and Mitchell before ending in Roma on August 17.

All those towns will stage festivals as the cattle drive passes through.

Counting Aramac, that's 11 festivals in eight shires and that's a great example of how communities in Queensland can work together.

I especially congratulate the Aramac Shire Council on being the driving force in making it all happen.

Mayor Gary Peoples has played a lead role in bringing together those eight outback shires.

A shire of less than 1000 people hosting the State's premier Year of the Outback event reflects well on his "CAN DO" community.

It's a great example of what the west can do when it works together.

And the cattle drive itself is certainly in good hands with Boss Drover Bob Marshall and his experienced team.

...

I'm delighted to again be heading to the Outback and to be part of the celebrations .. Sunday will be my fourth visit to the Outback this year.

The whole Year and the associated celebrations are the rightful recognition of those men and women who pioneered this nation's heart and of course those who continue to live and work out there today.

I'm delighted to be involved.

MINISTERIAL STATEMENT

Aboriginals and Torres Strait Islanders, Compensation

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.40 a.m.), by leave: Finally today I wish to make a very important ministerial statement in relation to righting a wrong that has been around for over 100 years. Last Thursday the Minister for Aboriginal and Torres Strait Islander Policy, Judy Spence, and I met with representatives of the Queensland Aboriginal and Islander Legal Services secretariat, the Aboriginal and Torres Strait Islander Advisory Board and other indigenous representatives. At the meeting, the minister and I made an offer on behalf of the government of Queensland aimed at easing the lasting pain caused by past government policies relating to the control of indigenous savings and wages. The most potent symbol of these policies is the Aborigines Welfare Fund.

We intended to maintain confidentiality around the offer until we reached resolution, so that the people who were affected by the policies, many of whom are ageing, could consider it without the static of an emotional public debate. However, details of the offer entered the public arena and, as members would know, were published this morning in the *Courier-Mail*. I have no criticism of the *Courier-Mail*. I think its story this morning was very balanced and fair. However, it is now only proper that I place on the record the facts of the government's offer to Aboriginal and Torres Strait Islander Queenslanders. This morning at 9 o'clock cabinet met and Judy Spence and I briefed cabinet and cabinet has endorsed the offer. I also rang Vaughan Johnson, the Deputy Leader of the Opposition and opposition spokesman, and briefed him. On Judy's and my behalf, I have also offered to Vaughan a detailed briefing, and he will be briefed later today. Vaughan was appreciative of the phone call and he will be briefed appropriately today.

Importantly, we are dealing with two separate but related issues. One is the Aborigines Welfare Fund, into which a portion of indigenous people's wages were paid between 1943 and the 1960s. The fund was frozen by the Goss government in 1993, when it totalled less than $5.5 million. It has since been managed by Queensland Treasury and now contains $8.6 million. That has been the normal growth. We will continue to negotiate with the indigenous community how this fund will be disbursed.

The other issue is that of reparations for the decades of control by former Queensland administrations of the wages and savings of indigenous people. Our monetary offer of up to—and I underline 'up to'—$55.6 million is about reparations for an estimated 16,400 people alive today. I stress that the amount will be up to $55.6 million. The final payment will depend on how many legitimate claims we receive. We are obviously establishing a process to ensure that there are legitimate claims which are verified before payments are made.

I seek to incorporate in *Hansard* the details of the offer that has been made so that all members are fully aware of every aspect.

Leave granted.

(Without Prejudice)

Queensland Government Offer

The Queensland Government acknowledges the controls exercised under a series of Acts known as "the Protection Acts" over the wages and savings of Aboriginal and Torres Strait Islanders peoples. This Government is committed to reaching a resolution of these long standing issues and wishes to make an offer for this purpose.

The Offer Is:

1. Monetary Amount

   The total amount offered is $55.4 million and is a once only offer and a capped amount.

2. Apology

   A written apology from the Government to all living persons who had their wages and savings controlled and who are eligible to make a claim.

3. Parliamentary Acknowledgement

   Upon agreement, the Premier will make a Statement in the House on behalf of the Government. This Statement will place a public recognition of past injustices on the basis of race on the Parliamentary record. The Premier will host a major function to commemorate the occasion at Parliament House.

4. Government Protocol to Acknowledge Traditional Owners

   A protocol for commencement of all official Government business will be adopted requiring acknowledgment of traditional owners.

5. Aborigines Welfare Fund

   The distribution of the Aborigines Welfare Fund (currently $8.6M) to be progressed as a separate issue. This distribution to include, but not be limited to, the development of an oral histories collection relating to this matter, and appropriate signage which recognises the tribal boundaries around country. Other projects may include, for example, a history kit for schools.

Basis for Reparation:

In making this reparations offer the Queensland Government acknowledges that the monetary offer may not meet the expectations of many potential claimants.

The current Government negotiating position is that the reparation offer is being made, not based upon any admission of legal liability, but in the spirit of reconciliation.

Distribution

The Government's formula for distribution is detailed over the page. Other options for distributing the total amount are open to consideration. Proposals regarding distribution should be provided in writing by Friday 9 August 2002 to the Honourable Judy Spence MP Minister for Families, Minister for Aboriginal and Torres Strait Islander Policy and Minister for Disability Services.

Fixed Principles

Agreement on this offer must be consistent with the following principles:

The reparation funds will be administered by the Department of Aboriginal and Torres Strait Islander Policy;

Any formula for distribution must:

Give priority to older people;
Ensure equitable access by potential claimants;
Be transparent and accountable; and
Be simple and timely.

The Government requires that any compensation process be completed within three years of an agreement.

Reparation Amounts

The total amount of the package is capped at $55.4.

The Government formula and rationale is detailed below. Other options for distribution will be considered.

Categories of Eligible Claimants

Group A Claimants

Eligible claimants will be people who were:

Born up to the end of 1951 and are aged 50 or older in 2002;
Lived under the 1897 and/or 1939 Acts; and
Are alive at a date to be agreed.

The proposed reparation payment for these claimants is $4,000 per person.

Population estimates indicate there are approximately 11,400 people alive today who may be in this group.

Group B Claimants

Eligible claimants will be people who were:

Born up to the end of 1956 are aged between 45 and 49 in 2002;
Lived under the 1939 and/or 1965 acts;
Are alive at a date to be agreed; and
Are not included in the group above.

The proposed reparation payment for these claimants is $2,000 per person.

Population estimates indicate there are approximately 5,000 people in addition to those in Group A who are alive today who may be in this group.

NOTE: The above estimates were prepared by the Office of Economic and Statistical Research. They include a 6% undercount in census numbers and an assumption that all Aboriginal and Torres Strait Islander people were under the Act.

Indemnity

Payment of the reparation amount will be subject to each person signing an agreement which indemnifies the Government against any common law or other legal actions which may otherwise be available under the Aboriginals Protection and Restriction of the Sale of Opium Acts 1897, the Aboriginals Preservation and Protection Act 1939, the Torres Strait Islanders Act 1939, Aborigines and Torres Strait Islander's Affairs Act 1965, the Aborigines Act 1971, the Torres Strait Islander Act 1971, Community Services (Aborigines) Act 1984 and the Community Services (Torres Strait) Act 1984.

Mr BEATTIE: Mr Speaker, when you look at the offer you will see that it refers to $55.4 million as opposed to the $55.6 million that I just referred to. In the negotiations that Judy Spence and I engaged in there was a request for detailed consultation of indigenous people. Judy and I agreed at the meeting to reduce the offer amount by $200,000 to allow that consultation to take place. That is why there is a difference of $200,000 in the figure.

This is a without prejudice offer of a one-off payment. It builds on the process we began in 1999, when we offered one-off payments for non-payment of award wages to indigenous people. We are not acknowledging legal liability. I underline that very clearly. We would give priority to old people, who suffered most while living 'under the act'—an expression that captures the series of legislative regimes that controlled virtually all aspects of their lives. Eligible people would be in two categories: people born up to the end of 1951 and aged 50 or over—old people in Aboriginal

society—who are offered $4,000, of whom there are about 11,400; or people born up to the end of 1965, who are offered $2,000. There are about 5,000 such people. Those are estimates but we believe accurate estimates.

We are also offering written apologies, a statement in the House and a protocol for commencement of all official government business requiring acknowledgment of traditional owners. We know that the monetary offer may not meet the expectations of all potential claimants. Indeed, historian Dr Ros Kidd has said they should qualify for as much as $500 million. Without researching each case individually and intensively, it is impossible to say for certain how much each worker is 'owed'. So this offer is made in the spirit of reconciliation, as a demonstration of our genuine desire to heal the past, so we can move on. Governments have been trying to resolve this issue since the days of the Goss administration. In the meantime, old people have been dying.

Never before has there been such an offer. This is an historic offer. It is also a realistic and fair offer. Already we have had one Welfare Fund related out of court settlement, and another person is preparing for court action. The Queensland government has already spent at least $1.5 million researching the history of wages and savings in preparation for legal challenges. ATSIC has expended at least $800,000 through funding to QAILSS, which has done research in preparation for litigation. QAILSS has said it has some 4,000 potential litigants waiting in the wings to sue us.

If we look at the federal government's experience with the stolen children, we see why taxpayers' money should not being going into the pockets of lawyers. Canberra has spent more than $12 million on just one case alone—the Gunner and Cubillo case—which went all the way to the High Court and helped no-one but the lawyers. If we resisted every one of these cases, this could cost Queenslanders $100 million or more in legal expenses. That is a rough guess. It is a lot of money. Settling this away from the courts will save the taxpayers of Queensland millions. There is a win for indigenous people, particularly old indigenous people or elderly indigenous people approaching the end of their lives. There is a win for taxpayers, because it will cost them less, and there is a win for reconciliation and decency.

Who can blame these people for feeling angry, even bitter? In an increasingly litigious age, who can blame them for wanting to take us to court? They worked and paid taxes. Effectively, they paid tax twice, because a portion of their earnings—as much as 10 per cent of gross pay—was creamed off into the welfare fund. People living 'under the act' were not informed of how much money was in their accounts, were not trusted with any significant sums of money and had to seek permission to spend even small amounts. This was all in living memory. It happened to people younger than me. People in this House may never have known such humiliation, but many of us will understand their anger.

We have a choice. We could deliver some overdue justice to ageing people and advance the cause of reconciliation, or we could see them in court and watch the lawyers grow rich and fat at public expense. The court cases would be protracted, the old people would continue to die, and the lawyers would continue to get rich. Each Welfare Fund case is different, so each would need to be prosecuted separately. This would be a legal nightmare.

Considering the Commonwealth's $12 million legal bill, a bill of tens of millions for the Queensland government is perhaps conservative. In the reconciliation debate, people sometimes ask: when will it end? When can we stop saying sorry and move on? Resolving the Aborigines Welfare Fund will clear a major hurdle on the road to reconciliation. I have asked that the other parties respond to the offer by 9 August to the minister, Judy Spence. I hope the offer will be accepted. I urge indigenous people to accept it so we can forget the threats of litigation and move on together.

This is an historic day. It is about rectifying a wrong, but it is doing so in a fair and balanced way where indigenous people get what they are entitled to and we save taxpayers money. When people ask, 'What is the benefit of having 66 seats in parliament?', I say to the Labor Party: being able to fix problems created more than 100 years ago, and bringing justice and fairness to a group or people—that is one of the benefits of having a majority like we do.

MINISTERIAL STATEMENT

Aboriginals and Torres Strait Islanders, Compensation

Hon. J. C. SPENCE (Mount Gravatt—ALP) (Minister for Families and Minister for Aboriginal and Torres Strait Islander Policy and Minister for Disability Services) (9.49 a.m.), by leave: The

Premier has outlined the Beattie government's offer to Aboriginal and Torres Strait Islander Queenslanders to resolve the issues surrounding the past control of their wages and savings. It is important that members of this House and the people of Queensland understand the history which led us to today's announcement.

From the 1890s until 1972, Queensland governments controlled the labour, wages and savings of most Aboriginal and Torres Strait Islander Queenslanders. Indigenous peoples who were 'under the act' who worked or were sent out to work from reserves did not receive their full wages. Where did the wages go? Almost 60 per cent of workers' wages went into the Queensland Aboriginals Account. This was the savings account. Some wages were accounted for as income tax contributions and up to an additional 10 per cent of their wages went into the Welfare Fund. Up to 30 per cent of the wages was given to Aboriginal and Torres Strait Islander people as their pocket money.

Legislation was used to control indigenous people's wages and savings. Prior to 1966, Aboriginal and Torres Strait Islander people were under the control of the Aboriginal Preservation and Protection Act 1939 and the Torres Strait Islander Act 1939. People born prior to 1945 were subject to the Aboriginal Protection and Restriction of the Sale of Opium Act 1897 and the regulations under this legislation which continued until 1945. People who were working were required to make compulsory contributions from their earnings for settlement maintenance or the welfare of indigenous people generally. The Welfare Fund was set up to manage these contributions. The Aborigines and Torres Strait Islanders Affairs Act 1965 narrowed the control to what was termed 'assisted' persons. These 'assisted' persons were either living on reserves or were declared to be 'assisted'. Compulsory contributions to the Welfare Fund ceased in 1966.

With the introduction of the Aborigines Act 1971 and the Torres Strait Islanders Act 1971, the level of mandatory control over indigenous peoples was relaxed to apply principally to people on reserves. Under the 1971 acts, management of financial affairs was continued for those people who requested it, or where the department considered it was warranted. In 1975, legislative changes permitted people to opt out of these arrangements. The Community Services Act 1984 dismantled the systemic management of individuals' financial affairs and allowed for the management of community areas by community councils.

The offer by the government is made in the spirit of reconciliation in recognition of the past injustices that former Queensland governments inflicted on indigenous people by controlling their wages and savings. The reality is that some of the people who were affected by past governments' controls are now very old. Everywhere I go on my visits to indigenous communities, I am asked the same question: 'I don't expect to live very long. When will the government sort out the Welfare Fund issues?' These people need a resolution of this matter.

The Premier has outlined the offer the government is making. Our offer is capped at $55.6 million. Our offer is made in two parts. People will be eligible for one of the reparation payments. The Premier has already mentioned the amounts that we are offering. People will receive a payment if we have a record of the government holding a savings account for that individual. The system of payments will be administered by the Department of Aboriginal and Torres Strait Islander Policy. The payments will be made only once the eligible person signs an agreement which indemnifies the government from legal actions.

The Premier has outlined the government's wish to settle this matter without litigation. I know that some Aboriginal and Torres Strait Islander people will not agree with the amount being offered. However, this has not been an easy issue for the government, and it certainly is a very emotional one for indigenous people. I believe the lack of resolution of the Welfare Fund issue has been the greatest obstacle inhibiting the Queensland government and Aboriginal and Torres Strait Islander people achieving true reconciliation.

The Beattie government has much of which to be proud. We offered a sincere and genuine apology to the stolen generation. We have moved forward in resolving native title issues. We have compensated indigenous people who were underpaid on the basis of race between the years 1975 and 1986. We have involved indigenous people in policy making. We cannot right all of the wrongs of the past, but the resolution of the Welfare Fund issue will allow us all to move forward.

MINISTERIAL STATEMENT

Suncorp Metway Stadium Redevelopment

Hon. T. M. MACKENROTH (Chatsworth—ALP) (Deputy Premier, Treasurer and Minister for Sport) (9.55 a.m.), by leave: Today is a very important day in the sporting life of Queensland. It is 12 months today until the Suncorp Metway Stadium redevelopment will be completed. Later this morning I will join the Premier, the Minister for Public Works and the entire Queensland State of Origin team at the Cauldron to mark this momentous occasion. It will be the last official function for the team before it goes into camp for this year's series. Hopefully its visit to the traditional home of Rugby League in this state will serve as an inspiration for its upcoming battles with the Blues. I am sure that many of the players in this year's team will be among the first to play at the redeveloped ground when it is completed. Today will give them a chance to soak up the history of the Cauldron and get a glimpse of what it will look like when work is completed and it is once again the number one Rugby League venue in the country.

I am sure many members would have witnessed all the building activity when travelling past the site this year. Others have sought an even better view of construction from the viewing room that the state government has made available in the western stand. However, no matter from where one views the activity, one thing is certain: a new world-class stadium is rapidly taking shape. Suncorp Metway Stadium played host to some of Queensland's most remarkable and memorable sporting moments. It holds a special place in the hearts of Queenslanders and Australians. That is why this major redevelopment is so important. It will enhance the venue for both players and spectators and turn it into an arena capable of attracting major international sporting events. It is already set to play host to Rugby World Cup games next year. That will be announced next Monday. This is just one example of the enormous sporting and economic potential of this wonderful venue. The revamped 52,500-seat stadium will be a seamless grandstand structure which will see the old eastern grandstand replaced with a new structure linked to new northern and southern stands.

I am also pleased to announce today that Queensland brewer Castlemaine Perkins has renewed its sponsorship of the Queensland State of Origin side for a further five years. This will take its sponsorship of the team to 18 years—the longest sponsorship deal in the history of Rugby League in this country.

I look forward to viewing progress on the work at the stadium today and also wishing the Queensland Maroons the best of luck for the upcoming series. Even better than that, next year I look forward to welcoming them back to the new and improved Cauldron.

MINISTERIAL STATEMENT

Death of Mr Bob Marshman

Hon. M. J. FOLEY (Yeerongpilly—ALP) (Minister for Employment, Training and Youth and Minister for the Arts) (9.58 a.m.), by leave: Yesterday at his family home in Jindalee, Bob Marshman died. He was my director-general for three and a half years from 1992 to 1996. He served the people of Queensland well as head of the Department of Employment, Training and Industrial Relations. The jobless, the marginalised, the battlers have lost a plain-speaking advocate and a mighty friend.

He was a doer. There were no airs and graces about Bob. I first met him on 22 September 1992. I had just been sworn in as minister following an election campaign in which we had promised to deliver a $150 million Jobs Plan funded by a new tobacco tax. Bob was my first director-general. His passion for job and training programs enabled the government to hit the ground running in delivering for the disadvantaged and the dispossessed the $150 million Jobs Plan, for which the Queensland people had given us a mandate.

The government had a robust reform agenda. Bob served the government of the day loyally and well. That reform agenda included the establishment of the Australian National Training Authority, headquartered in Brisbane, the reform and restructuring of TAFE into institutes to allow more flexible and responsive training, and making workplaces safer for workers through an overhaul of the Workplace Health and Safety Act. Bob tackled those tasks with relish. He transformed the Dickensian Blind Workers Industrial Institute at Dutton Park into the modern, revamped facility of Vision Queensland.

Bob was good with staff—friendly, encouraging. He gave women staff a fair go to break through the glass ceiling. He worked hard with indigenous communities to build partnerships and

real economic opportunities. He and I travelled together throughout remote communities in 1993, the International Year of the World's Indigenous Peoples. During that trip I saw spectacular examples of training success, such as the remote area teacher education program at places like Kowanyama and Badu Island. I also saw the shocking failure of our training system to respond to the needs of some of the most disadvantaged communities, such as Mornington Island. Bob persuaded me then that we needed to change the training system profoundly—to make it more responsive to the needs of clients and industry, to introduce an element of competition. He focused on outcomes, not ideologies.

Bob's career was interrupted between 1996 and 1998 during the term of the coalition government. On 4 April 1996 I had occasion to speak of him in this House in terms I am proud to repeat and rely upon. I referred to Mr Robert Marshman as 'a distinguished public servant who has served both sides of politics for over 30 years'. I went on to say following an interjection from the then member for Lockyer—

> Mr Marshman is a person of impeccable character and impeccable credentials who has given impeccable service to Governments of both political persuasions.

Upon his return as director-general of the department following the 1998 election, his first words to the collected departmental staff were, 'Now, as I was saying.'

Bob served with then minister Paul Braddy, whose presence in the chamber I acknowledge. Paul has asked to be associated with these words, and I know that I speak for him in communicating the deep respect Paul had for Bob Marshman. During that period of government, then Minister Braddy and Bob Marshman developed and implemented Breaking the Unemployment Cycle, which we are continuing to pursue, aimed at 56,000 jobs over six years. I note also the presence in the gallery of the chair of the Training and Employment Board, Mr Barry Smith.

It is indeed a cruel fate that on the very day he was due to retire Bob was struck down by the ailment which ultimately caused his death. He was deeply touched by the visit from Premier Beattie in the hospital. He spoke to me on a number of occasions of how moved he was that the Premier found time to visit him in extremis.

At Browns Plains there will be a campus of Logan TAFE. Last year I stood with the member for Logan and Mrs Rae Marshman, as Bob was unable to attend, and announced that that will include the Bob Marshman Building. The people in those communities desperately need access to employment and training opportunities, and that is what Bob's career was all about.

Several weeks ago I had the pleasure and the honour of sitting down with Bob and his wife to talk of old times and to talk of new times. At that stage he was able to say only yes or no, but his sense of humour and his good nature shone through. The week before last at his home I had the honour of attending at a ceremony where His Excellency the Governor presented the medal of the Order of Australia to Bob. Bob had been too unwell to attend the ceremony at Government House. That was a moving moment for his family and for senior officers of the department who had worked with him through thick and thin.

I extend my deepest sympathies to his wife, Rae, to his children, Nicole, Tanya and Kelly, and his two grand-daughters. Bob worked closely with me for years. We tackled many tasks together. Under pressure he was resolute and creative. He taught me much. He made me laugh a lot. I shall miss him sorely.

Honourable members: Hear, hear!

MINISTERIAL STATEMENT

State Education Week

Hon. A. M. BLIGH (South Brisbane—ALP) (Minister for Education) (10.05 a.m.), by leave: Next week is State Education Week, a week to celebrate the outstanding achievements of state schools right across our Smart State. State Education Week has been an important date on the education calendar for the past nine years.

Every day our state schools are making a difference in the lives of Queensland children. Education Week is a time to showcase and celebrate excellence in our state schools and a time for those schools to promote their achievements to our local communities. It is also an opportunity to pay tribute to those people who play a vital role in shaping the minds of our future leaders, inventors, workers and community members. Those people are our teachers, staff, volunteers, parents and educators who are part of our school communities.

This year's State Education Week theme, 'State schools: opening doors', encourages us to reflect on the role education plays in expanding the life opportunities of young Queenslanders and in preparing them for the future. It invites us to reflect on how schools have helped shape and transform all of us, both as individuals and as a community. I will launch the week with a program of events this Sunday at South Bank Parklands. A number of expo booths will bet set up to give the local community an insight into the quality programs provided for young Queenslanders by Queensland state schools. Next week district and school communities right throughout the state will be hosting their own celebrations. Schools will open their doors and invite local communities in to find out what our state schools have to offer. Our state schools have a lot to offer, from groundbreaking curriculum such as New Basics to state-of-the-art science and hospitality facilities.

A series of events have been planned across the state and include a gala celebration evening in the Bayside district, a public concert in Hervey Bay and an Education Week hotline in Gladstone to encourage dialogue between community members and education professionals. Out west in Roma a local shopfront will be converted to a public classroom for the week, providing free lessons, educational activities and displays for community members.

Although State Education Week does not officially get under way until Sunday, today I will jump the gun by announcing the three winners of the State Education Week Opening Doors art competition. Competition entrants were required to create an original artwork based on the theme of opening doors. Images ranged from outback Australia to Tutankhamen and showed an incredible insight into the world and our culture. I am pleased to announce that the winners in the three categories are: year 3 Ferny Grove State School student Ryan Mason; year 6 Caloundra State School student Tamara Baker; and year 12 Craigslea State High School student Aiden Joseph. I look forward to meeting these students and viewing their outstanding work at a ceremony on the Speaker's Green after question time today. The quality of the entries proved there is no shortage of talent or imagination in Queensland state schools.

I encourage all members to get behind their local state schools next week and to attend all the activities they can in their areas. These outstanding schools deserve all of our support.

MINISTERIAL STATEMENT

Law Week

Hon. R. J. WELFORD (Everton—ALP) (Attorney-General and Minister for Justice) (10.08 a.m.), by leave: This week we have been celebrating Law Week throughout Australia—raising community awareness of the law and our justice system. Although the media, especially talk-back radio, can at times promote certain views in the community by focusing on particular one-off court cases, our legal profession and our courts continue to deliver justice according to law consistent with the very best of legal systems anywhere in the world.

It would be remiss of me in drawing attention to Law Week if I did not comment on some issues that I believe threaten to undermine the foundations of the rule of law and civil society in our country. Recently, the federal Attorney-General, Mr Williams, made an extraordinary statement that it was not his role to defend the independence and integrity of the judiciary, and this was after he left Mr Justice Kirby of the High Court hanging in the wind after unsavoury, disgraceful and false allegations were raised by one of the Attorney-General's colleagues under parliamentary privilege in the federal parliament. Quite frankly, Mr Williams is wrong. One of the most fundamental roles of an Attorney, especially a federal Attorney, is to defend the judiciary against ill-informed or misguided attacks upon it. The Attorney has a critical role in maintaining public confidence in the judiciary and our system of justice. Without that confidence, our justice system can quickly unravel. Allowing our justice system to be undermined threatens the very stability and coherency on which our modern society is founded.

If that abrogation of responsibility by the federal Attorney is not bad enough, it gets worse. Abandoning the judiciary might be regarded as nothing compared to Mr Williams's plans to restrict our personal freedoms with new so-called antiterrorism laws. This is now frighteningly evident in the Commonwealth's proposed antiterrorism law, the Security Legislation Amendment (Terrorism) Bill 2002. As our own Premier has said in this place recently—

> The federal government is in danger of going over the top with its proposals and may capture innocent people by casting an anti-terrorism dragnet that is simply too wide.

Our government supports the fight against terrorism, but the federal government's proposed laws go much further than simply fighting terrorism. In their current form, these have the potential to

stifle free speech and public debate and oppressively restrict peaceful dissent and protest. These laws allow the federal Attorney to outlaw certain organisations that he thinks are a threat to the security and integrity of the Commonwealth or another country.

With such wide powers, any group that raises its voice in opposition to the federal government may find itself declared a terrorist organisation by Mr Williams. More importantly, the extremely wide definition of terrorism in the proposed laws could result in even low level crimes being defined as terrorism, exposing Australian citizens to life imprisonment. For example, a person who hacks into a government computer and posts a notice that complains about the federal government's increase in defence spending and border protection at the expense of health care or—dare I say it in the context of the current budget—disability services or funding for the sick, may be subject to life imprisonment even if that notice causes no damage to the system and is quickly removed.

The federal government's so-called war on terrorism has got way out of balance. No right-thinking Australian should let their government intrude so far into our basic freedoms. In this morning's *Sydney Morning Herald* I note that the federal Attorney-General is even under attack from his own party colleagues. It says that he proposes today to take a compromised version of his legislation to his party room in an attempt to quell a backbench revolt over draconian aspects of the proposed laws. But I also note that he has so far failed to reach consensus with his own party on the fate of the most controversial part of the laws—the laws that ban terrorism linked organisations. This is an outrageous proposal to empower a single federal politician to outlaw voluntary associations or community organisations which that politician considers to be terrorist.

There are two issues that I want to place on the record here today. The first goes to the proper role of a federal Attorney-General. My view is that it is the proper role of a federal Attorney-General to uphold the rule of law and the legal institutions which underpin our system of justice. It is the federal Attorney-General's foremost responsibility to fiercely protect the fundamental rights of the individual and the freedoms of citizens so precious to our democratic way of life. Secondly, it is timely for all of us that we should reflect this week on whether we want a society based on the rule of law where fundamental freedoms are protected and secured by a strong system of justice or whether we wish to sail the shallow course charted by the Howard government where legal conventions and constitutional principles are ignored and rules changed to suit the politics of the day. It is timely in this Law Week to remind ourselves of the vital role of the law and the just legal system in the protection and maintenance of our highly valued way of life.

MINISTERIAL STATEMENT

Death of Mr Bob Marshman; Kelvin Grove Urban Village

Hon. R. E. SCHWARTEN (Rockhampton—ALP) (Minister for Public Works and Minister for Housing) (10.15 a.m.), by leave: In opening, I want to add a couple of words to that of other speakers on the death of Bob Marshman. Bob was a great bloke, a good mate and a very loyal, smart, dedicated public servant. He was totally irreverent. He referred to my electorate as the backside of the earth. Regrettably, on the day that he was struck down with that illness he was on his way to Rockhampton. I say to Rae: we have lost a good mate and may he rest in peace.

I wish to report to the House about recent and planned developments in relation to the Kelvin Grove Urban Village project. As honourable members would be aware, the urban village is being developed by the Department of Housing in partnership with the Queensland University of Technology. The aim is to create a mixed-use development on the former Gona Barracks site and surrounding land, covering about 17 hectares in total. It will be a world-class example of inner-urban development incorporating affordable housing, educational facilities and commercial outlets. It is another example of the Smart State strategy at work. The urban village also forms part of the government's City West strategy and will inject new life, new opportunities and new jobs into an area on the doorstep of the CBD.

The master plan for the village was approved by state cabinet in June last year. I am pleased to advise that the project received the National Award for Planning Achievement from the Royal Australian Planning Institute in April this year. Brisbane City Council approved the material change of use for the site in March. The appeals period finished earlier this month with no appeals lodged. Remediation work was completed in late April. The contractor for the first stage of infrastructure works, such as roads and drainage systems, was appointed at the beginning of the month and preparatory works are under way. Development within the project is being overseen by a project control group made up of representatives from the Department of Housing and QUT.

The Department of Housing will be marketing the retail, commercial and residential sites while QUT will be responsible for development of university related facilities. A marketing campaign is expected to be started in late June.

The release for sale of the first site in the village centre is expected in the third quarter of this year, and further sites will be released in a staged process. The first construction on the site is expected to start late next month as part of QUT's planned expansion on its land. The decision I took two years ago to purchase the former Gona Barracks site was the catalyst for development of the Kelvin Grove Urban Village. Like the Roma Street Parkland, it has provided an opportunity to return to the people of this state a vast tract of inner-city land that has previously been off limits. I will keep honourable members informed of further developments.

PAPERS

MINISTERIAL PAPERS

The following papers were tabled—

(a) Minister for State Development (Mr Barton)—

Report on business mission to Europe—11 to 24 March 2002

(b) Minister for Industrial Relations (Mr Nuttall)—

Report on delegation to Townsville by the Legislative Committee for Industrial Relations—29 April to 1 May 2002.

CRIME AND MISCONDUCT COMMITTEE

Crime and Misconduct Commission Publication

Mr WILSON (Ferny Grove—ALP) (10.18 a.m.): I lay upon the table of the House a Crime and Misconduct Commission publication entitled *The public scrapbook: guidelines for the correct and ethical disposal of scrap and low-value assets*. The publication is aimed at helping public sector agencies reduce the misconduct risks associated with the disposal of scrap and low-value assets and building capacity to minimise preventable incidents and complaints of official misconduct. This publication is not a report of the CMC for the purposes of section 69 of the Crime and Misconduct Act 2001. The Parliamentary Crime and Misconduct Committee stresses that it has not conducted an inquiry into the matters which are the subject of the publication. However, the committee is tabling the document as it believes that it is in the spirit of the Crime and Misconduct Act that it be tabled in the parliament.

TRAVELSAFE COMMITTEE

Report

Mr PEARCE (Fitzroy—ALP) (10.20 a.m.): I lay upon the table of the House the Travelsafe Committee report No. 36—Rural Road Safety in Queensland. This report presents the committee's findings and recommendations from its inquiry. The inquiry's terms of reference were to examine and report on the implementation of the 1996 National Rural Road Safety Action Plan and what, if any, additional measures should be taken to improve rural road safety in Queensland.

Crashes on rural roads are a serious and growing problem in countries around the world. In Australia, half of all road fatalities occur on rural roads. In Queensland, this figure is 55 per cent. When one considers how few people live in rural areas, these figures are shocking. They should concern every member here today. Governments around Australia recognised the rural road safety problem back in 1996 when they agreed to a national action plan. This plan called for new approaches to road safety in rural areas and included massive road improvement programs, public education programs for motorists and smarter policing. Unfortunately, the plan did not include funding. Despite the lack of funding, Queensland departments stuck with this plan and continued to work to make rural roads safer.

The Travelsafe Committee wants to see this work continue. We believe it is time that Queensland had its own rural road safety action plan to drive this work into the future. Anyone who drives in rural areas will agree that rural road networks need more maintenance and upgrades. Councils and the state government are spending more money than ever on rural roads in Queensland. This year, Main Roads is spending 57 per cent of its roads budget outside south-east Queensland, but it is still not enough. The current backlog of maintenance work is worth

$4.8 billion. It is time the federal government made a greater contribution to road funding in Queensland.

On behalf of the committee, I thank the government agencies and the individuals who took part in this inquiry. I also commend the members of the previous Travelsafe Committee for starting this important work and the effort of current committee members in finalising the report. I also express appreciation on behalf of the committee to Travelsafe research staff Rob Hansen, Tim Moroney and, more recently, Maureen McClarty for their dedication and commitment to the task. I commend the committee's report to the House.

CIVIL FORFEITURE OF THE PROCEEDS OF CRIME BILL

Mr SPRINGBORG (Southern Downs—NPA) (10.23 a.m.), by leave, without notice: I move—

That leave be granted to bring in a bill for an act to provide for the confiscation of property of a person engaged in serious crime related activities, to enable the proceeds of serious crime related activities to be recovered as the debt payable to the state, and for other purposes.

Motion agreed to.

First Reading

Bill and explanatory notes presented and bill, on motion of Mr Springborg, read a first time.

Second Reading

Mr SPRINGBORG (Southern Downs—NPA) (10.24 a.m.): I move—

That the bill be now read a second time.

Our criminal justice system has long recognised the need of society to punish, deter and rehabilitate those who commit crimes. However, what this state has not provided for is an effective mechanism to strip people of assets where they have obtained those assets from criminal activity. It is entirely unacceptable to society for a person to retain any benefit that they may obtain from the committing of a crime. That is what this bill seeks to prevent. This bill makes provision for any person who obtains financial or economic gain through the proceeds of a serious crime related activity to have those assets confiscated. One of the great incentives for organised and other criminals is the prospect of acquiring and utilising the enormous financial gains that come from such activities. These people are involved in a range of criminally lucrative actions such as drug crimes, prostitution and robberies. Therefore, it stands to reason that if there is a greater chance that that criminal wealth can be confiscated, that in itself will be a significant deterrent to further criminal activity, therefore making our communities much safer places.

Under this proposed legislation, actions that are brought seeking to confiscate the assets of a person on the basis that they have been derived from serious crime related activities will be civil actions, and questions of fact will be determined on the balance of probabilities. This will enable the courts to confiscate assets from a person where the court finds that it is 'more probable than not' that the asset or revenue stream is derived from serious crime related activity. As such, this proposed legislation will enable the confiscation of the assets derived through criminal activity even if a criminal charge cannot be made out against the person. It may be argued that such laws infringe a person's right to be proven guilty beyond reasonable doubt. However, the provisions of this bill do not affect the personal liberties of the individual. Rather, the provisions involve the confiscation of a person's assets in circumstances where it is more probable than not that the person has obtained the benefit of those assets from serious crime related activity.

It is ludicrous that only about $1 million per annum is confiscated under the current regime from the proceeds of crime, particularly when one considers that the value of assets accrued by organised crime in Queensland each year runs into the hundreds of millions of dollars. This bill seeks to address that unacceptable situation and provides for a contemporary and practical way of recovering these assets and providing justice for crime victims.

In view of the time, I seek leave to incorporate in *Hansard* the second reading speech in its entirety.

Leave granted.

Our criminal justice system has long recognised the need of society to punish, deter and rehabilitate those who commit crimes. However, what this State has not provided for is an effective mechanism to strip people of assets where they have obtained those assets from criminal activity.

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Under this proposed legislation, actions that are brought seeking to confiscate the assets of a person on the basis that they have been derived from serious crime related activities will be civil actions and questions of fact will be determined on the balance of probabilities. This will enable the courts to confiscate assets from a person where the Court finds that it is 'more probable than not' that the asset or revenue stream is derived from serious crime related activity.

As such, this proposed legislation will enable the confiscation of the assets derived through criminal activity even if a criminal charge cannot be made out against the person. It may be argued that such laws infringe a person's rights to be proven guilty beyond reasonable doubt. However, the provisions of this Bill do not affect the personal liberties of the individual. Rather, the provisions involve the confiscation of a person's assets in circumstances where it is more probable than not that the person has obtained the benefit of those assets from serious crime related activity.

This Bill will not only strip those who commit serious crimes of any benefit from those crimes but it will also be a significant tool in crime prevention. That is, it will allow the financial resources which organised crime syndicates utilise to commit more sophisticated crimes to be confiscated. This highlights the importance of this Bill enabling the confiscation of assets on the balance of probabilities that they are derived from serious crime related activity. That is, while many crimes go unpunished in the criminal justice system due to lack of evidence to prove the charge beyond reasonable doubt, this Bill will allow assets derived from criminal activity to be confiscated before they are used to facilitate further crime related activity with proof only being required on the balance of probabilities.

Further, in recognition of the fact that once tainted assets are disposed of the proceeds may be difficult to recover, the Bill will enact provisions that will allow the Court to make an order which prevents a person dealing with potentially tainted property.

The Bill makes provision for a Court that has the relevant jurisdiction, by reference to the value of the assets involved, to issue a restraining order with respect to the assets to prevent any dealing with them by the person suspected of having obtained them from serious criminal activity until the Court can make a determination as to the assets' origin. This is an important aspect of the Bill as it prevents the disposal of potentially tainted assets that once disposed of may be very difficult to recover the proceeds of.

The legislation proposed in this Bill is of significant importance to this State. As crimes are becoming more sophisticated, we as a Parliament must give our crime fighting organisations the tools to effectively fight crime. There have been many public commitments from those opposite to enact this sort of legislation and no action has resulted.

Similar legislation has been enacted in other Labor jurisdictions, and indeed there is currently a Bill before the Federal Parliament that will achieve similar objectives. Federal Labor has indicated support for such a Bill.

It is important to address concerns which will no doubt be raised with respect to this Bill's compliance with Fundamental Legislative Principles as why it should not be supported in this Parliament. The Bill is consistent with principles of natural justice. That is, it only seeks to confiscate assets from persons who have derived them from serious crime related activity.

The Bill will not constitute a reversal of the criminal onus of proof as the Bill is concerned with proof at the civil standard. Further, the Bill will not have retrospective operation. It does contain provisions for its operation to extend beyond the six year limitation normally associated with civil actions, however, this is justified as evidence may not come to light for many years that assets were derived from serious crime related activity, while those who committed the crime may still be enjoying the benefits of such assets.

Finally, the Bill does not offend the principle that precludes the compulsory acquisition of property without fair compensation. such a principle contemplates the confiscation of property from a person who has or has acquired clear title to it. This Bill contemplates the confiscation of assets held by a person who has not acquired clear title to them. That is, they obtained the assets through some form of criminal activity.

This legislation is vital to ensure that the crime fighting organisations in this State have adequate means at their disposal to fight the ever increasing rate of crime in this State. Not only will this Bill remedy criminal activities but it will also help prevent crime.

It is ludicrous that there is only about $1M per annum confiscated under the current regime from the proceeds of crime. Particularly when one considers that the value of assets accrued by organised crime in Queensland each year runs into the hundreds of millions of dollars. This Bill seeks to address that unacceptable situation and provides for a contemporary and practical way of recovering those assets and providing justice for crime victims.

I commend the Bill to the House.

Debate, on motion of Mr Welford, adjourned.

PRIVATE MEMBERS' STATEMENTS

Transport Infrastructure, Gold Coast

Mr HORAN (Toowoomba South—NPA) (Leader of the Opposition) (10.26 a.m.): The Gold Coast has a population of more than 430,000 and on any particular day there are 75,000 visitors.

At some peak times, there are some 300,000 visitors. Last year, in recognition of the desperate need for public transport systems on the Gold Coast to alleviate the traffic congestion, the Beattie government announced that it would support a feasibility study of a light rail system. In April last year the Prime Minister announced that he would support such a feasibility study. Despite the urgency and the need for this feasibility study to be undertaken—because there is an absolute urgency for this system or a similar proposal to be put into place—this feasibility study still has not commenced and time marches on. The state government is responsible for the implementation of this feasibility study. There is now a short list of some four proponents to conduct the feasibility study but it still has not commenced.

