

**THURSDAY, 24 OCTOBER 2002**

---

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

**COMMONWEALTH PARLIAMENTARY ASSOCIATION**

**Mr SPEAKER:** Order! I have to report that the annual meeting of the Queensland branch of the Commonwealth Parliamentary Association will be held in the Legislative Assembly chamber today at 1 p.m.

**CHILD CARE BILL****Second Reading**

Resumed from 23 October (see p. 3996).

**Ms KEECH** (Albert—ALP) (9.31 a.m.): As we walked into parliament this morning we were reminded that nothing is more important to us than our children. Proud father the member for Mansfield brought his very new baby, Brianna, and his wife to visit us and so that concept was reinforced. She looks absolutely beautiful. Congratulations to the member for Mansfield.

The Beattie government is committed to ensuring that Queensland families can have confidence in the quality of the child care services they choose to use for their very precious children. Perhaps one day the baby of the member for Mansfield will use some of these wonderful child care services. Therefore, I am very happy to be supporting the Child Care Bill 2002.

The bill's primary aim is to protect and promote the best interests of children receiving child care in Queensland. The importance of this aim is seen in the fact that all members of this House are supporting the bill. The primary objectives of the bill are to establish a licensing system for child care services, which will now include school-age care services. Also, it seeks to regulate the way child care services are conducted. In addition, the bill sets standards for persons who provide child care, particularly through increasing the minimum qualification requirements based on competency.

This bill is particularly relevant to the people of Albert, the electorate I am very proud to represent. Albert is the fastest growing area in Queensland, with 30 per cent of its population under 18. There is a very large range of child care providers in the electorate of Albert, and they do an incredibly good job.

I will now speak about some of the major changes the Child Care Bill will introduce. The bill is a change from the highly prescriptive process of the current act—a change from using prescriptive service types for kindergartens, limited hours care, long day care and family day care in deciding how a child care service should be regulated.

There are some major changes to the child care system in Queensland. Previously there was a 10 per cent increase allowed in a centre's licence capacity for emergencies. The bill will change this to allow only one child or sibling group in emergencies to attend a particular centre. There will now be new requirements in legislation in relation to qualifications. Staff will have six months to enrol in a course and three years to complete that course. The minister has arranged for \$4.2 million to be allocated for a statewide training strategy to ensure that these qualifications are maintained.

New requirements will be placed on services when transporting children in care. The new limits will ensure greater protection in transporting particularly younger children. For example, a second adult will be required if there are more than four children under school age being transported.

There will be new requirements for the operation of playgroups in home based care. The requirements will place limits on the number of children and adults gathering, the frequency of these gatherings and the premises in which playgroups operate. The changes are designed to increase safety and consistency across the state in the operation of these groups. My understanding is that these regulations do not relate to registered playgroups, where mothers

take their children to a local hall or centre. This is because the mothers or carers are actually on location and are able to provide their own personal care for the children. In fact, I am a great supporter of playgroups, having started the first playgroup in Beenleigh back in 1980. P&Cs will be able to hold licences for school-age services under the proposed legislation. I welcome that.

The proposed legislation achieves a balance between increasing flexibility and strengthening enforcement with the addition of approximately 36 new offences, increases in penalties for five existing offences and the maintenance of current penalties for 16 existing offences. The proposed legislation also serves to close loopholes which have proved problematic under the current legislation and provides key mechanisms to ensure that children's safety is of paramount concern when making licensing decisions.

The proposed legislation has been significantly streamlined. The building requirements for centre based services have been moved into the Building Act 1975. Workplace health and safety requirements have also been moved where they are the same as those set out in the Workplace Health and Safety Regulation.

I welcome the extensive consultation that the minister and her office have conducted throughout the industry. However, there will always be competing views within the child care sector about just how stringent legislation should be. The legislation regulating child care services represents minimum standards for the sector and needs to consider what is in the best interests of our children, what is achievable for the sector and what is viable for services. The final draft of the proposed legislation incorporates a range of these views and sets out a strong regulatory framework which aims at ensuring safety for children as well as providing some flexibility to assist services in meeting the needs of parents.