There is an absolute need for this feasibility study, because the need for public transport systems is not in one year—the need is tomorrow. The Gold Coast is choking. Anyone who drives down there at any time will see that it is choking. The transport system needs to be supplemented by a public transport system that serves the railway stations, the universities, the schools, the major workplaces and the major tourist attractions. This is what the National Party wants to see. We do not want to see the seven Gold Coast Labor members saying and doing nothing; we want to see some action. We want the feasibility study, and if it stacks up, particularly in terms of cost and the practicality of the light rail system, we want the state government to show some commitment and principle by saying what support it will give to the implementation of that system or any other proposal.

Death of Ruth Cracknell

Ms LIDDY CLARK (Clayfield—ALP) (10.28 a.m.): I join with the Minister for the Arts, Matt Foley, in bringing to the attention of the House the passing of one of Australia's most loved cultural icons, Ruth Cracknell. Ruth's diverse career across film, television and theatre has infected generations of Australians since the 1950s. Born in 1925 and spending her early childhood in Maitland before moving to Sydney, Ruth travelled to England in the 1950s to further her career and worked with the BBC before returning home in 1954. Ruth's professional life from then on happily coincided with the rise of serious, fabulous theatre in Australia. In theatre, Ruth was loved and respected for her interpretations of both classical and contemporary drama as well as her particular flair for comedy. One of her most well known comedic performances was the television series *Mother and Son*. It was a highly popular and hilarious sitcom, produced by the ABC from 1983 to 1993. Ruth joined the equity section of the Media Entertainment and Arts Alliance in 1948 and was a great supporter of its campaigns for Australian content on television, ABC funding, general funding for the arts and the promotion of Australian performers working in theatre, film and television.

Most recently in July last year, she was part of an equity delegation to Canberra lobbying for the exclusion of the arts and entertainment industries from any free trade agreements that the government negotiates. In addition to her equity work, Ruth's autobiography, *A Biased Memoir*, continues to be a bestseller. Her second autobiographical book, *Journey from Venice*, begins with the funeral of her beloved husband, Eric, and details their last holiday together.

Ruth was a member of the Order of Australia and held an honorary doctorate from the Sydney University and the Queensland University of Technology. She won numerous industry awards and in 1998 was named by the National Trust as one of Australia's 100 Living National Treasures.

Ruth will be sorely missed by her colleagues and the Australian community. While we mourn her passing, let us celebrate the absolutely amazing work and zest that Ruth contributed to Australia's arts and culture. Vale Ruth Cracknell, a true diva.

QUESTIONS WITHOUT NOTICE

Speed Cameras

Mr HORAN (10.30 a.m.): I direct a question to the Minister for Police and Corrective Services. Yesterday, the Premier is reported as saying that highly trained police officers had to sit in police speed camera vans in case someone wanted to steal the cameras. Obviously, he does not believe that Queensland Transport officers could perform this very onerous task. But according to Gordon, a caller on Radio 4BC talkback yesterday—

Mr BEATTIE: I rise to a point of order. I am not being difficult. That is not what I said. I am not asking for a withdrawal. That is not what I said.

Mr HORAN: But according to Gordon, a caller on Radio 4BC talkback yesterday, who recently stopped at a police speed camera van—it might have been Minister Gordon—the police officer sitting in the back of the van was reading a *Playboy* magazine. I ask the Minister: has he called for a report into this incident? Is this the kind of theft deterrent strategy that the Premier is referring to? The minister and the Premier are obviously out of step with members of the community, who believe that highly trained police officers should be protecting people from crime. When will the minister change this ridiculous policy and get the police back on the beat?

Mr McGRADY: I thank the Leader of the Opposition for the question. This is the third day in a row that he has raised this issue in the parliament and it is the third day in a row that I am going to give the same reply. Let me make it perfectly clear: there are 24 speed cameras around this state. They work approximately six hours a day. If that is going to mean the destruction of the Queensland Police Service, then I have grave concerns.

I come back again to the whole question of speed cameras. Speed cameras were introduced not by the Beattie government, not by the Goss government, but by the Borbidge government of which the Leader of the Opposition was a member. That is the first point. As I have said day after day in this place, speed cameras are about reducing speed. As the member for Fitzroy mentioned before, speed kills.

Day after day after day the members opposite come in here and ask questions that have almost been taken out of the *Courier-Mail*. We have a change today. Gordon is a talk back correspondent and the opposition is now taking its questions from him! I just say to the opposition once and for all that speed cameras were introduced by the coalition. It was a wise decision at the time. It is a wise decision now. We have 24 cameras around this state, with each camera being operated six hours a day. We have over 8,000 police officers.

Mr Seeney interjected.

Mr ACTING SPEAKER: Order! The member for Callide will cease interjecting. He has not stopped since question time began. I will warn him shortly.

Mr McGRADY: I stand by the use of speed cameras for one simple reason: they are aimed at reducing speed, and speed kills.

Questions on Notice; Indigenous Land Use Agreement

Mr HORAN: I refer the Minister for Natural Resources and Minister for Mines to the rules for the answering of parliamentary questions on notice, which provide that answers should be provided to the Table Office within 30 days with a copy to the member and *Hansard*. I point out that no provision is made for leaking answers to the media prior to their tabling in parliament. I also refer the minister to question on notice No. 375 regarding his progress in developing a state wide indigenous land use agreement, or ILUA, to clear the backlog of some 900 mining exploration permits. Given that as at 9.30 this morning the minister's answer still had not been tabled in parliament, I ask: how is it that a media outlet was made sufficiently aware of the substance of his answer to seek opposition comment at 1.45 p.m. yesterday? Did the minister leak the answer to try to manage the fallout from his failure to negotiate a state wide ILUA to clear the mining permit backlog, despite his spending nearly $1 million on it?

Mr ROBERTSON: I thank the honourable member for the question. I am not too sure what has finally provoked the honourable member's interest in native title issues affecting the mining industry, but I am pleased to see that he finally understands the importance of the mining industry to Queensland and the efforts that this government is making to address the backlog of exploration permits—a backlog that I should remind all members of this House was created by the former Borbidge government's freeze on exploration permits.

Mr Seeney interjected.

Mr ACTING SPEAKER: Order! I warn the member for Callide under standing order 123 for constant interjecting.

Mr ROBERTSON: The Beattie government is getting on with the job of addressing exploration permits. As the honourable member will find out when the answer to the question on notice is tabled, we are getting on with the job.

We are addressing the backlog, getting the explorers back out there, and ensuring that the ongoing health of the mining industry in Queensland continues. The thing that should concern all of us is that, unless we can address this backlog, the next generation of mines in Queensland will

be placed in jeopardy. That is why the agreements reached with QIWG, the agreements reached with the Kalkadoon people and the agreements reached with other mining companies are so important to the ongoing health of the mining industry in this state.

I invite any discussion with the members opposite about how we are getting on with the job of addressing the backlog of exploration permits. If the member opposite is so keen to find out about our performance in relation to addressing the backlog of exploration permits, I invite him to read the answer to the question on notice later today.

MacArthur Memorial Museum

Ms STONE: I direct a question to the Premier. The Premier's support for the proposal to establish the MacArthur memorial museum in Brisbane is well known. I ask: can the Premier advise of any recent developments in bringing this excellent initiative to fruition?

Mr BEATTIE: I thank the honourable member for Springwood for her question. Let me advise the House that plans to establish the MacArthur memorial museum in Brisbane have taken another significant step forward. The Queensland Governor, Major General Peter Arnison, has offered to store any memorabilia donated for the proposed museum at Government House. On behalf of all members, I thank him for that. That means that anyone wishing to donate exhibits to the museum can now do so confident in the knowledge that it will be well cared for until it is finally installed in the new museum. His Excellency has taken a keen interest in the MacArthur museum project and is patron of the MacArthur Trust. I urge Queenslanders to now come forward with any memorabilia that they believe could contribute to the success of the museum.

The MacArthur memorial museum will be established on the 8th floor of the heritage listed MacArthur Chambers building in Brisbane. The refurbishment of the 8th floor has now started. The museum will be a living monument and could become a magnet for tourists, particularly those from the United States and, obviously, Japan as well. I am delighted to say that both the Queensland government and the Brisbane City Council have recognised the importance of this project and have pledged a combined total of $450,000 towards the museum—$350,000 from the state government and a further $100,000 from the council.

I believe it is appropriate that a project of such national significance—and it is national—should also enjoy financial support from the federal government. I have approached the Prime Minister on a number of occasions urging his support for the project. I have just written to him again urging him to match the $450,000 state government-Brisbane City Council commitment. I table a copy of that letter for the information of the House. I have indicated in the letter that I will telephone the Prime Minister soon to update him on the project and to discuss the issue further. In 1942, Douglas MacArthur directed the war effort in the Pacific from Brisbane during some of the darkest hours in our history. It is fitting that we have a world-class museum to honour that era. I table that letter for the information of the House.

From time to time we talk about tourism and renewing various aspects of tourism to make our state attractive to the world. We do that in a number of ways. I will be doing it tomorrow in Sydney, where I will be promoting the Gold Coast and a program which has been worked out with the department of the Minister for Tourism, Merri Rose, and Queensland Tourism. We need to find new and innovative ways to promote tourism. The museum to Douglas MacArthur is a key way to do that. There are thousands, indeed millions, of Americans who are history buffs. In my view, if this museum is established properly, they will see the MacArthur museum as part of their trek to the world and discover the MacArthur experience. Indeed, we could work through an experience with the Japanese. Hopefully those sensitivities have passed, and they could start here, then visit various islands and end up back in Japan. That means jobs for Queenslanders.

Mining Exploration, Indigenous Land Use Agreement

Mr SEENEY: I refer the Minister for Natural Resources and Minister for Mines to his statement on 28 May last year that he was prepared to have his performance as Minister for Mines judged by the way he dealt with the issue of exploration permits for the mining industry under the Queensland government's native title legislation.

Given that the minister is so embarrassed that he felt the need to leak his answer to the question on notice which contained the fact that he has spent almost $1 million on the state wide indigenous land use agreement with very little progress to solve the backlog of 910 exploration

permits, 242 mining lease applications and 187 mining claims and given that exploration has proceeded on just two of the 552 applications lodged since the Beattie government's alternative state provisions were introduced on 18 September 2000—just two out of 252 since 18 September 2000—I ask: is he still prepared to have his performance as minister judged on the achievements of the Beattie government's native title legislation, which is clearly failing drastically to deliver any future to Queensland's once great mining industry?

Mr ROBERTSON: I thank the honourable member for the question because it gives me the opportunity to remind members of this House once again why there is an exploration backlog in this state. I reiterate that the reason for the backlog of exploration permits is the freeze applied by the former Borbidge government, the freeze that brought this state's mining industry to its knees.

Mr SEENEY: I rise to a point of order! The minister is deliberately misleading the House.

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

Mr SEENEY: 552 applications were received—

Mr ACTING SPEAKER: There is no point of order.

Mr SEENEY:—since the legislation was introduced.

Mr ACTING SPEAKER: There is no point of order. I am on my feet. Would you resume your seat? Order! I am not sure if the honourable member understands the standing orders, but if the chair stands up, you resume your seat straight away. There is no point of order. I call the minister.

Mr ROBERTSON: I am reminded when that freeze came in. It came in on 24 December 1996. Merry Christmas mining industry! Merry Christmas! That was the Borbidge government playing Santa Claus for the mining industry and the thousands of jobs that rely on a healthy mining industry in this state.

What has this government done? We have got on with the job. We have passed our own state native title legislation.

Mr McGrady: They couldn't even get a bucket of sand out of the riverbed.

Mr ROBERTSON: The member for Mount Isa is quite correct; they could not have even got a bucket of sand out of a riverbed. We are getting on with the job. I am informed—

Mr Seeney: Two out of 552.

Mr ROBERTSON: Members opposite just do not understand how complex this issue is. When one is engaging with indigenous communities the consultation mechanisms that are necessary to get agreement are understandably complex.

Ms Spence: They wouldn't know anything about that.

Mr ROBERTSON: Members opposite would not have a clue about engaging with indigenous communities.

To demonstrate how we are getting on with the job, I state that nine native title groups have held authorisation meetings which allow their representatives to sign the state wide ILUA. The model ILUA is currently being drafted for each of these groups to allow the specific ILUAs to be signed—

Mr Seeney interjected.

Mr ACTING SPEAKER: Order! I have already warned the member for Callide under standing order 123. I will not use that provision now, but you have been warned. That means that the next time you interject and I think it is inappropriate, you will have to go for a walk. I call the minister.

Opposition members interjected.

Mr Seeney interjected.

Mr ACTING SPEAKER: This is the last warning for the member for Callide. You have not stopped interjecting all morning.

Mr ROBERTSON: What is tragic about the continuing interruptions by members opposite is that they actually do not want to hear the details of how we are getting on with the job. We are committed to addressing the backlog by the end of this year. We are on target to do that. We remain committed to engaging with indigenous communities throughout the state and with the mining industry, facilitating meetings, getting agreements and getting the explorers back out on the ground for the future of Queensland's great mining industry.

Food and Livestock Exports

Mr MICKEL: I direct my question to the Premier. As Queensland is ideally placed to take advantage of emerging overseas markets for our produce, can he inform the House how the government is working to increase our exports of food and livestock to markets such as Vietnam?

Mr BEATTIE: I can. I thank the honourable member for Logan for his question. He has a keen interest in developing trade opportunities around the world but, in particular, in Vietnam. I am delighted to confirm for the member that the government is taking all opportunities to advance our fortunes in Vietnam. Last week I met a 12 member delegation from Vietnam led by the Deputy Prime Minister, His Excellency Mr Nguyen Cong Tan. Indeed, the Minister for State Development, Tom Barton, hosted a dinner for him and three vice ministers who were part of the delegation, which also included the Canberra-based ambassador and senior officials from Hanoi. They spent a week visiting Cairns and south-east Queensland. Our state was their only port of call while in Australia, which is a testament to the bonds between Queensland and Vietnam. I led a trade mission to Vietnam last year and since then a stream of senior Vietnamese officials have visited Queensland. Currently Vietnam ranks 45th as a trading partner for Queensland. However, with a population of 78 million and per capita purchasing power projected for this year to be more than $2,900, the potential is enormous. For example, Vietnam considers it will need to import 300,000 dairy cattle over the next 20 years. A conservative value of this would be $450 million. Australia is one of four markets capable of supplying appropriate dairy cattle to Vietnam. Within Australia, Queensland is Vietnam's preferred supplier.

During a recent visit by the former Deputy Premier Tom Burns, who is one of our trade representatives—wearing his special Trade Representative Queensland hat—$1.2 million worth of dairy cattle were sold. Sales worth a further $12 million are expected by the end of this calendar year. There are also great prospects for exports of Queensland cotton and wool, beef cattle and genetic materials, animal husbandry technologies, aquaculture expertise—especially in mud crabs and red claws—eucalypt and pine forest plantation technology, and techniques for growing macadamia nuts and custard apples.

Thanks to his visit, the Deputy Prime Minister of Vietnam now has a knowledge of our agricultural products, technologies and management skills, and is interested in importing Queensland management skills for Vietnam's agricultural sector. Another visit last month by a Vietnamese official led to an invitation for Tableland Marketing to visit Vietnam. The group is now close to finalising a contract to export mango processing equipment. Success for the Smart State has also resulted from visits to Vietnam by our Governor, Major-General Peter Arnison, and a parliamentary delegation led by Minister for Families, Judy Spence. Speaker Ray Hollis will pay a visit to Vietnam this month.

With the help of trade missions to and from Vietnam, our regional dairy and beef cattle industries have established new contacts and finalised contracts. Sugar producers and Department of Primary Industries sugar scientists have initiated new commercial discussions. Education and training service providers—for example, QUT—have profited from new business leads. Deals worth more than $2 million for education service providers have already been signed. We have opened discussions to sell Queensland expertise and know-how in tourism design, planning and development. In all these fields, benefits will flow to regional and rural areas.

Goldbridge, State Government Assistance

Mr BELL: I refer the Minister for Public Works and Minister for Housing to the fact that to the credit of his department it has provided housing funding for some years to the Goldbridge organisation at Southport to provide excellent accommodation assistance to those suffering from alcoholic disorders. Due to changes in criteria for funding for housing I am informed that this funding is to be discontinued from 30 June this year, and I ask: would he consider making Goldbridge a one-off payment in July equal to one year's rental subsidy—about $32,000—to assist the organisation to make other arrangements and so continue its vital work?

Mr SCHWARTEN: I thank the honourable member for the question. I must say that I am surprised to get this question from the honourable member, because he is the only one from that part of the world who has not either written to me, rung me or seen me in my office. The Minister for Fair Trading, Merri Rose, and the Minister for State Development, Tom Barton, have both seen me about this issue, as has the member for Southport. Other members from the Gold Coast have written to me about this issue, including the member for Robina. I guess I could say

'welcome aboard' on that issue. I thank all of the other members for their commitment to trying to assist this very worthy organisation.

We have paid about $300,000 to this organisation in the 10 years that we have funded it. I notice that the member's mate the mayor down there has been writing to ministers on the Gold Coast and suggesting that somehow the state government should be putting more into it. I found out that the Gold Coast City Council actually owns that building. Not only that; it has been putting its hand out for the rates on that building as well. The state government has been paying the rates. The council paid something like $56,000 for it and we have paid about $300,000 in rates to the council over that period.

I would love to be able to help this organisation, but the fact is that—and I have said it in this parliament time and time again; get used to this—the days of our being able to assist organisations that are just on the fringe of areas where we would like to help are gone. They are finished. I have been asking people such as the honourable member to take this up with the federal government. The more the federal government moves away from funding housing there will be more and more of this. We are losing $200 million over eight years. That money has got to go from somewhere. Regrettably, we simply cannot continue to help organisations like this, which we used to be able to go out of our way to help.

Over the last couple of months local members have offered suggestions to me as to how we might help this organisation. Yesterday I was speaking with the Minister for Fair Trading and the member for Southport about this issue. We will do what we can to help. But I suggest that the honourable member find his voice on this issue and take it up with the Tory federal members on the Gold Coast. He may have some influence on them. They will not listen to the Labor members down there, that is for sure. They have not uttered one peep about this issue—not one word—and yet suddenly the blame is shouldered onto us. I say to Gary Baildon: go and take it up with your Tory mates down there as well.

Mr Johnson: You don't like Tories?

Mr SCHWARTEN: No, I don't particularly. You are all right for a Tory. No, as a rule I don't like Tories.

Police Resources

Ms MALE: I ask the Minister for Police and Corrective Services: can he inform the House what progress the Beattie government is making in relation to boosting police numbers in our communities?

Mr McGRADY: I thank the honourable member for the question. She always takes a great interest in police matters. This is an important question, because it gives me the opportunity to counteract the nonsense and lies being spread by members opposite.

Mr ACTING SPEAKER: Order! The word 'lies' is unparliamentary.

Mr McGRADY: The untruths. The Beattie government is putting more police on the beat than any other government in the history of this state. We are increasing police numbers by 300 a year every year, which is more than the former Borbidge government ever did. The question asked by the member also gives me the opportunity to address the issue of police to population ratios.

Mr Horan: You opposed the police academy in Townsville.

Mr McGRADY: The Leader of the Opposition is awfully rude.

Mr Horan interjected.

Mr ACTING SPEAKER: Order! The Leader of the Opposition will cease interjecting. I respect your position as Leader of the Opposition, but I will not allow all of question time to continue in this way. We will have a bit of quiet.

Mr McGRADY: It was with some amazement that I read the myths members opposite spread in relation to this issue. Firstly, they perpetuated the myth that Queensland had more police under the last Liberal-National government and, secondly, they spread the untruth that the police to population ratios were better under the former Borbidge government. As at 30 June 1997, under the former Borbidge government, there was one police officer for every 517 Queenslanders. By 30 June 1998, shortly after our government came into office, that figure stood at one police officer for every 505 Queenslanders. Today I am pleased to inform the House that,

on projected residential population figures, as of 30 June this year we estimate that there will be one police officer for every 458 Queenslanders.

Mr Barton: That's an excellent result.

Mr McGRADY: That is right. We have come from having one officer for every 517 Queenslanders right down to one officer for every 458. Day after day, we hear the Leader of the Liberal Party calling for a lower ratio in metropolitan Brisbane.

Mr Horan interjected.

Mr ACTING SPEAKER: Order! I warn the Leader of the Opposition under standing order 123.

Tewantin Fire Station

Mr MALONE: I refer the Minister for Emergency Services to his department's closure of the Tewantin Fire Station and I quote from the speech of the member for Noosa, Cate Molloy, who in the parliament this week stated—

> I know Minister Reynolds will not be swayed by shallow economic rationalist arguments that ignore the social fabric of communities just for the sake of saving a few holy dollars.

I ask: will the minister listen to the concerns of the opposition, the local Tewantin community and even his own Labor Party backbencher and not close down the Tewantin Fire Station?

Mr REYNOLDS: I thank the honourable member for the question regarding the proposed closure of the Tewantin Fire Station. Firstly, a key reason for advocating that the Tewantin Fire Station be closed is that the Tewantin area can be adequately serviced from the existing Noosa Fire Station. Currently, a duplication of fire services is occurring. Queensland Fire and Rescue Service management is keen to minimise unnecessary duplication of services in the interests of maximising fire services in the community.

The Tewantin auxiliary staff have been given the option to redeploy with favourable conditions to the nearby Noosa Fire Station. If this proposal goes ahead, there will be no forced redundancy, therefore effectively meeting government employment policy. There is no doubt about that at all. Can I also emphasise today for the benefit of the honourable member that the final decision to close the Tewantin Fire Station has not yet been made. The opposition may not like to see a proposal go out to community consultation, but I can assure it that, as Minister for Emergency Services, that community consultation will continue to occur until I am satisfied in regard to the final decision being made. Community consultation and engagement is all about putting up a proposal to a community. I have met with one of the local shire councillors, with the member for Noosa, Cate Molloy, and with the Tewantin Progress Association. I am keen to ensure that that feedback we get from the community continues. The final decision in regard to the Tewantin Fire Station has not been made, and I will not be bullied by the opposition today to make that decision without consulting the community properly. We will do that and do it thoroughly.

Education on Show, Brisbane Exhibition

Mrs DESLEY SCOTT: Can the Minister for Education tell members what involvement education will have in this year's RNA Show?

Ms BLIGH: I thank the honourable member for the question. I know that it is only the middle of May, but I can assure the House that the Ekka will be upon us sooner than we realise. For children everywhere, the Ekka has always meant sideshow alley, lots of sample bags, fun, fairy floss and all of those sorts of associations. As members know, schools and school work have been part of the show since its earliest times. That has always presented schoolchildren with the opportunity to submit their work for competition and display, whether they are from the most remote parts of the state or from Brisbane.

In the early 1900s, the first school work competitions at the Royal Queensland Show were in needlework and mapping and drawing. Writing and fine arts were added in 1917, and competitions remained the same throughout the last century. Around 1950, poetry and essays were added. In 2001, competitions were in poetry, writing, social studies, chart work, posters, mapping, science, and art and craft. No doubt there are members in the chamber today who, like me, can remember during their primary school years doing samplers and anthologies—

Mrs Edmond: And copybooks.

Ms BLIGH:—and copybooks to send to the Royal Brisbane Show. As I recall, I won a 'highly commended' in 1972 for an anthology.

Ms Spence: I won it for the copybook.

Ms BLIGH: Minister Spence won it for the copybook! Anyone who has seen her handwriting will understand why.

We all know that schooling and school work have changed dramatically in the last 100 years. Until very recently, the categories of school work for entry into competitions for the Ekka had not changed at all. I inform members today that the efforts of the current council of the show to modernise the Ekka have now turned to school work. I am very pleased that the council, and in particular councillor Joan Scott, has worked with Education Queensland over the last 12 months to ensure that the school work competitions are modernised and overhauled and that the involvement of schools will be more relevant to the reality of classroom experiences in the 21st century.

Education on Show will include new categories such as web page design and Powerpoint presentations to bring the show into the technological age. Other categories, such as creative writing, studies of society and the environment, science and art, have been altered to bring them in line with the current curriculum. While the competitions continue to support traditional literacy and numeracy skills, they will extend our students and provide a relevant competition for them at the Ekka. The Education on Show competition details and teacher resources were mailed to all schools last month. It provides an opportunity for our students to compare their achievements with those of their peers from around Queensland, and it gives teachers a way to make their schools' involvement with the Ekka educationally relevant. I am very pleased to announce that schools will also be part of this competition. The most successful school will win a prize of $1,500. The nominations close at the end of May. Smart State has come to the Ekka.

Uniforms, Private Security Providers

Mr QUINN: I refer the Minister for Police to a promise the government made nearly 18 months ago to introduce regulations to prevent private security guards and traffic controllers from wearing uniforms that the general public could easily confuse with the uniforms of police officers. I ask: why, after 18 months, have these relatively simple and easy-to-prepare regulations still not been introduced?

Mr McGRADY: I thank the Leader of the Liberal Party for the question. This is a matter for which the Minister for Fair Trading and I have joint responsibility. I can tell the member that it is in the pipeline. Our officers have had negotiations and discussions. This will come to the parliament in the not-too-distant future. The point that the Leader of the Liberal Party raises is very valid. At present, some private security operators dress very similarly to the police. Sometimes people believe it is a police officer sitting behind the wheel of a car reading *Playboy* when in fact it could be a private security provider. I am sure that, along with me, some members have had that experience.

The minister and I are working on this matter. As I said a moment ago, the regulations will come before the parliament soon. I thank the member for the question because it is a relevant one. I can assure him that it will happen sooner than most people think.

Tourism

Mr POOLE: I direct a question to the Minister for Tourism and Racing and Minister for Fair Trading. Queensland seems to have emerged from the dark days of 11 September and the Ansett collapse, thanks in no small part to the support of the Beattie government and an immediate response to the dual crises. Can the minister advise the House of the tourism industry's future prospects?

Mrs ROSE: I thank the honourable member for Gaven for the question. A leading economic forecaster has declared the future for Queensland tourism to be golden bright. An Access Economics report prepared for the St George Bank to be released later today praises Queensland's tourism-related infrastructure and reputation as a magnetic holiday destination for domestic and foreign visitors. Queensland has an amazing eight of the top 20 regions listed as attractive to foreign investors, with the Gold Coast, tropical north Queensland and Brisbane in the top five behind Sydney and Melbourne. Despite the events of 11 September last year and the demise of Ansett, the report says that recovery is well under way and the tourism industry is

expected to grow at about 4.5 per cent each year—significantly faster than the global economy as a whole.

Access Economics says that investors are also showing considerable confidence in the future of Queensland tourism. Projects worth several billions of dollars are under construction from the Gold Coast to Cairns, with more in the planning stages. Occupancy rates for accommodation in Queensland were among the highest in the country. The report predicts that the number and quality of rooms available will continue to increase, as will the number and quality of local attractions. As the only state or territory with two international airports, Queensland accounts for more than one-quarter of international visitors entering Australia. That share is set to increase dramatically with the launch of Australian Airlines in October. Australian will fly more than 350,000 international visitors into Cairns annually, providing the biggest single boost to international tourism in this state for two decades.

Tourism is vital for the Queensland economy. The industry employs more than 150,000 Queenslanders and generates over $14 billion annually in visitor spending. The Beattie government is totally committed to enhancing the development and marketing of our magnificent tourism destinations in partnership with industry, other government agencies and the community.

Brisbane will be hosting the annual Australian Tourism Exchange at the Brisbane Convention and Exhibition Centre from 25 May to 2 June. This is Australia's largest tourism trade show and the third largest in the world and attracts more than 2,000 Australian tourism operators and sellers, nearly 1,000 key international buyers and travel media from around the globe. Around $2 billion worth of new business will be generated, and massive ongoing benefits will flow on to the Queensland tourism industry and the economy. Premier Peter Beattie has recognised the importance of ATE by again scheduling a cabinet meeting at the Convention and Exhibition Centre to coincide with the trade show.

Airconditioning of Schools

Mr LINGARD: I direct a question to the Minister for Education. We have heard this morning ministers speaking about election promises and mandates for policies. The 1998 Beattie election campaign promised schools that the Cooler Schools program would comprise four stages implemented over four years. Regardless of all the minister's excuses, she has now admitted that she will fit in only three rounds in four years. At present, she has not even completed the second stage. This was an election promise, so why has the minister not been able to convince the Treasurer to date to provide extra funding to allow her to keep that promise?

Ms BLIGH: I thank the honourable member for the question. I think the position of our government on Cooler Schools has already been made clear, but I am very happy to have the chance to spell it out again for the honourable member. This program was one about which our government, upon coming to government, made a number of promises. Firstly, we promised that we would reduce the amount that P&Cs had to raise. Under the previous government—the government of which the honourable member for Beaudesert was a member—P&Cs had to raise 50 per cent of the costs to be eligible for government subsidy. This put the program way beyond the reach of most ordinary P&Cs. Members might recall that I have already told the House how many P&Cs were funded under the coalition's program. That number is nine—not even double digits! We made a commitment that we would reduce the amount required to make a school eligible for government subsidy, and we did that. We made a commitment to spend a certain amount of funds, and we have committed the funds that we made an election promise to provide.

However, the member is right. We did say that we hoped to have four phases over four years. Unfortunately, as members would expect, because we made it so much more affordable and so much more accessible, the program has been oversubscribed. People have enthusiastically embraced the opportunity that our government gave them to have the schools in the hottest parts of Queensland airconditioned. We make no apology for the fact that every eligible school that has made an application has been approved. All of those will be completed by the end of the 2003 financial year.

Of course we would have liked to have done more and done it quicker—that always happens in every portfolio in government—but I can guarantee that we will have those that have been approved in place by the end of the 2003 financial year. We will then look at the continuation of that program. I will be very happy to make announcements about that over the coming months.

Obstetrics Services, Rockhampton

Mr PEARCE: My question is directed to the Minister for Health. Is the Commonwealth government allowing a crisis to develop in the field of obstetrics in Rockhampton?

Mrs EDMOND: I thank the member for the question. I am pleased that the member for Fitzroy does care about this problem, as does the member for Rockhampton, the Minister for Housing, Robert Schwarten, who has raised this matter with me. Yes, I am aware of action by the ACCC against three private obstetricians in Rockhampton who have allegedly engaged in price collusion. I am not defending the doctors' actions and it would be inappropriate to comment on the merit or otherwise of the ACCC action, but I do make the following observations.

At a time when the world is crying out for obstetricians, at a time when the medical indemnity crisis is forcing more obstetricians out of the work force, we have the Commonwealth government driving obstetricians out of Rockhampton through what might be nothing more than ideologically driven bureaucracy. So obsessed is the Commonwealth over lack of competition between obstetricians in Rockhampton—it is not, I hasten to add, anything to do with their capability or their practice expertise—that it is driving the Rockhampton doctors right out of practice. The end result is that not only are there no competing private obstetric practices in Rockhampton; there is a clear possibility that there will be no private obstetrics practice in Rockhampton.

There are 1,700 births a year in Rockhampton, and the two public obstetricians at Rockhampton hospital are clearly not capable of doing all of the work. For all of those people who took out private health insurance so that they could have a choice, the cornerstone of the Commonwealth's misguided private health policies, in Rockhampton there soon will be no choice at all. They have been dudded by the Commonwealth government.

This of course will affect Gladstone, Yeppoon and the surrounding areas as well as Rockhampton. It is time for the Commonwealth to show some commonsense, especially in regional and rural areas, where there are already shortages of specialists.

Mr Johnson interjected.

Mrs EDMOND: It is the Commonwealth. In Queensland we are doing everything we can to train and recruit obstetricians, but the Commonwealth seems to be determined to ensure that does not happen. Where is the member for Keppel on this issue? Where is the member for Gladstone? They will be out there bleating when there are complaints about there not being enough services in the public system to cope with this, but they have not said boo.

Public Liability Insurance

Ms LEE LONG: My question is directed to the Treasurer. I refer to the closing date for not-for-profit community based organisations to register for participation in the group insurance scheme for public liability cover, which closed last Monday, 13 May. What, if any, period of grace applies for late registration? Will organisations be able to join up for group insurance at a future date?

Mr MACKENROTH: The answer to the member is that on Monday I extended the period for two weeks for people to lodge their applications and, yes, they will be able to join at a later date.

Information, Communication and Technology Training

Ms BOYLE: My question is directed to the Minister for Innovation and Information Economy. The minister is always talking about programs that have been held to further improve ICT skills in Queensland, but what is the minister actually doing to ensure this momentum continues?

Mr LUCAS: I thank the honourable member for her question. She is very passionate about ICT training and ICT penetration into our community. It is a matter that affects all Queenslanders—not just those in the south-east, the bush or the remote areas but everybody, and not just the young or the old.

Recently I had the great pleasure of being in Port Douglas to launch a further round of both the Industry Skills Training and Role Models Program and the Community Skills Development Program. These programs are about ensuring that the Smart State does not leave anybody behind. We do need skills for the information age, and people in rural, remote and regional communities need to be brought in as well.

The Community Skills Development Program is specifically targeted to people in rural and regional communities. Communities have to have a population of 10,000 or less to apply. That is something specifically for the people in the bush. That program is about ICT training.

The Port Douglas Community Network previously ran a program called 'Computer training for the absolutely terrified'. That is the way a lot of people actually feel about computers: they are terrified about them. Computers are as ubiquitous as cars. No-one would think of not having a drivers licence these days. Computers are exactly the same. Mandy Stone said that many residents were very much afraid of computers and they were taught how to use them.

Some time ago I was with the member for Noosa at Coolum Meals on Wheels, where we launched another program. We provided $2,000 for training for our seniors in relation to IT skills with Meals on Wheels. Not only were we able to train them in those skills, for putting in the material for reporting of meals and runs; the real pleasure was hearing four of the six people we had trained say that they had gone out and bought a computer for their homes. Our seniors are not the group in our community with the highest usage of computers, but the good news about them is that they have the highest rate of uptake. They are powering ahead in their use of computers. We want to encourage them to do that.

The other news about Queensland and the ICT industry is great. Forty-four per cent of Queensland homes have access to the Internet, compared to 37 per cent nationally. Sixty per cent of Queenslanders have access to computers, compared to 56 per cent nationally. In relation to employment, a Drake survey recently indicated that for April to June 2002 Queensland ICT employment is expected to grow at 4.8 per cent, compared to one per cent nationally.

I know that there are a lot of members on the other side of the House who are keen to know more about these programs and how they have operated. For example, in Charleville in the electorate of Gregory there is a project named Reboot Outback, which will provide training for people to get computers and put them together. People in this area have to go a long way to have their computers serviced. It is a big business cost and a cost to the community. We can get second-hand and surplus computers, train people to put them together and let them participate in the Smart State as well. Tonight I will be at Kenmore State High School in the electorate of Moggill to talk to a group of years 7 and 8 students about what careers in computers mean to them. It is all happening in the Smart State. It is not just in the south-east corner.

Time expired.

ISG Consultancy

Mr SPRINGBORG: I refer the Premier to his government's priorities for the positioning of Queensland as a Smart State, as listed on his web site, which states—

> To achieve its vision the government will lead by example through high standards of accountability, consultation and ethics. It will conduct its business in a fair and equitable manner.

I refer to the plight of ISG, a consultant information technology company, which has, through the government's non-compliance with contractual obligations under a Queensland government request for offer consultancy, lost its intellectual property rights in SAP financial system services, management and training material. I table documentation detailing attempts by the directors of ISG to obtain redress from the Beattie government. How does the Beattie government expect to attract new Smart State business to Queensland when it breaches contractual obligations to those businesses? Will the Premier now set an example and rectify the problem which his government has caused for ISG?

Mr BEATTIE: I thank the honourable member for his question. As I understand it, ISG has a contract with a subcontractor, not us. Therefore we have not breached, nor would we breach, any contractual arrangement we have entered into. The member understands that when there are subcontractors obviously they have obligations to deliver, but if we are not the subcontractor then that is not a matter for us; it is a matter for the subcontractors themselves. I thank the member for his question. I am absolutely delighted to take any question in relation to the Smart State.

Mr Mackenroth: And now you know that the National Party looks at your web site.

Mr BEATTIE: I am delighted that he has looked at the web site. Actually, Lawrence is probably the only one on the other side of the House who can read a web site. The sooner his colleagues make him the leader, the brighter things will be. We are right behind him. I want to make it absolutely clear: if I were in the National Party caucus or party meeting Lawrence would

have my vote, and that would make two of us—him and me. I do want to say while we are talking about—

Mr LESTER: I rise to a point of order.

Mr BEATTIE: Oh, there's three! You have got another vote. I stand corrected. Lawrence has got three votes—Vince and I.

Mr LESTER: I take it as an offence that the member here is the only one who can read a web site. In the last election I had my own web site, which proved to be very successful.

Mr BEATTIE: Thanks, Vince. That is code for 'I will vote for you, Lawrence'. That is what that is code for. I have led today with a 50 per cent increase in Lawrence's support in the party room—a 50 per cent increase! That is the sort of—

Mr ACTING SPEAKER: Can I suggest, Mr Premier, that every time you have to answer a question today you mention the member for Keppel.

Mr BEATTIE: He has been sensitive twice. Thank you, Mr Acting Speaker. Vince, every time I get up I will mention you. That is the sort of thing that happens in a Smart State. We have doubled Lawrence's support in the party room. We are getting jobs around the state. We can do anything.

While I am on my feet, though, it is with pleasure that I table *Catalyst*, a quarterly Smart State guide to innovation. This first edition was prepared for March with the aim of it being available to CHOGM visitors and for my April tour of the United States. The second one is being readied for next month's Biotech 2002 in Canada, which will be attended by Minister Paul Lucas. It will also have representatives from the National Party. Lawrence will be there. The Leader of the Liberal Party will be there and the leader of One Nation will be there. I table a copy of *Catalyst*. I also table a copy of the list of people who will be attending, because it is a very impressive list. I also advise the House that I have approved for Lawrence to extend his visit to the United States, through his allowance of course, to undertake research. I have also encouraged the Leader of the Liberal Party to do the same and, indeed, if the leader of One Nation wants to do so, he can do it as well. If they are in the United States, they can use their daily travel allowance to be educated as part of our Smart State strategy.

The publication is a conduit linking the Smart State and the innovation and investment worlds. It is a positive example of us communicating better with the technology world. Obviously it links its reader with the government through web site addresses.

Mr ACTING SPEAKER: Order! The Premier's time has expired.

Mr BEATTIE: Oh, what a shame! I will talk about the Smart State any time.

Time expired.

Killing of Dugong

Mr CHOI: I ask the Minister for Environment: given the fact that dugong are a protected species, can the minister outline to the House what penalties may apply if someone kills a dugong in Moreton Bay?

Mr WELLS: As honourable members know, on Tuesday afternoon a dugong was killed in Moreton Bay. I do not wish to canvass details of that particular case, although there is no question of sub judice because no prosecution has been laid. Out of respect to those who are involved and the fact that if investigations go a certain way somebody may be prosecuted, I am not going to canvass details and have not taken the trouble to brief myself on the names or the identities of the persons concerned. But in the public interest I think it is necessary for me to set out the law that is applicable in these circumstances, because that is the law that my departmental officers and rangers have been instructed to apply. As a matter of public interest, I will state the position that my departmental officers will be taking. It is particularly interesting to do so by virtue of the fact that I am advised that my ranger, when he was interviewing certain people who were assisting him with inquiries, received a phone call from somebody representing himself as a barrister-at-law who expressed the point of view that under the law relating to native title the indiscriminate killing of dugong was perfectly okay. Well, it is not perfectly okay and there is no provision of native title which gives people the right to indiscriminately kill dugong.

Let us start with the qualifications. The general proposition is that certain rights flow from native title. It is important by virtue of the fact that it is a derived consequence of the Constitution that native title overrides other provisions. So the argument that would generally be put is that the

provisions of the Nature Conservation Act are struck down by native title because that is a derivation from the Constitution. Where there are conflicts of law there must be a hierarchy of laws. Therefore, if a state law is inconsistent with a federal law it is struck down to the extent of its inconsistency and a federal law is struck down by constitutional law. But there is no provision of the Constitution—no entailed consequence of the Constitution—that says that one has the right to be cruel to animals. There is no entailed consequence of the Constitution that says that anybody has a native title right to hunt something that was never part of the native title claim of their own particular clan. There is no native title right and no consequence of the Constitution that says that anybody has the right to pursue to extinction a species that would otherwise be able to survive. These are the provisions. These are the positions that I have instructed my rangers to take. This is the position that the government will take. If anybody was thinking of any copycat behaviour, I advise them not to do it.

Interview Rooms, Medical Assessment Tribunal

Mr WELLINGTON: I ask the Minister for Industrial Relations: is he aware that as a result of renovations to the Medical Assessment Tribunal, commonly referred to as the Q-Comp tribunal, at 30 Makerston Street, Brisbane there are now no interview rooms available for people due to appear before the tribunal where they can discuss privately the matters with their caseworker or people appearing with them at the tribunal? All that is now available is an open waiting room where many people are forced to divulge private details in respect of themselves and their injuries, and this is a most impersonal and unsatisfactory situation. Will the minister investigate this matter and see how interview rooms can be re-established at the tribunal?

Mr NUTTALL: That issue has been brought—

Mr Seeney: There is someone here to see you.

Mr NUTTALL: Yes, I understand there are a few mates outside. That issue has been brought to my attention. The premises mentioned by the honourable member have been renovated. Those renovations were done to include medical assessment tribunals and increase the number of medical assessment tribunals. I understand that solicitors do, from time to time, attend those tribunals with their clients. My understanding though is that if rooms are available for people to sit down with their solicitors we make them available. I am happy to look at this, but I have to say that it would be my view that if a person attending the medical assessments tribunal intends to attend with their solicitor they would meet their solicitor in their solicitor's office prior to attending. I am happy to look at it, but I have to say that we have spent a considerable amount of money already on renovations there. They are for clinical assessment. We really believe that if people are going to attend with their solicitor they should meet with their solicitor in their solicitor's premises prior to that.

Regional Business Development

Mr MULHERIN: I refer the Minister for State Development to the fact that businesses outside the south-east of the state are increasingly becoming known for their innovation and leading-edge products. I ask: can the minister outline how the Queensland government is assisting regional companies to tap into business resources and assist with capital raising?

Mr BARTON: I thank the member for the question, because the member always follows through with small business issues in his electorate and is very proficient at lobbying on their behalf. Today I am proud to detail that through State Development we are further helping Queensland's regional businesses to grow organically and they in turn in the longer term will be able to generate more jobs in their own communities. We are taking the Queensland Capital Raising Pipeline, a program which assists businesses to become investment ready, to regional Queensland. The pipeline comprises a range of practical programs which educate and assist new ventures in all types of industries to become investment ready. In the past year, over 7,000 companies have gone through the Capital Raising Pipeline through 30 workshops, creating around 75 new jobs. That is a significant number of jobs considering that most start-ups employ just two or three staff. By taking the Capital Raising Pipeline to the regions we are widening the net. We have already had great success for those companies that have participated in the program so far, but many of those have come from south-east Queensland.

I am pleased to report that in its first two years of operation the Venture Capital Unit established by the Department of State Development in June 2000 helped attract more than

$15 million worth of investment to 26 high growth start-up businesses in the state. My investment division's venture capital team has trained officers in 12 of the 18 state development centres and they in turn have invited local community and business leaders to get on board and participate in the program as mentors. We recognise that there are local investors interested in investing in local businesses, and we are providing not only the training to help these businesses become investment ready but bringing the two together. On top of that, local government and business communities have begun to put their support behind it. Programs include investment education seminars, workshops, introductions to business angels and mentoring. We are helping small business in the regions of Queensland.

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

MINISTERIAL STATEMENT

Sale of Liquor, Mount Isa

Hon. M. ROSE (Currumbin—ALP) (Minister for Tourism and Racing and Minister for Fair Trading) (11.31 a.m.), by leave: For some time, public drunkenness and street violence has been a matter of great concern in Mount Isa. Residents have called public meetings about the rising incidence of antisocial behaviour in the central business district. Business people claimed violent drunks were costing them trade, and residents said they refused to walk down the main street for fear of being accosted or abused. A community based Riverbed Action Group was established. The group presented a detailed submission and report to the Liquor Licensing Division of the Department of Tourism, Racing and Fair Trading calling for restrictions on alcohol sales and licensed premises trading hours. The submission has been supported by Mount Isa Council, CBD traders, the community, Mount Isa Mines and local police. I acknowledge the hard work of my colleague the member for Mount Isa and Minister for Police, who has spoken to me on a number of occasions about this issue. The minister has worked very closely with the local community and all the stakeholders I have mentioned to come up with some sort of resolution to this problem. I thank the minister very much for his cooperation in that respect.

The Liquor Licensing Division has determined that a 12-month trial aimed at curbing public drunkenness and alcohol-related disturbances will begin on 1 August. Under the trial, the sale of takeaway liquor from any licensed premises in Mount Isa before 10 a.m. will be prohibited. Licensed premises will not be able to open before 9 a.m. daily. The sale of wine in casks or other containers larger than two litres will be banned. There is no quick fix to overcoming public drunkenness and homelessness in Mount Isa. However, it is obvious the first step must be to limit the availability of alcohol in the early morning. The introduction of these restrictions will provide a focus for the community and, hopefully, a catalyst for government and community agencies to more efficiently address issues related to public intoxication and homelessness. The Riverbed Action Group report clearly identified that direct action was required to limit opening hours and the types of liquor presently available from licensed premises in Mount Isa.

Businesses and workers in the CBD area have given to the division first-hand accounts of drunken people regularly abusing them and adversely affecting them, including urinating and fighting in front of their shops. Mount Isa police reported a massive increase—nearly 600 per cent—in the number of on-the-spot fines issued between 1999 and 2001 to people drinking in a public place. Most offences occurred in the CBD area. The Mount Isa community has the right to feel safe walking in the CBD area without being subjected to drunken, violent behaviour. The objectives of the trial include: significant improvements in the health and wellbeing of problem drinkers and patterns of drinking including fewer admissions to hospital and treatment for alcohol-related illnesses; improvement of the quality of life of Mount Isa residents and a return to full accessibility/amenity to the CBD; a reduction in the representation of Aboriginal people entering the criminal justice system for alcohol-related offences; and increased community support for efforts to address homelessness and alcohol issues in the community.

In the Northern Territory, restrictions have been applied to a number of regional towns and remote communities in an attempt to address similar issues and problems. All licensed premises in Mount Isa have been informed of the proposed restrictions and of an ongoing assessment to gauge the trial's effectiveness. This decision was not taken lightly. I ask all Mount Isa licensees, as well as residents of the Mount Isa community, to embrace this trial for the benefit of the community and to minimise alcohol-related street offences.

MINISTERIAL STATEMENT

Saltwatch

Hon. S. ROBERTSON (Stretton—ALP) (Minister for Natural Resources and Minister for Mines) (11.35 a.m.), by leave: I want to place on record the government's appreciation for the many hundreds of Queenslanders who for the past two weeks have participated in the annual Saltwatch fortnight program. Saltwatch is an important program conducted right throughout Queensland to monitor salinity levels in our local waterways, including rivers, streams, farm dams, creeks and wetlands. The program is a wonderful example of government and the community working in partnership to tackle a crucial natural resource management issue.

Community groups, individuals and schools have supported this program since 1991 and, in its 11th year, Saltwatch has had over 50 groups participating across the state. The Saltwatch Snapshot is an important element in Queensland's total campaign against salinity. Involvement of the Queensland community in water quality monitoring assists with the identification of existing and emerging saline sites and landscapes. It also helps community groups develop, implement and monitor strategies to tackle salinity problems. Participants have been monitoring a range of waterway types including rivers, streams, farm dams, creeks, wetlands and even ground water. Saltwatch data is collated onto maps to provide a snapshot of salinity levels around the state. These maps are returned to the participating groups for interpretation and discussion. My department will be using all available water quality information to provide an overview of water quality issues for catchments throughout Queensland. This information will help the department to partner communities in targeting the most significant salinity issues in each catchment. With Queensland beginning to implement the National Action Plan for Salinity and Water Quality, the importance of this program is significant. The national action plan aims to create a new model for achieving long-term environmental sustainability and economic security through a partnership between government, industry and the community. Good science will underpin the success and effectiveness of the NAP, and water monitoring programs throughout the state such as Saltwatch will play a pivotal role in that success.

MINISTERIAL STATEMENT

Building Industry Reforms

Hon. G. R. NUTTALL (Sandgate—ALP) (Minister for Industrial Relations) (11.37 a.m.), by leave: I would like to announce significant new reforms being introduced by this government today, upon Governor in Council approval, to reduce the number of deaths and injuries in the building and construction industry in this state. Right now, more than $11 billion worth of building and construction work is going on throughout the state, and these reforms will address the hazards responsible for the majority of all fatalities in one of Queensland's most dangerous industries. In the last financial year, 12 people died on building and construction work sites. In the same period, 4,971 workers compensation claims were lodged at a cost of more than $21 million.

These new regulations will replace a series of advisory standards that currently exist and, for the first time, ensure that all players are bound by a single set of regulations designed to improve and maintain workplace health and safety in these critical areas. The new regulations will apply to: working at heights, including ladders, scaffolding, and specific use of harnesses to prevent falls; excavations, including trenches; falling objects, regulations to protect workers and members of the public; safe housekeeping practices, for example, access to work sites, safety signs, disposing of waste and safe storage of materials and equipment; and common equipment at a work site.

The Queensland government is stepping up compliance and moving away from the national approach of self-regulation to introduce regulations for hazards in the building industry that have been proven to endanger workers. Just as importantly, though, these regulations have the support both of industry and unions. They stem from the Building and Construction Industry Workplace Health and Safety Taskforce established in 1999 which reported to government a series of recommendations for change in August 2000. Since then, my department and the task force have been in extensive consultation with industry to determine the new regulations and how to best implement them.

These regulations will reduce the most serious hazards in a high-risk and competitive industry that is employing more and more contract workers, part-time workers and casual employees. Other states have been watching Queensland's progress on this issue, and I hope they will follow our lead and improve serious safety issues that exist in the building and construction industry Australia wide. My department will now be embarking on an extensive program of educational

seminars for employers, employees, industry, unions and community groups before the regulations come into effect on 1 September this year. I look forward to updating members of the House on the progress of these reforms in the months to come.

TOBACCO LEGISLATION AMENDMENT BILL

Second Reading

Resumed from 14 May (see p. 1558).

Mr HORAN (Toowoomba South—NPA) (Leader of the Opposition) (11.39 a.m.): The Tobacco Legislation Amendment Bill corrects an anomaly in the current act. I have had discussions with the minister about the anomaly. It is something about which many of us in this parliament have received representations from various charitable organisations who run bingo. The opposition has agreed to the passage of this bill. It is important that it is passed in this session of parliament so that it can operate with other legislation by 31 May.

As the act stands now, bingo being played in community halls must be smoke free, but bingo can still be played in licensed premises where smoking is permitted. There have been claims that in some cases up to 75 per cent of bingo players smoke. They have said that they will go to licensed premises if they have to so that they can still smoke while playing bingo. That means that many charitable organisations throughout the state would lose trade and that their operations would not be on a level playing field. Organisations in my electorate that conduct bingo games, such as St Patrick's and St Mary's, would have some significant problems in being able to compete effectively with bingo being played in licensed premises. Organisations that rely heavily on bingo for fundraising have, quite rightly, been upset and concerned about this anomaly in the act. Once this anomaly is rectified, from 31 May it will be an offence to smoke in a bingo area of licensed liquor premises 30 minutes immediately before a bingo session and during a bingo session, which is the same situation that exists under the current legislation in relation to community halls.

The provisions of the Tobacco and Other Smoking Products (Prevention of Supply to Children) Amendment Act 2001 will commence on 31 May and we look forward to its requirement that all enclosed places will be smoke free. However, the opposition has some concern about what extra resources have been allocated to police under the act. We have heard that a centre manager of a shopping centre has told staff in shops that they are to approach people who smoke in the centre and inform them of the new laws and ask them not to smoke. They were told that if customers became abusive, they were to phone the police to report the abuse and the smoking. That is not a duty that should fall on shop owners in shopping malls. They do not see it as their direct responsibility to enforce these new laws.

There are also many problems in buildings in cities. Staff go outside the buildings to smoke and form a pack outside the front door. A particular example that I can think of—and the Minister for Health would be aware of this—is the number of people who smoke outside the doors of many of our public hospitals. I can remember taking a deep breath before I walked through the main entrance of the old Royal Brisbane Hospital as people were standing just outside having a smoke. I think that we would all like to see designated smoking areas moved away from the entrances of buildings. Otherwise there is very little point in making the buildings smoke free. I know that it is a difficult issue to enforce, but people need to be provided with an area.

I also take this opportunity to raise with the state government how much it spends on tobacco education for young people in Queensland. At present, advertising concentrates on showing us the damage that smoking causes to lungs. But tobacco smoking has a range of other side effects, especially for women and passive smokers. Advertising should take into consideration a range of other issues such as the harmful chemicals involved in smoking. It should focus on young people, because statistics show that an estimated 131,000 male and 145,000 female students aged between 12 years and 17 years are smokers. Research shows that the use of tobacco becomes more common as students progress through secondary school. In older adolescence, that is after age 17 years, the prevalence of smoking was 28 per cent in boys and 34 per cent in girls. So I would like to see the government focusing on reversing that trend in the coming years.

This amendment is a step in the right direction for Queensland, particularly for those people involved in the operation of bingo halls on behalf of charities and sports clubs. I would like to thank Mr Bill Dixon of St Patrick's Cathedral and Mr Carl Betros who has been the bingo promoter at St Patrick's for many, many years, for the advice and the deputations that they made to me.

Knowing the background of the problem with the act certainly assisted me in my dealings with the minister in ensuring that this legislation was passed this week. At St Patrick's, bingo operates three times a week. It brings in around $250,000 a year, which is distributed to various parish charities. So the money stays in the town and provides some very necessary and very important support to the parish and the charities.

As I mentioned earlier, the problem with the smoking act is that, although many of these organisations running bingo were satisfied and happy to see smoking banned from bingo clubs and halls because many people do not enjoy playing bingo in the smoke—it was a latent liability for those bingo operators and some patrons did not like the smell of bingo halls—they were seeking a level playing field. Some licensed clubs have used bingo as a loss leader to get patrons into clubs to play poker machines. In many cases, charities and community organisations are faced with some enormous public liability problems that we are all working at trying to overcome; we are trying to put a fence around them and contain them. Those organisations are seeing their public liability insurance premiums go up. At the same time, under the legislation as it stands currently licensed clubs are able to obtain a greater share of the bingo business—business that charity and community organisations need in order to pay for things such as their public liability insurance premiums as well as providing any surplus funds to the good causes that they operate on behalf of.

Some other options could have been considered. Under the terms of the cathedral centre's licence, it could have provided a meal. If it provided fish and chips in a bag, it would have been able to allow smoking. But if it provided a proper meal on a plate with a knife and fork, it would not have been able to allow smoking. That shows the complexity of the smoking laws. On 1 April, smoking was banned at the cathedral centre. Of course, by the end of May they would have had to have done that, anyway. The cathedral centre did that really for the benefit of the patrons.

In summary, this amendment will prevent those bingo operations that had to ban smoking from losing about one-third of their gross earnings, which is what they estimate they would have lost. That really amounted to their profit. So they would have been running bingo for no real purpose at all. The moneys raised at the cathedral centre go to the maintenance of the cathedral, youth welfare, schools, aged care and other parish charity services. So there is a very good reason for holding bingo, apart from the obvious enjoyment that so many people get from playing bingo—the company, the friendship, the activity, and even the chance of maybe striking a little bit of luck.

St Patrick's has been holding bingo for some 30 years. Without this legislation there would be quite a disastrous effect on bingo held in many community halls across the state. That is why the opposition believes that it is a sensible amendment and is prepared to support it to ensure that it is passed in this set period. I want to make the final comment that, whilst passing this amendment, it is also important to ensure that we all maintain our focus on reducing smoking, to do whatever we can in terms of sensible advertising to make people aware of the damages that smoking can cause. I can no longer quote the figures off the top of my head—the minister might quote them later—but smoking is the major cause of heart disease, stroke, diabetes and most other diseases that cause sickness and death. If people did not smoke, there would be an enormous reduction in the cost of health care in this state. More importantly, people would live healthier and longer lives with their families. The opposition is pleased to support this amendment.

Ms NELSON-CARR (Mundingburra—ALP) (11.49 a.m.): Active smoking is known to be a proven health hazard. Passive smoking is potentially a health risk to healthy individuals, but it is particularly dangerous for people with acute and chronic respiratory disorders. Passive smoking is actually a violation of human rights. The Heart Foundation reports—

> Based on the best available evidence, bans on smoking have no significant impact on sales in restaurants and bars. Evidence from other states and territories that have legislated smoking bans, show that business is not harmed. In New South Wales, 90 per cent of Sydney restaurants reported normal or increased trade since the ban, and there was strong support from patrons and staff for the ban.

The facts are—

> Three quarters of our population don't smoke. An Auspoll Australia wide opinion survey found that over 50 per cent of respondents were more likely to go to restaurants and cafes if they were smokefree. People want smokefree public places. The Heart Foundation recommends that anyone who has heart disease should avoid venues which allow smoking.

At the time the minister, Wendy Edmond, introduced the Tobacco Action Plan for tougher laws relating to smoking, there was some research available from South Australia. The indications in

that state were of high public support for the legislation, with over 80 per cent of smokers liking the legislation and over half of smokers agreeing with the new legislation. South Australians reported an increase in enjoyment while dining out after the law came in. Contrary to industry claims, South Australians did not stop going out to eat and there was good business compliance with the new law. The changes reported in dining out practices since the law came in were likely to have a net positive benefit for business. I believe that the Queensland government can be assured that the prohibition of smoking in enclosed public dining areas is working. It is good for health and it is not adversely affecting business.

In May 2001, the House passed a comprehensive bill to address many issues relating to tobacco smoking. The provisions of the 2001 bill will commence in two weeks time on Friday, 31 May. They include increased penalties for selling tobacco products to children, mandatory training for employees, a ban on tobacco advertising inside retail outlets, restrictions on tobacco product displays, a ban on tobacco product competitions and promotions, and the requirement that enclosed places should be smoke free.

Bingo operators, such as Ignatius Park College in my electorate, and bingo players in my community have approached me and stated that the application of the new tobacco laws will be unequal in respect of bingo. This government is now taking action to quickly rectify this situation. Charities have informed me of their concern that without this amendment, they would have suffered a significant loss of patronage, substantial loss of fundraising revenue and the closure of many community service organisations. Bingo fundraising is the life source of charities and non-profit organisations such as Queensland Ambulance, Endeavour Foundation, Lions Club, Police Citizens Youth Club, sporting groups and schools, to name just a few.

Initially, the Bingo Operators Association feared for the future of bingo in Queensland until the Health Minister announced her decision to swiftly deal with this anomaly in the legislation. The secretary of the Bingo Operators Association, Mr Anthony King, has said that he is pleased with the response of Queensland Health. Mr King stated—

> Bingo operators certainly have no objection to smokefree bingo. In fact, the Queensland Bingo Operators Association supports it. All we wanted is for it to be across the board and we want to operate under the same laws as licensed clubs.

I have seen evidence of the impact of similar legislation in New South Wales. It clearly shows that many bingo players who smoked moved from smoke free bingo halls to bingo conducted in registered clubs where smoking was still permitted. This resulted in diminished patronage of smoke free bingo halls conducted by charities, a reduced level of prizes and reduced competition across the bingo industry.

This amendment has been pursued based on a concern that bingo players who smoke will move to 'smoking permitted' bingo at their local club. It is claimed that up to 75 per cent of bingo players are smokers and that they have said they will go elsewhere if it means they can play bingo and continue to smoke. We do not want the New South Wales situation repeated in Townsville, or anywhere else. Today's amendment to the tobacco laws corrects this anomaly with a consistent approach. From 31 May, all bingo sessions will be held at nonsmoking venues. Smoking will not be permitted in bingo areas, whether in liquor licensed or unlicensed premises. This requirement is similar to the no smoking requirement for dining areas in liquor licensed premises.

The health of bingo players must be considered. Action to curb exposure to passive smoking is essential. Over the last 20 years, conclusive evidence has shown that passive smoking is dangerous. Internationally, at least 12 major independent scientific reviews have examined the available research findings about the health effects of passive smoking. The evidence is unequivocal. There is no safe level of exposure to environmental tobacco smoke and any degree of exposure to passive smoking is potentially harmful. Today's amendment bill is part of the government's commitment to reducing exposure to passive smoking as part of the Queensland Tobacco Action Plan, which provides a blueprint for improving the health of all Queenslanders by eliminating or reducing their exposure to tobacco in all its forms. Over the life of the plan, the government, in close collaboration with key stakeholders, will focus on key areas to reduce the impact of smoking. The Queensland Tobacco Action Plan includes actions to address the dangers of passive smoking, the incidence of smoking in particular sectors of the community—including children, pregnant women and indigenous people—as well as the need to encourage and support smokers of all ages and in all walks of life to give up this very addictive habit.

I congratulate Wendy Edmond, the Health Minister, on extending the legislation. Not so long ago opposition members would not support our plan to ban smoking in public places where food was served. I am pleased to hear today that they support this amendment. Previously, the opposition did not agree with our position. They believed that if they were in power they would not extend smoking bans to dining areas in pubs, clubs and community halls where people were eating. The Tobacco Action Plan is consistent with the national plan, which has the support of all health ministers across Australia.

I will leave the House with the following report from the *Sunshine Coast Daily* on the ban in the Swan Bowls Club on the Sunshine Coast—

Some may have labelled it a brave move, but the Maroochydore Swan Bowls Club's decision to ban smoking has actually paid off. A year on today, the club has gone from strength to strength, doubling its membership numbers and gaining the kudos of being the first club of its kind in the state to take the dramatic move.

The club took the extraordinary step in the wake of a landmark payout to a Wollongong barmaid who developed cancer after years of passive smoking and decided to ban the ciggies to avoid a similar fate. And the punters really took to the concept, with staff finding it hard to keep up with the number of new membership applications. But it's not just the members who are enjoying the clean area. Administration officer Trisha Dowling said it was so refreshing to come into work of a morning and not have to breath in stale smoke. 'I just love it', she said. 'It's nice to walk in and have it smell so clean.'

On that note, I commend this bill to the House.

Mrs SMITH (Burleigh—ALP) (11.57 a.m.): I am pleased to support the Tobacco Legislation Amendment Bill 2002, which will prohibit smoking in bingo areas of licensed premises during bingo sessions. The amending act gives effect to key aspects of the Queensland Tobacco Action Plan and the government's commitment to reducing exposure to passive smoking. This plan includes actions to address the dangers of passive smoking and the incidence of smoking in particular sectors of the community—including among children—as well as the need to encourage and support smokers of all ages and in all walks of life to give up this addictive habit.

Each year over 3,000 Queenslanders lose their lives because of tobacco smoking. Tobacco is extremely harmful and extremely addictive. We would be failing in our duty as leaders of this state if we did not do our utmost to both decrease the number of current smokers and discourage new smokers. The entire death toll from smoking in Queensland is higher than the combined number of people killed in Queensland by murder, suicide, alcohol, illicit drugs, AIDS, poisoning, drowning and motor vehicle accidents. This is a frightening statistic. The financial burden of smoking on the Queensland community is enormous. The financial costs through loss of productivity, sickness, absenteeism and the impact of premature death, not to mention staggeringly high health care costs, tip the scales at $2.2 billion each and every year. One of the most frightening parts of the current research is the devastating impact on young people. The number of young smokers has increased dramatically over recent years. Between 1990 and 1999 the youth smoking rate has increased from 15 per cent to 23 per cent. An estimated 65,000 students in high school are smokers. We need to act quickly to help improve this terrible statistic. That is why my colleague the Minister for Health has introduced this legislation.

The provisions of the Tobacco and Other Smoking Products (Prevention of Supply to Children) Amendment Act 2001 are set to commence on 31 May. They include increased penalties for selling tobacco products to children, a ban on tobacco advertising inside retail outlets, restrictions on tobacco product displays, and a ban on tobacco product competitions and promotions. It is hoped that these moves will act to deter young people from taking up smoking or discourage them from continuing to smoke. The fact that 65,000 schoolchildren smoke, nearly all of whom must be underage, is a frightening statistic. Obviously, a large number of unscrupulous traders are selling these addictive and dangerous products to consumers too young to understand the consequences. Tougher penalties needed to be introduced to prevent this practice from continuing.

Another important aspect of the act relates to the rights of nonsmokers as well as providing a disincentive to smokers. That is the requirement that enclosed places should be smoke free. This has been accepted and assimilated quite well by the dining and hotel industry. However, it has become apparent that the application of part 2B, Smoke free enclosed places, of the 2001 amendment act may disadvantage charitable and community organisations and their ability to raise funds from various indoor activities. Many community groups and organisations rely on the funds they garner from indoor games and activities. The spotlight has been focused on bingo, this being an extremely popular pastime, especially in my electorate.

As of 31 May 2002, smoking will be prohibited in community halls and other non-liquor licensed premises where bingo may be played, but will not be prohibited in non-dining areas of licensed premises where bingo may be played. Charitable and community organisations that raise funds from bingo are concerned that if the legislation is allowed to proceed in its present form they will suffer a substantial loss of revenue and, as a consequence, the potential closure of many community service organisations.

Evidence of the impact of similar legislation in New South Wales clearly shows that in New South Wales many bingo players who smoke moved from smoke free bingo halls to bingo conducted in registered clubs where smoking was still permitted. A very successful bingo session is held every week in the great hall of the Miami State High School. This raises valuable revenue for the school P&C, which in turn provides resources for the students that they might not otherwise have. There was great consternation when the smoking legislation was introduced. I attended a bingo session at Miami High and calculated that at least 85 per cent of the players were also smokers. They told me that they would go elsewhere if they could play bingo and continue to smoke. This legislation had the potential to decimate the bingo sessions and thus the financial contribution to Miami High would have been lost. The health of bingo players must also be considered. Over the last 20 years we have been provided with conclusive evidence that passive smoking is dangerous. There is no safe level of exposure to environmental tobacco smoke. Any degree of exposure to passive smoking is potentially harmful.

Today's amendment to the tobacco laws corrects an anomaly by having a consistent approach, that is, from 31 May all bingo venues will be no smoking. Specifically, it will be an offence to smoke in the bingo area of liquor licensed premises 30 minutes immediately before a bingo session and during the session. The definitions for 'bingo' and 'bingo session' used in the bill are the same as those used in the Charitable and Non-Profit Gaming Act 1999.

The amendments in the bill are another important step in addressing the human and economic costs of smoking. A study revealed that in 1996-97 more than 185,000 hospital bed days were attributed to smoking related conditions, costing the Queensland Health system over $108 million. I offer my congratulations to the Minister for Health on this timely amendment, and I look forward to the health of Queenslanders reaping the rewards of the minister's good work.

Mrs LIZ CUNNINGHAM (Gladstone—Ind) (12.04 p.m.): I rise to support this legislation. As other members have already said, bingo and similar games are used in my electorate as one of the major fundraising options for small sporting clubs and charitable organisations. These are already struggling to keep their share of revenue, particularly because the larger gaming venues such as clubs are able to offer higher prizes. In many cases, they subsidise their higher prizes to get people into the clubs to use the gaming machines. I have forwarded information to the minister responsible for administering the gaming machine legislation indicating that these groups suffered significantly with the opening up of the permit system for raffles. Many clubs that have made a conscious decision not to introduce gaming machines have felt a great deal of pressure on their fundraising efforts. Therefore, they do not need to have a second inequity. That would prove to be untenable.

Passive smoke is invasive. Any of us who has been in a venue, currently or previously, where there have been smokers would know that, even if there is a smoking and no smoking area, unless they are completely divided by walls, the no smoking area is perfumed with cigarette smoke whether we like it or not. A lot of people are affected adversely by cigarette smoke, quite apart from the direct health impacts of smoke. People with respiratory diseases, particularly those with asthma, have a lot of trouble dealing with venues that allow cigarette smoking. We all know that the smell of cigarette smoke stays in our clothes for hours even if all we have done is walk through a smoke-filled venue.

The member for Toowoomba South said that there are problems at the hospital in that smokers, because the hospital is a no smoking environment, stand just outside. I am conscious of the stickers we see around the place reading 'smokers are voters too' and 'smokers have rights'. They do; I am not disagreeing with that. However, I look forward to the review referred to by the minister in her second reading speech addressing the exit and entry points of smoke free buildings, where there are often groups of smokers standing around together smoking. That does not happen only at hospitals; it happens at shopping centres and also at parliament, particularly on level 5. The practice has diminished a bit lately, but smokers used to stand outside the electronic doors on level 5 and anybody who wanted to get past had to walk through a wall of cigarette smoke. I look forward to that review declaring the entry and exit points of smoke free buildings smoke free. That is not to disadvantage those wanting to smoke. It is just so that they

are moved along so that people who are sensitive to smoke—indeed all people—do not have to walk through a wall of cigarette smoke as they enter and exit buildings.

As I said, I support this legislation. I do not believe small organisations deserve to have any further disadvantage added to those already facing them. I believe that the legislation, although brought through all stages outside of standing orders, will bring with it an equity between all organisations that is welcome. As I said, I support the bill.

Mrs CROFT (Broadwater—ALP) (12.08 p.m.): I rise to speak in support of the Tobacco Legislation Amendment Bill. I wish in particular to speak about the Tobacco Hotline, a Queensland government initiative to assist in the introduction of the new smoking legislation. The Tobacco Hotline is part of the state-wide education campaign launched by the Minister for Health on 21 March 2002 to inform industry and the Queensland community, including bingo operators and players, about the new tobacco legislation. This campaign has also included the distribution of more than 10,000 education kits to retailers and liquor licensees informing them of their obligations under the law. The kits are a plain English guide to the new legislation which explain what Queensland businesses need to know about the law. The kits include promotional material, free signage, information for patrons and forms to assist employee training. Queensland Health has strongly encouraged all Queensland businesses to thoroughly review the kits so that they can understand their responsibilities under the new laws, display the signage, provide training to their staff and give their customers time to get used to the coming changes. There is also information for employees, who also have responsibilities under the laws. Queensland leads other states and territories in this area as we are the only state to develop information materials specifically to help licensees and retail workers. Other activities undertaken for the campaign have included: the distribution of information materials and free no smoking signage to BYO restaurants, shopping centre managers, industry associations and trade unions; the placement of advertisements in trade and industry magazines and the general press; media articles provided to the industry and general press; as well as presentations at industry seminars and functions.

I am pleased to inform the House that I have received inquiries from a number of businesses in my electorate. In particular, I would like to commend the Biggera Waters Shopping Centre's manager and security staff, the Gold Coast North Chamber of Commerce and the Runaway Bay Yacht and Game Fish Club, which have all expressed a very positive interest in this matter.

The toll-free Tobacco Hotline, 1800 005 998, operates from 8 a.m. to 6 p.m. seven days a week. Hotline staff received extensive training in the provisions of the new tobacco legislation and have been able to provide accurate and timely information to Queensland businesses and employees. Queensland Health has received positive information from industry operators, who are pleased that there is a real person at the end of a phone call to the hotline and that the staff can provide expert advice. During the seven-week period from 15 March to 7 May 2002, 2,901 calls were received from across the state. The average length of the calls was four minutes. Forty-one per cent of the calls were about the tobacco retailing provisions of the act. Forty-three per cent of the calls were about the passive smoking provisions of the act. The remaining calls were general inquiries. In addition to the mass mail-out of resources to retailers and licensees, the hotline has also distributed 16,500 employee training forms, 1,250 no smoking signs, 2,065 quit-smoking signs, 5,920 tobacco sales to children prohibition signs, and 2,000 additional information kits for retailers and liquor licensees. The word seems to be getting around, as 11 per cent of callers reported knowing the hotline via word of mouth.

This is not only good legislation; it is the right legislation for a healthy future for all Queenslanders. I commend the minister for her commitment to tackling this very serious issue of smoking from all angles. We need to continue to change the attitude of young Queenslanders and continue to educate them on the dangers of smoking and passive smoking. This legislation responds to community concerns in regard to passive smoking. Our communities have demanded smoke free workplaces, restaurants and shopping centres. The change is in the air, but it is also for a healthier future for our health system. I commend the bill to the House.

Ms BARRY (Aspley—ALP) (12.12 p.m.): I rise to support the Tobacco Legislation Amendment Bill 2002. In doing so, I reaffirm my pride in being part of a government that puts the health of Queenslanders forward as a priority. The introduction and passage in May 2001 of the Tobacco and Other Smoking Products (Prevention of Supply to Children) Amendment Act 2001 comprehensively legislated for the implementation of the Queensland Tobacco Action Plan. The goals of that plan are the reduction of the exposure of the public—in particular, children and young people—to the harm caused by cigarette smoking, the reduced promotion of smoking as a lifestyle option, and to reduce smoking's devastating effect on the health of Queenslanders. As

with any legislation of this nature, finding the balance between the competing interests in our communities—smokers and nonsmokers, licensed premises and non-licensed premises, workers and customers—is challenging. I congratulate the minister on finding that balance in the legislation before the House today.

The bill before us today deals specifically with the treatment of players where bingo is played. A legislative anomaly has arisen that has resulted in unequal rights for those premises that accommodate bingo games. Unlicensed, predominantly not-for-profit community-run facilities were excluded from smoking during games, but licensed facilities were allowed to let their smokers participate in cigarette smoking by nature only of their access to facilities holding a licence. The unintentional outcome of this anomaly would be to advantage the licensed premises in terms of attractiveness to smoking bingo patrons and to create an environment in which nonsmoking bingo players were exposed to harmful close-range cigarette smoke from their smoking neighbours in a licensed premises.

In introducing the Tobacco Legislation Amendment Bill 2000, the minister has moved swiftly to minimise financial and patronage disadvantage to unlicensed premise bingo operators whilst retaining the direction of the Queensland Tobacco Action Plan by excluding smoking in all bingo facilities, thereby reducing Queenslanders' exposure to cigarette smoke. I am well aware that the debate will continue for many years on the rights of smokers versus nonsmokers. I understand that figures show that some 75 per cent of bingo players are smokers. But the treatment of all players, premises and staff with equity by excluding all smokers 30 minutes prior to a session and during the session is one that I believe creates a level playing field for all of those involved in the industry. More importantly, it reinforces this government's and this Health Minister's commitment to tackling the tough issue of smoking in our society. The need for policy that addresses the real cost of smoking to individuals and communities from cigarette smoking and yet acknowledges that strategies to minimise the effects of cigarette smoking must be done in consultation with the community is critical.

This bill's approach in banning smoking during bingo sessions is consistent with the approach to banning smoking in dining areas. The bill provides suitable penalties for failure to abide by the ban or to stop a person smoking and puts the onus on the licensee to ensure that the law is implemented. It does, however, recognise defences for licensees in the event of a person's refusal to stop smoking. I note, however, that many clubs have already begun to prepare for the 31 May deadline changes to smoking no-go zones by educating staff and customers on the new laws. I congratulate those clubs on their efforts and cooperation in this important legislative change.

I am afraid that I will never resile from my view that our world would be better, healthier and more prosperous in the absence of cigarette smoking. I am afraid that too many years as a cancer nurse have coloured my view. Cigarette smoking, however, is a choice for some and an addiction for far too many. Changes must be considered and consultative, but they always must be focused on improving the health of all Queenslanders, smokers and nonsmokers alike.

This legislation is a step forward for Queensland. It is balanced and it is fair. It means that Queensland can be beautiful one day and healthy the next. It does so by moving towards a multifaceted Tobacco Action Plan designed to reduce the burden on society caused by smoking. I would like to commend the minister on behalf of my electorate's non-licensed bingo operators for moving swiftly to create equity amongst clubs by introducing this legislation. I would like also to take the time to congratulate my local clubs, both licensed and unlicensed, on the responsibility they have shown in preparing for the 31 May deadline for the introduction of tough nonsmoking zones. I thank smokers and nonsmokers alike in anticipation of their cooperation, and I commend the bill to the House.

Mr SHINE (Toowoomba North—ALP) (12.17 p.m.): It is a pleasure to speak on this amending legislation. It demonstrates, as the minister said in her second reading speech, the government's ongoing commitment to reduce the community's exposure to the harmful effects of passive smoking. Of course, the legislation passed last year was directed to smoking in general.

With respect to the bingo provisions, which is what this legislation is all about, I was very pleased to see this bill come before the House. I was approached in early April this year by Mr Nixon and Mr Betros, representing the St Patrick's Cathedral bingo group and also in their capacity as members of the Queensland Bingo Association. As a result, I made representations to the minister on 10 April setting out, in part, that the association has no problems whatsoever with the intent of the original legislation and encourages its further application. The problem arises, however, in that the smoking ban does not apply to licensed premises, where bingo is now

increasingly played. The effect, of course, is to adversely affect the attendance—and hence income—arising from bingo being played at the association members' venues. They urged me to make representations to the minister for a change in the legislation, the effect of which would prevent smoking taking place wherever bingo is played. Therefore, it is a great pleasure to see legislation today exactly in the terms requested. No doubt the minister received many representations of a similar note.

Mr Terry Sullivan: They did the right thing by their association and you did the right thing by them.

Mr SHINE: I thank the honourable member for his comment. It certainly is one of the most pleasing, positive things I have been associated with in the period I have been a member of parliament.

As I said, the existing legislation was designed to discourage people from smoking, particularly those who are underage, and put restrictions on its advertising and so on. Previous honourable members have referred to the experience in New South Wales, which was that bingo suffered substantially. That is another reason for my support for the legislation.

This move is part of the government's Queensland Tobacco Action Plan. The idea behind that, as I understand it, is to direct attention to the problems of smoking, particularly amongst children, pregnant women and indigenous people. Major initiatives to date include this legislation, programs such as the Poison youth smoking campaign we see in our cinemas and the piloting and evaluation of a range of culturally effective strategies to help address smoking amongst indigenous Queenslanders. Along with this legislation the minister has prepared very practical ways of promoting the changes, making those in the firing line aware of what the law is. Amongst that material is a booklet called *Know the laws: No more indoors*. This is particularly directed to liquor licensing. It is an information kit which contains information about the laws as they now will apply plus background information. Material has been prepared not only for hotels, clubs and so on but also, very importantly with respect to teenagers that I know, for retail outlets—that is, corner stores, service stations and so on. This booklet, called *Ignoring the law is a wealth hazard*, sets out the serious penalties—

Mrs Edmond: You can really attest to the hazards of smoking.

Mr SHINE: I am coming to that. I thank the minister for the interjection. I commend the minister and her department for these two booklets, along with the wealth of other information, which I hope will be distributed to schools and places in which young people are to be found in numbers.

As mentioned by the honourable the minister, I can attest to the harmful effects of smoking, particularly over a period of time. I started in my teens, at about 14. I remember buying cigarettes called Grenadiers, which were only 2s 6d. That goes back a while. There might be one or two other members in the House who can relate to the brand name as well as the currency at the time. We had outside toilets in Brisbane in those days, and that was the place I retreated to to indulge in this habit, thinking my parents would have no idea that I was smoking. I now unfortunately witness my children from time to time having a quiet smoke. It can be detected a mile away in terms of their breath, which they do not understand and despite their pleas of innocence.

I can attest to the harmful effects of smoking because I suffered the perhaps inevitable consequence of that practice in that, since the introduction of the major reforms last year, I underwent open-heart surgery with respect to blockages in my arteries primarily associated with smoking, I suspect. I only mention that as a deterrent to those who might become aware of this debate. Smoking is a real inhibitor of one's enjoyment of life and a huge cost to society in terms of medical costs, hospital expenses and so on. I do also understand, from the smoker's point of view, how difficult it is to give up this habit. It is a very addictive product, some say 20 times more addictive than heroin. I do not know about that, but it was something I certainly found very difficult to give up. Until I was actually presented with the proof that I did have blockages and I was required to be smoke free for a period of three to six weeks before the operation, I was unable to tackle the problem.

I say to honourable members that it is a worthy thing to spread the word about the dangers of smoking and to promote the good points in the bill of last year and the additional good points we are dealing with today in this amendment bill. We are dealing here with the lives of Queenslanders. Particularly we are dealing with the lives of young Queenslanders. Accordingly, I commend the bill to the House.

Mr PITT (Mulgrave—ALP) (12.25 p.m.): I am pleased to support the Tobacco Legislation Amendment Bill 2002. This bill seeks to build on past legislation aimed at reducing the health problems associated with smoking. In particular it targets passive smoking which, like active smoking, is widely recognised as a major contributing factor to a series of illnesses that have both personal and economic impacts the community can ill afford. As has been pointed out by other members participating in the debate, these amendments will rectify an anomaly in existing legislation.