It is proposed that the commencement of the legislation be delayed for six months after the legislation is passed by parliament in order to allow time for training for departmental staff, information sessions for the child care sector and the development of policies and resources for the new legislation.

As I mentioned earlier, consultation with the child care sector started back in March and April 2000, and further statewide consultations were held across all of Queensland between December 2001 and April 2002 on an exposure draft of the bill and regulation. The results of the consultation process have been incorporated into the proposed legislation.

I believe that the bill provides a balance between increasing the level of regulation of the child care industry and introducing measures to ensure that services are able to respond to the needs of working parents. I am very fortunate in Albert to have a range of child-care centres that provide excellent care. I draw the attention of the House to a particular centre I have visited on several occasions. Norfolk Village Child Care Centre is established in the very fast growing area of Norfolk Village and is being very well accepted by the parents of the area.

Earlier this month, I visited the centre for a multicultural day. This was a wonderful opportunity for the children, both the preschoolers and the kindergarten children, to be entertained by ladies from Logan city who shared not only their food but also dances and some games that children in their countries enjoy. The licensee, Jenny Hyland, the director, Julie Bartlett, the preschool teacher, Renee Cafilisch, and the teacher's assistant, Laura McArthur, do an excellent job. I was very impressed with their professional attitude and also by the love and care that they showed the children on the days that I have visited.

Another preschool in the area that also has a kindergarten centre is the Bethlehem preschool at Woongoolba. In fact, my daughter, who visited me this morning to have breakfast and who will be 18 next month, attended the Bethlehem preschool when she was three and four. The director is Rochelle Brown and the president of the parents group is Warren Fraser. This centre does an absolutely fantastic job. It is, in fact, one of the best kept secrets in the Woongoolba-Beenleigh area and I encourage parents in the Beenleigh area, if they are looking for an excellent preschool and kindergarten, to make a call to Bethlehem. In commending the bill to the House, I congratulate the minister, Judy Spence, for her courage and dedication in bringing the bill this far and also to thank her staff who have given me additional briefings on some queries that I had. I commend the bill to the House.

**Mrs PRATT** (Nanango—Ind) (9.41 a.m.): I rise to speak to the Child Care Bill 2002 and acknowledge that the government's objective is to protect and promote the best interests of children receiving child care. I applaud the motives of the bill, but I have had several concerns brought to my attention by organisations who question the effectiveness of the legislation in its aim of providing full protection to the child. There is also concern that the cost of complying with

the legislation will for many make child care unaffordable, particularly with the requirement for the increase in staff over lunch periods, which will see a massive increase in staff numbers. I think that it was the member for Cunningham—and correct me if I am wrong—who offered a figure of an extra 4,000 staff who could be required. It was questioned whether or not it was possible to obtain that additional number of qualified staff and whether or not on the day that the legislation became law many child-care centres will, in fact, be in breach of the act.

**An honourable member** interjected.

**Mrs PRATT:** That is right. Many believe that complying with the legislation's requirements will increase costs and that these costs will be passed on to the parents.

I believe that more than 50 per cent of the child population frequent child-care centres. For most, it is a necessity. Although many mothers and fathers would prefer to stay at home, parents' circumstances make that impossible. Being a one-parent family, pursuing further studies, volunteering in the community, or perhaps having the need for a child to gain social skills or even a parent just needing time out for oneself can all be reasons why a child is placed in child care. Parents deserve to be confident in the child-care centre that they select. I believe that this is the intention of the bill. But I also ask: does the bill, in fact, achieve its aim? Does it convince parents, child care organisations and staff that it will, in fact, deliver its intent?

Like most members, I have been approached by concerned representatives of the Creche and Kindergarten Association, the Queensland Professional Child Care Centre Association and other individuals and groups. In communication with these groups, they criticised the Department of Families and claimed that the department has—

Failed to design the legislation so that it will protect children and promote their wellbeing while attending child care services.