Passive smoking, or second-hand smoke inhalation, is a major problem. I will refer to the effect it has on young people, particularly infants. Exposure to environmental tobacco smoke during infancy and early childhood is well recognised as a significant public health problem. Relative to adults, infants are particularly susceptible to environmental tobacco smoke exposure. The consequences of prolonged exposure in close proximity to smoking parents are exacerbated by an infant's underdeveloped immune and pulmonary systems, small body size and higher rates of ventilation. Despite their greater vulnerability infants continue to be exposed to environmental tobacco smoke, resulting in increased risk of chronic childhood otitis media and SIDS. In Australia, exposure to environmental tobacco smoke during infancy and early childhood is responsible for 46,000 cases of asthma per year and a 60 per cent greater risk of lower respiratory tract illness. They are alarming figures, and anything we can do to reduce them I think is positive.

Over 3,000 deaths every year in this state can be attributed to tobacco smoking. Illnesses such as lung cancer and heart disease and chest diseases such as emphysema are all a result of tobacco smoking, whether it be active or passive. Smoking takes a huge toll on our state's population. As a matter of fact, tobacco smoke causes more deaths than the combined total of most other causes of death which quite often shock us—murder, suicide, drugs, road crashes, AIDS, drowning, fires and so on.

Each financial year in this state we spend over $100 million just hospitalising people. That is just the bed spaces alone. That $100 million could be saved if people had not engaged in smoking throughout their lives. The total cost to the community, though, is much higher. It is in the order of $2 billion. That is a huge figure, equivalent to the recent federal budget increase in spending on our defence forces. We spend $2 billion each year in Queensland alone in respect of health issues related to smoking. That cost includes hospital costs, medication, lost productivity resulting in people being away from their work and absenteeism from workplaces because people cannot cope. Of course the ultimate result is premature death, robbing families, individuals and the state in general of the valuable contribution that these people can make.

What concerns me as a former schoolteacher and smoker—I gave it up some 25 years ago—is the incidence of smoking amongst the young. When I was young, smoking was part of our culture. Given the amount of information that is available today, one would think that the incidence of smoking amongst people would be reducing. Unfortunately, this is not the case. During my three years away from this place I took up my former career as a teacher and was quite shocked to find how many children were smoking. Despite the knowledge they have today—knowledge that we did not have when I was young—they are still taking up the habit. About a quarter of all Queenslanders aged 14 years and over are smokers. Our state has a slightly higher incidence of smoking than most other states, which means that we have to double our efforts to educate people in this respect. Amongst students in schools, particularly secondary school, the increase is quite substantial. In 1990 it was estimated that 15 per cent of young people were smokers and by the year 2000—a 10-year period—that had risen to nearly 25 per cent. So there really has been significant growth. It is estimated that some 65,000 students in Queensland still partake in smoking. Whatever we are doing to try to turn them away from smoking is not having as big an impact as it should. I therefore urge the minister to renew her efforts in educating people about the dangers of smoking. I congratulate the minister on providing uniformity through this bill. I commend the Queensland government's Tobacco Action Plan and urge all members to get behind it. By supporting this amendment bill, members of the House are making a valuable contribution to the good health of their fellow Queenslanders. I support the bill.

Madam DEPUTY SPEAKER (Ms Liddy Clark): Order! Before calling the next honourable member, I welcome to the public gallery a cast member of *Richard III* which opens at QPAC this evening, Mr Robert Alexander.

Mr LAWLOR (Southport—ALP) (12.31 p.m.): It gives me great pleasure to support the Tobacco Legislation Amendment Bill 2002. As someone who has never smoked, I come to this debate with not only clean hands but also clean lungs. Unfortunately, I did not make as smart a

decision as I did with smoking in relation to other decisions I have made. If I had known I was going to live this long, I might have taken better care of myself.

In May 2001 the House passed a comprehensive bill to address the many issues relating to tobacco smoking, and the provisions of that bill are to commence in two weeks time—that is, 31 May. They include increased penalties for selling tobacco to children, mandatory training for employees, a ban on tobacco advertising, restrictions on tobacco displays, and a ban on tobacco product competitions, promotions and so on. Unfortunately, there was an anomaly with the legislation. Under the legislation passed in May 2001, bingo played in community halls must be nonsmoking while bingo played in licensed premises can allow smoking. It seems that about 75 per cent of bingo players are smokers. That would have led to a mass exodus from the bingo halls, which are basically run by church groups and charitable groups. Those bingo players would have gone to licensed premises. Bingo plays an important part in the survival of those charitable and church organisations.

We are all aware and it is well recognised that passive smoking is a health hazard. Since the 1970s scientific evidence has continued to accumulate and over 600 medical reports have been published linking the exposure to passive smoking to lung cancer and a variety of other diseases. There is no safe level of exposure to tobacco smoke because sensitivity to tobacco smoke varies from person to person. The only real conclusion is that it does not do one any good. Various health issues arise from passive smoking, including bronchitis, pneumonia, asthma and other chest infections which have already been alluded to by previous speakers. In addition, if it is not serious enough to cause some of those ailments, it certainly causes eye irritation, nose watering, coughing and so on. Given the proven health effects of exposure to passive smoking, the ACT, WA, New South Wales, South Australia, Victoria and Tasmania have enacted legislation to reduce people's exposure to passive smoking. Of course, Queensland has followed this lead but has also learnt from the experience in New South Wales about this particular anomaly and the problems created there in relation to bingo halls.

The offence provisions of the amending act which relate to the ban on smoking in an enclosed place will be extended to bingo areas of licensed premises while bingo is conducted. Under the amending act, a person will be liable for a maximum $1,500 fine for smoking, failing to abide the prohibition on smoking or failing to stop smoking after being directed to do so by an authorised person, the occupier of the place or an employee of the occupier. A licensee of licensed premises may also be liable for a maximum penalty of $1,500 if a person smokes in a bingo area during a bingo session. However, the licensee has a defence if the licensee was not aware of the contravention or the person was directed to stop smoking and informed that it was an offence to fail to stop smoking. I congratulate the minister and her staff on the prompt action they have taken to plug up this loophole in the original bill. I commend the bill to the House.

Ms LIDDY CLARK (Clayfield—ALP) (12.36 p.m.): I rise in support of the Tobacco Legislation Amendment Bill. It is fantastic. I also have to say that I was a smoker for many years. And, no, it did not stunt my growth. I have always been short. But I was a smoker. I also have to say that it did not do my lungs any good. As an asthmatic, I should not have been smoking at all. It was one of those things you had to do. You went to the movies, you saw the ad and you had to swan around and be like that. In the end, I actually was not very good with props and did not want to have the worry of holding them as well as not being able to breathe.

I take this opportunity to mention an initiative of this government relating to smoking and indigenous health. Queensland Health currently funds Australia's first comprehensive pilot project designed to help address smoking issues for Aboriginal and Torres Strait Islander people—the Indigenous Tobacco Control Project. Smoking is a major health problem for indigenous and non-indigenous people alike. During the five-year period from 1989 to 1993, the smoking death rate for indigenous people was three times the Queensland average. Also during this time smoking related hospital admissions for indigenous people were two to four times the average. Compared with all Australian smoking figures, the proportion of indigenous people who smoke is about twice the national average. The Indigenous Tobacco Control Project has trial sites in northern Queensland and the southern suburbs of Brisbane.

Strategies being pilot tested include developing a program designed to raise awareness of tobacco smoking and passive smoking as health issues among indigenous people and to promote a positive attitude towards prevention; developing a culturally effective group based smoking program, and this will be more than simply a group quit course; developing a culturally effective quit smoking brief intervention; and developing guidelines and mechanisms to assist indigenous workplaces and community venues to address smoking issues, including providing

smoke free areas, limiting smoke breaks and providing support for smokers wanting to quit. Training for program facilitators and health workers as well as recommended mechanisms for ongoing support will be fully integrated with the development of all strategies.

All of these strategies are being developed by and with indigenous people and health professionals. There is a rigorous process and impact and outcome evaluation to determine the cultural and program effectiveness of the strategies. The key progress for 2000-01 included an events sponsorship program trial implemented and monitored through the Office of Sport and Recreation Queensland in Townsville, resulting in sporting and cultural events in 32 communities. Events ranged from art and cultural festivals to basketball, Rugby League, AFL, athletics, touch, swimming carnivals and other sports. As at 30 May 2001, 6,117 people participated in the events and 4,225 spectators attended.

A pilot of a group-based smoking modification program, including the training of eight facilitators from Brisbane and Cairns, has occurred. Evaluation will track the implementation of programs by these first recruits. Guidelines to help indigenous organisations create their own smoke free policies is also being piloted in 10 organisations across south-east Queensland. Process evaluation is currently under way, with a report to be completed by July 2001. In May, Queensland's project also received significant praise from the Australian Council on Smoking and Health and the Australian Medical Association. Queensland was awarded an eight out of a possible 10, the highest score of any state, in the AMA's Tobacco Scoreboard 2001 for our programs for addressing Aboriginal smoking, which is a fantastic achievement.

I take this opportunity to acknowledge the minister for this amendment and for her commitment and work in the area of health. The minister is a fantastic advocate for the health industry, and I feel really privileged to be in a parliament with her. I also congratulate her department on some of the kits and the campaigns covering a wide number of health issues; they are fantastic. My mind turns to the recent BreastScreen campaign that was just absolutely fantastic. I absolutely commend the bill to the House.

Madam DEPUTY SPEAKER (Ms Jarratt): Order! Before calling the member for Glass House, I acknowledge the presence in the chamber this afternoon of teachers and students from King's Christian College in the electorate of Mudgeeraba.

Ms MALE (Glass House—ALP) (12.42 p.m.): I rise this afternoon to talk about the Tobacco Legislation Amendment Bill 2002 and to add my support to that of other members of this House. Can I say how much I am looking forward to 31 May this year.

Mr Lawlor: Are you a smoker?

Ms MALE: I am an ex-smoker, indeed. As someone who faces the constant struggle day by day of not having a cigarette, anything that can help take away that attraction is a good thing. World No Tobacco Day, a fantastic initiative, will be on 31 May, and the proposed amendments to stop people being able to smoke in a wide variety of places can only be a good thing. This will reduce the effect of passive smoking on people and also help people like me, recovering smokers who do not want to be in places where people are smoking. The amendments propose to prohibit smoking in most enclosed places, workplaces, dining areas of licensed premises and at gaming table areas of casinos. Also, it is proposed that people not be able to smoke in bingo halls and in the licensed areas of clubs where bingo is held. This is a fantastic initiative. I am glad that a large amount of consultation was conducted by the minister with the Hotels Association, the Bingo Operators Association and the Australian Liquor, Hospitality and Miscellaneous Workers Union and that they all support this scheme.

As we heard this afternoon, the statistics indicate that 75 per cent of bingo players smoke, an absolutely phenomenally large number of people. I hope that this initiative also encourages them to think about stopping smoking. With all the programs run by Queensland Health, we might see a reduction in the number of older people smoking. As there are young people in the gallery today, I hope the initiative discourages them from ever taking up the habit. I also encourage those in the gallery never to even consider it, because it can be a lifelong addiction that one must fight. The health effects of smoking and of passive smoking are well documented. We would like to see the preventative action being taken so that further down the track we need not deal with those aspects. I commend the minister for her ongoing support of Queensland Health and for her ongoing pursuit of the initiatives against smoking. I encourage the minister to continue advertising widely in this respect, as I will be doing throughout my electorate this month, specifically on 31 May, and I commend the bill to the House.

Mrs LAVARCH (Kurwongbah—ALP) (12.46 p.m.): I rise also to support the Tobacco Legislation Amendment Bill and to place on record my appreciation of the minister's responding and acting upon the concerns of community and charitable groups in our community that conduct bingo games in non-licensed premises. We often get accused of failing to hear, listen to and understand community concerns, but Minister Edmond has listened, understood and now provided a solution to overcome those concerns. So, congratulations Minister.

In Pine Rivers, a number of bingo games are conducted at the Lions hall at Lawnton. Those games are conducted on behalf of the Holy Spirit Catholic Church, the Endeavour Foundation and the Lions Club of Petrie. The moneys raised benefit our community and individuals in our community. Over the past two or three months I have received many representations from these groups as well as from individuals who are players at the bingo games concerned that the smoke free zones we introduced last year would put them at a great disadvantage in relation to the bingo games run at the Pine Rivers Memorial Bowls Club. The Pine Rivers Memorial Bowls Club is a licensed club and has rather large gaming machine operations as well.

I take this opportunity to place on record my congratulations to the Pine Rivers Memorial Bowls Club. At a gala event it was recently named as the bowls club of the year. My congratulations to Brian Doyle, president of the Pine Rivers Memorial Bowls Club, the management committee, the manager, Wayne Moffett, and all the hardworking staff. Community groups which operate their bingo games out of the Lions hall were concerned that, if smoking was allowed during bingo games at the bowls club but not at the Lions hall, it would seriously impact on the numbers who attend the bingo games at the Lions hall. I understand that between 50 per cent and 60 per cent of the players who attend the bingo sessions at the Lions hall are smokers. This is a little bit lower than the numbers quoted by the minister and other members today in terms of their experience of smokers at bingo. Perhaps the no smoking message is getting through in Pine Rivers. I understand also that 250 to 300 people attend the weekly sessions of the bingo games at the Lions hall. The concern was that if they lost 50 per cent to 60 per cent of those players it would reduce the amount of cash available for prizes and jackpots with the bingo, that that would be a disincentive for those remaining players to attend and that inevitably the games would close.

Mr Hayward: You mean we'd never hear 'legs 11' again?

Mrs LAVARCH: We may never hear 'legs 11' or 'two fat ladies 88' in the Lions hall at Lawnton! This would actually have a devastating impact on fundraising for the Catholic church, the Endeavour Foundation and the Lions Club which all report to me that avenues for fundraising are becomes harder and harder, especially since the lotto, the scratchies, the poker machines and people's need for instant prizes and results. Once the minister understood concerns about the legislation creating an uneven playing field, an uneven bingo field, she provided a response. Of course, the minister had two choices: exempt bingo games played in non-licensed premises from the smoke free zone provisions, or make the smoke free zone provisions apply to licensed premises that conduct bingo games. Of course, the Minister for Health really had only one choice: to extend the smoke free zones to the licensed premises. So, congratulations Minister. I know that the community groups and the church parish are very thankful that the minister listened to their concerns and that they are now in the same position as the Pine Rivers Bowls Club. I hope that they continue to run the bingo games for many years to come.

Mr TERRY SULLIVAN (Stafford—ALP) (12.49 p.m.): I rise to support the legislation before the chamber and wish to specifically give a reminder to workplaces of the new regulations. With the new tobacco laws set to start at the end of May, workplaces need to remember that throughout the state the new tobacco laws will also apply to them. These new tobacco laws are vitally important to the future health of Queensland. Smoking is still the state's number one cause of preventable illness and death, and passive smoking is also a proven health hazard. Since the 1970s, scientific evidence has continued to accumulate and over 600 medical reports have now been published linking exposure to passive smoking to lung disease and other diseases.

We have also seen the disgraceful situation where a number of tobacco companies have deliberately and maliciously withheld information about the dangers of smoking from the people who purchase their product. The new laws ban smoking in most enclosed places, that is, indoor areas. Unless exempt, all enclosed spaces must be nonsmoking areas. So from 31 May there will be no smoking in the dining room areas of liquor licensed premises while meals are available for eating or are being eaten, at bingo or in the gaming table areas of a casino.

The members of the House may know that for more than 70 years my family was involved in the liquor and hospitality area by providing function rooms for wedding receptions and providing

alcohol and foodstuffs at shows throughout the state, particularly in the south-east corner. As someone who worked on a part-time basis for more than 20 years in those areas, I know how the build-up of smoke can occur and some of the uncomfortable situations that workers can find themselves in. My father was also a heavy smoker and I believe that his habit contributed to his death by heart attack.

The new laws also apply to workplaces and other public venues such as offices, garages, workshops, factories, unlicensed cafes, coffee shops and sandwich bars, shopping centres, school and university buildings, and home businesses while an employee is present. The new no smoking laws also apply to a work vehicle if more than one person is in the vehicle and to common areas of multiunit residential accommodation, for example, the TV room of a nursing home or hostel. Many businesses have had no smoking policies for many years. The new laws provide a consistent approach to protect the health of employees. Under the law, liquor licensed premises are required to display no smoking signs. There is specific signage for bingo as well. However, if Queensland workplaces would like to display no smoking signs, free signs are available from the tobacco hotline on 1800 005 998. That number can be contacted between 8 a.m. and 6 p.m. seven days a week. The hotline is also available to any employee or employer who has questions about how and if the new tobacco laws apply to them. I strongly encourage those businesses who are not clear about the new laws to call the hotline.

A number of my colleagues have spoken about their personal smoking habits. I am reminded of a conversation that I had with someone some years ago when they were talking about their attendance at Alcoholics Anonymous meetings. I said to that person, 'So you used to be an alcoholic?' and he replied, 'No, I am an alcoholic, I am just not drinking.' I believe that I am a smoker, but I am just not smoking at this stage. Although I gave up some years ago, at my mother's wake when I was feeling in a pretty depressed mood, I took up smoking again and I found that it took over my life for the better part of a year. I made myself a promise that I would give up the habit by the first anniversary of her death and within a few days of that I succeeded.

I am thankful that my children, to the best of my knowledge, are nonsmoking—well, nonsmoking tobacco, anyway. I also thank them, because in the late 1980s they helped me give up the habit. If the minister and members are dubious about some of the effects of the health campaigns, I can assure them that it at least helped one person give up smoking. There is nothing like driving along in the family car having a cigarette while one of your young children repeats to you the message they had heard from a television ad. When they say, 'Dad, don't be a loser. Stop smoking' it is pretty hard to argue with a young child to say that the habit in which you are engaging is actually quite a healthy and social one when you know damned well that it is not. So those messages have got through. They did get through to my children. While they are probably drinking more than I used to at their age—

Mr Shine: The Irish.

Mr TERRY SULLIVAN: I think the Irish in their blood has something to do with that. To the best my knowledge, my children are not smoking and I thank them for that. I encourage the minister and other members to pursue advocating these healthy habits for fellow Queenslanders. I support the legislation.

Mr BRISKEY (Cleveland—ALP) (12.54 p.m.): As another reformed smoker in this place, I welcome the amendments to the tobacco legislation that we are debating today and wish to speak in strong support of them. The amendments form part of an expansion of the Beattie government's tough new anti-smoking laws and seeks to ban smoking in all bingo venues.

I can well recall as a young fellow going along to bingo halls with my grandmother and sitting in smoke-filled rooms. I am not saying that that made me start smoking, but I am sure that it affected my health.

Mr Terry Sullivan: Did it stunt your growth?

Mr BRISKEY: It did not stunt my growth. I blame my parents for that. I blame my father for my actually taking up smoking, because after dinner we would sit down and have a smoke together. Thankfully, he does not do that any more, either. It has been 20-something years since I had a smoke.

However, as I said, I commend the minister on this initiative. This legislation will ensure a healthy environment for all bingo players and staff and seeks to even the playing field for all not-for-profit bingo providers who rely on the proceeds of these bingo games to undertake valuable community work. I know many bingo players in my electorate of Cleveland will welcome the amendments, which will come into force at the end of this month.

As the minister has highlighted on a number of occasions, bingo players are often the most senior members of our communities and frequently suffer from chronic lung and respiratory conditions. Having to sit in a room filled with tobacco smoke will only exacerbate their health problems. While some sections of the community and industry may not be supportive of these changes, the government has a responsibility to ensure the health and safety of the majority of citizens. It is well known to every member of this House and to the wider community the health effects of smoking and, of course, of passive smoking and their high cost to our health sector. This legislation will ensure that people, especially those elderly residents who enjoy a game of bingo—which I enjoy myself, but I have not had an opportunity to play for many, many years—can do that in a safe and smoke free environment.

All members would agree that the benefits of these amendments far outweigh any cost. They are another important step in addressing the human and economic costs of smoking. For example, a study revealed that in 1996-97, more than 185,000 hospital bed days were attributed to smoking related conditions, costing Queensland Health over $108 million. A fax sheet and no smoking signs are available to the community free of charge through the tobacco hotline on 1800 005 998, which has been established to facilitate the introduction of the 2002 amendment bill. It gives me great pleasure to congratulate the minister and commend this bill to the House.

Mr NEIL ROBERTS (Nudgee—ALP) (12.58 p.m.): I am pleased to make a brief contribution to the Tobacco Legislation Amendment Bill. When I was listening earlier to the contribution of the member for Clayfield, I heard her indicate that she was a reformed smoker, but she stated clearly that she believed that smoking had not stunted her growth—that that had occurred through natural causes. In the past, the member for Clayfield, at four foot 11, and I, at six foot five and a quarter, have made the claim to being the shortest and the tallest elected members in the country. We are yet to be challenged on that. It has been suggested to me that if I did smoke, it might have stunted my six foot five and a quarter frame enough to enable me to realise my boyhood dream of becoming a jockey. With those few light comments aside, I want to reinforce, particularly with the school students in the gallery today, the dangers of smoking and the serious health implications of smoking. We certainly ask that they do not take up what is a very vile and terrible habit.

Bingo is a popular pastime for many thousands of Queenslanders. It is also a major fundraising activity for many schools, sporting clubs and community groups. Early last year the government passed a new act to address many issues covering tobacco smoking. The key elements were increased penalties for selling tobacco to children, mandatory training for employees, a ban on tobacco advertising inside retail outlets, restrictions on tobacco product displays, bans on tobacco product competitions and promotions, and a requirement that enclosed places be smoke free. On that last issue, the legislation which was passed last year created an anomaly between bingo operations on licensed premises, particularly clubs, and those on community and school premises. The clear effect of that legislation was that bingo played in community and school halls had to be smoke free—the intention in terms of enclosed spaces—but that smoking was allowed for bingo played on liquor licensed premises. Clearly, that outcome was unintentional and was unfair to community and school based bingo operations. This bill takes steps to rectify that anomaly.

The electorate of Nudgee boasts one of the largest bingo operations in Brisbane, and probably in Queensland, operating out at Nudgee College.

Mr Terry Sullivan: John McEwan does a great job.

Mr NEIL ROBERTS: It is an absolutely magnificent operation and it contributes a lot of money to that school. The evidence from similar experiences in New South Wales demonstrates that large numbers of bingo players moved to licensed club premises where bingo was offered. Without this amendment, clearly that situation would have severely disadvantaged this bingo operation and many other community based bingo operations in Queensland. The new provision will ensure a level playing field on this issue. All bingo outlets, licensed and non-licensed, will have smoking bans in enclosed spaces during and 30 minutes before a bingo session. As well as promoting better health outcomes for bingo players—based on sound evidence about the unhealthy consequences of smoking and passive smoking—this sensible amendment will protect community and school based bingo operations from the previous unfair advantage that would have accrued to licensed premises. The newer laws will apply from 31 May. I commend the bill to the House.

Sitting suspended from 1.02 p.m. to 2.30 p.m.

Mr CUMMINS (Kawana—ALP) (2.30 p.m.): I believe it was Max Beerbohm who said: no fine work can be done without concentration and self-sacrifice and toil and doubt. The Minister for Health has put a lot of concentration and toil into this legislation before us and I have no doubt that it will be very beneficial.

The Tobacco Legislation Amendment Bill 2002 is part of the government's ongoing commitment to reducing the community's exposure to the harmful effects of passive smoking. The Beattie Labor government has introduced increased penalties for selling tobacco products to children, mandatory training for employees, a ban on tobacco advertising inside retail outlets, restrictions on tobacco product displays, a ban on tobacco product competitions and promotions, and the requirement that enclosed places should be smoke free.

Under the legislation passed in May 2001, bingo sessions in community halls must be nonsmoking, while bingo sessions in liquor licensed premises allow smoking. Charities across Queensland are concerned that this will result in a significant loss of patronage, substantial loss of fundraising revenue and the closure of many community service organisations. This appears to be based on a fear that bingo players who smoke will move to smoking permitted bingo at their local club. It is claimed that up to 75 per cent of bingo players are smokers and that players have said they will go elsewhere if it means they can play bingo and continue to smoke.

Today's amendment to the tobacco laws corrects this anomaly by taking a consistent approach; that is, from 31 May all bingo will be nonsmoking. Specifically, from 31 May it will be an offence to smoke in a bingo area of a liquor licensed premises 30 minutes immediately before a bingo session and during that session. To maintain consistency across legislation, the definitions for bingo and bingo sessions used in the bill are the same as those used in the Charitable and Non-Profit Gaming Act 1999. Smoking will not be permitted in bingo areas, whether in liquor licensed or unlicensed premises. This requirement is similar to the no smoking requirement for dining areas in liquor licensed premises.

The health of bingo players must also be considered. Friday, 31 May 2002 is World No Tobacco Day. It will be an important milestone for public health. Queensland's new tobacco legislation, including no smoking in all bingo areas, comes into effect from that date.

One of my biggest battles in life is to refrain from smoking. I can remember when I first picked up a cigarette as a child, over 30 years ago. I will always regret being a rebellious lad who thought that smoking was tough and cool. It is not. My grandfather, Tom Cummins—whose wife, Gladys, loved to play bingo—was a crane driver in the North Ipswich railway workshops and he had a similar problem or weakness to me—not for bingo, but for tobacco. He had a nicotine addiction. I regret the damage I have caused to my body by smoking and possibly to others who have been affected by the passive smoke that I have produced. Smoking is not cool and it is not tough. In fact, I believe it is tough not to smoke. It is much cooler to live a full life, to be healthy, to be happy and to be free of nicotine—and to enjoy bingo. I am proud to be a part of this Beattie Labor government and I fully support all its endeavours in reducing the effects of smoking.

The minister, the Hon. Wendy Edmond, is disappointed in those of us who are at times weak and, I believe, stupid when we smoke. The minister is an asset to this government. The minister is doing good work in one of the toughest portfolios—Health.

In the past, bingo has been a very big part of my life. My parents were fundraisers for the St Edmond's school at Ipswich and for the Ipswich Junior Rugby League. We regularly worked the bingo hall or, as it was in those days, the Trades and Labour Hall before it was demolished, probably over a decade ago.

Mrs Miller: That's right.

Mr CUMMINS: Bingo was held on a Friday night and it was very well attended. It was a very good fundraiser for we Catholics and Rugby League supporters.

Charles Reade once said: Not a day passes over the earth but men and women of no note do great deeds, speak great words and suffer noble sorrows. Therefore, I commend the bill to the House.

Mrs CARRYN SULLIVAN (Pumicestone—ALP) (2.35 p.m.): I am delighted to support the Tobacco Legislation Amendment Bill 2002, introduced by the Minister for Health, the Hon. Wendy Edmond. It was brought to the attention of the minister and her department that an anomaly existed after this House passed a comprehensive bill last year in relation to this government's ongoing commitment to reduce the community's exposure to the harmful effects of passive smoking. This bill will rectify that anomaly, namely, all bingo sessions will be nonsmoking as of

Friday, 31 May this year. Consequently, the new tobacco laws will be equal across the board. Previously, bingo sessions in community halls were nonsmoking, while bingo sessions in liquor licensed premises permitted people to smoke.

Ms Keech: That was a problem.

Mrs CARRYN SULLIVAN: It was indeed a problem. I thank the member for Albert for that interjection. Many non-profit community-based charity organisations, including some from Pumicestone, felt that they would lose their fundraising revenue if people could go to licensed premises and continue to smoke while they played bingo. This was supported by two claims: firstly, that 75 per cent of bingo players are smokers and they were prepared to go elsewhere because they wanted to continue to smoke and, secondly, in New South Wales, where smoking is still permitted in registered clubs, smoke free bingo halls have suffered a marked reduction in patronage, which has resulted in a lowering of the level of prizes and competition across the bingo industry.

Smoking is one of the three biggest killers in the Western World. As the honorary president of the local drug prevention program, which has been operating in primary schools in the Caboolture shire for the past eight years, I support any measure which helps to protect our community from the harmful effects of all forms of smoking. I am proud to be part of a government which is tackling an important health issue.

Ms Keech: A great local member.

Mrs CARRYN SULLIVAN: I thank the member for Albert. Most people would recall a recent court decision awarding a woman damages for disease caused by passive smoking. Scientific research backs this decision by having well documented the dangers of passive smoking. Quite frankly, of the huge amount of research conducted over the years, there has been no good news about smoking in any form. This bill forms the basis for improving and keeping safe the health of all Queenslanders by eliminating or at least reducing their exposure to tobacco in all its forms.

I acknowledge the presence in the gallery of my electorate officer, Ralda Reid. She will be very impressed by this legislation because she, like me, is an asthmatic.

Ms Keech: And a nonsmoker.

Mrs CARRYN SULLIVAN: And, of course, a nonsmoker. In fact, Mrs Reid has never smoked in her entire life, unlike some members, who may have partaken in years gone by.

Ms Keech: I've never smoked either.

Mrs CARRYN SULLIVAN: I take the member's interjection.

Just imagine how many hospital beds would be freed up if we did not have patients with smoke related illnesses. Estimates are as high as 35 per cent in the Western World. Smokers have rights, but with those rights come responsibilities, and those responsibilities include having regard for those who do not smoke. Those of us who choose not to smoke should not have to be subjected to anything that will endanger our health. Those smokers who do not take their responsibilities seriously and will not adhere to the new changes may be fined. Under the amending bill the offender could be liable for a maximum fine of $1,500 for smoking in a confined space.

I reiterate that, since the introduction of the first ever tobacco plan for Queensland, the government has already implemented 22 of the original 36 initiatives in the plan. These include increased penalties for selling tobacco products to children, mandatory training for employees, a ban on tobacco advertising inside retail outlets, restrictions on tobacco product displays, a ban on tobacco product competitions and promotions and the requirement that enclosed places should be smoke free. This proposed change today will amend the tobacco laws by fixing the anomaly. I commend the bill to the House.

Ms MOLLOY (Noosa—ALP) (2.40 p.m.): I rise in the House to speak to this wonderful bill. Yes, wonderful because it says to the community that this minister, Minister Wendy Edmond, and her staff are not backing away from their responsibilities. The aim of the bill is to improve the health of the public by reducing exposure to passive smoking. For anyone to argue against this would be sheer lunacy. Prevention is better than cure, for oftentimes there is no cure for the ensuing illnesses precipitated by passive and active smoking.

To reduce the public's exposure to environmental tobacco smoke, part B of the amendment bill will from 31 May 2002 prohibit smoking in most enclosed places, workplaces, dining areas of licensed premises and at gaming table areas of a casino. The offence provisions in the amending

act which relate to the ban on smoking in an enclosed place will extend to bingo areas of licensed premises while bingo is being conducted. That is not to say that those who wish to partake of the habit cannot go outside and fill their lungs with nicotine and smoke. Also under part B, smoking will be banned in community halls and other non-liquor licensed premises at all times, including when bingo is played.

New South Wales has identified a high attrition rate of bingo participants from smoke free halls, which is all very sad, to licensed premises where bingo was being conducted. This has impacted on the charity raised by the organisations, usually charitable organisations. It affected the size of the prizes available to be won and has generally reduced the competition across the industry. So as to avoid this situation from being repeated in Queensland, from 31 May all bingo areas will be no smoking. This is specific. From 31 May it will be an offence to smoke in a bingo area of a liquor-licensed facility 30 minutes immediately before a bingo session and during a session.

I hope this bill will be well received by the community in general as it is a blueprint for improving the health of all Queenslanders. Those who feel this is an infringement of their rights could perhaps consider the infringement of the rest of the community's right to breathe smoke free air. Having smoked for some years I understand the addiction. Having worked in the health sector for 25 years I also appreciate the burden smokers pose for themselves, their families and the broader community. Having given up smoking, I also believe anyone can do it. It is an extremely selfish habit. It stinks for a start. That is right; it reeks. People who smoke cannot smell themselves as nonsmokers smell them, because smoking affects one's sense of smell and taste. To kiss a smoker must be like kissing an ashtray, I believe, and this is what I have said to my daughters, trying to discourage them. I see my beautiful eldest daughters sucking fags and I honestly could cry when I see them destroying their inner beauty. Smoking is like smearing black muck all over our body except we cannot see it because it is on the inside. I know if I offered my gorgeous girls a bucket of Nugget to wipe all over themselves or any other person for that matter—

Mr Schwarten: There's nothing worse than a reformed smoker.

Ms MOLLOY:—you wait for it, Henry Higgins—they would run a mile, but they are quite content to destroy their lungs and cause sometimes irreparable damage to their health because it cannot be seen. I suppose this is human nature. We fail to understand so many health issues, such as mental health. If they cannot see a broken arm, people just do not understand. There is no excuse for smoking these days. I am not taking the high moral ground as a former smoker. A couple of years ago I lost a friend to cancer, and she left behind two young children, who miss their mother very much.

Let us go back to what the government is doing to help people too stupid to help themselves. I see really bright young people even around here hanging outside just to have a smoke, not to lap up the sunshine, sadly enough. On the one hand, they walk around with the world at their feet with so much to look forward to, but they keep on putting another nail in their coffins. Let us just not blame the tobacco companies for plying their wares, because the film industry as well as the print media have much to answer for. There is one area of exemption in this legislation that actually allows for the habit of smoking to be performed on screen. How absolutely obscene! How damn well insulting! I cannot abide that at all. When we go to the movies we see it all, I know. But do we actually have to sit and watch slow suicides? After all, we do not allow euthanasia—the mercy killing of human beings—but we tolerate our favourite movie stars smoking and applaud them for being great Australians. I do not think so. Let us just stop and think what effect that smoking by our favourite movie star says to young people. It is just too obvious. It says, 'You, too, can be like me.' I must say Ms Nicole Kidman gets right up my nose with those film clips of her dragging on a cigarette, advertising for the tobacco industry, using her influence on the vulnerable, inducing them to smoke. I throw out a challenge to the Australian film industry, which gladly takes government support and business welfare. I challenge the Australian film industry to stop making films that advertise smoking, that is, where people are not filmed smoking. I bet we will be faced with stony silence or indignant outrage that a mere pleb would suggest they alter their art for our kids' health sake.

The government put in place the Queensland Tobacco Action Plan 18 months ago and has initiated 22 of the 36 initiatives in the plan. Well done. I see a very serious crime against humanity being orchestrated by tobacco companies, whose only end is to sell more cigarettes to increase profits. If arsenic was in cigarettes, those companies would be closed down and the persons

responsible would be incarcerated. Society has legitimised this crime and glamorised it, because it makes huge profits. The multinationals responsible are no less than criminals.

There are other laws that will put an end to smoking at gaming tables but allow patrons to smoke at poker machines, with the reason for this being that staff did not have to be around poker machines and were not as affected by passive smoking. Some casinos have already introduced no smoking areas for poker machine players who do not want to be passive smokers. The Maroochydore Swans Bowls Club, which became the first bowls club to go smoke free in Queensland 12 months ago, has increased its patronage by 50 per cent, the administration officer, Tricia Dowling, has said. This is so heartening.

This government has taken a lead role so that one day deaths due to passive and active smoking will be so low we will all breathe a sigh of relief. Our hospital beds will not be full of people suffering smoke related diseases and the tobacco companies will have packed up and gone home. Unlike the tobacco companies who ply their wares onto young people—young women in particular—we know how guilty these companies are. Just recently a case in Sydney came up whereby one of Sydney's leading law firms advised a tobacco company to destroy specific files, which we must assume were incriminating. I have no more to say on this.

Mr DEPUTY SPEAKER (Mr McNamara): Order! Before calling the honourable member for Ferny Grove, it gives me great pleasure to recognise the presence in the gallery of parents, teachers and students from the Pialba State School in the electorate of Hervey Bay.

Mr WILSON (Ferny Grove—ALP) (2.48 p.m.): Thank you, Mr Deputy Speaker. May I say that you do a fine job in that position, and I commend you for that.

Government members interjected.

Mr WILSON: Mr Deputy Speaker, despite the relentless interruptions that seem to be coming my way, I will persevere, but I may need to call upon your assistance later in my contribution.

It is my great pleasure to support the Tobacco Legislation Amendment Bill 2002. It seeks to amend the principal act, which was introduced on 11 May 2001 and the commencement date for which is 31 May 2002. I want to put on record my commendation to the minister, as other members have, for the extremely strong approach that she is taking to addressing the issue of tobacco addiction and its impact upon those who smoke and those with whom they associate, as well as the enormous economic and health implications that the habit has. The minister is doing fine work, and I think this is a hallmark of her administration of the Health portfolio.

This amending bill to the amendment act of 12 months or so ago seeks to address a small but significant loophole. It will prohibit smoking in the non-dining areas of licensed premises where bingo may be played. This will facilitate a consistent approach to smoking in places where bingo may be played in Queensland. The bill will amend section 26 of the amendment act of 2001 to, firstly, prohibit smoking in bingo areas of liquor licensed premises during and 30 minutes immediately before a bingo session, including all breaks during a session; and, secondly, extend the nonsmoking signage requirements to bingo areas of licensed premises.

Smoking is the leading preventable cause of death and illness in this state. That is an extraordinary situation and brings into even higher relief the importance of the efforts of the Health Minister and the Beattie Labor government. Smoking kills approximately 3,000 Queenslanders every year, representing more than 80 per cent of all drug-related deaths and 10 times the annual road toll. Those figures are so large that they are nearly beyond comprehension. They are absolutely startling.

Pausing for a moment to focus on young people, the last survey of Queensland school students published in December 2000 revealed that the number of regular smokers had jumped to 65,000—an alarming increase of 18 per cent in just three years. In fact, the prevalence rate of smoking among 17-year-old students—36 per cent—is now 50 per cent higher than for the adult population—24 per cent—in Queensland, which in turn is higher than the national average.

I believe that the key elements of the original amending legislation, to which these amendments are additions, are worthy of restating. The original amendment act addresses itself to a number of key issues. One is that passive smoking is an enormous contributor to the ill health of Queenslanders. A 1998 survey of Queenslanders aged 14 and over found that 74 per cent support smoking bans in restaurants, 13 per cent do not have an opinion and only 12 per cent oppose such moves. Seventy-six per cent support smoking bans in the workplace, 14 per cent are neutral and only 10 per cent oppose workplace bans. Almost 80 per cent of Queenslanders support smoking bans in shopping centres, and only nine per cent oppose them.

Youth smoking, to which I have just briefly addressed myself, was one of the key issues at which the earlier amending legislation was directed. Individuals who start smoking when they are young are less likely to quit than those individuals who commence smoking when they are older. The original amending bill targets measures to prevent children from taking up the habit in the first place.

A third issue that is dealt with is the duty now imposed upon suppliers and persons in charge of vending machines to take prevention measures which require that an employee acknowledge in writing that he or she has been told that they must not supply smoking products to children and that they are to ask for proof of age unless a person is clearly over 18 years of age. Another key point is that there are increases in the maximum penalties for offences under the act.

The combination of this legislation and the earlier amendment act facilitates an important step in addressing the human and economic costs of smoking. For example, a study revealed that in 1996-97 more than 185,000 hospital bed days were attributed to smoking related conditions, costing the Queensland health system over $108 million. Other members have also spoken about the enormous success that this government, and particularly the minister, have had in implementing the elements of the Queensland Tobacco Action Plan. I commend the minister for that. In all of this legislation, the government has strived to achieve a balance between the rights of individuals—smokers and nonsmokers—the regulatory burden to be imposed on business and the need to reduce the significant costs of smoking to the community.

In conclusion, I want to commend the minister's ministerial and departmental staff, who have been working on this legislation and the Tobacco Action Plan for quite a number of years. I want to particularly acknowledge Melissa Seibold, who lives in my electorate and whom I had the benefit of meeting about 18 months ago. Along with all of the other staff, Melissa works in the unit in the department that has developed this approach to tobacco. In the time that Melissa was speaking with me at a Lions function in my electorate, she showed the passion and commitment that she and her fellow workers have to this important health issue. She was able to later send me a range of information about the important work that the government was then doing and has since brought to fruition in attacking the extremely important issues of tobacco addiction, tobacco smoking in public and the enormous health effects that the habit has. I thank Melissa for providing that information. I commend all those who have worked to put this package together. I commend the passage of the bill to the House.

Dr LESLEY CLARK (Barron River—ALP) (2.56 p.m.): The Tobacco Legislation Amendment Bill is a minor but vitally important amendment, as illustrated by a story on page five of today's *Cairns Post*. The article is headed 'Bingo hit by smoking ban'. It states—

A blanket ban on smoking in bingo venues may drive people away from the social game and into the more smoker-friendly pokie rooms, Cairns bingo operators say.

Cairns Show Society manager Garry Ashby said many charities in Cairns relied on bingo as their main fundraiser and he was worried about the negative effects the rules may have on them.

...

'Our biggest concern is that many of the non-profit organisations rely on this bingo income,' Mr Ashby said.

'Bingo is the show society's most consistent income to keep the showground running and many charities, like the Endeavour Foundation for example, rely on bingo.

'I think people like the social aspect of bingo and we supply non-smoking areas but we are worried people will go elsewhere.

'I would say we have a greater percentage of smokers playing bingo than we have non-smokers.

'We have always had smoking and non-smoking areas and we were about to expand the non-smoking area, so this has come as a bit of a shock to us. We are worried it is going to lead to a decrease in our numbers.'

This government has listened to those sorts of legitimate concerns. That is why this legislation is being rushed through the parliament. Indeed, I should say that it is being fast-tracked, not rushed; I do not want to give the impression that it is being unduly hurried through this parliament. But it is being passed through all its stages during this session so that it is in place on the date on which the new tobacco laws come into force in Queensland, which is 31 May.

It is not just concerns from Cairns that have led to this amendment. Charities from across Queensland have contacted the minister because they were concerned that bingo halls becoming nonsmoking areas would result in a significant loss of patronage, a substantial loss of fundraising revenue and the closure of many community service organisations. This appears to be based on a fear that the bingo players who smoke will move to the smoking-permitted bingo at their local clubs.

It is claimed that up to 75 per cent of bingo players are smokers. I would not know that myself—I have not actually played bingo recently—but I am sure that the concerns are legitimate and that the players have said they will go elsewhere if they cannot play bingo and continue to smoke. It is a reasonable concern, because evidence of the impact of similar legislation in New South Wales has been provided to the minister. Clearly we want to learn from that. The evidence is that in New South Wales many bingo players who smoked did move from smoke free bingo halls to bingo conducted in registered clubs, where smoking was still permitted. In New South Wales this has resulted in diminished patronage of smoke free bingo halls run by charities, a reduced level of prizes and reduced competition across the bingo industry.

Obviously we do not want that situation repeated here in Queensland, so today's amendments to tobacco laws correct this anomaly by taking a consistent approach. That is, from 31 May all bingo will be nonsmoking whether it is held in a community hall or a club. Specifically then, from 31 May it will be an offence to smoke in a bingo area of a liquor licensed premises 30 minutes immediately before a bingo session and during the session. To maintain consistency across legislation, the definitions of 'bingo' and 'bingo sessions' used in the bill are the same as those used in the Charitable and Non-Profit Gaming Act 1999. Smoking will not be permitted in bingo areas whether in liquor licensed or unlicensed premises. This requirement is similar to the no smoking requirement for dining areas in liquor licensed premises.

I understand that the Queensland Bingo Operators Association would have liked the government to go further and ban smoking where poker machines are being played, but I believe that the amendments will be sufficient to protect the interests of the non-profit community sector. If this should prove not to be the case, I will certainly be urging the minister to review the situation—and I am sure that she will be prepared to listen, because obviously our welfare sector, our non-profit sector, is vitally important to us. We must protect their viability. If they are relying on the income from bingo to perform their services, we must do all we can to support them.

I think it is important to put on the record again just why this legislation is covering bingo halls and not just the dining areas in pubs, clubs and restaurants. Bingo halls may feel that they have been singled out or unfairly treated, but it is all about the fact that we can no longer ignore what we know about the effects of passive smoking. Over the last 20 years we have been provided with conclusive evidence that passive smoking is dangerous. We simply cannot ignore it any longer. Internationally, at least 12 major independent scientific reviews have examined the available research findings about the health effects of passive smoking. The evidence is unequivocal. There is simply no safe level of exposure to environmental tobacco smoking. Any degree of exposure to passive smoking is potentially harmful. I think we know that amongst bingo players there is probably a disproportionate number of elderly people. Many of those are particularly vulnerable to, and are experiencing, respiratory problems. That will be exacerbated by smoky bingo halls. It really is in the interests of the health of these people that these laws are coming into effect. We are hoping that this amendment will provide the right balance in terms of protecting the non-profit sector that puts on bingo sessions.

As have others members here today, I commend the minister for her commitment to the health of Queenslanders. I, with other members, look forward to 31 May, when the new legislation will come in and reduce smoking in all the places I have described—our restaurants, clubs and pubs where people are dining. I think it is also important to remind members that there is more to the legislation than that. There will be increased penalties for selling tobacco products to children, manager training for employees, a ban on tobacco advertising inside retail outlets, restriction on tobacco product displays and a ban on tobacco product competitions and promotions, as well as the requirement that enclosed places be smoke free. We have recognised through our Tobacco Action Plan that we need a comprehensive approach. That is what will be delivered on 31 May. I commend the minister and I commend the legislation to the House.

Mr ENGLISH (Redlands—ALP) (3.04 p.m.): Today I would like to highlight to members some key research indicating that passive smoking legislation such as that which is being passed by this parliament is not detrimental to businesses. To begin with, it was reported in this Tuesday's *Courier-Mail* that the Maroochydore Swans Bowls Club, which was the first club in Queensland to go totally smoke free a year ago, has increased membership by at least 50 per cent.

I will now outline a number of commissioned reports. I will start with the South Australian smoke free dining legislation evaluation of 1999. Prior to and following the introduction of smoke free dining legislation in South Australia, the government commissioned a rigorous research study to look at the effects on business. The key findings of that study were that public support for the legislation was very high, with over 80 per cent of nonsmokers liking it and over half of smokers

agreeing with it. South Australians reported an increase in enjoyment while dining out after the law came in. Contrary to industry claims, South Australians did not stop going out to eat. There is good business compliance with the new law, and reported changes in dining out practices since the law came in are likely to have a net positive effect for businesses. The report concluded that the South Australian government can therefore be assured that the legislation to prohibit smoking in enclosed public dining areas not only is good for health but also is not adversely affecting business.

A follow-up report on restaurant sales in 1997 on the effect of ordinances requiring smoke free restaurants examined taxable sales data for 15 cities with smoke free restaurant ordinances and five cities and two countries with ordinances allowing people to smoke in restaurants. The study showed that the smoke free ordinances do not affect either restaurant or bar sales. A 1999 report into international tourism and hotel revenues in three states and six cities in the USA before and after the passage of smoke free restaurant ordinances showed that hotel revenues significantly improved in four localities and did not change at all in four localities. International tourism was unaffected following implementation of smoke free ordinances. A 1999 study into restaurant employment before and after passage of the New York City Smoke Free Air Act showed that the act did not result in job losses for the city's restaurant industry. A 1999 report on the economic effect of smoke free restaurant policies on restaurant businesses in Massachusetts showed that the study failed to find a statistically significant effect of local smoke free policies on restaurant businesses.

From 31 May there will be no smoking in the dining room areas of liquor licensed premises while meals are available for eating or are being eaten or in the gaming table areas of casinos. These new laws also apply to workplaces and other public venues such as offices, mechanic garages, workshops, factories, unlicensed cafes, coffee shops and sandwich bars, shopping centres, school and university buildings and home businesses while an employee is present. The new no smoking laws also apply to a work vehicle if more than one person is in the vehicle and to the common areas of multiunit residential accommodation, for example the TV room of a nursing home or hostel. Many businesses have had no smoking policies for many years, and the new laws provide a consistent approach and protect the health of employees.

The effect of passive smoking cannot and should not be underestimated. Both my mother and father were heavy smokers in their early years. In the early 1980s my mother was diagnosed with lung cancer and had surgery to remove two-thirds of one lung. She survived that operation and to date, touch wood, has had no secondaries and is alive and well. Needless to say, on diagnosis of her lung cancer she gave up smoking on the spot and has never touched another cigarette. The addictive properties of tobacco are not to be ignored, though. Despite this very strong and brutal warning, my father continued to smoke for many years and has given up in only the last two years. He had tried to give up for five or six years; he would give up for an hour or so at a time. It is important to acknowledge the effect of passive smoking on the people around us. I am sure that to this day my lungs are somewhat affected by the smoke I was exposed to by my parents.

I recently had the honour of representing the minister, Wendy Edmond, at the annual general meeting of the Queensland Cancer Fund. It was a privilege to be there and hear and see the good work being done by the Queensland Cancer Fund to fight cancer, to educate people about the numerous forms of cancer that can afflict people and the great work it is doing to research the causes of cancer to hopefully find a cure. I put on record my thanks for the activities of the Queensland Cancer Fund and the hard work it is doing.

I also inform honourable members that on 21 July this year the Terry Fox Fun Run is being held around the state of Queensland and I am preparing a team of parliamentarians to enter that event. To date, the member for Glass House, the member for Broadwater, the member for Cleveland, the Minister for Education and I have signed up. I extend the invitation to any honourable members of this House who would like to enter the Terry Fox Fun Run at Cleveland to help raise money for a good cause, because all the money raised goes to the Queensland Cancer Fund.

Mrs Edmond: Members from either side of the House?

Mr ENGLISH: Definitely from either side of the House. This is bipartisan support for a good project. I would definitely encourage any members of this House—

Mrs Edmond: The member for Beaudesert is getting ready for the run.

Mr ENGLISH: The member for Beaudesert is on his feet already. Please come and join us on 21 July and enter the Terry Fox Fun Run.

Mr Schwarten: He wasn't a bad runner in his day.

Mr ENGLISH: I have seen him run around this House a few times, too.

It is important to note that this legislation will be implemented on 31 May, World No Tobacco Day. The significance of that cannot be underestimated. I pass on my thanks to Mr Horan, the Leader of the Opposition, in agreeing to allow this bill to pass today through all three stages so that it can be implemented on 31 May on that quite significant and crucial day—World No Tobacco Day.

In conclusion, I compliment the minister on her energetic response to concerns relating to bingo sessions and a possible loophole. I compliment the minister and her staff on a quick reaction to the health concerns of the people of Queensland. I commend the bill to the House.

Mr CHOI (Capalaba—ALP) (3.11 p.m.): I am pleased to speak in favour of the Tobacco Legislation Amendment Bill 2002. The Beattie government is committed to addressing the problem of tobacco related harm in our community, and a successful tobacco control program must address this problem from many angles. As well as trying to prevent young people from starting to smoke and helping existing smokers to stop, the government recognises that we must also protect those who suffer discomfort as a result of breathing other people's tobacco smoke. It is not only smokers whose health is suffering because of tobacco but also nonsmokers who may be exposed to tobacco smoke. Evidence that passive smoking can be harmful, particularly to children, has been accumulated over the past 20 years. In children, passive smoking can lead to bronchitis, asthma and other illnesses. In adults, breathing other people's smoke can increase the risk of cardiovascular disease, lung cancer and other lung diseases. This is in addition to the irritant effects of other people's smoke on the eyes, nose, throat and air passages that arise from the presence of irritant chemicals in tobacco smoke. A supportive social and legislative framework will enable individuals to be better protected from this risk.

The honourable member for Southport told the House earlier that he came into this debate with clean hands and clean lungs. I am not too sure that anyone can claim that they can speak on this bill with clean lungs, because unless one is the President of the United States—where one learns the skill of not inhaling anything—most of us will inhale smoke in public places at some time in our lives. I do not think that we can claim that we have clean lungs at all. I cannot even claim that I have clean hands. I have had two cigarettes in my life—one before and one after my first date. Anything in between was a non-event. I thought that smoking did not help me, so I gave up.

Reducing smoking rates is the single most effective way to enhance the health status of Queensland and to impact on rising health care costs. It is for this reason that the Beattie government has continued to take action to stem active and passive smoking. Since last year, the Beattie government has introduced major tobacco reforms into parliament. Tobacco control in Australia has a proud history of bipartisan support. It is time for the Labor Party to once again provide leadership in this regard. The largest single preventable cause of death in Australia is from smoking or smoke related diseases and illnesses. Each year, it is estimated that over 3,000 deaths in Queensland are due to tobacco smoking. That translates to eight deaths a day—eight broken families and broken hearts because of a death in the family due to a tobacco related disease.

The smoking death toll is much higher than the combined number of people killed in Queensland because of murder, suicide, alcohol, drugs, road crashes and even AIDS. In the 1996-97 financial year, 187,000 occupied bed days in Queensland hospitals were attributed to smoking related conditions at a cost of over $100 million. If we translate that $100 million into today's value, it would equate to 15 primary schools, 25 police stations and 40 ambulance stations every year. Some $100 million can also support 6,000 children per year and cover expenses for education, books, uniforms, all their food and every entertainment as well. It is a staggering figure indeed. In fact, the total smoke related financial burden on the Queensland economy is estimated at $2.2 billion. This includes health care costs, loss of productivity through sickness and the impact of premature death. This is indeed a very serious problem for Queensland.

Over the past 20 years research has increasingly revealed the harm caused by second-hand or passive smoke. There are now more than 600 published medical reports that link exposure from passive smoking to cancer and other diseases. My late mother was a nonsmoker and

probably the cleanest person I have every known in my life. She would spend half an hour in front of the wardrobe organising everything and then start over again. To my knowledge, she had never touched a cigarette in her life. Unfortunately, she worked in an industry where smoking is part of the norm. I have no idea why the entertainment industry regards smoking as the in thing. Everybody smokes in the entertainment industry. Even if my mother did not smoke, she was indeed a very heavy passive smoker. My father was also a very heavy smoker as well, and that certainly did not help. My mother unfortunately passed away from lung cancer at the very young age of 43. This statistic should be of concern to all members of this parliament and indeed has compelled this government to introduce further tobacco reforms.

Last year this parliament passed the Tobacco and Other Smoking Products (Prevention of Supply to Children) Amendment Act 2001, but there is a problem in relation to bingo. It has come to the attention of the minister that the application of this law will be unequal with respect to bingo. This bill is clearly an attempt at rectifying this situation. Bingo players who smoke will move from bingo where smoking is not permitted to bingo at the local pub which allows smoking. This will result in diminished patronage at smoke free bingo halls conducted by charities and reduce competition across the bingo industry, and we certainly do not want to see that. The main provision of this bill is clearly to articulate the public health objective—namely, the promotion of public health by reducing exposure to tobacco and other smoke in enclosed public places, including bingo halls.

In conclusion, I again indicate my support for the proposed legislation. Given the damaging effect of tobacco consumption and passive smoking on public health, we as parliamentarians must take a bipartisan approach to this issue, which concerns the livelihood of the entire community. I take this opportunity to again congratulate the minister and her staff on looking after the health of Queenslanders. I commend this bill to the House.

Mr LEE (Indooroopilly—ALP) (3.19 p.m.): I rise to enthusiastically support the Tobacco Legislation Amendment Bill 2002. I do not wish to speak at length about the bill but, rather, would like to place on record my enthusiastic support for it. The basic objective of the bill is to reduce exposure to passive smoking within the community. On 11 May last year the Tobacco and Other Smoking Products (Prevention of Supply to Children) Amendment Act 2001 gained assent, and it will commence on 31 May this year.

This amending act gives effect to key aspects of Queensland's Tobacco Action Plan. This plan was developed with the objective of providing a blueprint to comprehensively address smoking issues in Queensland over the next four years. The Queensland Tobacco Action Plan was built upon and derived from the National Tobacco Strategy. This was a strategy that all states and territories in Australia adopted in June 1999.

We all are aware that passive smoking is of particular concern to the government. It is of particular concern to me. We all are also probably aware that part 2B relating to smoke free enclosed places of the amending act will from 31 May this year prohibit smoking in most enclosed places and workplaces, dining areas of licensed premises and at gaming tables of a casino. We are also aware that smoking will be banned in community halls and other non-liquor licensed premises at all times, including when bingo is being played. The reason for this amendment bill is that we desire a consistent approach to smoking and to anti-smoking legislation. It has become apparent that there was a likelihood that smoking would in fact be permitted in certain non-dining areas of liquor licensed premises, including those places where bingo was conducted. This bill will ensure that Queensland has a consistent approach to its smoke free policy and will result in smoking being prohibited in areas set aside within licensed premises for bingo sessions while bingo is being conducted 30 minutes immediately before the commencement of a bingo session and obviously until the session ends. That will include all breaks during a session. I do not feel that it is in any way inappropriate during a bingo game to ask people to step outside if they wish to smoke.

I am very pleased that I am able to support this sensible and worthwhile legislation. I am pleased that it has been widely supported in the community by, for instance, the Queensland Hotels Association, the Queensland Bingo Operators Association and the Australian Liquor, Hospitality and Miscellaneous Workers Union. It is unfortunate that Clubs Queensland does not provide the enthusiastic support for this bill that I would, but I commend the minister and her staff and am delighted to support this bill.

Mr REEVES (Mansfield—ALP) (3.23 p.m.): I congratulate the minister for introducing these amendments to rectify the discrepancy in regard to bingo halls. A bingo centre in my electorate is a perfect example of this discrepancy—Southside Bingo Incorporated, situated at the Southside

Sports and Community Centre. In fact, this club was established by the organisations associated with Southside Bingo. Both organisations share the same entrance. To go to the bingo hall, one walks in the entrance and it is two metres to the right; two metres to the left is the licensed club. The bingo hall does not operate under a club licence and is registered only as a bingo hall, yet four metres away is a registered club. Under the previous legislation, no smoking was allowed in the bingo hall; yet, if the organisation had licensed the entire building as a registered club, smoking would have been allowed in the bingo hall. This situation easily depicts such a discrepancy. If the whole building were licensed, smoking would have been allowed, but under this legislation smoking would not have been allowed. I congratulate the minister for fixing this discrepancy and I thank her department officers, particularly Michael Dart, for their tremendous work on this issue. I know that the Bingo Operators Association was extremely pleased with the consultation and the work of the minister's department and its officers.

Southside Bingo Incorporated raises more than $500,000 in net revenue every year for 15 community and sporting organisations. Bingo is a family oriented game, with Southside Bingo being a regular meeting place for many of our senior citizens who come along not only to play bingo but to meet and socialise. On 1 June this year Southside Bingo will celebrate its 25th birthday. Over the past 25 years, Southside Bingo has raised in excess of $10 million for community and sporting organisations. Let me list some of these organisations, because funds have been raised not just for my local area but for other members' areas: YMCA Youth Services (four centres), Queensland Blind Association, Mansfield State High School, Mansfield State Primary School, Clairvaux Mackillop College, Brothers St Joseph's College at Gregory Terrace, Easts Soccer Club, Merton East Old Boys Soccer Club, Sunnybank Senior Rugby Club, Sunnybank Junior Rugby Club, Brothers Old Boys Rugby Club, and the Western Suburbs District Rugby League Football Club. All those organisations have benefited from the $10 million raised over the last 25 years.

A government member: My nanna goes there.

Mr REEVES: Yes, my mum continues to attend there. The government continues to address tobacco smoking. On 16 October 2000 the government endorsed a new four-year strategic plan to help address tobacco smoking issues, the Queensland Tobacco Action Plan 2000-01 to 2003-04. The whole government plan is the first of its kind for the state. The new Queensland plan is based on the national best practice framework, the National Tobacco Strategy 1999 to 2000-02, endorsed by Australian health and police ministers in June 1999. More than 180 Queensland key stakeholders from industry, employee, retail and health groups have been consulted since the drafting of the Tobacco Action Plan in August 1999. There are 36 actions in the Queensland plan which address issues such as youth smoking, supporting smokers to quit, smoking among indigenous people and exposure to passive smoking. In her second reading speech the Minister for Health stated that the government has commenced implementing no fewer than 22 of these actions already, something for which the minister and her department should be congratulated. Youth smoking must be addressed comprehensively—not by a single education campaign but holistically. It is a known fact that advertising works when selling products. Of concern is the impact tobacco advertising has on our young people. Research shows that young people are more sensitive to tobacco advertising and promotions than adults.

The amendments being discussed today will reduce point-of-sale tobacco advertising and display and will ban tobacco promotions. Internationally, research evidence indicates that the advertising of tobacco products is one of the main factors leading to the uptake of cigarette smoking, particularly among children. The restrictions to be introduced by way of the bill will further reduce the avenues available to tobacco companies to advertise and promote their products. The bill will also tighten existing requirements governing the placement of self-service tobacco vending machines. Studies have shown that vending machines remain a primary source of tobacco for children. Accordingly, the bill provides for the location of these machines to be restricted to bar and gaming areas of licensed premises and the bar and gaming areas of casinos. Controlling children's access to tobacco is an important factor in preventing the uptake of smoking.

As promised in the lead-up to the election, there will be a $500,000 Quitting While You're Ahead mass media campaign to remind our young people of the consequences of smoking, and to stay healthy and smoke free. $500,000 has already been allocated to the Health Promotion Queensland project to help primary school children of 10 to 12 years of age resist negative influences such as smoking and other drugs. New health nurses based in Queensland secondary schools will receive specialist training and resources to promote positive, smoke free messages and help young people quit smoking. Just recently I saw in an article regarding the rock

eisteddfods the results of a survey that contrasted the number of students at schools who are involved in the rock eisteddfod who do not take up smoking with the number of students at schools who do not get involved in the rock eisteddfod. That just proves the success of positive media campaigning and positive messages to young people.

Mrs Edmond: That's why Queensland Health supports that and the croc festivals up in the cape.

Mr REEVES: That is exactly right. I congratulate the minister and her department on their excellent work in that regard. I think that we also need to get the national media involved. Many of our young people, rightly or wrongly, watch the soaps. We need to get the soap shows—*Home and Away*, *Neighbours* and shows like that—

An honourable member: You don't watch that, do you?

Mr REEVES: No, I have heard about them. Those shows should send out positive messages to young people in innovative ways. They are the kinds of things that we need to do. We need to be smarter in sending the antismoking message to our young people.

The government is committed to the successful Quit campaign to spread the important quit smoking messages to all Queenslanders. The multistrategy Quit campaign delivers effective mass media, including television and radio advertising, and a high-quality state wide Quit line telephone counselling service. I am one of the lucky ones: I have never, ever had a cigarette. I have never had the inclination—

Mrs Miller: At least you don't know what you're missing.

Mr REEVES: I know exactly what I am missing—it will be losing a lung or it will be death. I cannot say the same about my wife, but she does not smoke now, because of the pressure that I placed upon her. I am proud of putting that pressure on her.

Mr Mickel: I bet you were smoking behind the shed there.

Mr REEVES: No, definitely not. A smoke free hospital initiative to include the distribution of self-help Quit resources to patients and staff and limiting smoking on public hospitals grounds will be developed and implemented state wide. Quit smoking programs will also be promoted in other workplaces.

On that point, we really need to be a bit smarter. Although people cannot smoke in buildings, all the smokers decide to stand right outside the entrances to the buildings to have a smoke. So everyone has to enter or exit the buildings through the smoke. I call on everybody who cannot give up smoking and who wants to smoke to keep away from the entrances or the exits of buildings.

Mr Pearce: It's not a good look.

Mr REEVES: No, it is not. Apart from not being a good look, it is not very good for people who are walking past. I include in those areas the walkway just before the doors to the Parliamentary Annexe.

Mrs Reilly: I use that.

Mr REEVES: There should be a better spot for the member to have a smoke if she has to. National best practice guidelines and training materials targeting smoking in pregnancy will be promoted across Queensland. Tobacco smoking contributes substantially to poor health in indigenous Queenslanders, with smoking rates for indigenous people twice the rates of those for the general population. A pilot phase of the Queensland based indigenous tobacco control project will be followed by the implementation of strategies and initiatives across the state. Strategies to be implemented include raising awareness of the dangers of smoking among our indigenous communities; group based and individual Quit programs; specialist quit smoking programs for pregnant indigenous women; assisting workplaces and community venues to address smoking issues, including providing smoke free areas, limiting smoke breaks and providing on-site help for smokers wanting to quit; and to increase training for health workers.

The first stage of the Events Sponsorship Program was announced in Townsville by the Health Minister, Wendy Edmond, and Gorden Tallis, the captain of the successful Queensland—and with the first game next Wednesday night he will be even more successful—State of Origin team. The program provides small grants and resources to the indigenous community associations for sporting events and promoting the smoke free message.

Passive smoking is a proven health hazard. Over 600 medical reports have been published linking passive smoking to diseases. The breathing in of smoke by nonsmokers can lead to

harmful health effects in the unborn child and middle ear infections, bronchitis, pneumonia, asthma and other chest conditions in children. It is also linked to sudden infant death syndrome. In adults, passive smoking can increase the risk of heart disease, lung cancer and other chronic lung diseases. This passive smoking legislation that is being debated today will require enclosed places, such as offices and shopping centres, to be smoke free. The smoking bans will also apply to casino gaming tables, bingo areas, restaurants and dining areas of clubs and hotels while meals are being eaten.

Once again I congratulate the minister on introducing this legislation to fix up the discrepancy in the act. I also congratulate Southside Bingo on the great work that they do within our community. I look forward to celebrating with everybody on World No Tobacco Day when this legislation comes into effect.

Ms NOLAN (Ipswich—ALP) (3.35 p.m.): I rise to speak in support of the Tobacco Legislation Amendment Bill 2002. This bill is relatively minor in its nature, extending nonsmoking provisions to all venues at which bingo is played, that is, both community halls and licensed clubs. The bill extends the provision of the new tobacco legislation, which is set to come into force on 31 May. That legislation, which I strongly support, increases penalties for selling tobacco products to children, bans tobacco advertising inside shops and requires that enclosed places such as shopping centres and restaurants be smoke free.

The antismoking legislation has been controversial and will no doubt be more so when the reality of it hits home on 31 May. I have heard something of a civil liberties argument that, while it is well known that smoking is harmful to health, whether or not to smoke is a matter of personal choice or a right. Nonsmokers have every right to go to public places and to breathe fresh air. They have every right not to breathe cancer-causing fumes and they have every right not to have their eyes water and their clothes smell. This legislation seeks to establish standards so that the right for people to smoke outside and the right for people not to have other people harm their personal environment can coexist. More important than legislation in making these rights coexist is quite simply respect. Nonsmokers such as I need to respect that some people either derive pleasure from or are simply unable to stop smoking. Smokers, while they may not be able to smell the smoke themselves, should recognise and respect the fact that cigarette smoking offends others.

I have a concern that, while we are making serious moves to reduce tobacco smoking and we make serious efforts to educate people and prohibit the use of harder drugs, the excessive use of alcohol remains almost socially acceptable. While we have community hysteria about young people and drugs, almost every family has been touched by the alcoholic relative and binge drinking among teenagers is a growing problem. One of the reasons why I believe there is this consistent problem of alcoholism is that brewers are still allowed to promote images of strong, sexy and happy people—usually blokes—enjoying a cold one. Each night, the *Stay Just a Little Bit Longer* tune sticks in our minds as we hear it on TV and our highways are dotted with billboards of young men partying with women in bikinis or flexing their muscles carrying a keg. Drinking in excess does not make anyone happy but, unlike cigarette smoking, it is not in your face.

An honourable member interjected.

Ms NOLAN: At least drinking in excess in the longer term. An alcoholic can drink himself to death, and as long as he does not bash up his wife in the process, it can be a quiet thing to do.

Mr Strong: It's fun 99 per cent of the time.

Ms NOLAN: But then there is the morning after. Alcoholism and binge drinking are widespread and terrible social curses. We prohibit hard drugs, we restrict tobacco advertising, as we have done with this legislation, and we really should look at doing the same for grog. I believe that this set of reforms has made a significant difference in terms of society's approach to tobacco. I believe that we should think about extending them to drinking, particularly to addressing alcoholism. I very much support the reforms brought to the House.

Mr PURCELL (Bulimba—ALP) (3.39 p.m.): I have just a few words to say, if I could, in regard to the Tobacco Legislation Amendment Bill.

Mr Lingard: I have travelled with you, so be good.

Mr PURCELL: As the member says, he has travelled with me, so he probably knows all of my bad habits. But I will not say what he has done on tour if he does not say what I have done on tour. This legislation is long overdue. I am a smoker. Anyone who has smoked from the age of

14 to 50, as I have, never really gives it away even though they stop smoking. I often say that if I found out tomorrow that I had an incurable disease, I would have a cigarette in both hands. I would be smoking again, because I really enjoyed smoking and because smoking is addictive.

The minister and this government have a responsibility to do the best they possibly can for those who do not smoke, who do not want to smoke and who do not want to be around smokers. From the age of eight I worked in bingo halls, except where I came from it was not called bingo, it was called housie. If you are a Catholic and you go to their schools, you are always raising funds, and housie was a very important way of raising funds. I was selling housie sheets for threepence a sheet and my eyes would water from all the cigarette smoke. I loved it! In Cowra, in central western New South Wales on the Lachlan, any improvements to the school were through funds raised from housie. We used to take two bob to school tied in the corner of our handkerchiefs—with a tight knot so you could not knock it off and spend it—for school fees. In addition, housie fundraising provided a great deal of support to the school.

Honourable members interjected.

Mr PURCELL: I will never finish if members do not stop getting at me!

Mr DEPUTY SPEAKER (Mr Poole): Order!

Mr PURCELL: Thank you for your protection, Mr Deputy Speaker.

I started smoking when I was 14 and gave it up only about five years ago. It is very addictive and it was very tough to give up. I do not think anybody who has smoked for a long period of time can ever say that they are a former smoker. It is very easy to start smoking again unless you try very hard not to.

I worked for the P&F doing bingo at St Peter and Paul's for some 15 years. Back in those days, I was at bingo every Sunday night as one of the checkers. I called the numbers occasionally, but I did not like doing that. I preferred to go down with the microphone and talk to people and check the numbers on their cards. In those days, I was a smoker and the hall we operated in had a very low ceiling. Smoke was to about the level of my waist—from the ceiling down! Whether you were a smoker or not, you were smoking, I can tell you! When I would get home around half past 10 or 11 o'clock at night, my missus would say, 'Put your clothes in the clothes hamper and go and have a shower before you come to bed.' As she said, I smelt like a cigarette. People who want to play bingo and do not want to smell like a cigarette when they go home, who want the opportunity to contribute and to support their clubs, schools or charitable organisations in a smoke free environment, ought to be allowed to do so. At St Peter and Paul's we sorted that out—as responsible organisations do, or try to. The nonsmokers had the main hall. We were a very popular bingo hall.

Mr Briskey: Very popular.

Mr PURCELL: The fire brigade visited us one night. We had about 420 people in a 220 person hall. There were people on the footpath of Main Avenue. It was a very good money spinner!

Mr Briskey: I have played bingo there, Patty.

Mr PURCELL: Great prizes, great school, great people. I take that interjection from the member for—

Mr Briskey: Cleveland.

Mr DEPUTY SPEAKER: Order! The member for Cleveland should return to his correct seat if he is going to interject.

Mr PURCELL: This is the clause which refers to the nonsmoking provisions while playing bingo at bingo halls.

Mr Reeves: We are not allowed to talk about clauses.

Mr PURCELL: I thank the member. We did try to make an area for smokers in our hall, which we called the storeroom. It was away from the main hall. We had room in the storeroom and out in the kitchen. However, there were people who worked in the kitchen or in and around those areas—the checkers, for example—who were nonsmokers and they had to go into those areas and check cards. This is great legislation for organisations which raise money through bingo. At the moment, organisations are having problems with public liability insurance premiums. If people were to continue to smoke in these areas, it would make it very difficult for those charitable organisations to operate considering the insurance premiums they would be hit with. I commend

the minister for this legislation and I thank all her staff who have worked very hard. I commend the bill to the House.

Hon. W. M. EDMOND (Mount Coot-tha—ALP) (Minister for Health and Minister Assisting the Premier on Women's Policy) (3.45 p.m.), in reply: Sitting here has been like sitting in a confessional box. I knew there were a lot of old smokers around the House, but I did not know how many bingo operatives we had on our side of the House.

Mr Purcell: That is why we have the numbers in the House!

Mrs EDMOND: Well, this number is—what is it—number three, smoke free; that is the way to go.

I thank all members for their support and I acknowledge the support of the Leader of the Opposition and the member for Gladstone and their cooperation in the passage of this bill today so that it can take its place with the main body of legislation on 31 May, World No Tobacco Day. Judging by the number of speakers in this debate, clearly many members felt very strongly about this issue. I am very pleased to see that. I also understand that a number of members have been lobbied by charitable groups that are concerned about a possible loss of income for their good works.

Another thing members seemed to be very concerned about was, firstly, smoking by indigenous people. I am very pleased with the progress of our pilot indigenous smoke free project. I join with other members and thank Maroons captain, Gorden Tallis, for his help with that project. I wish him and all of the team all the very best in the State of Origin. That will show once again that Queensland is in the lead.

A Government member interjected.

Mrs EDMOND: I never criticise these older people.

Advertising to young people is another major area of concern. I am concerned that young people do not seem to be moved by the ads that we generally use on the Quit campaign and others showing the horrific images of what smoking does to your lungs. It does not seem to affect them. Parent after parent has said to me that young people just do not think it will happen to them and they do not think they will ever get to the age where it will be a problem. One of the things we have been putting funding into is a different type of approach and that is the Poison campaign. The Leader of the Opposition raised this issue with me. This campaign has been very successful and we are expanding it. We have been showing it in cinemas, particularly during holiday times before movies that are popular with young people aged 12 to 14 and, importantly, popular with young girls. Members would realise that we are concerned that the biggest increase in smoking is amongst young girls. On this basis, the cinema commercials will be screened in more centres across Queensland. We are also developing a new television advertisement and a tobacco resource for schools based on these very successful campaigns for both primary and secondary schools and both public and private schools.

Other strategies helping to address smoking among young people are, of course, the school health nurses. They have now been trained in helping young people to quit smoking. Of course, they are also trained in helping young people to not start smoking, which is even more important. We also have our legislation banning tobacco sales to under 18s. We have quite uncompromisingly focused on the under 18s for the very clear reason that if young people do not take up smoking before the age of 18, they are very unlikely to take it up after 18. With regard to banning tobacco advertising, programs such as the Triple P to build stronger families and school drug education programs run by Education Queensland are all working with a holistic approach at trying to prevent young people from taking up smoking or to get them out of it as quickly as they can.

The other question asked concerned extra resources to enforce the act. Ninety environmental health officers across the state will be trained to enforce the act. Non-compliance with the requirements of the legislation can be referred to public health units. But experience in all other jurisdictions shows that passive smoking legislation is largely self-enforced. It is enforced by the public, that is, nonsmokers will enforce it. We have also in Queensland taken the approach of working with venues to get their support and cooperation and given them the assistance that they need and, most importantly, we have worked to take the public with us in these changes rather than being confrontationist. As a result, what we have seen to date, even before the legislation is empowered, in many places is compliance above and beyond the requirements of the act. For example, Jupiters and Treasury casinos have large nonsmoking areas, and some licensed

restaurants and clubs have gone totally nonsmoking. That is far more than they had to do under the provisions of the act.

The other issue raised was about smoking at the entrances of buildings. It used to make me, as a health professional, cringe to see people smoking and hacking their lungs out whilst on a drip and oxygen. This is also a problem outside other public buildings. We will see more of this before things get better. Although the current legislation does not extend to those outdoor areas—and it would be almost impossible to police—we are encouraging building owners to look at these issues. Queensland Health will soon commence a comprehensive review of smoking in and around our public hospitals and health care facilities. A number of new hospitals have undercover outdoor smoking areas away from entrances. For a lot of people it is too late for them to change their lives. We have seen people, cigarette in hand, on the front pages of newspapers looking for euthanasia. At that stage in one's life it is probably cruel to suggest that they quit.

Also, a review of the act is to be commenced by 31 May 2004. We are allowing time for the act to settle in and for people to work through any problems there might be. The review will provide an ideal opportunity to canvass community and industry views about any future changes to the legislation. I have said before and I will say again that I do not think this is the end to the changes. I think there will be a persistent drive due to litigation by employees of venues and there will be an increasing public push for more smoke free venues. People are voting with their feet. We have seen the success of those places that have gone smoke free in recent times. We have made a commitment to give the major venues time to settle in with this new legislation and get used to it before we move any further.

Going back to the issue of young women smoking, I have suggested—and I will continue to suggest—that the advertising campaigns should be focusing on what will happen to them not when they are old but when they are young. Infertility and blood clots are much more prevalent in people who smoke, even young people. This used to be an occupational hazard of air hostesses who smoked and travelled long distances. We need to get these messages across, including, for example, the fact that kissing a smoker is like licking an ashtray, and one way to look older is to smoke. They will certainly look older when they are 15; when they are 20, they will look as if they are 30 and when they are 30 they will look as if they are 50 because of the damage smoking does to their skin and general tone. That is a message that we have to get across to young people. They might be able to get away with it in their younger years but not as they mature.

I have been delighted with the way businesses have supported the progression of smoking restrictions and worked with government in a cooperative way. As I said, they have moved past the legislation and I congratulate them on that. We also need to thank those people who have been actively involved in developing the kits that have gone out and the hotline for answering queries. On behalf of the government, I have received congratulations from industry on the way we have implemented and progressed this legislation. They have highlighted to me that we have done this in a much more business friendly way than in the other states by providing them with the support they need to see the legislation carried through. We will continue to work with the stakeholders to manage any future transitions. We are currently encouraging them wherever they possibly can to extend nonsmoking areas both inside and outside their buildings.

Finally, I thank all members, including, as I said, the Leader of the Opposition and the member for Gladstone, and also the Queensland Health staff who rushed in this amendment. I know it has been done with a great deal of haste. I thank people for their support. However, it made sense to get this enacted at the same time as the main body of the legislation on 31 May. I thank again the stakeholders who have supported it, including the rather rushed round of consultation. I know that some of them would have preferred more consultation and I know some would have liked perhaps to reconsider this amendment but in the end they have accepted it with good grace. I thank them for that. It makes for cooperative progress and a better outcome for all.

Motion agreed to.

Committee

Clauses 1 to 3, as read, agreed to.

Bill reported, without amendment.

Third Reading

Bill, on motion of Mrs Edmond, read a third time.

PRIVILEGE

ISG Consultancy

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (3.57 p.m.): I rise on a matter of privilege. The member for Southern Downs asked me a question this morning in relation to ISG. I said, 'As I understand it, ISG has a contract with a subcontractor, not us.' I have since checked, because this was a question that should have been addressed to the Treasurer as the responsible minister and not me, but being a nice guy I always try to help the member for Southern Downs. What I should have said was, 'As I understand it, ISG has a contract with a contractor, not us.' So I said this morning, 'As I understand it, ISG has a contract with a subcontractor, not us.' What I should have said was, 'As I understand it, ISG has a contract with a contractor, not us.' It may appear to be a very small change, but it is a significant one and I do not want to mislead the House. I indicate that I am not the responsible minister for this, but I want to make sure that the parliamentary record is accurate and I correct it accordingly.

CRIMINAL LAW AMENDMENT BILL

Second Reading

Resumed from 15 May (see p. 1693).

Mr SHINE (Toowoomba North—ALP) (3.58 p.m.), continuing: Yesterday I spoke on two aspects of this bill. One was the reforms to the Magistrates Court with respect to pretrial conferences and the other was stock theft. With respect to that matter, I note that the Scrutiny of Legislation Committee has drawn the attention of the House to the very substantial increases in penalties contained in the amending bill to which I referred yesterday.

Moving on—an amendment of possible great significance is the DNA evidentiary certificate referred to in section 95A of the Evidence Act 1977. The effect of this bill is that the evidentiary certificate will enable the technical aspect of testing and continuity of DNA samples to be proved by certificate. All records of the testing will be disclosed to the defence. The forensic analyst who makes the DNA comparison will still be called to give evidence and be cross-examined, although I note that this would appear to be provided that the leave of the court is obtained, and the court may give leave only if the court is satisfied that an irregularity may exist in relation to the receipt, storage or testing of the thing about which the person to be called is able to give evidence, or if it is in the interests of justice that the person be called to give evidence.

With respect to the evidentiary certificate itself, the explanatory notes indicate that it might be seen as removing an existing right, that is, the unrestricted cross-examination of relevant prosecution witnesses who participate in the testing of forensic samples. Those notes, however, point out that the use of the evidentiary certificate is to present complex evidence assembled by a number of persons and recorded in a methodical fashion under the Evidence Act 1977. The notes argue that what is now before the House adequately balances the competing considerations. I am sure that the Attorney-General will examine the situation from time to time with respect to DNA profiling generally, particularly in the light of recent criticisms as to the reliability of such tests.