It is because of concerns expressed by associations with such long-term experience that I choose to put forward their arguments to be addressed by the minister.

The Queensland Professional Child Care Centre Association Inc. has operated for 28 years and served approximately 25,000 families. They care for approximately 35,000 kids in 290 child-care centres throughout the state. These organisations are experienced in a field that most of us would balk at. I for one do not dismiss their concerns lightly. In relation to the legislation, that organisation states—

That if passed in its current form, as overlooking the flaws in the current regulations and fear, if it becomes law it will allow licensees to increase profits at the expense of the children in care.

The Creche and Kindergarten Association's general comment was the following—

The proposed legislation is based on flexibility for licensees and the convenience of families rather than the object and principles in relation to the children it purports to be promoting. We cannot see any evidence of current research or best practice in early childhood reflected in the Bill or regulations.

It also claims that the current minimum standards will be further eroded if the bill is passed in its current form.

There are concerns that the needs of a child whose family is experiencing a genuine emergency cannot be best met within a centre based service. The Creche and Kindergarten Association argued—

In a genuine emergency it is more likely to leave a child feeling unsettled, vulnerable and in need of additional support as a result of a disruption to the family.

It stated further—

There must be alternative ways of responding to genuine emergency care requirements because meeting the needs of that child who has suffered a form of trauma in addition to an already full group of children will erode the level of care for every child in that group.

These groups maintain that this bill increases the pressure on human and physical resources in child care services. I cannot say if these concerns are justified, but concerns from bodies with such experience in the industry must be given consideration.

There are many concerns being raised by the child care agencies and I cannot see anyone arguing against the primary reasons behind the legislation, which are to protect the child from harm, respect the child's dignity and privacy and wellbeing, and provide positive experiences for the child. However, if that is to be achieved, then it appears that a lot more needs to be done before many in the industry are convinced. It may well be that some self-assessment could be successful, but that is also questionable. It could be that the licensing and relicensing process

must be backed up by the department on a one-on-one personal visit basis, which would escalate costs—and possibly the cost factor has influenced this proposal for self-assessment.

It is essential that the department is satisfied that the licensees are complying with all aspects of the regulations. I do not believe that self-assessment alone, based on previous compliance history, is good enough. In particular, I see the standards of each centre being only as good as the staff employed, and staff change positions on a regular basis. In saying that, I have only admiration for the majority of child-care centres and others involved, but I am concerned that self-assessment opens the opportunity for certain aspects of standards to slip.

The carers' approach and attitude to their job will have a major impact on the children in their care. Through necessity, the child is left under that carer's supervision during their formative years while the parent works, and their influence on the child's behavioural patterns is well documented. In many cases, the child forms an extremely close relationship and dependency with individual staff. Like any business—and in this day and age these centres are becoming big business—staff continually change jobs for many and varied reasons. Many join other child care organisations or start their own centre. Many take a lot of the goodwill of the business with them, like any good employee in any business that is competitive. Replacement staff may fail to continue the same level of care. Self-assessment could be false in cases such as that. Therefore, I believe that there needs to be a system in place for effectively tracking the progression of staff members to ensure that they are upgraded to any required qualification for their position. To be effective and in the spirit of the reasons for the bill, I consider that inspections by departmental officers are a must.

To back this up, there must be a strong enforcement by these officers to ensure that compliance by licensees is kept and that there are stiff penalties and sanctions imposed for offenders. It is the lives of our biggest asset that we are playing with here and genuine deterrents are essential. Let us not lose sight of fact that it is the children who are our responsibility, not so much the parents.

The minister stated the following as the basis for legislative changes to be made to the current legislation—

... the legislation being overly prescriptive and lacking the necessary flexibility to assist services to meet the specific needs of parents within their communities.

To an extent, I agree with that statement. But there are several concerns being expressed by a large sector of the child care industry that need to be adequately addressed. I look forward to the minister's response to the numerous questions put forward by many of the members in this House.