One notes the views of the Scrutiny of Legislation Committee regarding the fact that the bill inserts into the Evidence Act 1977 a provision which will enable various matters relating to DNA analysis to be put in evidence by means of a certificate. The committee is concerned by the inclusion of evidentiary certificate provisions in relation to any matter that may be other than non-contentious. The committee went on and stated that it refers to parliament the question of whether the insertion of proposed section 95A has sufficient regard to the rights of persons against whom evidence of DNA analysis may be led.

The bill also brings to the statute books provisions designed to give protection to jurors, witnesses and judicial officers. The Attorney-General, in his ministerial media statement of 6 March 2002, stated that the government would not tolerate any attempt to corrupt or threaten jurors or intimidate victims of crime. Anyone who comes forward to provide information to police, give evidence or do their civic duty as jurors must be protected. Often those who give evidence are victims of crime, and they—like the jurors, who are ordinary citizens doing their duty—deserve the full backing of the law against any threats, intimidation or acts of violence. Anyone who threatens or takes reprisals against jurors, witnesses and judicial officers or their families will now face a maximum seven years jail. The amendment applies to all proceedings, whether they be civil or criminal, and whether they be before a judge, magistrate, arbitrator, an umpire appointed

in an arbitration in which evidence may be taken, a member of the tribunal or a commissioner appointed under the Crime and Misconduct Act 2002. It also includes, of course, a justice of the peace constituting a court.

The amendment covers the situation where a person, without reasonable cause, causes or threatens to cause any injury or detriment to a judicial officer, juror or witness or a member of the family of a judicial officer, juror or witness because of anything lawfully done by that officer, juror or witness in a judicial proceeding. Accordingly, it has wide application. One would have to be careful to critically examine any complaints that the section has been infringed where, for example, an allegation is raised by a relative of a witness in highly contentious litigation such as divorce or custody proceedings. I note that officers of the court—that is, barristers and solicitors—are not afforded the same protection as others, and I would ask that in the future some consideration be given to extending the protection afforded by this amending bill to such officers.

Finally, the amending bill makes reference to restricting the disclosure of information provided about and sought by jurors. It has long been the case that, in order to ensure a fair trial, the defence is supplied with a jury list before a trial to enable proper consideration to be given in the process of challenging members of the jury. Such lists currently have the names, street addresses and occupations of all persons on the panel. It would appear nowadays that these lists are collected by the judge's associate after a jury is empanelled.

It is a long time since the days when I was involved in the practise of criminal law. In those days, however, one had access to the jury list a day or two before the trial. This enabled circulation of the names of potential jurors with a view to trying to ascertain information about the likely attitude, bias and view that such persons may have. In those days, it was not considered likely that any interference or improper conduct directed to those persons would arise. Nevertheless, times have changed, and we now see in this bill that a juror's address is to be limited to a locality address, that is, an address as defined as the suburb or town. With respect to the city that I represent, one assumes that all of the persons on the list would be likely to be described as residing in Toowoomba, and therefore the provision of the locality address would be of little assistance. One would imagine, though, that access to a telephone book or electoral roll would establish the street address of the persons in question.

The selection process for juries contains safeguards as referred to by the previous Attorney-General, Mr Foley, in July 2000 when he said that an accused could not access the list until just before the trial; the list had to be handed back and then destroyed; and the accused could not disclose any information from the list. Mr Foley said that it is a question of trying to protect a person's right to a free trial and, on the other hand, trying to protect against the improper use of information. He believes it is one of those difficult areas where it is a matter of striking a balance. I commend the current Attorney-General for the work done by him and his department in this wide-ranging Criminal Law Amendment Bill.

Mr FENLON (Greenslopes—ALP) (4.05 p.m.): Many of the laws that we pass in this House are introduced in the first place because the world has changed a great deal since the original framework of the law was created. This legislation is no exception, in that many of the changes being introduced take into account the fact that the world has changed in many ways—ways which are impacting on the operation of our justice system. These changes recognise the need to provide further protection for jurors, witnesses and victims of crime. Many of my constituents speak to me frequently about the topics that are the subject of this legislation, especially the Neighbourhood Watch groups in my electorate, which have an intense interest in these matters.

The first major range of changes relates to providing for specific offences for any reprisals against any judicial officer or juror after a proceeding through the courts. These people are at the heart of our judicial system. They are the pillars upon which our judicial system rest. These are very important measures of protection to ensure that those people can act without fear or favour in the execution of their duties. Without that freedom, the system would crumble.

The change in society that needs to be identified here is the fact that many people who are processed through the courts today will stop at nothing to be acquitted, especially if they have the money behind them to do so. Some people are prepared to spend that money—whether it be surreptitiously through the jury selection process or more blatantly through some form of incentive to or intimidation upon jurors—to create a bias.

Ms Keech: Shame!

Mr FENLON: If people go to those lengths, it is indeed something to be ashamed of, because we rely so much on the outcomes of the judicial system. I am reminded not so long ago

in our history of the Bjelke-Petersen perjury trial. We eventually learned of the extraordinary lengths that people went to behind the scenes to go through jury selection. In that case, the party concerned spent a lot of money on that process. History will perhaps examine that set of events appropriately in the future in terms of seeing what really went on behind the scenes. The provisions allow for seven years jail. This is important to create an appropriate balance between the need to keep an openness in the system and the need to provide protection against manipulation. Indeed, the penalties become much more harsh if actual harm does occur.

There is a further protection, upon request, relating to the disclosure of jurors' street addresses. This issue has been raised with me directly in my electorate. It seems there are a lot of people in my electorate who have done jury service. I do not know whether it is an inordinately large number, but many people in my area tell me that they have fulfilled that duty. They have expressed the concern that their personal family details—where they live and so on—can be revealed and can be known by criminals. It is a worry to those people. I hope this provision goes some way to ensuring that those people are further protected.

Another aspect that recognises changes in society and technology is the provision to prohibit jurors from making inquiries about an accused person through the Internet or any other agency or technology. This provision is important simply because those pieces of information are so easily obtained today. Through the Internet people can search for names, events and so on, where they may have a suspicion that an accused person has been involved in something else. That sort of information is very easy to track down if people have a mind to look for it. The principle of a fair trial is a pillar of our legal system. It is important to ensure that an accused, no matter how distasteful the crime they are accused of might be, is afforded this fundamental protection at law. This provides some structure to ensure that occurs. The judge may also give early direction to a jury about the mode by which victims give their evidence. This will assist victims of crime to know early on exactly where they stand. I am sure that provision will be well received by victims of crime.

The area of DNA samples is very interesting. We are putting in place a set of principles relating to the provision of evidentiary certification for DNA samples. This should curb some of the lengths some advocates for accused persons are going to in order to basically trick up the system. In doing so they have been bogging down the courts system in procedure, trying to find some technical error in the process of examining DNA samples. This certification arrangement should result in a smoother process through the courts while maintaining balance—to ensure an accused person has appropriate recourse to challenge if there is seen to be some deficiency in the procedures for processing DNA samples.

I comment briefly on the amendments to the current drug court legislation. This is an extremely important piece of legislation. I was very pleased to have very early experience of the introduction of this legislation in Queensland by travelling to Sydney with the then Attorney-General, Matt Foley, to inspect the drug court and its operation in Sydney. Indeed, that became a model for Queensland's drug court legislation. I am also very pleased to have been at the opening of the drug court at Beenleigh with the Chief Magistrate. I inquired recently of my colleague the member for Woodridge how it is going. I think I can quote her. She said that it is going great guns.

Ms Keech: It certainly is.

Mr FENLON: I take the interjection. I know that my colleagues in that area, who have had more direct experience with the drug court, have great confidence in that particular jurisdiction. They have seen people go through it. I think we need to see only one person recover from the depths of despair and frustration and gain a normal, viable existence to realise the great benefit of that jurisdiction.

The drug court is fulfilling a fundamentally important role—ensuring that people who are addicted to substances find a way through the system and back to society without the blunt and sometimes inappropriate judicial and punitive approach. We really are looking at a combination of approaches—a balance between health measures and the threat and exercise of punitive measures at different times. The drug court is a great venture. It is a very important one. The extension of the drug court trial by 12 months, with an option for a further 12 months, is very heartening. There is also the prospect of it being extended into north Queensland.

I am very concerned about the prospect of the further impact of drugs in this state. This week I asked a question of the Police Minister in relation to reports we are receiving about significant crops of opium in Myanmar and Afghanistan and the prospect that those crops may indeed be coming to Australia, to a neighbourhood near us, in the very near future. This is an alarming

situation. We as members who are dealing with crime on a neighbourhood basis in our electorates know that there has been a decrease in crime in recent years. The research I have done ultimately shows that there is a correlation between the supply of opiates, the level of addiction and consumption and, ultimately, property crime and personal crime in our suburbs. An addict will need to break into a lot of houses to support a $1,000-a-day habit. One does not have to be Einstein to work out that that will result in quite a lot of personal and property crime. A lot of houses will be broken into. That is a terrible cycle that has to be broken.

I hope—I am sure all members in the chamber will join me in this hope—that we will not see another influx of opium related products into Australia, this state or our neighbourhoods in the near future. If that influx does occur we will need a lot more drug courts. That would be a terrible challenge for all of us. I hope it does not occur. On the other hand, if it does, we as a government and as a society need to prepare ourselves to deal with it and to confront it. Under our current system of prohibition of drugs, this is a reality we have to deal with. This form of treatment will need to be well entrenched in the future to confront the problem at source—to confront the treatment of addicts with combination measures relating to punishment and health measures. It really is a health problem when young people particularly become addicted to opiates.

I wish the drug court well. I wish the participants well. I know that the officers of those courts are doing a fantastic job. They have to develop compassion for and empathy with their clients. They also need to assume flexibility in terms of making orders and working very closely with the agencies, social workers and health workers who come through those courts.

I am pleased to see that this legislation also contains a range of other amendments to ensure that prescribed intensive drug rehabilitation orders are appropriately exercised. It is good to see that those reforms are now being put in place. This is a good set of amendments to this very important legislation. I commend the minister for bringing them to the House.

Mrs ATTWOOD (Mount Ommaney—ALP) (4.19 p.m.): It is my pleasure to rise to speak on this very important bill, the Criminal Law Amendment Bill. Some residents of the electorate of Mount Ommaney reside within 800 metres of major custodial facilities and, in particular, the residents of Riverhills take a great interest in all matters relating to criminal law and prison facilities. Some members of this House have heard appalling stories of jurors, witnesses and victims who fear the consequences of alleged criminal perpetrators finding out their personal details. This bill is a proposed mechanism to provide surety and security to those witnesses, jurors and custodial officers who perform their duties as honest citizens by preserving the rule of law within our legal system.

A number of residents in my area have served as jurors, and this is just another example of the community spirit existing in the Mount Ommaney electorate. However, I also know of some people who will not participate in their civic duty for fear of later reprisal, revenge or retaliation by offenders. I am also aware of some victims who live in a constant state of fear that the perpetrators of the crime will suddenly appear and harm them or their families after being released from custody. These people will be able to set their minds at rest that there is now some disincentive for criminals to go after them. Some organisations external to the judicial system have been concerned about these issues. The Victims of Crime organisation has been lobbying for this legislation for some time and will no doubt be pleased to see that its efforts were not in vain.

I commend the Attorney-General and Minister for Justice, the Hon. Rod Welford, for his foresight in managing the drafting of this bill and for his concern for jurors in undertaking and, importantly, following their socially imposed duty. The Minister for Corrective Services and his team of custodial officers have enabled many offenders to raise their self-esteem and retain or develop skills that may be of use when they return to mainstream society. However, some offenders and hardened criminals do attempt to track down those who assisted in their incarceration, and custodial officers, witnesses, victims and jurors should be granted as much protection as possible. As both a member of this House and the Wolston women's and Sir David Longland advisory committees, I extend my appreciation to the dedicated and competent manner in which witnesses, jurors, judicial and custodial officers approach the task of assisting to uphold the rule of law throughout Queensland. I commend the bill to the House.

Ms MALE (Glass House—ALP) (4.22 p.m.): I rise this afternoon to speak to the Criminal Law Amendment Bill 2002 which will effect changes to criminal law to make it more responsive to the needs of those persons who must engage with the criminal justice system. It must always be kept in mind that most of the people involved in the criminal justice system do so quite unwillingly and are sometimes concerned about their safety with regard to the whole proceeding. This

amendment to the Criminal Code will help protect those innocent people involved—the jurors, witnesses and victims—and also extends to their families. Safety is a very important aspect in our community today. Currently, for witnesses or indeed judicial officers no specific offence exists to deal with reprisals after court proceedings. This bill will certainly give them the protection and security they need.

The Beattie Labor government is very grateful to those people who are willing to perform their civic duty and we in turn should ensure that they are protected by law against any vengeful acts. New sections 119A and 119B create a new offence with a penalty of up to seven years—as it should—because any sort of revenge taken on jurors or witnesses strikes at the heart of our justice system and our belief in a fair trial. It should also be noted that New South Wales amended its acts in 1995. It is good to see that we have caught up and will be amending our act.

I want to speak very briefly on several of the amendments, the first being the amendment to the Jury Act 1995. I am particularly thrilled to see this amendment, because it goes a lot further towards protecting the privacy of jurors. Currently, they have their name, address and occupation listed. This amendment means that the jury list will show their name and suburb. I still have some concerns about their name and suburb being listed. Let us look at other jurisdictions in Australia. New South Wales, for example, provides an identification number and that is all that is seen in the court. Victoria has a more complex system that can include anything up to the name, address, date of birth and occupation, so it goes the other way. Western Australia uses a number ID system as well and the Northern Territory provides the name and a description but not the address.

When we look at the availability of information out there that identifies people—the telephone address system, the electoral roll and all the rest of it—I do not think we could say that anyone is particularly anonymous any more. Our availability to use the Internet and the fact that even the White Pages is on the Internet makes it very easy for someone to track people down. I would hope that some time in the future we could make the jury system even more anonymous than it is presently to ensure that we protect all jurors, because they are doing jury duty as a civic duty as part of the community. They should be not only commended but also protected for that. I for one am still waiting to be called up for jury duty even though I am 36.

Government members interjected.

Ms MALE: Not now but previously. When my time in here ends, I hope that I will eventually get the chance to perform my civic duty as well.

Mr Choi: Very honourable.

Ms MALE: I thank the member for Capalaba very much. I appreciate his comments.

I also want to talk briefly on the amendment that prohibits jurors from making inquiries about the accused during a trial. We have seen the various web sites, but there is no sworn evidence. It is just dubious claims made by someone who may or may not have a vendetta. There have been cases in Brisbane where information has been circulated in suburbs about particular people on trial and the veracity of that information is yet to be clarified. We need to ensure that the accused has the chance to a fair trial so that justice is not only done but also seen to be done. I commend the Attorney-General for putting that provision in the bill.

I now turn very briefly to the amendments to the stock theft provisions contained in the Criminal Law Amendment Bill. Historically, we have taken stock offences very seriously. Coming from a farming community, I can understand how important it is. As members in the House would know, I grew up on a chicken farm, but there was not too much chicken rustling in my area. I am not taking this lightly, because it is a very serious problem in the farming community. The Parliamentary Library says that this problem equates to well over $2 million per year. As the member for Southern Downs stated, it is a much greater problem than that. We need to ensure that amendments are in place so that it is treated as seriously as it should be.

I note that the imprisonment rate goes from one year to five years for serious offences of stock theft and the maximum fine for not just stealing of stock but the changing of brands—which seems to be quite an easy thing to do—is increased to $50,000. That is a very worthwhile amendment and I am sure that the rural community will be supportive of it. When one looks at the Queensland crest one will see that two of the items contained in it—sheep and cattle—are part of our history. They are part of what we have built this country on. This is just another way of ensuring that that farming ability continues into the future and that farmers' livelihoods are protected.

I admit that there are difficulties with the policing of stock theft. Just the pure vastness of Queensland makes it difficult, as does the number of stock inspectors. I have read a little about tagging systems, but they do not necessarily seem to be a cost-effective measure at the moment. Hopefully the price will come down so that farmers do have the option of being able to tag stock effectively so that brands cannot be changed and their stock can be traced from birth right through to the abattoir and selling process. With those few words, I commend the bill to the House.

Mr FLYNN (Lockyer—ONP) (4.30 p.m.) I rise to speak to the Criminal Law Amendment Bill 2002. I support this bill almost in its entirety. Some of these amendments are long overdue. As a sideline, I take exception to section 18, which permits a judge to request a report on whether an offender is incapable of exercising proper control over his sexual instincts. Quite frankly, I find it hard to accept that society finds failing to control these instincts when exercised in an aggressive manner any more excusable than domestic violence—there is no excuse. Do not employ dual standards. We must recognise that there are some fairly predatory members of the opposite sex out there as well.

Whilst I accept that our present laws require that jurors remain unaware of previous convictions, the creation of an offence relating to jurors accessing relevant sites may be unpoliceable without jury lockdown. The proposed amendment to the Bail Act empowering a police officer to issue a notice to appear as an alternative to bail may on the face of it seem useful; however, it is important to remember that failing to appear in court in answer to such a notice is not an offence. A warrant is subsequently issued by a court to bring the offender to court, and it is a machinery process only. The offender will not be charged with failing to appear, and this is the primary reason why many police seem reluctant to use notices as opposed to arrest, charge and bail. In these circumstances, the offenders know the law fairly well and care nothing for the inconvenience and cost to the public purse.

The offences of threatening jurors and others after trial are admirable, but the provision that the juror's street address need not be included will not prevent an offender in possession of a name and a suburb and who has access to a PC from locating the people we wish to protect. The amendment to the Police (Powers and Responsibilities) Act 2000 mentions again that a notice to appear as a criminal to proceedings is equivalent to complaint and summons. Yes, but no, because I remind the House that, although the intent is the same, failing to appear in answer to a notice to appear is not an offence in itself. In general I support the thrust of this bill, but these are my reservations.

Mr CHOI (Capalaba—ALP) (4.33 p.m.): I also rise with pleasure to support the Criminal Law Amendment Bill 2002. The bill amends quite a few pieces of legislation, such as the Criminal Code, the Penalties and Sentences Act, the Evidence Act, the Justice Act and the Bail Act. The amendment bill seeks to improve the responsiveness of the criminal justice system to the needs of Queensland jurors, witnesses and people who suffer as a consequence of crime. There are many aspects of this bill, one being the need to address the safety concerns of persons, particularly witnesses and jurors, who participate in the criminal justice system. It has been said that safety is a prime concern of most Queenslanders, in fact, most Australians. Human beings have three basic needs: food, shelter and security—and in that order as well. Safety is definitely a prime concern.

Of course, there is the occasional horror story, but on the whole I believe most Queenslanders feel very safe in their environment. It is hard to imagine what it would be like to be stalked, blackmailed or to have our life threatened. It would be terrible, yet every day in Queensland a number of nervous people, young and old, arrive at the Law Courts in George Street for jury duty and expose themselves to such risk. Every day, brave witnesses and victims of crime come forward to fight for what is fair and right. As a government, it is our job to protect them and to make sure they feel safe. Today I congratulate the minister and his department for doing just that. Under the existing legislation there is no specific offence that deals with people who take revenge or make reprisals against witnesses after a court proceeding. There is no protection for judicial officers against any revenge or reprisal at all. In Queensland, matters about juries are regulated under the Jury Act 1995. As part of the act, the sheriff is required to prepare lists of the persons who have been summonsed for jury service. The list must contain the name, address and occupation of each person. If a request is made by a party, a lawyer or other person representing a party, the sheriff is required to give the requester a copy of the list of prospective jurors and indicate which of those persons on the list have been instructed to attend on the next day. This will allow the party, lawyer or other representative of a party to determine the pool of

people from which juries will be selected the next day. The provision of the jury list, which contains the name, address and occupation of each juror, is also authorised to be given to the judge's associate or clerk.

Recently, jurors in Queensland and elsewhere have complained about the disclosure of their identity in the jury list or court records and the possible ramifications of such disclosure in terms of their privacy and security, particularly where that disclosure is to an accused person. Understandably, the disclosure of this information to an accused person would make a person selected for jury duty feel extremely vulnerable and unsafe. The changes to this bill acknowledge the importance of keeping juries safe and also address the issue of the right of the accused's representatives to have sufficient information to challenge a juror. Changes to the bill achieve this balance by showing the juror's suburb or town rather than their actual address. The bill also addresses concerns in regard to the lack of a deterrent to discourage offensive behaviour towards jurors. The bill addresses those concerns by providing for a maximum penalty of seven years imprisonment for anyone convicted of doing, or of threatening to do, any injury of detriment to jurors. In addition to this penalty, if even actual physical or emotional harm is caused, the current provisions of the Criminal Code will be utilised to the full extent to seek justice.

I applaud the Beattie Labor government for standing up for the rights of the people of Queensland, for being a smart government and for protecting the sanctuary of the criminal justice system in our state. I commend this bill to the House.

Ms KEECH (Albert—ALP) (4.37 p.m.): In rising to support the Criminal Law Amendment Bill 2002 I shall refer to just a few of the provisions. At present, witnesses and jurors involved in a court proceeding have the support of the Criminal Code in terms of their protection; however, at present, after a court proceeding there is no provision which protects witnesses and jurors. We have often seen in the media, both in Australia and overseas, examples of revengeful acts against witnesses, jurors or judiciary officers by people who feel they have been misjudged. In fact, there has been a lot of community concern about this revenge. Therefore, I am happy that the provisions of this bill do address this issue. It certainly takes a lot of courage to come forward as a witness. In my electorate people have been witness to a minor crime and would like to report it, but are fearful of going to the police.

Community responsibility also requires action to respond to the call to be a juror. Often it is easy to be able to get out of being called up, whether for work or other reasons. Certainly, it takes a great deal of responsibility to respond to that civic duty to be called up to be a juror. For this reason alone, whether they are witnesses or jurors, people should feel confident that they will be protected by the full force of the law during and after court proceedings. I strongly support the provision to protect jurors that amends the requirements for jurors' addresses to be recorded on jury lists. The amendment requires that only a potential juror's suburb or town but not their street address be put on the list. However, I join with the member for Glass House in that the provisions at present do not go far enough. I look forward to a situation where eventually jurors are identified only by a number or perhaps a letter.

I now turn to a further provision of the bill relating to drug courts. The pilot program operates in Ipswich, Southport and, I am very happy to say, the Beenleigh Magistrates Court as well. As part of the Beattie government's comprehensive whole-of-government approach to drug use, the drug court trial commenced in June 2000. This was a new approach to breaking the cycle of drug addiction and crime. The innovative program marked a comprehensive shift in terms of how the Queensland criminal system deals with drug-related crime.

The drug court at Beenleigh has been incredibly successful in helping people who have been charged with minor drug offences to be rehabilitated. The court enables drug-addicted offenders to be diverted from the jail system into a tough, intensive rehabilitation program. Strict eligibility criteria apply and offenders are carefully monitored. If they breach a rehabilitation order, it is likely that they will find themselves in jail. Earlier I was pleased to hear the member for Greenslopes speak about the success of the drug courts. The court at Beenleigh has wide community support among the people of Albert. The whole community takes a keen interest in the court's outcomes. The graduation of each group is met with much rejoicing by their families. Graduates who are successful in meeting the conditions of rehabilitation, instead of receiving a jail sentence, have every reason to be proud of the discipline that they have displayed.

The drug courts were introduced as a pilot for 30 months, which expires in December 2002. I am happy—and I know that the shadow attorney-general, the member for Southern Downs, is also happy—that this bill extends the operation of the drug courts for a further 12 months with an option for a further 12 month extension. With respect to these provisions and others contained in

the Criminal Law Amendment Bill, I commend the Attorney-General. I commend the bill to the House.

Mrs LIZ CUNNINGHAM (Gladstone—Ind) (4.41 p.m.): In rising to speak to this legislation, I also put on the record the appreciation of many in the community for the additional protection that will be afforded by this bill to those in our community who either come forward voluntarily as witnesses or who, because of the compelling nature of our legislation, fulfil their obligation as jurors. Every person in our community, barring those who have exemptions under the act, is required to make themselves available for jury duty if they are called. When I read this part of the bill, my immediate thought was of the Mafia in America making subtle but nonetheless menacing threats to people who had been empanelled on a jury and, in some instances, particularly in American movies, carrying out those threats. To a lesser extent, that same sort of menace could be perpetrated against our jurors in Queensland.

The current system was predicated—and this is my conjecture—on the fact that it was expected that the majority of people would be represented in court by a solicitor, a lawyer or someone similar and that the actual perpetrator would not have access to the jury list, particularly to identifying information of potential jurors, including addresses. The reality is that a number of people now represent themselves. That means that the perpetrator has a list of potential jurors, their residential addresses and other identifying particulars. The member for Albert suggested identifying jurors just with a number or a letter. I am not sure how that would go. My understanding is that the object has always been to strike a balance between the rights of jurors to be protected and the expectation of those who are accused that the jury that is empanelled is as objective as possible, hence the process prior to a jury being empanelled. However, it is a fair expectation that those people who eventually are chosen to sit as the jury at criminal trials can be protected. I believe that the step that the Attorney-General is taking in this legislation is very good in that it does not remove the opportunity for the accused person to expect that the people who are finally chosen as the jury have no predisposition or any other attitudes that would be detrimental to that accused person getting fair justice. But as I said, it is also important to ensure that those juries and witnesses can be sure that not only at the time of the trial but also subsequent to the trial they have protection at law against retribution.

I notice, too, in this legislation there is recognition of the fact that the stealing of cattle, the altering of brands or the removal of brands is as much a case of stealing as is the theft of any other asset. For a person on a cattle property, cattle are their livelihood. The items that they buy and sell are the cattle that they run. Therefore, on the behalf of the rural industry in my electorate and right across Queensland, I commend the fact that it is recognised in this legislation and in the amendments proposed that the theft of stock has no less an impact on a farmer as the stealing of goods at a store or any other commercial outlet has on a proprietor.

The additional tests that have been put in place with regard to post-prison community based release orders are welcomed by my community. I believe that there remains—and should remain, too—an expectation on the part of the vast majority of people in the community that no person who has been found guilty of an offence that requires a custodial sentence will be released into the community until they reach the point where they are judged not to be an unacceptable risk to the people in the community. When it comes to post-prison community based release orders, an additional test is put in place to which the Queensland Parole Board must have regard. Those orders have been very positive for people who genuinely have remorse for their actions. Their reintroduction into the community is a positive thing and they do not have any intention to commit any more acts against the community. I welcome that new test that has been placed in the legislation, that is, that the board must be satisfied that the detainee does not represent an unacceptable risk to the safety of others. I believe that it would be the expectation of all people in the community that that was the test that was applied already.

I turn now to the changes in the bill that relate to the certification of DNA evidence. DNA evidence is relatively new. I have a deep-seated concern that at some time in the future it will be found that, despite our expectations and the excitement of the legal fraternity and the medical fraternity that DNA is such a positive identifier—that there is no risk at all—my concern remains that there is some sort of weakness in the evidentiary provisions. I hope that I am proven wrong, but I have that concern. I look forward to a review of these changes in terms of the certification at some time in the future so that the Attorney-General can assure the community that the process is flawless, that there is no opportunity for the DNA information to be either intentionally or unintentionally altered.

Mr Welford: I think I can explain that to you.

Mrs LIZ CUNNINGHAM: I look forward to that information. The community relies very heavily on our criminal law not only for their protection but also for their sense of safety. Any changes that governments can make to the law to reinforce people's sense of security, people's sense of safety and people's sense of confidence is to be welcomed. I look forward to the implementation of the provisions of this bill and the added safety of our community.

Mr CUMMINS (Kawana—ALP) (4.50 p.m.): I rise to speak on the Criminal Law Amendment Bill 2002. The purpose of this bill is to effect changes to the criminal law to improve the responsiveness of the criminal justice system to the needs of our citizens, particularly jurors, witnesses and victims of crime. Jury duty and being involved in court proceedings is not, in my opinion, similar to LA Law or any other TV lawyer show. The Criminal Code contains provisions which protect witnesses, before and during a civil or criminal proceeding, and jurors, after the conclusion of judicial proceedings. Often it is a harrowing experience for jurors or witnesses to go through the system and do their part for society in recognising wrongs which have been done by certain elements of our community. We need to do everything we can to make sure we protect people who stand up to ensure that wrongs are righted.

There is no specific offence dealing with people who take revenge on or reprisals against witnesses after a proceeding because of what a witness has said or done. There is also no protection for judicial officers against revenge or reprisals. This bill addresses community concerns about the lack of protection afforded to witnesses, jurors and judicial officers after that person has exercised his or her function or duty.

The Beattie Labor government believes that people who are good enough to come forward to give evidence as witnesses or to perform their civic duty as jurors should have the full protection of the criminal law against any vengeful attacks. Judicial officers must also be protected from those who would target them for vengeance because of what they have lawfully done in their capacity as a judicial officer. Anyone convicted of doing or threatening to do any injury or detriment to such a person or their family should be harshly dealt with because this behaviour strikes at the heart of both the civil and criminal justice systems. This is reflected right across the community.

The bill provides for a maximum penalty of seven years imprisonment for these offences. Currently, the street address of a juror is recorded on a jury list. Jurors have raised concerns about the disclosure of their addresses, especially where the list is made available to accused persons who are not represented by lawyers. The proposed amendment to section 37 balances the acknowledged importance of a juror's occupation and residential area for informing challenges to jurors with the right of a juror to feel that their privacy is protected. The amendment reaches an acceptable compromise by requiring the disclosure of a potential juror's suburb or town but not their street address.

The Drug Rehabilitation (Court Diversion) Act 2000 established a drug court pilot program which operates at the Beenleigh, Ipswich and Southport Magistrates Courts. The minister is aware of my support for a similar program possibly being established on the Sunshine Coast. The drug rehabilitation legislation expires 30 months after commencement in December 2002. However, the government is committed to running a drug court pilot in north Queensland, to be implemented this year. Consequently, this bill extends the operation of the legislation for 12 months, with the option for an extension for a further 12 months by regulation. The amendments also provide for an extended regulation-making power to enable many of the procedures of the drug court to be set out in regulation.

Amendments to the eligibility criteria require that before the making of an intensive drug rehabilitation order, the pilot program magistrate must be satisfied that the maximum number of prescribed intensive drug rehabilitation orders have not been exceeded. This will ensure that sufficient rehabilitation facilities are available for all drug court participants. Technical amendments are also made to the legislation to clarify the procedures for terminating an order and for entering information into the database.

I commend the minister and the department for bringing forward this legislation, which will ensure that workers, jurors and witnesses in court proceedings not only feel much safer but are protected in a far better way. Therefore, I commend the bill to the House.

Mrs CROFT (Broadwater—ALP) (4.53 p.m.): I rise to speak in support of the Criminal Law Amendment Bill 2002. This bill contains a number of different initiatives grouped around the following themes: improving the responsiveness of the criminal justice system to the needs of stakeholders, including jurors, witnesses and offenders; improving the efficiency of the criminal

justice system; and addressing the anomalies which have been identified in drafting and expression.

Section 119D of the Criminal Code—retaliation against judicial officer, juror, witness or family—addresses community concerns about the potential vulnerability of witnesses, jurors and judicial officers involved in the administration of justice to acts and threats amounting to vengeance or reprisal. The rationale behind the creation of the offence is that people who are good enough to come forward to give evidence, provide information to authorities or do their civic duty as jurors should have the full protection of the criminal law from any vengeful acts against them or their family for their lawful actions as witnesses or jurors in judicial hearings. It is also important for the integrity of the judicial system that judicial officers are protected from those who would target them for vengeance because of their lawful actions in their capacity as judicial officers.

The new offence makes it a crime punishable by seven years imprisonment for a person, without reasonable cause, to cause or threaten to cause any injury or detriment to a judicial officer, juror or witness, or to a member of the family of a judicial officer, juror or witness because of anything lawfully done by the judicial officer as a judicial officer, or a juror or witness in a judicial proceeding.

This bill also contains amendments to the Jury Act 1995. Jury lists are distributed to lawyers and self-represented accused before a trial to inform challenges to a jury. Lists currently contain names, street addresses and occupations of all persons on the panel. These lists are collected after a jury is empanelled by the judge's associate. However, jurors have expressed concerns about their privacy. The amendment to the Jury Act 1995 changes the definition from 'address' to 'locality address', which is defined as the suburb or town.

Jurors will also be prohibited from making inquiries, especially on the Internet, while they are empanelled on a jury. The prohibition ends when the juror is discharged. A person accused of a criminal offence should be tried on the sworn evidence in a courtroom, not on the contents of a dubiously researched web site.

The DNA evidentiary certificate introduced in section 95A of the Evidence Act 1977 will enable the technical aspects of testing and continuity of DNA samples to be provided by certificate. All records of the testing will be disclosed to the defence. The forensic analyst who makes the DNA comparison will still be called to give evidence and to be cross-examined.

I wish to speak briefly about the amendments within this bill in regard to stock theft. The offence of stock stealing is a serious offence. It affects an individual stock owner, often depriving him or her of the benefit of their hard work, and it also has the capacity to endanger the entire Queensland stock industry by undermining disease prevention work that is dependent on appropriate livestock identification systems.

This bill increases the penalty for stock stealing and related offences. The amendments make it clear that stock stealing attracts the same sentence as other aggravated stealing offences—10 years imprisonment—when the value of the stock stolen is over $5,000. The maximum fine for stock related offences has been increased to $50,000.

Through the amendments in this bill, more sentencing options will be available to the court by allowing 12 months imprisonment to be combined with three years probation. Review times for intermediate sentences where the nominal sentence is life imprisonment are increased to 15 years and 20 years. This is consistent with the current parole eligibility times for prisoners serving life imprisonment.

Amendments to the suspended sentence provisions will allow the court to reimpose an operational period when a suspended sentence is finished. Where an offender is found to have breached the sentence, the court can reimpose an operational period. The court already has the option of sending these offenders to jail for all or part of the term of a suspended sentence.

Magistrates have the power to make binding pretrial and precommittal directions under section 83A of the Justices Act 1886. At the outset, victims can now find out how they will give their evidence; for example, by closed circuit television or protected by a screen. They do not have to wait until the day of the hearing for the magistrate to decide. This will mean that months of anxiety can be averted. Other directions can be made about the production of witness statements. Magistrates will be able to excuse legally represented accused from attending courts for administrative mentions. This replicates their position in the higher courts and should reduce the number of bench warrants issued when people simply overlook their court dates.

Further under the Magistrates Court reforms in this bill, police who can grant bail in the watch-house will now have the power to substitute notices to appear if they believe this is appropriate. Many persons are arrested initially because of their condition. For example, they may be intoxicated. However, when they sober up a notice to appear in court is a more appropriate means to get the person to attend court. A breach of bail is an extremely serious offence and any imprisonment must be served cumulative to other offences. That may cause a person to serve more time in custody than the original offence would have brought.

I congratulate the minister on being wonderfully supportive and consultative, and I commend the bill to the House.

Mr WILSON (Ferny Grove—ALP) (5.00 p.m.): It is my pleasure to speak in support of the Criminal Law Amendment Bill 2002. I endorse the extensive comments made by the minister in his second reading speech. This amendment bill covers a whole range of matters. I wish to focus particularly on the area of support for victims of crime, in which I have a particular interest. I note that clause 57 of the amendment bill inserts a new provision, section 83A, which provides for directions that may be given by a magistrate under the Justices Act 1886.

In 1997 amendments were made to the Criminal Code applying to judges of the District Court and Supreme Court empowering them to make binding pre-trial rulings through the facility of a directions hearing. Through an amendment to the Justices Act via this amending bill, power is given to magistrates of the same order. This power will particularly assist victims and witnesses of crime. Until now, arrangements as to how a victim would give evidence—for example, by closed-circuit television—could not be finalised until the day of the committal hearing. The bill allows magistrates to make early rulings on these questions, saving victims weeks and possibly months of anxiety and uncertainty.

This is a significant addition to the existing substantial body of law supporting victims of crime. However, it has not always been that way. Over the last 15 to 20 years there has been a gradual development of what is now, as I said, a substantial body of law supporting victims of crime. There have been some significant developments over that period.

Some time ago I had the benefit of a long conversation with a constituent of mine, Mr Peter Wilson, who is now a counsellor in private practice and who spent many years working with the Victims of Crime Association. He was able to enlighten me on the development of initiatives supporting victims of crime in Queensland and the role of the Victims of Crime Association. In an endeavour to continue the education he initiated, I have made additional inquiries on the history of this area of law. I acknowledge the assistance of the Parliamentary Library in this regard.

As I said, it is only a short 15 years to 20 years ago that there was very little support for victims of crime. The United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power provides a guide to the rights that member nations have accepted that all victims of crime should be entitled to. The declaration was passed by the UN General Assembly in resolution 40/34 on 29 November 1985. While such votes are not binding on member nations, such as Australia, the UN hopes that such resolutions will encourage individual nations to take action. The Queensland government announced its adoption of a Declaration of the Rights of Victims of Crime in Queensland on 19 April 1989, stating that it was a comprehensive policy to be implemented by all agencies of the Queensland government.

The Queensland charter included principles 16 and 17 that gave a victim of crime the right of access to certain information about an offender upon request, including the outcome of any parole proceedings involving the offender and of the offender's impending release from custody where they were convicted of an offence involving personal violence, a sexual crime where imprisonment was for longer than 12 months or where a court order had been made for the protection of that person. Since that time, successive Queensland governments have expanded on these rights and have provided additional administrative and legislative supports in recognition of victims of crime, most notably with the passage of the Criminal Offences Victims Act 1995 under the Goss Labor government.

Under that act a victim is a person who has suffered harm as a result of a violation of the state's criminal law—for example, where violence has been committed against that person directly or against a member of his or her immediate family, or where he or she has directly suffered harm in intervening to help another victim of crime. The act states that a victim of crime should be treated with courtesy, compassion and respect for personal dignity and in a way that is responsive to age, gender, ethnic, cultural and linguistic differences, disability or other special need. The act

is designed to ensure that victims of crime do not suffer any further anguish or feelings of violation from proceedings associated with the reporting of an offence.

Under that act a victim of crime has the right to have a say in the criminal justice process by making a victim impact statement and to be given certain information about the process and their case. These rights start when the victim reports the crime to police and continues during the police investigation all the way to the trial or sentence hearing. At the sentencing of an offender for a crime, victims of that violent crime have the right to tell the judge or magistrate how the crime has affected their lives by electing to make a victim impact statement which may be read by or to the court before sentence is passed.

Criminal injury compensation is compensation for the injury sustained by victims of crime as a result of a personal indictable offence, that is, violence committed directly against the victim. This is also legislation that augments the rights of victims of crime. Criminal injury compensation was first introduced in Queensland in 1969. Compensation is recoverable under either the Criminal Code or the Victims of Crime Act.

One recognised right of a victim of crime is that they should be able to access information about an offender's progress through the correctional system, especially in regard to the release of that offender back into the community. Since September 1997 the Queensland Corrective Services Commission has maintained a Concerned Persons Register which allows certain victims of crime access to this type of information. The register acts as an automatic alert system notifying the commission of certain events as they occur during an offender's term so that the commission can then inform the registered concerned persons.

A primary victim is usually the person who has directly suffered harm because of a violation of the state's criminal laws. In Queensland the legislation also covers certain secondary victims. Here the members of a primary victim's family or a dependant of the primary victim can also access the information on the register, as can any person who has suffered harm because they have assisted the primary victim as they also fall within the definition of a 'victim' for the purposes of the Criminal Offence Victims Act, or COVA.

The act allows registered concerned persons to have access to information about the prisoner's current location, their security classification, whether they have been transferred between Corrective Services facilities, their eligibility dates for discharge or release, the date of discharge or release, the results of the prisoner's application for post-prison community based release orders, and the death or escape of or other exceptional events relating to the prisoner.

The Director of Public Prosecutions has a victim support unit, which is also a very progressive element of this total package of assistance. After the passage of COVA in late 1995, the DPP received additional funding to meet its obligation of providing information and support to victims of crime. Previously there was only limited assistance. In January 1997 the DPP amalgamated its victim services unit into the Victim Support Service, which continues today to give support and information to victims of violent crime regarding the trial process, the role of the courts and so on.

I want to conclude by making a couple of comments about the Victims of Crime Association, whose primary objective is to support the crime victim and their family through the initial process and then afterwards until they reach a level of self-sufficiency. The first office was opened on 1 August 1988 in Brisbane, but the service's base has since increased to include eight regional offices in Bundaberg, Gympie, Mackay, Maroochydore, Rockhampton, Toowoomba, Townsville and Torquay. The association provides a free 24-hour telephone support service, professional counselling, peer support groups, court support, crime scene clean-ups, advocacy information and referrals. By 1999 the Queensland government's funding to the Victims of Crime Association had reached quite significant proportions.

That brief survey of the history of legislation in this area tells its own story. I am delighted to be able to support this amending legislation introducing yet another element to this important body of law. I commend the bill to the House.

Mr SEENEY (Callide—NPA) (5.10 p.m.): I am pleased to have the opportunity to make a small contribution to the debate on the Criminal Law Amendment Bill. I support all of the comments made by my colleague the member for Southern Downs about some of the provisions of this bill relating to the use of DNA evidence. Those elements will be further explored at the committee stage of this bill. I want to make a small contribution regarding the elements of the bill that deal with the penalties for stock theft.

The information available on this bill released by the Queensland Parliamentary Library says that the bill contains provisions that increase the maximum penalties for livestock theft and related

offences, and those increases will result in Queensland having some of the strongest penalties for livestock offences in Australia. I support the moves that have been made by the government to increase the penalties for stock stealing. It is interesting to cast our minds back to previous debates in this place and reflect on how those moves came about. While I certainly acknowledge that the increases in penalties for people convicted of stock stealing are a step in the right direction, many other elements are involved in ensuring that the Queensland government does all it can, through the Police Service, to reduce the scourge of stock theft.

In early April 2001, I asked a series of questions of the then Police Minister in regard to the performance of the Stock Squad within the Queensland Police Service. It was particularly disconcerting to discover through the reply to those questions that the Stock Squad within the Queensland Police Service was made up of 18 operational positions, of which nine were vacant as at April 2001. Almost half of the positions within the Stock Squad were vacant at that time. I then asked a series of questions about the clear-up and conviction rates that the Stock Squad was able to achieve. In reply to that question, the Police Minister informed the parliament that the average clear-up rate for investigations into cattle theft for that year was five per cent—just five per cent—and over the last three years had averaged just 14 per cent.

It behoves us to reflect on those figures before we get too carried away in talking about the effects that these increased penalties will have. While increased penalties are a step in the right direction, while it is only right that we should have increased penalties, we also have to make sure that enough resources are allocated to the Stock Squad to ensure that there is a reasonable clear-up rate of stock stealing offences. Nobody could argue that five per cent—or even 14 per cent, which was the long-term average at that time—could be considered to be an appropriate clear-up rate for any offence, and certainly not for the offence of stock stealing.

I acknowledge that in the time that has elapsed since then, efforts have been made by the Police Minister to boost the resources available to the Stock Squad and to ensure that training is available to officers allocated to the squad. But the point needs to be made that never again should we let the Stock Squad run down to the point at which it was in April 2001. It is simply unacceptable in any sphere of crime to have clear-up rates of five per cent as a statistic for any given year.

Stock theft has tended to be romanticised at times in our history. There are stories and anecdotes which add to that culture of romanticism. However, it needs to be realised that the whole business of agriculture has changed enormously. As so many of us know, it is now a very finely balanced business. For any business to lose through theft a significant proportion of its production can be particularly devastating. That is what stock theft is. It is stealing the productive result of a person's business. It can be particularly devastating to people who are victims of stock theft because they have incurred all of the costs—and they are very significant costs nowadays—to produce animals, only to have them stolen. It can be a major financial impact on their business.

Over the years, there has always been a problem in proving stock theft. It has been very difficult for prosecutors to secure convictions for stock theft for a range of reasons, many of which relate to the nature of what is being stolen and the problems of identification. The member for Toowoomba North spoke at some length about the innovations currently being adopted by the cattle industry in terms of electronic identification systems. I hope that those electronic identification systems will be a step in the right direction towards making it more difficult for people to steal stock in the way that they have in the past.

There is a whole series of scenarios in which people steal stock. One particular safeguard will not work in all of those situations. I guess the most devastating from a producer's point of view is to have cattle that are ready for market be stolen and marketed by somebody else. That is probably the easiest offence to detect and it is probably the easiest on which to secure a conviction, so long as the cattle are identified at the point of marketing. Currently that can be done by recording the brands that cattle carry. In the case of electronic identification techniques, every beast that is slaughtered or marketed under that system will be recorded in a database. Given the ability to trace individual animals in a database, it will be particularly difficult to steal and market somebody else's cattle that are identified using that technology. Unfortunately, however, to obtain a conviction in other cases is not quite as easy. In the case in which cattle are stolen and not directly marketed, it is not nearly as easy to obtain a conviction.

I believe that the government must continue to seek to improve the administration of law in this area, particularly in regard to the provision of evidence in court cases. There are a number of instances of which I am aware—and I know that the Police Minister would be aware of them, and

I hope the Attorney-General is also aware of them—where court cases that involve charges of stock theft have dragged on for considerable periods. We are talking a number of years. The cattle that represent evidence in those cases have had to be held in order that they can be furnished as evidence in the court case. That presents particular difficulties because we are dealing with a group of live animals that have an ongoing requirement for food and water. There needs to be a better way to present that evidence to the legal system than that which is currently adopted. It is certainly detrimental to people who are trying to achieve a prosecution in cases where stock theft is suspected.

Because of the difficulty in obtaining those prosecutions, the industry generally and I in particular welcome the increases in the penalties that are part of this bill. I know that those increases have been criticised in some spheres. Some people in the urban media have expressed concern at the level of penalties and have made comparisons to other types of theft. I say to them that this initiative has certainly been welcomed in the rural community. It has certainly been welcomed by those who know just how devastating stock theft can be for particular businesses. It has certainly been welcomed by those people who know just how difficult it can be to, first, trace stock that has been stolen and, second, obtain a conviction.

I am one of those who believes that penalties certainly have an influence on people who are considering committing crimes such as this.

Mr Lawlor: A deterrent effect.

Mr SEENEY: A deterrent effect. That was the term I was looking for. I thank the member for Southport. I am certainly one who believes that increased penalties have a deterrent effect. I have heard members on the other side of the House argue that increased penalties in other situations do not have a deterrent effect. Particularly in instances such as this—no-one could argue that this type of crime is done without thought and without planning—increased penalties certainly do have a deterrent effect. It is not a spur of the moment thing to steal a number of cattle. Increased penalties certainly do have a deterrent effect when they are implemented properly and when people are aware of the penalties involved for this particular type of crime. I certainly welcome the inclusion of the increases in those penalties in this legislation.

I welcome the moves that have been made by the Police Minister and the government in response to the concerns raised about the Stock Squad within the Queensland Police Service. They can be assured that we will continue to monitor the activities of the Stock Squad. We will continue to monitor the implementation of these increased penalties right around the state to ensure that everything that possibly can be done is being done to deter people from committing this abominable crime that does strike at the heart of people's businesses. I welcome the opportunity to make those comments about this legislation.

Mr NEIL ROBERTS (Nudgee—ALP) (5.22 p.m.): I am pleased to support the Criminal Law Amendment Bill, which has as its principal objective to make the criminal justice system more responsive to the needs of the public, particularly jurors, witnesses and victims of crime. I will talk about two issues in the bill. The first relates to reprisals taken against jurors involved in proceedings. The second relates to the provisions which restrict jurors from making criminal history checks of an accused during the trial process.

The taking of reprisals against jurors, witnesses or judicial officers at any time before, during or after a proceeding is an intolerable crime. It is one in which the current law is somewhat deficient in that there is no specific offence dealing with people who take that revenge or make reprisals after a trial, whereas the law does provide protection to witnesses and others before and during a trial. The bill addresses that deficiency and will provide additional protections to witnesses, jurors and judicial officers after they have performed their public duties in a trial or proceeding.

To most of us it is absolutely astounding, and in fact beyond comprehension, the lengths to which some people will go to interfere in the judicial process, particularly by threatening or intimidating witnesses or others who are involved. It is a crime that really strikes at the heart of our democracy and our justice system. Unfortunately, it happens more regularly than we would like to think.

To illustrate, there was a case recently in my electorate whereby a constituent alleged an assault by a person who lived reasonably nearby to him. He lodged a complaint with the police. The police investigated the complaint and issued a notice to appear on the alleged offender. A few days before the matter was due to go to court, one of the alleged offenders appeared on my constituent's front door in the early evening and made a series of very intimidating threats against

him and suggested that if the matter did proceed to court he would receive a visit from some unsavoury characters in the near future. Obviously my constituent was exceptionally fearful, not just for his own safety but also for the safety of his family. Thankfully in this instance the police did respond appropriately, and the latest advice I have from my constituent is that he was satisfied with the police response.

I put that on the record as an illustration of the type of activity we are dealing with here—one which, as I have said, unfortunately occurs at all stages of trials and proceedings. It is one that cannot be tolerated. It needs to be harshly dealt with. This bill in fact introduces a new penalty of up to seven years imprisonment for the new and additional offence of threatening or intimidating witnesses, jurors and judicial officers. Hopefully that will complete the cycle of protection that is required for all people involved in the trial process, particularly jurors, witnesses and judicial officers.

The other issue I wish to comment on relates to the provisions which will restrict jurors from making inquiries about the criminal history of an accused. One of the basic principles of our justice system is that the criminal history of an accused is not revealed to the jury except in special circumstances relating to the relevance of the particular matter at hand. There are some issues in that regard outlined in section 15 of the Evidence Act.

As I understand it, the criminal history of a person who is found guilty is known to the judge to assist with sentencing but is not available to jurors except, as I have said, in special circumstances. I am not completely au fait with all of the legal principles surrounding that matter, but I do accept that the fact that a person, for example, is charged with and convicted of 20 break and enter offences does not necessarily, of itself, mean that that person is guilty of a 21st offence.

People are entitled to a fair trial based on the facts and evidence presented in a case. It is important, therefore, to ensure that jurors are able to determine cases on the facts and evidence that are legitimately and appropriately placed before a court. Therefore, it is appropriate, and in fact important, to restrict access to sources of information which specifically set out to provide public information about offences committed by particular individuals.

In my mind there is no doubt that access to such information about a person's prior criminal history can affect the judgment of many individuals in the community. For instance, if a person has been convicted of the 20 break and enter offences I referred to earlier, for many people it is simply logical and likely that the person is guilty of a 21st offence, but the evidence in a case may not lead to the same conclusion. The foundation of our justice system is that people should be tried on appropriately entered evidence and facts before a jury, hence the danger of the type of information I have referred to. That information is relevant, of course, if it has been appropriately tested by the rules applicable in the court system and allowed to be entered into evidence.

The dangers of this type of information corrupting the court process is further exacerbated if it is not factually based. On the evidence I have seen, the Internet based CrimeNet site fits into this category. CrimeNet gets its information from a range of public records. One of its sources is newspapers and media reports. Unfortunately, there has been a history of reporting, particularly on some criminal matters, where all the facts of a matter or a particular case have not been revealed through media reporting. It is simply not possible to do it. Therefore, if this information is included in a site and is accessed by a juror during a trial, there is a great potential for inaccuracy and bias. Jurors are bound by an oath to make a decision based only on the evidence admitted in a case. If criminal history is relevant according to current court processes, it will be admitted and therefore can be used in determining a verdict. If it is introduced outside the court process, it has the potential to corrupt the decision-making process. One trial in Victoria has already been aborted due to the publication of details on CrimeNet about a previous trial relating to a matter that was about to be dealt with.

In endeavouring to deal with this matter, the government considered a number of options. One was to simply lock juries up for the duration of the trial, which in itself would have led to some particular difficulties. The other option was for judges to give directions to jurors not to seek or endeavour to access the type of information we are referring to. The third option was to make it an offence to send a very clear message to jurors that they were to abide by their oath and not to seek to access information. This bill of course clearly identifies that the government chose the last option as the most appropriate way to proceed. The bill therefore creates a new offence that prohibits a juror in a criminal trial from making an inquiry about a defendant in a trial, particularly from sources such as CrimeNet. The penalty for breaching that provision is a term of

imprisonment of up to two years. I support these provisions. They are necessary. They will go a long way to ensuring the integrity of our justice system. I commend the bill to the House.

Mr BRISKEY (Cleveland—ALP) (5.32 p.m.): I welcome the opportunity to speak in support of the Criminal Law Amendment Bill. While this bill focuses on a number of themes, I will concentrate on some key amendments to the Jury Act 1995, the increased penalties for stock theft in Queensland and the Magistrates Court reforms. The role jurors play in court proceedings is at the very crux of our justice system. It is vital then that in upholding the integrity of our justice system the government takes the necessary steps to afford members of a jury protection from personal harassment, intimidation or physical violence before, during and after they perform their vital and often difficult role as jurors.

The amendments to the Jury Act 1995 seek to provide jurors with this protection. It is current practice that jury lists featuring the name, address and occupation of persons called as potential jurors are circulated to lawyers and even unrepresented defendants prior to the empanelment process. Understandably, jurors have for some time expressed great concern at this practice and have subsequently feared reprisals from the accused and sometimes the accused's associates and family. One such case some years ago in particular demonstrates the need to protect jurors once the trial is finished. Members may recall a well publicised case in Western Australia in 1995 where a prisoner, who had been convicted of murder, sent Christmas cards to the jurors who had found him guilty. The cards read—

> Here is hoping you have a very pleasant, family Christmas. Think of me while you are having your Christmas dinner.

The cards were signed by the prisoner, who had obtained the information to assist him in preparation of his appeal. I am sure that members would agree that this incident would not go a long way towards assisting jurors in other trials to feel secure about the vital role they play. A juror, whose duty it is to deliberate and make a decision about a person's guilt based solely upon the evidence observed by them and the arguments and legal directions presented in a courtroom, should not have to face this type of fear. Under the amendments before us today, jury lists will feature only the name and locality—for example, the suburb—of potential jurors and thus seek to protect a juror and his or her family.

Another important amendment to this same act seeks to prohibit jurors from seeking further information, particularly from the Internet, while they are empanelled on a jury. It is a sign of our times that information on practically any topic imaginable is readily accessible via the Internet. In the past, concern about prejudicial trials has been concerned primarily with traditional news sources—that is, newspapers, television and radio. However, the advent of online news and indeed the proliferation of web sites, some of which offer content which is accountable to no-one and which can contain factual errors, necessitates this particular amendment. I commend the amendment.

The proposed amendments surrounding the long-time practice of stock theft have been formulated as part of the Beattie government's multipronged strategy to address this problem. I am sure that honourable members on both sides of the House recognise the importance of these changes and will agree that the substantial boost to penalties constitutes a long-awaited crack down on the practice of stock theft in this state. The proposed changes include an increase in the penalties for unlawfully using cattle, illegal branding, suspicion of stealing and defacing branding to five years imprisonment with a maximum fine of $50,000. Importantly, it is proposed that section 398 of the Criminal Code be amended to include a specific aggravating circumstance relating to stock theft. Under changes to this section where the value of stolen stock exceeds $5,000, the offence will attract the same penalty as any other aggravated stealing offence—that is, 10 years imprisonment. These tough new penalties will serve as both a deterrent and a warning to cattle duffers. The bottom line is that stock theft is a serious offence and one this government will not tolerate.

Unfortunately, the increasing value of Queensland beef, particularly in the wake of mad cow disease, foot-and-mouth disease and anthrax scares in other parts of the world, has made the practice of stock theft or cattle duffing more lucrative. Of course, offences of stock stealing not only affect individual stock owners but threaten to undermine the clean and disease-free status of our beef industry in Queensland and Australia. In particular, the practice poses significant and long-term risks to the industry, particularly in the context of export markets. Disease prevention work is very much dependent upon appropriate livestock identification systems and the issuing of stock permits.

The anthrax scare on a property in the state's south-west some months ago serves as a good example of just how easily disease can spread. In this case, the swift action of the Department of Primary Industries ensured no further detections. Stock theft cannot offer the protections afforded by stock inspectors and the continual surveillance carried out by the DPI and the Australian Quarantine and Inspection Service. These amendments and the resulting boost to penalties combined with the activity of the Queensland Police Service stock squad around this state will send a very clear and very stern message to would-be cattle thieves, and that message is that sooner or later they will be caught.

A significant reform within these amendments is the ability of victims to be told by magistrates at the commencement of proceedings how they will be able to give evidence—that is, by closed-circuit television, screened or other means. Giving evidence can be one of the most harrowing experiences for any person. But for a victim of crime, particularly sexual crimes, violent crimes and crimes where the alleged perpetrator is a relative or well known to the victim, it can be particularly distressing. Under these amendments, victims will be spared some of this agony and will not have to wait until the day of the hearing to have the magistrate decide how their evidence is to be given. What this means is that months of anxiety can be largely avoided. In the case of screened or closed-circuit evidence, victims can feel as though they have greater control over the process and are better able to cope with what must be a traumatic experience for them. From a victim's perspective, the assurance early in the court process that they will be given access to this type of facility can make a big difference in their own rehabilitation. I congratulate the Attorney-General and Justice Minister, his department and staff on these amendments and commend this bill to the House.

Mr ENGLISH (Redlands—ALP) (5.40 p.m.): I rise this afternoon to speak to the Criminal Law Amendment Bill 2002. As a number of members have already said, the protection of jurors, witnesses, judicial officers and their families is essential to the independence of a judicial system. This bill creates a new offence, proposed section 119B, which provides—

A person who, without reasonable cause, causes or threatens to cause any injury or detriment to a judicial officer, juror, witness, or a member of the family of a judicial officer, juror or witness in retaliation because of—

(a) anything lawfully done by the judicial officer as a judicial officer; or

(b) anything lawfully done by the juror or witness in any judicial proceedings;

is guilty of a crime.

I commend the Attorney-General for introducing this amendment, because there have been a number of such cases. In particular, there was a famous case in Queensland where a witness who gave evidence against an offender was subsequently murdered by that offender. As other members have said, we must give our jurors not only protection but also a sense of protection. Protection has been extended to some of these people before and during trials, but because there is no protection after the fact they need to fall back on other provisions of the Criminal Code. This bill will make very clear that anyone involved in the judicial process has the utmost protection of the Queensland Criminal Code and of the Queensland court system. I cannot speak highly enough of these amendments and what they will mean to the people charged with the responsibility of weighing up people's guilt or innocence and their ability to retain their freedom. I certainly commend these amendments.

Another amendment in this bill is a new definition of 'stock', recognising that the existing definition in the Criminal Code is quite old. This is a much more modern, accurate definition which also reflects the increasing diversity of primary industries in Queensland. The increase in penalties for committing numerous stock offences is an example of how the Beattie Labor government is reacting to the concerns of the bush. On a number of occasions during my travels I have heard of the light penalties in the Criminal Code regarding stock offences. It has been inferred that this reflects the government's lack of seriousness in terms of stock offences. The increases in the penalties reflect the Beattie Labor government's response to those concerns. The Beattie Labor government is not soft on crime. It is hard on crime and on the causes of crime. This is an example of the Beattie government giving its commitment to regional Queensland—the bushies and the people out there in the rural sector whose livelihoods depend on stock. The government is saying that it takes this offence seriously and that it will protect these people.

Another aspect of this bill to impress me is the amendment that gives magistrates the power to make binding rulings, particularly in relation to the manner in which witnesses give their evidence. Having worked for two years in the child abuse unit of the Queensland Police Service, I have attended court on numerous occasions with witnesses of varying ages and been involved in proceedings for 18 months to two years that spanned committal hearings in the Magistrates Court

and full trials of the District Court or Supreme Court. People should not underestimate the pressure put on witnesses merely by the system. There is a term in the judicial system, 'systems abuse', that those in the child abuse unit are very much aware of. Even when deciding to charge an offender, the SCAN teams weigh up the abuse suffered by the victim against the offence and the systems abuse to the victim of such judicial proceedings. It is only when a judgment call is made that it is in the best interests of the victim to charge the offender that we do so.

This amendment allows the victim certainty before turning up for court. The magistrate can make a binding ruling on how that victim gives evidence. I know from personal experience that putting a witness behind a screen or allowing them to give closed-circuit television evidence can significantly allay their fears, either real or imagined. Appearing in a courthouse or a courtroom is a very stressful experience for anyone. In terms of a 12-, 13- or 14-year-old child giving evidence, I do not think any of us can begin to imagine the kind of pressure they would feel when sitting face to face with an offender, having the offender staring at them from a bar table five, six or seven feet away. The offender has a right to question his accusers—and this amendment in no way diminishes that—but this amendment also removes some of the psychological pressure placed on witnesses and allows them to give honest and accurate testimony without any covert pressures.

The amendment which extends the drug court trial is to be applauded. Whilst a detailed study of the drug court process will not be available for some time, the anecdotal evidence suggests that these drug courts are extremely effective either in rehabilitating offenders and getting them off their drug habit or even diminishing their habit. Whilst some might argue that lessening a person's habit is not a successful outcome, I disagree. If a person has a $500 a day habit and the drug court diversion program leads to that dropping to a $100 a day habit, what flow-on effect does that have on property crime? If I have a $500 a day habit, I need to commit a serious crime such as a break and enter to support such a habit. If I have only a $100 a day habit, the flow-on effect is a reduction in crime. The anecdotal evidence of the drug court trial is that it is very effective. The amendment to extend the trial for a further 12 months—and I believe we are going to implement a new trial of the drug court in north Queensland—is to be commended.

I shall comment generally on the amendments in relation to the DNA process and the increasing complexity of evidence presented in court. Fifty and more years ago there was no photography or covert recording. All the time, technology is providing law enforcement agencies with more ways to obtain and present evidence to court. With increasing technology comes increasing complexity. Unfortunately, in some cases that complexity can be abused by the defence calling every man and his dog involved in a process for no real evidentiary value but to extend the process, to put more pressure on the prosecution and in some cases to make the prosecution's life somewhat more difficult.

These amendments in no way subvert the accused's right to question aspects of the DNA process but put an onus on them to justify why they want to question particular aspects. I see this as a very good amendment and I certainly commend the Attorney-General for it. Obviously this bill is very much an omnibus bill where it impacts on a range of provisions of the criminal justice system. It would have taken a lot of work to put together. I compliment the Attorney-General and his staff. Again, this bill is another example of the way this government responds to the needs of the community and to the technology available in terms of trying to balance the competing concerns of the victim and of the defendant. I commend the bill to the House.

Dr LESLEY CLARK (Barron River—ALP) (5.49 p.m.): This omnibus Criminal Law Amendment Bill includes legislation to extend the operation of the Drug Rehabilitation (Court Diversion) Act 2000 for 12 months. It also provides an expanded regulation-making power to enable many of the procedures of the drug court to be set out in regulation. This legislation is required in order to extend the current drug court pilot program that operates from Beenleigh, Ipswich and Southport Magistrates Courts to Cairns and Townsville in order to meet the 2001 state election commitment. Plans are now well advanced in Cairns to provide the necessary additional rehabilitation services to support these individuals considered suitable for an intensive drug rehabilitation order from the proposed drug court in Cairns, which will become operational later this financial year.

I have been a great supporter of drug courts providing a therapeutic alternative to jail since I visited Parramatta drug court when Minister Foley was the Attorney-General. I saw it in action for myself and heard from the many offenders who strongly supported the program. In Queensland, the 30-month drug court trial was instigated in June 2000. The program marked a comprehensive shift in the way in which the Queensland justice system dealt with drug related crime and

represented a new approach by our government to breaking the cycle of drug addiction and crime. The trials were established at Beenleigh, Southport and Ipswich Magistrates Courts and the first defendants appeared before the court on 26 June 2000.

The objectives of the drug court trial are to reduce the level of drug dependency in the community, the level of criminal activity associated with drug dependency, health risks to the community associated with drug dependency and pressure on resources in the court and prison systems. The drug court trial enables drug-addicted offenders who meet strict eligibility criteria to be diverted from the jail system and into tough, intensive rehabilitation programs. Strict eligibility criteria apply and offenders are carefully monitored. If they breach a rehabilitation order, it is likely that they will find themselves in jail.

Rehabilitation options under the program could include counselling; methadone maintenance therapy; medical, psychological or psychiatric treatment; and/or in-patient therapeutic community placement. Offenders liable for the trial program are those who are dependent on illicit drugs, are charged with an offence that does not involve physical or sexual violence, have no offences involving physical or sexual violence pending before any other court, plead guilty to the offence, are genuinely facing a jail term, are willing to participate in the program, and are adults. People who undertake rehabilitation programs in the drug court trial are not forced to complete treatment. However, if they do not turn up for a scheduled session or use drugs during the period, they go back before the magistrate and they go to jail. The rehabilitation program is self-paced. Addicts do it at their own pace. It usually takes someone between 12 months and 18 months to kick an addiction to serious drugs such as amphetamines, heroin or cocaine. It is certainly not a simple or easy process. When a person finishes the program, the drug court magistrate reviews the original sentence and takes into account their success and participation. The magistrate can reward the offender by suspending the sentence.

Since the program began in June 2000, about 200 people have been placed on treatment orders. To this point, 20 have graduated. That might not seem to be a large number, but that represents 20 people who now have a chance to lead a full life, contributing to the community and their families, rather than being incarcerated and then in all likelihood continuing with a life of crime to support their drug habit, with all the pain and suffering that that brings to themselves, their victims and their families. It may also mean that the tragedy associated with overdose or suicide is avoided.

Drug addiction is a complex issue and it is undoubtedly a scourge of modern society. In Cairns, drug use is very high. We are fortunate, though, to have some excellent rehabilitation services provided by organisations such as St Vincents and Addiction Help Agency. But they cannot meet the great need that exists for such services. I commend all of those agencies and individuals in both the government and the non-government sector for their commitment and dedication. I know that the additional 10 drug court full-time residential beds and the 10 community beds planned for Cairns will make a significant difference. I look forward to an improved service providing support for drug addicts in Cairns who have made the decision to try to lead a drug-free life. I commend the bill to the House.

Mr LEE (Indooroopilly—ALP) (5.54 p.m.): I rise in enthusiastic support of the Criminal Law Amendment Bill 2002. I am delighted to speak in support of such sensible legislation. This bill amends not only the Criminal Code but also the Penalties and Sentences Act 1992, the Evidence Act 1997, the Bail Act 1980, the Jury Act 1995, the Criminal Law Amendment Act 1945 and the Drug Rehabilitation (Court Diversion) Act 2000.

I wish to address a number of specific aspects of the bill. Firstly, I wish to speak about matters relating to the protection of witnesses before, during and after a civil or criminal proceeding. Currently the Criminal Code contains provisions that protect witnesses before and during a civil or criminal proceeding and jurors after the conclusion of judicial proceedings. However, there is no specific offence that deals with people who take revenge or reprisal against witnesses after a proceeding because of what the witness has said or done as a witness. There is also no protection for judicial officers against revenge or reprisals. This bill addresses community concerns about the lack of protection afforded to witnesses, jurors and judicial officers after that person has exercised his or her function or duty. Witnesses, like jurors, serve our community. It is my very firm belief that they should be free to serve their community by playing a very important role in our judicial system free from any fear of reprisals or intimidation.

Another group that serves the judicial community in this state is the Toowong-Indooroopilly Police Consultative Committee, which meets regularly at the Indooroopilly State High School. On a number of occasions this group has voiced quite sensible concerns in relation to how justice is

administered in Queensland. It also serves the community in a very local way by organising Crime Prevention Week. The next meeting of this group is on 5 June. It gives voice to community views. I commend those who take time out from their other commitments to serve their community through the Toowong-Indooroopilly Police Consultative Committee, in particular its president, Mr Rainey; its secretary, Mona Moore; its deputy president, Michael Yeates; and Kevin Gorden, Len Sparkes, Fred Whitchurch, and Rob Wiltshire, who serve on their executive.

I also wish to speak about the penalty for corrupting a juror, which has been increased to seven years so as to be consistent with the offence of corrupting a witness, which in my view is a quite sensible and straightforward policy proposition. Further, this bill will ensure that the name of a potential juror's suburb or town will be available, but not their street address.

I am impressed by the significant amount of consultation that has gone into such a detailed and lengthy bill. I will not detail all the groups that have been consulted, but I think that it is important to note that there has been consultation with the Chief Justice of the Supreme Court, the President of the Court of Appeal, the Chief Judge of the District Court, the Chief Magistrate, the Queensland Law Society, the Bar Association, the Criminal Lawyers Association, Legal Aid Queensland, the Director of Public Prosecutions, the Commissioner of Police, the Chairman of the Crime and Misconduct Commission, the Women's Legal Service and also, among others, the Public Defender.

I think that it is also important to note that the 1997 amendments to the Criminal Code gave judges in the District and Supreme Courts the power to make binding pretrial rulings. This bill will give magistrates the same power. This power will particularly assist victims of crime and witnesses. Until now, arrangements as to how a victim could give evidence in court—for example, they may be seeking to give evidence by closed-circuit television—could not be finalised until the day of the committal hearing. This bill allows magistrates to make early rulings on these questions, saving victims and witnesses weeks of anxiety.

I commend the department for the work which has been put into preparing this bill. As always, I commend the minister, Rod Welford, for his leadership as this state's Attorney-General. I thank him in advance for his agreement to visit the Graceville Bowls Club next Thursday, 23 May to meet with residents and with justices of the peace. I am sure all members would agree that they are people who have served the community in a very important way. The Attorney-General has agreed to present a certificate of service to Mr Bill Laidlaw of Graceville for 25 years service as a justice of the peace. In my view, he has made a great contribution to our community and provided a wonderful community service. I strongly support this bill.

Mr PURCELL (Bulimba—ALP) (6.00 p.m.): I want to speak about a couple of aspects of the Criminal Law Amendment Bill 2002. This bill addresses the need to ensure that any safety concerns of persons, particularly witnesses and jurors, who participate in the criminal justice system are adequately addressed. Over a period of time, I have canvassed this issue with a number of Attorneys-General, asking them to do something for witnesses.

It is very difficult for police officers to act unless there is video evidence or other evidence which conclusively proves that a person has been taking actions against someone who has given evidence against them in court. This amendment to the criminal law will give police officers the right to question people to find out where they have been and what they have been doing with regard to people who have been witnesses in matters before the courts.

If you lived next door to someone or in their vicinity and you had nothing to do with them for all the years that you lived near one another and you gave evidence against that person in a criminal matter and they were found guilty on your evidence, from that point on your life could become a hell on earth. The offender, the children and wife of the offender and others can make the life of a person who has given evidence against the offender a hell on earth. This legislation will certainly stop such terrible things happening to people.

We rely on the public to act as witnesses in order for our criminal justice system to work. Without people who are prepared to stand up and be counted, if you like, and give evidence, we would not have a criminal justice system. The police would not be able to operate and there would be no use having a criminal justice system at all. This amendment bill is long overdue and I thank the minister for bringing it before the parliament.

This bill amends the definition of 'stock' in the Criminal Code and makes amendments in regard to the theft of stock. Recently, I was just north of Barky, coming from Longreach, and I saw a couple of thousand head of stock going down the stock route. They were mature stock, with a rough value of about $1,000 a head. As you would imagine with a couple of thousand head of

stock, there were some bulls in amongst them, and there would have been other valuable breeding stock amongst them. You would soon run up a bill of a couple of million dollars for the cattle on that road. That is a lot of money.

Prior to these amendments, the stealing of stock from a person whose livelihood, family and property depends on them has possibly not been treated as seriously as it should have been. Portable stock yards and loading races and so on mean that you can set up stock yards and a ramp in a corner of a paddock and get away with a lot of stock. With the modern trucks of today, possibly thousands of head of stock—certainly hundreds—can be transported overnight. It is a very expensive exercise for property owners to replace stolen stock, and in many cases they just cannot afford to do so. This legislation brings into the equation persons other than those who steal the stock. After something has been stolen, it has to be sold to bring about a profit. Under this legislation, a person who handles or rebrands stolen stock will be just as guilty as the person who stole the stock.

I have worked all over New South Wales and in parts of Queensland. I spent a period of time in Burketown in the north of Queensland. Up there, it was looked upon by some people as a sport to see how many of their neighbour's stock they could get away with and then put on their own brand. It was an accepted thing. Of course, there were no fences in that region of Queensland. Someone would kill the cow, eat the meat and bury the hide. If a cow had a brand on it, it would go. The carcass would be hanging in the pub fridge for everybody to take a share. Once the hide was off, the cow did not belong to anybody. Because there were no fences and sometimes because of a farmer's tardiness in marking cattle, there may have been a yearling, for example, that a person could steal. They would put on their brand and it would become their stock. That is one way of stealing: let someone else breed the stock and then mark it with your brand.

I have known that to happen often where I come from in New South Wales, mainly in relation to sheep. Sheep are not worth as much as cattle, but recently at Toowoomba a pen of fat lambs sold for $150 a head, so they are becoming fairly expensive. Members can go into Woolies or Coles to find out the present price of lamb. That gives an indication of the losses made by primary producers when their stock is stolen.

It is a great thing that the phrase 'stock' will be used to replace all the animals mentioned in the Criminal Code so that a person does not have to name every source from which they earn a living. If someone steals that stock, that will be an offence. In the future, kangaroos, which do not take any notice of fences and go through them, could probably be claimed by a property owner as being their property. They are already a valuable resource and they will become more valuable in the future.

To a certain extent, feral pigs are now a valuable resource in some parts of western Queensland. Recently I was out around Mungindi, where cotton is grown. In that region the pig shooters are very highly paid to eradicate pigs. The shooters are allowed to keep the carcasses, which are processed. The meat is exported to places such as Germany, where very good prices are paid for wild pig because Germans like that type of meat.

Mr Springborg: They can eat all the pigs they want; they can have them!

Mr PURCELL: I agree with the honourable member; they can have as many as they like, just to get rid of them. Feral pigs destroy dams and spread worms to stock. As a result, the stock have to be wormed continually.

With those few words, I commend the minister. The bill provides for a considerable number of amendments to be made to several acts. The people involved in formulating the legislation would have had to work long and hard. Although there might be some opposition from members opposite, the majority of this bill will go through with the consent of members on both sides of the House. The consultation on the bill undertaken by the minister and his staff will ensure its smooth passage though the House. I commend the bill to the House.

Mr TERRY SULLIVAN (Stafford—ALP) (6.09 p.m.): I rise to support the bill before the House, although I do so with certain reservations—not about what the minister has done but about the system, or the context within which this bill has to be debated. Firstly, I will refer to some specific issues.

The consultation seems to have been extremely broad. However, it is broad within a narrow framework in that everyone concerned is involved in the current system. I have one criticism, but not a criticism of this particular bill; it is a criticism that can be made of much legislation that comes before the chamber. For example, on an education bill there is consultation largely with people in the education system but often not with students or the public. With nursing and health bills often

every college of surgeons and professional group is involved, but the patients are not asked what they want. The list presented to us in the explanatory notes is extensive insofar as it represents the breadth of involvement of the legal profession; however, those who have to appear in court are not included. This is one of the few areas where we do not have specific advocacy groups. This and road safety are probably the two major issues that affect people's lives dramatically and where we do not have adequate consultation processes at this stage.

With respect to clause 6 and the amendment to the Bail Act, I believe that is a sensible undertaking and is to be supported. The new section 119B, which deals with the protection of witnesses or their families, is also extremely important. In the anonymous society of the large urban areas it is easy for an accused person to put pressure on a witness or a juror, and the victim of that pressure might not feel that they have access to the support of their local community. In the smaller towns and villages where the British legal system developed there was a community of interest, people knew everyone in the village and there would have been community protection. We no longer have that in the large urban areas and this new section will deal with that.

In making this change, I note we are told that nothing in the provisions is meant to stifle comment or criticism, even the most robust criticism, about the functioning of the criminal justice system and that justice is to be administered in an open court. I suggest that our hearings, although open to the public, are in many ways not public. This is an issue I might have raised with the Attorney-General in passing previously, but I wish to do so publicly now. Within a couple of hours of the House rising, the words that we have spoken today and recorded by *Hansard* will be available for people on the Internet. They can see what each honourable member who has spoken today has said. It will be open for criticism or support. Yet the same level of access to transcripts of hearings is not available to the general public. A person can go into any court and make mental or written notes about the evidence, yet it is not available to us electronically. Since the court reporters use the same technology that our Hansard reporters use, the evidence could be made available on the Net. If we are to move to a modern form of accountability within current society, I believe the legal system has to move so that court proceedings are publicly available.

In recent years I have been a witness in criminal proceedings. There was concern by the jury about whether or not a couple of witnesses had perjured themselves. The jury asked for certain evidence to be reread. They were not even given a transcript of the two key witnesses' statements. One of the clerks of the court stood in the court and read out verbatim from his copy of the transcript what was said. That reminded me of something out of the 1870s, not the year 2000.

Also, the current jury system requires 12 out of 12 jurors to find a person guilty. I believe we have to consider accepting a 10 out of 12 majority for a guilty verdict. One of the reasons for that is the number of exclusions we have for jurors. I believe in many ways juries do not represent the broad spectrum of our society. It is very easy for one crank or loony to cause a mistrial or to cause a jury to not reach a verdict simply because one out of 12 people said no. We do not adopt a unanimous majority in any other situation in our society and I do not believe we should have to do so in our court system.

I support clause 35, which amends section 18, 'Detention of persons incapable of controlling sexual instincts'. This probably applies to an extremely small number of people, but people who cause considerable damage within society. Over the past few years, within my suburb and within my church group a person gained notoriety. This clause perhaps could have applied to him.

I support the amendments to the Evidence Act. I believe other amendments are needed. My experience as a witness in certain cases over the last three years indicates to me that it was almost guaranteed that the whole truth and nothing but the truth could not come out because of certain elements of our Evidence Act. However, that could be a debate for another day.

In the amendment to the Jury Act we are saying that a juror cannot make inquiries into the criminal history of an accused. It has always struck me as interesting that a person can use their past good history to defend themselves, but for some reason a court cannot hear the past negative history of a person. I believe that is an ongoing fault in our current system. If we can say that a person's good character indicates that this is their normal course of action in terms of a defence, we must be able to say that a person's previous, ongoing and continuing history is a cause for their conviction. A jury can find a person not guilty only to find out subsequently that the person has gone through four or five trials for similar offences. The jury members say, 'If we had any inkling that this was part of a person's history we would have found them guilty.'

Mrs Reilly: Which is precisely why you can't release anything. That is exactly why.

Mr TERRY SULLIVAN: I hear my own members behind me disagreeing with me. I will disagree with them and say that that shows a propensity for someone to act in a certain way. Because of the way we select our juries, the fact that we have to have a 12 out of 12 unanimous decision guarantees that guilty people will not be convicted. I believe we skew the system in that way.

Again, that possibly shows why in our consultation process we need to have people from other than the legal system involved in consultation. With respect to education changes, P&C associations and parents from a variety of backgrounds play an essential role in any of those discussions. However, that is not so in legal matters. While I support the legislation before the House, I raise certain questions that have been on my mind in relation to the Criminal Code. In some respects, I had immediate contact with the legal system when a constituent of mine visited me late one night with his truck and also when I appeared as a witness in other cases. I support the bill before the House.

Hon. R. J. WELFORD (Everton—ALP) (Attorney-General and Minister for Justice) (6.18 p.m.), in reply: Firstly, let me thank all members who participated in this debate. The criminal law is a feature of the legal system that is a very important component of the lives of many Queenslanders. The criminal law underpins the stability of our society. It is understandable that so many members have taken a keen interest in a number of the amendments before the House.

I lay on the table of the House and seek leave to circulate a corrigendum to the explanatory notes.

Leave granted.

Mr WELFORD: That corrigendum relates to the small amendment that is being moved. I understand it is uncontroversial.

A number of issues have been canvassed by members. There were a range of amendments incorporated in this amendment bill. Let me step through some of the issues which members have raised.

I turn first to the issue of the protection of jurors against reprisal offences. I thank honourable members on both sides of the House for their support for this amendment. It is an initiative that reflects the growing concern by parliaments for victims of crime and ensures that witnesses, including those who have been offended against, as well as other participants in the criminal justice system, are protected. The member for Toowoomba North raised the issue of lawyers or counsel in proceedings also being extended these protections. That is something that can be given further consideration in due course. At this stage, the intention is to ensure that those who give evidence—that is, witnesses who are not part of the formal submissions before the court but witnesses from outside—and innocent parties, the jurors, are given primary protection. I have no experience of any incident that would require the specific protection being extended to, say, prosecutors or defence lawyers. I suspect that most defendants expect the submissions that they hear from prosecution or defence lawyers, although I also suspect some defendants would be keen to take reprisal against their defence lawyers for failing to defend them adequately! At this stage, we have not incorporated such an extension of the protection, but in deference to the submissions made by the member for Toowoomba North, we will give it further consideration over time.