**Ms PHILLIPS** (Thuringowa—ALP) (9.48 a.m.): Like many other members, as a parent I have experienced the full gamut of child care over the years. In 1971 there were not many child-care centres around when I decided to return to work once my first daughter was one year old. I found a private and very expensive centre where the director was out of the same school as 19th century English nannies. I was allowed to deliver my precious baby only to the front door and I was told that the director knew what was best for the child. I never saw inside the centre, never knew how Becky was treated, and I was racked with guilt every time I dropped her off. Fairly soon she started crying when we would walk up the pathway to the door, and she stopped eating anything I would try to give her. I still do not know what she was fed at the centre or if she rejected their food, but to this day 30 years later she still cannot eat casseroles or stew or anything with cooked carrots. Needless to say, I took her away from the centre and put in place a complicated network of family, friends and in-home care. This was always breaking down and caused me as a young mum considerable stress and guilt, but there were no alternatives available at that time. A few years later, the wonderful era of Whitlam government social initiatives started taking effect and I was able to use the first community based centre in Townsville. This was run on a very casual north Queensland style, chaotic but caring. At least I was able to come and go and was confident that I knew what was going on and the care given to my little girl. Not long after the birth of my second daughter I was asked to return to work part time and I found a small, caring, home based centre. This was run by beautiful women in a flexible way. I was able to pop in and even breastfeed my baby at lunch time, and her oldest sister still remembers songs that she learnt in this happy environment. When I went back to university both girls started at the creche at JCU and, again, this was a casual, friendly, flexible centre—a bit crazy at times—but I was able to be with them between lectures and see how they were coping.

The 1970s saw the development of many centres, mostly community based and almost fully subsidised by the federal Labor government. However, there was not such a high demand as women were not working in the numbers that they are today. As a professional woman, I was a

bit of an oddity. By 1981 I was a single parent with three children under 10 and had decided that I could not afford to live on the supporting parents benefit, so I went back to work and had the nightmare of juggling before school care. I had to leave home at 7.30 to get a bus to my place of employment and use after school care as I could not leave work until 5.30. This was a period of absolute madness for me. Outside school care was rare and not up to my standard. Day care was a disaster. I would rush in in the morning, usually forgetting lunch or nappies or some other important item. One day I even forgot to collect Katie and arrived home in a daze with only two children. At night when I was collecting the children, I was often reprimanded for being five minutes late. I was once told by the director of the centre, 'She thought you had abandoned her.' My little girl was two-and-a-half at the time.

Eventually I changed my job and found a position at a hospital that had workplace based child care. What a bonus! Over the years we went through all combinations of care, including sharing a house with two other mothers on their own. We had eight children between us, but it allowed one to return to her profession as a midwife delivering babies at night, which she believed was when they should have been delivered, while we cared for her babies at home. In all of these experiences of the 1970s and 1980s, finding safe, quality, flexible care was often very difficult. However, it was subsidised by the federal government, so it was affordable even to sole parents like myself or sole breadwinners.

Personally, my experience as a child care consumer was coming to an end and I found myself on the other side of that daunting front door. For a short time I became a child care provider. I was a family group home mother living in and caring for 13 children, including my own, and at another time I ran the local vacation care program so that I could work and be with my girls at the same time. That indeed was a challenging experience. Then came the dreadful changes put in place by the federal coalition government which tried to force women back into the home by withdrawing subsidies and causing chaos in the industry. I then found myself in a new position working in another state for two local authorities, this time supervising child care. By the mid-90s some parents had come to regard child care as a right for which they had to pay very dearly. Others regarded it as an impossible dream and either resorted to using family support and backyard carers or gave up the idea of working or studying while their children were of preschool age. This was maybe okay if there was a male breadwinner, but where there was not it meant that more women on their own with children gave up the idea of finding work and settled for a life of poverty on a social security pension.