In relation to the jurors list, a number of members have raised their concern that although the proposal is to remove from the list the personal address of jurors, by maintaining a locality address, in certain cases a juror still is exposed to having their address investigated or uncovered by an accused—or subsequent prisoner, in some cases. I guess I need to make it clear—as was indicated by the member for Gladstone, incidentally—that the purpose of the jurors list is not only to be available for the protection of jurors. The intention of the jurors list is not to guarantee anonymity. Although, in other states, there have been rare occasions on which accused parties have made contact with jurors based on the addresses that have been previously provided, the intention here is to ensure that there is not immediate access to the address of a juror but that the defence still has sufficient information to ensure that an objective jury is selected; that is, that there are sufficient identifying details for the defence to ensure that people are not selected for a jury if they may be known to have prejudicial views towards the accused. That is an essential part of the jury selection process.

So while the combination of measures we are instituting here are about protecting jurors—that is, removing the immediate access to their personal address and creating the

offences of reprisal against jurors—it is not our intention, at this stage at least, to make jury lists totally anonymous, because I believe it is appropriate for defence representatives to have sufficient information about jurors in order to ensure that the process of selecting an objective jury can be maintained. However, having regard to the comments that members have made, we will monitor the process in an ongoing way to ensure that jurors are adequately protected. If it transpires in time that defence representatives make improper use of jury lists, then making the identity of jurors more anonymous may be a measure we need to take.

A number of members on both sides of the House made comments on the drug courts. I thank both government and opposition members, including the opposition spokesperson, for their support for the operation of drug courts. It is, I believe, an important initiative about breaking the cycle of drug abuse and drug-related crime. We are, of course, in the middle of a 30-month trial in south-east Queensland, and we are about to extend that to far-northern Queensland. However, the true test of this parliament's resolve in relation to drug courts will come when we see the evaluation, both in terms of cost and effectiveness, of the Drug Diversion Program. It is a difficult assessment to make, because we know that the Drug Diversion Program is an intensive process. We know that it involves significant costs. It is not yet clear what savings, if any, will be achieved in comparison with imprisonment costs directly, but that comparison is a legitimate one to make given that the people in respect of whom the diversion program is currently directed are people who would otherwise go to prison. But it also needs to be recognised that because we have deliberately selected only those who are likely to go to prison as candidates for drug diversion, we have thereby selected the most difficult subset of drug offenders who are coming before the courts. If we had, for example, chosen first or second-time offenders on other drugs or even on hard drugs, the prospects of success in rehabilitation are likely to be greater with them than they are with the offenders whom we have chosen. The offenders we have chosen, after all, are the ones most likely to go to prison because they are persistent and chronic addicts. Therefore, the level of success in rehabilitation should be expected to be lower. So we await with much anticipation on all sides of the House the outcome of the effectiveness of the Drug Diversion Program.

It also needs to be said at this stage that we need to be cautious about how we assess the current diversion program in terms of the types of rehabilitation currently available. Undoubtedly, over time, rehabilitation techniques will improve, the success rates of rehabilitation will improve, and it may be inappropriate to pre-emptively judge the success of drug diversion solely on the basis of the rehabilitation techniques and practices currently applied in the present trial.

The member for Lockyer referred to the amendments in relation to notices to appear. It is true that a person will not be charged for failing to appear on a notice to appear. The police will retain a discretion about whether to issue a notice to appear or whether to arrest a person and take them before the court. It does not weaken the power of police in that respect. They can still arrest and charge a person for serious offences. There is no obligation to use notices to appear where serious offences are involved. But it is aimed at allowing police the option of issuing a notice to appear in less serious matters; in particular, in ensuring that people are not subsequently charged and penalised for failing to appear at a higher level than they would be penalised for the primary offence. This sometimes happens in circumstances where people are charged with obstructing arrest, public drunkenness and so forth, where failing to appear turns out to result in a higher penalty than would apply for the primary charge.

These amendments respond to much court criticism about the operation of the existing provisions. They ensure that persons are never able to be released at large. As the act operates currently, people must be either retained in custody or released at large. The current provisions do not provide guidance or a regulatory framework for allowing conditions to be set upon release. The amendments before the House enhance the court's powers to attach conditions to any prospect of a release of prisoners in those circumstances.

I thank the member for Southern Downs for his support as shadow minister for most of the amendments contained in this bill. He has however raised issues in respect of the drug court and DNA evidentiary certificates. I will deal with these final two matters specifically.

The member for Southern Downs mentioned in respect of the drug courts not so much the amendments in this bill but the type of rehabilitation offenders receive. As I have already indicated, I think we need to be cautious, in these early days of developing the practice of rehabilitation for drug offenders, not to pre-emptively judge the outcomes of this particular pilot because it may well be that over time the success of rehabilitation will improve with experience. I have, however, made a conscious effort to ensure that there are a number of different types of

rehabilitation available. By visiting the drug court I have personally experienced circumstances whereby a person on an intensive drug rehabilitation order has been to one rehabilitation facility and been ejected for certain behaviour but then has gone to another rehabilitation facility and found success on the rehabilitation path. By ensuring that different styles of and approaches to rehabilitation are available, we will hopefully over time be able to measure the relative success of different techniques and benchmark them. Similarly, I am seeking to make the northern Queensland drug diversion program slightly different from the south-east Queensland program, again so we can get some measure of comparison about performance.

Peer support and peer pressure are integral parts of the drug court process. I acknowledge the comments of the member for Southern Downs. He observed that the process of the drug courts emphasised this concept of peer support and pressure. There are treatments in therapeutic communities and treatments run by the Salvation Army, including its 12-step process. Also, some offenders are involved in Narcotics Anonymous. Indeed, because of the diversity of offenders receiving rehabilitation under the diversion program, health assessments are undertaken by health workers, who try to make at least a preliminary assessment of which path of rehabilitation is most appropriate for particular participants. As I have already indicated, we have an evaluation currently under way by an expert from the Australian Institute of Criminology. Hopefully we will get at least the first indications of potential improvements to the system from that evaluation. As I say, there are a number of factors to be considered in the evaluation, not all of which will necessarily be considered in this first evaluation of the pilot. Comparative cost is one factor. The effectiveness of rehabilitation is another factor. The implications of that for recidivism is another factor. We are likely to see, in the hard cases of those who are currently participating, some offenders who fully complete the rehabilitation course and are released into the community only to slip and fall at a later time. This is to be expected with the category of participants we have selected for diversion at this time, but that does not mean that the program is not worth pursuing. That is what the evaluation will seek to assist us with.

I turn finally to the issue of the DNA evidentiary certificate. The member for Southern Downs wanted to know what motivated the inclusion of this particular provision and speculated about whether it was after some embarrassment or issue at the John Tonge Centre. In fact, the idea of the certificate was first raised by His Honour Mr Justice Mackenzie in the Court of Appeal in his judgment in the Hytch matter. That was the matter in north Queensland where the young lifesaver was accused of murder. DNA evidence was used in that case. In that case His Honour made the following comments, supporting a process where a certificate could be used to prove continuity and correctness of testing—

> It will generally be inevitable that a forensic scientist will be called to interpret the findings of the analysis and the statistics, which give the findings their cogency. Whether it is necessary to call other persons involved in the process either to prove continuity of the sample or for cross-examination in the hope that some actual flaw in the process may be fortuitously discovered is, no doubt, a matter for judgment for counsel in a particular case. In other areas of the law where analyses are performed, identity of the sample tested and, by inference, the integrity of the testing process can be proved by certificate (eg. Drugs Misuse Act, 1986 S56; Traffic Act, 1949 S16A (16B)). The same kind of resource implications that underlie such provisions may be assumed to exist in the case of DNA samples. It may be that if unnecessary strains are placed on resources by routinely calling persons who are unlikely to give contentious evidence it will be necessary in the future for the legislature to consider such a provision with regard to DNA evidence. There should, of course, be no impediment to calling witnesses in cases where a real purpose will be served by requiring them to give evidence.

In effect, what His Honour has said here is what the DNA certificate process included in this bill is designed to do. Yes, it does balance the rights of the accused with the reality that the resources of the John Tonge Centre are not infinite. However, every safeguard has been put into the certificate to ensure that scrutiny of the evidence is not impeded by the certificate. It is worth repeating those safeguards. The provisions still require discovery of all of the case files. This is where defence experts will discover the problems in the testing. The advantage of the certificate is that it should enable delivery of the case file to the defence at the earliest time. It is still mandatory that the forensic analyst be called to interpret the certificate and to give evidence about the continuity of the sample. This is the scientist who will give evidence of the matching of the profile with another profile. This is very important evidence, and cross-examination of this scientist is in no way limited by these provisions. The presiding judge has a wide discretion to require the calling of all persons involved in the testing. Any suggestion of human error, mistakes or other problems will inevitably lead to the calling of all those involved in the testing. The Evidence Act provides an overriding discretion for the judge to reject the certificate.

With respect to the John Tonge Centre, I can assure all honourable members that scientists in cases where DNA is involved are subject to the most intense scrutiny. They routinely appear in

the Supreme Court where they work. Their procedures and their evidence are scrutinised by experienced lawyers, other experts, judges and, finally, the jury. The certificate is about ensuring two things: firstly, that the resources of the John Tonge Centre are directed to ensuring the highest standard of forensic DNA analysis in Australia; and, secondly, to ensuring that the process of leading evidence is as streamlined as possible in the court hearing itself. So where issues of continuity are not contentious—where all the files have been made available to the defence and the defence does not wish to raise any concerns about the continuity of the evidence or the correctness of the analysis—then the certificate can be used as a presumption of that continuity and accuracy.

The most compelling point that I wish to clarify for the opposition shadow spokesperson about this provision is this: while it raises a presumption, a presumption that is only supported by the delivery of all other documentation in relation to the DNA testing, it is not a conclusive presumption in the way that a certificate under, for example, the Traffic Act is a conclusive presumption that a person is under the influence. For example, if the certificate indicates that a person is over .15 then that is a conclusive presumption that that person is under the influence. This is not a conclusive presumption. This is a presumption that is rebuttable. The way it is rebutted is by the defence raising a concern about elements of the DNA testing process, in which circumstance the court will grant leave for other witnesses to be called and cross-examined about that process.

That is why the two protections are expressly reserved as contemplated by His Honour Justice Mackenzie in that case. Firstly, all the documentation should be available to the defence in relation to all the testing that has been done and how that testing was done. If on perusing that material there is raised a concern about the continuity of the sample or the analysis that has been undertaken, then the defence can seek leave of the court to call other witnesses other than the scientist who had primary responsibility for interpreting the matching of the samples. It does not preclude a full examination of it except where it is uncontentious, in which case both sides can rely on the certificate to short cut unnecessary cross-examination, because otherwise to prove every step, even where it is uncontentious, they would still have to call all the witnesses involved in the process. Where the parties agree that they are satisfied with the testing process, this means that they do not have to call all the other witnesses to establish the proof of the DNA matching process. They only call the scientist who is accountable for that matching.

I am happy to discuss any further queries that the honourable member may have in the clauses in relation to this matter, but I think that ought to clarify how the certificate operates. It is not a conclusive presumption of fact. It simply raises a presumption which the parties can adopt. If the defence still raises a concern about the testing process, it can obtain the leave of the court to further examine that process and call other witnesses. I should place on the record by way of clarification in the event that there is any doubt about how this provision should be interpreted that it is my clear intention in this provision that should defence counsel raise any material concern about the DNA testing process and the evidence given by the principal forensic analyst in respect of it then leave should ordinarily be granted. I say that specifically to put on the record the intention of the parliament in case any issue of interpretation needs to be raised in how the granting of leave is to be exercised by the court in the future.

Finally, I note that a number of issues were raised in relation to transcripts and majority juries by the member for Stafford. These are matters that raise very significant philosophical issues which we do not have the time right now to canvass, but they are matters to which I will give further thought and attention in due course. I thank all honourable members for their contributions in such a comprehensive debate and commend the bill to the House.

Motion agreed to.

Committee

Hon. R. J. WELFORD (Everton—ALP) (Attorney-General and Minister for Justice) in charge of the bill.

Clauses 1 to 47, as read, agreed to.

Clause 48—

Mr SPRINGBORG (6.46 p.m.): I will raise a number of issues arising from my concerns over the amendment of the Evidence Act, in particular with regard to DNA certification. I very much thank the Attorney-General for the assurances he provided. I think he has given some reasonable

assurances. However, I do remain somewhat concerned about the practical application of clause 48. I believe that the Attorney's intention is genuine and I believe that he feels that this will aid speedy application of the court process and will hopefully overcome some of the argy-bargy that may otherwise go on unnecessarily. Given that he has provided those assurances, I do not believe that I will divide on this clause. But I do reserve the right to continue to monitor its application in the courts and to see what the criminal bar and those solicitors who practise in the criminal area say in the future as it works in our courts and also what the Civil Liberties Council has to say.

However, there are a couple of points that need to be made. Whilst the minister says that the presumption is somewhat more limited than exists in other applications in law in Queensland, nevertheless there is still a presumption of accuracy. The minister indicated that it is easier to be able to open that to contest than what would otherwise operate in the area of the Drugs Misuse Act or the Traffic Act. I would suspect that, if that is not the case, it probably should be, because the consequences for a person who may be facing a matter under the Traffic Act, whilst still serious, are not as great as somebody who may potentially lose a far greater degree of liberty under the acts for which DNA evidence would be required. I also suspect that the analysis of drugs is probably, whilst still a challenge, not as difficult as the challenge that goes with DNA testing. Therefore, whilst there are some similarities, there is no direct correlation.

The concern that I did raise in my second reading speech related to the presumption that people associated with DNA testing who review and certify it are going to get it right. I am concerned that, whilst the science is good, human error still poses some problems with regard to potential miscarriages of justice. My other concern—and this is why I raised it yesterday—is that I feel very uncomfortable in the parliament passing this amendment when there have been a couple of major issues with regard to the accuracy of DNA evidence analysed and utilised at the John Tonge Centre. That is not to say that its scientists and technicians are not good, but I would be very concerned by the perception that we may be inadvertently smoothing over or plastering over a problem that may exist there at this time.

Under the provision to be passed by parliament tonight, there is still a greater onus of proof on the defence than what would have existed prior to the proclamation of this provision. That is also fair to say, because there is a certification process. There is a presumption, no matter how great, and in the first instance the defence has to seek leave of the court to raise substantive matters. The Attorney indicated—and I commend him for it—that the intention of the clause is not to unduly tie down the court in the way that it interprets those applications; that they be interpreted liberally, if I am not misrepresenting the Attorney in any way. I commend the Attorney for that assurance but, nevertheless, it is still a greater onus on the defence than previously existed.

Whilst I am on the public record as having very little sympathy for people whose conviction of these types of crimes is based upon DNA evidence—and we are going to reduce a person's liberty and the potential implications that come from being convicted—I believe that the greater onus should be on the prosecution than on the defence when dealing with evidentiary matters. That is a concern that I will continue to hold. By and large, I am cautiously assured by the Attorney's summing up. As I indicated, I will be watching with great interest what the courts do with these evidentiary certificates. I will not hesitate—as I believe the Attorney-General and other members of this parliament who are concerned about issues of natural justice should not hesitate—or rule out my coming back into this parliament and seeking further clarification if there are matters which in any way dissuade or act against what is the right of an accused person to properly defend themselves in court.

Mr WELFORD: I again thank the shadow spokesperson for acknowledging the explanation I have given. Very briefly, I seek to buttress the assurance I have already given the member. A DNA evidentiary certificate in the prescribed form and signed is evidence, but not conclusive evidence, of the material in the certificate; it is only part of the evidence. It may be evidence of the presence of a person but not conclusively disprove the existence of other people also at the location where the DNA evidence is found. DNA evidence is only one factor in relation to the evidence of the existence or the presence of certain persons at the scene of a crime. While much has been made of DNA evidence, for those reasons it is not a conclusive factor that necessarily proves a person's guilt. Indeed, one of the matters that the member mentioned that has recently given cause to doubt the conclusiveness of DNA evidence was one where the test was undertaken but subsequently found to raise the possibility of the DNA of a second person also at the location which was not at first identified. So, the certificate of itself will not be conclusive

evidence of a person's guilt, let alone the evidence of the material in the certificate. A party seeking to rely upon a DNA certificate must give a copy to the other party at least 10 business days before a hearing and also call the DNA analyst. Any party to the proceeding may request in writing a copy of all the laboratory records relating to the receipt, storage and testing of the thing. The chief executive must provide these records to the requesting party within seven days. A party challenging a certificate is also required to give notice if they propose to challenge the certificate. The court must give leave before a witness can be called in relation to the storage, receipt or testing of the thing. The criteria for granting leave is a relatively low test. If the court is satisfied that an irregularity may exist in relation to the receipt, storage or testing of a thing, or it is in the interests of justice that any other person be called in any event, the court can give leave for that evidence to be further examined.

As I say, as well as the member's concerns I have had concerns raised by the President of the Bar Association with whom I have discussed this matter. I undertook to give it further consideration. I have reviewed the provision as it is drafted. I am satisfied that the primary purpose of this provision is to accord efficiency to both parties where there is no dispute, where there is no controversy about the matters for which the certificate is given. If the issue of an irregularity in relation to the storage, receipt or testing of DNA material is raised, ordinarily it would be in the interests of justice for the court to allow other parties to be called to prove those factors. In those circumstances, I believe, as I have indicated to the President of the Bar Association, that these provisions still provide sufficient access to a cross-examination of other witnesses in relation to the testing process in order to protect the interests of an accused. I thank the member for his understanding in that regard.

Clause 48, as read, agreed to.

Clauses 49 to 68, as read, agreed to.

Schedule—

Mr WELFORD (6.58 p.m.): I move—

1. Schedule

At page 42, lines 11 to 13—

omit, insert—

'1 Section 145A(a), from ', section'—

omit, insert—

'; or'.'.

Amendment, as read, agreed to.

Schedule, as amended, agreed to.

Bill reported, with an amendment.

Third Reading

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

SPECIAL ADJOURNMENT

Hon. R. J. WELFORD (Everton—ALP) (Attorney-General and Minister for Justice) (6.59 p.m.): I move—

That the House, at its rising, do adjourn until 9.30 a.m. on Tuesday, 18 June 2002.

Motion agreed to.

ADJOURNMENT

Hon. R. J. WELFORD (Everton—ALP) (Attorney-General and Minister for Justice) (6.59 p.m.): I move—

That the House do now adjourn.

Coronation Drive, Police Speed Enforcement

Dr WATSON (Moggill—Lib) (6.59 p.m.): On 18 April this year, I asked a question without notice to the Minister for Police and Corrective Services in relation to the speed enforcement activities of officers on Coronation Drive. At that time, the minister agreed to raise the issue with the Commissioner of Police and contact me later. I appreciate the minister doing that and forwarding me a fairly detailed explanation as given to him by the Assistant Commissioner for Metropolitan North.

However, having read it, I suspect that the minister was as disappointed with the explanation as I was and must understand that the explanation is really a lot of hogwash. I will go through a couple of aspects of it to explain some of my disappointment. One of the explanations in the advice that the minister received for why the police were there revolves around council workers and members of the public and the lack of compliance with speed signage by motorists, which creates dangerous situations for Brisbane City Council workers. On Monday, 15 April at 4.30 p.m. there were simply no council workers in that area whatsoever. There was no construction going on in that area. I am talking about the area between Cribb Street and Hale Street. There were no council workers and no construction workers. But, more importantly, the construction on Coronation Drive is taking place further outbound on Coronation Drive. So the motorists, travelling towards where the police had set up their radar trap, would have had to pass through all the area in which the construction is taking place and where the Brisbane City Council officers are working. That is not a reasonable explanation as contained in that letter. The letter goes on to state—

> The officers performing speed enforcement duties on Coronation drive are restricted in where they can perform such duty, due to the lack of suitable interception sites.

That is right. Because the problem is that the two lanes that wind along Coronation Drive are continually interrupted by lights. So motorists cannot accelerate to any decent speed. That is where the potential danger occurs. Of course, there are no proper interception sites there. Where the police had set up the interception site was where the problem no longer existed. On that section of the road, the roadwork had been completed and there were four lanes designed to take traffic travelling at 60 kilometres per hour. The police had set up their radar site in an area that naturally led people to travel at a slightly higher speed. Some of the construction has not finished. The traffic lane—

Time expired.

Kawana Waters Region

Mr CUMMINS (Kawana—ALP) (7.02 p.m.): I wish to advise the House of an exciting sports precinct on the Sunshine Coast of Quad Park in Kawana in my electorate. A public meeting will be held at the Kawana Community Hall on Saturday, 25 May 2002 at 11 a.m. to present the master plan as well as other Quad Park Corporation initiatives. The master plan incorporates the existing 15 hectares of land, being the Kawana sportsfields at Bokarina and the Kawana Aquatic Centre as well as Lake Kawana and parts of Eastbank that are currently being developed by Lensworth Kawana Waters, and a further 30 hectares of land further to the west that will feature new community sporting fields.

In previous years, I was part of the Caloundra City Council. As the divisional councillor, I saw a $1.3 million heated Olympic standard 50-metre pool built at the Kawana Aquatic Centre. Lake Kawana, which is currently being constructed by Lensworth Kawana Waters, will become a significant Sunshine Coast community asset. The lake will be a significant venue for community recreation as well as an elite water sports event and training location for activities such as rowing, canoeing, kayaking and triathlons as well as a well-appreciated community asset.

National and international Masters rowing regattas, international canoeing and kayaking and a schools based head-of-the-river competition are just some of the prestigious events that are expected to be attracted to Queensland's Sunshine Coast on the completion of a 2.5 kilometre sport and recreation lake under construction, which is scheduled for completion in early 2004. Lake Kawana includes the construction of surrounding roadways, bridges and cycle paths and was endorsed recently by Premier Peter Beattie. It is the first of its kind for Queensland. Lake Kawana is expected to become a training ground for Australia's elite rowers, canoeists and/or kayakers while providing a community based playground for non-motorised water based recreation. Lake Kawana is being developed by Lensworth Kawana Waters and represents an

investment of over $26 million over a three-year period with the cost amortised over future land sales.

The Kawana Waters business village has been recognised by our Labor government as a Smart State business park and the adjacent Kawana Waters town centre also fronts Lake Kawana. While the lake will fulfil an important regional sports and community recreation role, it will also provide highly sought after water aspects for other land based users. On completion of the development of the Kawana Waters region, around 10,000 job opportunities should be created, of which 6,000 will be generated through the Kawana central business village, Kawana Waters town centre and the nearby industrial precinct while some 150 people will be employed in the construction of the various precincts, including the lake.

Time expired.

Subcontractors, Cairns Hospital Redevelopment

Mr HOPPER (Darling Downs—NPA) (7.05 p.m.): The subcontractors of this state have been getting a raw deal for far too long. It is about time that the Minister for Public Works and Minister for Housing put a bit of grunt behind his legislation and took some serious action on the big boys of the building industry who think that they can treat subcontractors like second-class citizens who have to beg for their money.

Queensland is not a state that will be walked over by the big companies from the south. If the Beattie government awards contracts for government projects, it should at least have the decency to make sure that subcontractors will be paid and paid on time. If the minister did not know what is happening on the Cairns Hospital redevelopment project, some serious questions need to be asked of his staff. One question that he should ask them is why were they trying to save their bacon by keeping this a secret. It is not acceptable that, with his number of ministerial and departmental staff, the minister should ask me for information regarding the government contract. But I can assure the minister that I will keep asking questions until the plight of subcontractors is fixed and they get payments in full and on the date that they are due.

There have been meetings held all over this state in regard to subcontractors' timely payments and there will probably be many more. However, when will the rhetoric stop and the action start? In saying this, I am glad that no members of the Beattie government are playing in the State of Origin, because they would be talking about the game while New South Wales is scoring. In fact, that is exactly what is happening here. The southern boys are scoring by not paying our subcontractors while the minister is talking about getting tough. The minister should start scoring points for our subcontractors because at the moment it seems that the people who are responsible for the legislation, which is the Beattie Labor government, are the chief offenders by awarding contracts to builders who are refusing to pay our subcontractors their just dues.

How can the Beattie government claim to be making Queensland a Smart State when it ignores payments to workers? Does the minister understand the stress that these subcontractors have to suffer because they do not know when their next payment is coming? Does the minister know what it is like for people to have to explain to their children that they cannot go on school excursions or social activities because they are strapped for cash because the big company that the government employed—this government, the Beattie Labor government—to build the hospital is not paying them? Does the minister know what it is like for a person to have to explain to his wife that they will probably lose their home because the government contractor is not paying them and that, therefore, they cannot pay their housing loan payments?

Queensland is losing too many subcontractors who are simply giving up the fight. Many of these who have been in the building industry all their lives are left broke and they are forced to try to take up new careers. I appeal to the minister to keep his finger on the button and make sure that this situation is rectified, because subcontractors are not numbers; they are real people with real needs and, most of all, they need to be paid on time.

Mrs S. Fredericks; Mr A. McLachlan

Mr ENGLISH (Redlands—ALP) (7.08 p.m.): On Monday, 28 April, I had the pleasure of attending the Rosevale nursing home and attending the 100th birthday celebrations of Sarah Fredericks. Sarah was born on April 29, 1902 and in her 100 years she has certainly seen a lot of

change. Mrs Fredericks attributed her old age to natural living as well as hard work and a stress-free come-what-may kind of attitude. I think that a lot of members in this House can learn from her example. Mrs Fredericks grew up in Capalaba and helped her mother and stepfather run the local dairy farm delivering milk by horse and cart to the Wynnum and Manly areas. She married John Fredericks on 28 January 1933 and they operated their own dairy farm in the Capalaba area where they successfully raised four children, Ivan, Alan, Graham and Peter.

Unfortunately, Mrs Fredericks's husband died in November 1966. In 1969, the Redland Shire Council resumed part of the Fredericks's land for a large park, which is named after her husband. John Fredericks Park is a very well-known sporting landmark in the electorate of Capalaba. The parklands is the home of the Capalaba Soccer and Recreation Club, the Capalaba Greyhound Club, the Lions Club of Capalaba and the Capalaba Junior Rugby League Club.

Sarah has 15 grandchildren, 28 great-grandchildren and two great great-grandchildren, many of whom were present to celebrate her 100th birthday. Without doubt, it was a moving experience to see such a huge family turn up to support their mother, grandmother, great-grandmother and great, great-grandmother on such a fantastic day.

This morning I attended the funeral of Alan Ian McLachlan of Redland Bay. Ian, as he was known to all of us, was a former Rat of Tobruk. I cannot begin to imagine what Ian went through in his service during World War II, but he was a proud Rat of Tobruk. The Rats of Tobruk have a close association with the Victoria Point State School. I met Ian at a number of Anzac Day functions and he was very supportive of the school community. The Victoria Point State School community built a memorial wall specifically focused on the Rats of Tobruk so that their contribution could be remembered. Ian is survived by his wife Ethel, his two children Kaye and Ann, and his two grandchildren Jai and Lauren.

The Rats of Tobruk are also active in educating today's students about the horrors of war. Two school coordinators who coordinate the state-wide program, Kev Baker and Derrick Watt, are surviving Rats of Tobruk. It is important to acknowledge their service to the community.

Time expired.

Banks, Kin Kora

Mrs LIZ CUNNINGHAM (Gladstone—Ind) (7.11 p.m.): Some weeks ago the National Australia Bank announced it was closing its Kin Kora branch. Ironically, that announcement was made within days of the ANZ Bank, located in the same building, reviewing its previous announcement to close. The ANZ Bank has now said that branch will remain open. It may relocate, but its full services will remain available to its clients at Kin Kora.

The National Australia Bank has now said that following its review the Kin Kora branch will close and select services will be available via Australia Post. It said that the decision was made in part because of a drop in clients. I found that intriguing because some time ago the National Australia Bank stopped operating several days of the week. That changed, and then it stopped handling cash on two days a week. If a person went in to make a house payment or some other payment, the bank would refuse it, saying 'We are not taking cash today'. I believe that branch was redesigned to fail.

In the announcement made by the National Australia Bank, one reason given was the drop-off in client business. The post office to which it proposed to relocate its services is relatively small, well run and the staff are very good. However, at lunchtime the waiting time for bank and post office customers will be significant and it will mean a diminution of services to the people of the western side of Gladstone.

The National Australia Bank also said it was closing the Kin Kora branch because it was one of the branches that was affecting its bottom line. On 10 May, the National Australia Bank announced that it had made a $2.26 billion half yearly profit. One press article stated—

> NAB's retail banking was a highlight after its operation's profit jumped 27 per cent to $1.457 billion, driven by the home loan market.

In great measure, that profit was from the mums and dads. It also referred to the fact that last year the National Australia Bank had the largest write-off of any Australian bank in history.

The Gladstone electorate is a growth area. It has individual, family and business banking growth. I call on the National Australia Bank to review its decision to close and to remember that

those people from whom they are removing their service are exactly the same people who have made them profitable. I look forward to the bank's review of its decision to decline banking services.

Federal Budget

Mr TERRY SULLIVAN (Stafford—ALP) (7.14 p.m.): Last Tuesday, Peter Costello and John Howard produced some lousy figures for Queenslanders: an operating deficit of more than a billion dollars, increases in costs for the sick and elderly, no mention of education, no improvements for our health system, nothing for farmers, nothing for small business—except a billion dollar effort to rake in more tax—and cuts to public housing and disability services.

It seems that lousy figures such as these are endemic to local Liberal MPs as well. Half of my electorate lies in the federal division of Petrie. On page 6 of a recent edition of the *Peninsula Post*, Liberal MP Teresa Gambaro rightly expresses her pleasure that the local unemployment figures have gone down. That was good news.

However, let us see what the Liberal MP does with the figures. Ms Gambaro's report says that 'The Redcliffe Peninsula recorded a drop of 0.8 per cent' in unemployment for the last quarter, and compares this favourably with the Brisbane average of a 0.1 per cent increase. How this apparent impressive result was achieved is revealed in a second article on page 21 of the same paper. I table both of those articles. There, Ms Gambaro spells out the four areas that comprise the Redcliffe statistical division, stating the drops in unemployment to be 0.3 per cent for Clontarf, 0.2 per cent for Woody Point, 0.2 per cent for Redcliffe and 0.1 per cent for Rothwell.

Now we see how Ms Gambaro gets her magnificent 0.8 per cent drop in unemployment figures. She did not average out the figures for the four areas, she added them together! Looking at unemployment figures under the same method, Ms Gambaro should claim that the figures in the same four areas of Redcliffe are 10.9 per cent, 11.9 per cent, 10.6 per cent and 9.6 per cent. Under the peculiar Gambaro additive statistical method—or GAS—Ms Gambaro should claim an unemployment rate of 43 per cent in her area. This figure is obviously a fantasy—but so are her other figures!

This is just another example of the federal coalition's growing practice of truth overboard. Firstly they gave us the children overboard lie, then the Heffernan-Kirby lie, the $5 billion currency gamble fraud and cover-up, and a recent budget where they have thrown vulnerable people overboard. In fact, it is the federal coalition that needs to be thrown overboard. We see how poor the Liberals are at figures. When Peter Costello finally has to challenge John Howard for leadership, he had better not get Teresa Gambaro to do his numbers for him because her statistical methods just do not add up.

Wild Dogs and Dingoes

Mr SPRINGBORG (Southern Downs—NPA) (7.16 p.m.): I rise to address what I believe is a very serious and growing issue. It is a matter which has been raised in this parliament by a number of members over the last couple of months, that is, the growing problem of wild dogs and dingoes not only in rural areas but also in areas much closer to our major built-up centres.

The Inglewood shire in my electorate has 102,000 hectares of state forest land. That is a significant area of state forest land. In the previous year, the dogger of the Inglewood shire was responsible for trapping 144 wild dogs and dingoes. Seventy-five per cent of those were trapped on state forest land.

My particular concern is that since February 2001 there have been changes in the machinery of government which have transferred the responsibility for the management of state forest land from the Department of Natural Resources to the Queensland Parks and Wildlife Service. While the Queensland Parks and Wildlife Service has traditionally done a very good job of administering national parks and wildlife, I have grave concerns about their capacity to fully understand and appreciate the very difficult issues involved in managing wild dogs, dingoes and other feral animals, particularly on state forest land.

Recently, the Inglewood Shire Council has been advised that by and large it will be extremely difficult for their trapper to gain permission to trap on state forest land. Dingoes and wild dogs

breed on that land and then spread out and encroach upon grazing country, inflicting a lot of economic damage and misery on sheep and cattle.

I am concerned that there is not a real understanding by the Queensland Parks and Wildlife Service with regard to efficient baiting of state forest areas. It will allow baiting, but only on the perimeters. In most cases, the dogs are breeding in the centre of state forest areas. If perimeter baiting is carried out, only a few of the dogs that are encroaching onto private land are removed and the critical mass remains.

The QPWS needs a better, practical understanding. Its staff are good people who have traditionally done a good job. However, I do not believe that they have an effective cultural understanding of the difficulties of managing these areas. If a dogger/trapper cannot effectively do his job or a baiting program does not actually reach dogs where they are a problem, we are exposing our livestock industry to significant problems down the track. The QPWS needs a far greater practical understanding of these issues and it needs to get together with DNR and local councils to sit down, nut it out and gain a far greater on-the-ground appreciation of the present issues.

Childers Police Station

Mr STRONG (Burnett—ALP) (7.19 p.m.): Tonight I take this opportunity to bring to the attention of honourable members the condition of the Childers Police Station. Firstly, I acknowledge the presence of the Minister for Police tonight and appreciate his understanding of where I am coming from.

I am informed that the building was constructed some 90 years ago as a saddlery storage shed. As honourable members can imagine, this building is beyond maintenance at this stage and there is only so much we can do with timber buildings of this vintage, where the level of improvements necessary to cope with today's standards cannot honestly be justified. Seven police officers plus administration staff share this facility with much difficulty, as the office is not much bigger than a city bus. Vehicle inspections by officers cannot be done on site due to the fact that one car in the driveway on the single concrete section of the block would prohibit police car access totally. Therefore, all inspections are done on the street and in dry weather only. For rural towns this is a major inconvenience for both police officers and the Childers community.

Another cause for concern is the position of the lock-up, which is some 20 metres away from the main building in a separate shed at the back of the block. This may have been standard practice some years ago, but it does not meet modern day standards for people in custody. The alternative is a two-hour round trip to Bundaberg.

The most significant factor concerning this outdated station was an event that I know everyone in this place would agree we do not want to see happen again—the backpacker fire at Childers some years ago. A situation arose just hours after the fire had been contained and the terrible consequences of one deranged person's actions had been fully realised. The police, the SES, ambulance, fire and rescue, and council members—about seven people in total—had to set up an operations base and plan the next six minutes, the next 60 minutes and the next six days. The Childers Police Station was the obvious first choice but, upon arrival, it was found that staff were working at capacity amongst the chaos and there was room for only four extra people in the building and the rest had to stand out in the rain. I am told that within minutes and after a short heated discussion an alternative site was chosen.

On a more positive note, the community of Childers is on the threshold of a period of golden years. With the community pulling together during and after the tragedy, things are looking up for Childers. I must mention that the minister and the Police Commissioner visited the police station in December last year and are fully aware of the situation at Childers. I would like the minister to look favourably on Childers in his budget deliberations for this coming year.

Bicentennial National Trail

Mr FLYNN (Lockyer—ONP) (7.22 p.m.): How many have heard of the R.M. Williams brainchild of a national trail—the longest recreation trail in the world, 5,330 kilometres of roads and tracks from Cooktown through New South Wales, the Australian Capital Territory and to Healesville, Victoria.

The trail in Queensland is on legal rights of way along bush tracks, fire trails, stock routes and surveyed roads through 30 Queensland shires. It is the people's tourism venture. The Bicentennial National Trail is used as a major tourism venture for local, intrastate, interstate and international trekkers, horse riding or bushwalking clubs, mountain bicyclists, scout troops and kindy kids. In tourist dollars the annual expenditure by trekkers is estimated at $8.5 million.

Travel over the Great Dividing Range, look out over the best fertile agricultural land in the world, before stepping into the famous big scrub. Trek past Teviot Brook and beside the rabbit proof fence along the Killarney road from August to November. Next door the National Park is ablaze with flame trees. For country hospitality, stay at one of the many tourism ventures that continue to pop up along the trail—a tent in a shady paddock, for a gold coin donation, through to bed and breakfasts, host farms and farm stays complete with a horse hotel. People run guided bushwalks, pack donkey bushwalks, pack goat bushwalks, trail horse rides, mountain cycle tours, camel wagon trips and bullock wagon treks.

The BNT board is involved with the state government's South East Queensland Regional Trails Network project, especially in regard to the autonomy of their project, now 30 years from conception. Everyone sees future trends as holding more leisure hours—hours people can be encouraged to spend as tourists. A greater percentage are environmentally conscious, conservation oriented, ecotourism aware, while ordered, regulated and humdrum lives make these same people ask for something different, something adventurous—all those things preferably for free.

What is needed is protection of the sustainability of our asset. All Bicentennial National Trail road easements must be recognised at state level as a tourism resource. Roads, tracks and easements must be gazetted, showing up in title searches when adjoining land is for sale. Heritage sites must be listed and conserved, such as the 120-year-old stone-pitched bullock wagon track at Mareeba's Dora Creek. The visual amenity of the trail needs protection for tourists, buffer zones against encroaching urbanisation, protection of stands of vegetation and encouragement for replanting in areas previously cleared. The Bicentennial National Trail is accessible from all major east coast airports, and while a loop trail already connects Brisbane to the BNT, some other coastal shires are in the process of establishing additional loop trails to link their own areas to the BNT. There is something about the drover, the stockman, the bushman which speaks directly to the heart of every Australian. Anyone who sat amid the pin-drop silence of crowds of over 40,000 people at the Ekka at last year's presentation of the *Man from Snowy River* knows that.

Are we assured of the Premier's growing tourism initiative, with hope that his whole-of-government approach will see road reserves of our Queensland trail gazetted by the state government and protected as declared land by the Department of Natural Resources and supported by other involved departments? The federal government funded the establishment of this trail in 1988. We now need the Beattie government to continue support for our Bicentennial National Trail and a state coordinator for Queensland.

Anzac Day

Ms KEECH (Albert—ALP) (7.25 p.m.): Community spirit is alive and well in the Beenleigh district, if the participation in the Anzac Day ceremonies is any evidence. The dawn of 25 April broke at Beenleigh to find the largest crowd ever gathered at the James Street War Memorial to remember those who had fought for their country in wars past and those who are currently on peace keeping duties overseas. Active and returned service men and women as well as a huge crowd joined Beenleigh RSL President Lieutenant Colonel Bill Brydon, retired, in a truly moving ceremony. A poem remembering the heroic deeds of our service people was read by Steve Cavanagh. Father Brian Burke reminded the crowd that war is never the way to solve international problems. As we are seeing today in the Middle East, violence simply begets more violence.

Later in the morning, the annual Beenleigh march, expertly organised by parade marshal Major John Lefel, retired, moved from York Street to the memorial. A large number of schools, community organisations and service groups proudly marched alongside the Beenleigh police. Mrs Eva Woodrow, resident of Noyea Park Retirement Village, moved the crowd with her reminisces of her dear brother's war experiences. She reminded young and old that war does not end with the last bullet fired and the last bomb dropped. As a Legacy ward myself, I know first-hand the continuing grief and suffering war brings to families.

The community owes a debt of thanks to Ray Collison, chair of the Anzac Day RSL committee and Daphne Brydon, to the ex-service woman's committee, and to all other committee members. Bugler George O'Brien attended not only all of the Beenleigh and Pimpama ceremonies but also many of the school services during the week. At Coomera State School he captured the children's attention and imagination by demonstrating on his bugle the history and origin of the *Last Post*.

Others who contributed to the solemnity and emotion of the commemorations include the Beenleigh Brass Band, Brisbane Thistle Pipe Band, Piper John Simpson and Windaroo Valley State High School orchestra and choir. These people worked so hard to ensure Anzac Day 2002 was indeed a tribute to the memory of those who had given their ultimate in the duty of their country. On behalf of a grateful community, may I sincerely thank you all.

Motion agreed to.

The House adjourned at 7.28 p.m.

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