In my position as director of community services I came across horror stories of child care. The leader of the babies room at a large, high feed, seemingly well-run centre was charged with force feeding and mistreating the tiny children in her care. The staff who worked with her had been too threatened to complain. Another centre was found to be feeding children unidentified tinned food which caused rashes and other allergies. Staff at another centre, while well meaning, had absolutely no training or qualifications and there was no record keeping. Another had one staff person on in the morning to accept the children on the basis that if there were too few children before 8 a.m. the centre could not afford to have more staff on. Others were so dilapidated and old that they were a health risk. Few had any programs even for the older children.

So I became acutely aware of just how vulnerable I had been as a parent, how glibly I had given my children over to what I hoped were good carers. Like many other parents, I was probably too afraid to ask questions in case I found answers that I did not like. So we come at last to this Child Care Bill 2002. How remarkable it is for me, having been a powerless consumer and a frustrated community worker, to be a proud member of a state government that is courageously putting in place regulations and guidelines that will ensure that none of these situations ever occur again. Parents all over Queensland—and especially parents in Thuringowa—can be sure of quality, safe, flexible care, whether it is centre based or home based. They can be confident that, when they leave their precious children behind, the staff have at least the very minimum qualifications based on competency. They can know that the services are regulated in such a way that they are conducted in a manner that has the interests of the child at heart. They know that the service is licensed and that any activities, including excursions, are regulated, including the provision of safety requirements.

I, too, add my congratulations to the minister and the departmental staff who have developed this bill that will ensure that the parents of Thuringowa and the rest of Queensland will never need to have a single concern about placing their child into care while they go about their business. I commend the bill to the House.

**Mr HOPPER** (Darling Downs—NPA) (9.57 a.m.): Whilst it is pleasing to note that the regulations support that children must have a balance of indoor, outdoor and individual group activities, it is disappointing that restrictions have been put in place which do not acknowledge the diversity of family day care or consider the individual requirements of families. As stated in the proposed regulations, the legislation does not prevent care providers from leaving their home with the children they are caring to go shopping or pick up other children from school, nor does it set a limit on how many hours per day a carer can leave the home for any reason. The legislation does not state that a care provider cannot leave their home for more than three hours per day, provided that they do not want to join one or more other care provider friends for the sake of safety, convenience or providing fulfilling interactive experiences for the children in care as we are inclined to do, especially during holiday periods.

Scenarios presented with the proposed regulations allow for two care providers to get together in each other's homes or outside their homes any time as often as they like, provided that it does not occur more than two hours in a day. Three or more care providers can get together in each other's homes or outside their homes provided that it is not for more than three hours in a day, once per week for any one child and for no more than 12 children being provided with child care. This severely restricts home playgroups or excursions to parks, et cetera, or other opportunities to attend other events such as under 8's week.

Whilst the licensee is instructed that it has an obligation to be aware of the gathering and to ensure the home location is safe and suitable, there is no allowance for more children if the coordinator is present at a home. However, if the coordinator, not a staff member or facilitator, is present at the playgroup or any other gathering with three or more care providers outside the home anywhere, there is no limit to the number of children but there is still a limit of three hours in a day and once per week for any one child. In other words, if we have part-time care but one child in care who comes on all days when playgroups or excursions are planned in any one week, part-time children miss out according to which day or days of the week they attend. Overriding all of this is the scenario suggesting that if care providers adopt the excursion ratios when gathering there are no safeguards, these being: for children aged less than three, one adult for two children is needed; for children aged three years but not yet at school, one adult to four children is needed; and for schoolchildren, one adult to eight children is needed. This really does affect rural areas. Sometimes they travel from Morven to Charleville to get together. There might be a different scenario of age groups of children in the same vehicle.

Section 96 of the new legislation has been included specifically to allow two or more carers to meet at a home or other place or to take children in care on an excursion. It overrides sections 92 and 93 relative to limits on the number of children in care, provided the regulations are adhered to. However, there is a limit mentioned of not more than three hours more than once a week.

At a care providers' forum in Ipswich on Sunday the 6th those present overwhelmingly spoke out against the proposed restrictions, supporting the view that they were unrealistic, unreasonable and unmanageable by staff of schemes already stretched to the limit by quality assurance requirements. Care providers questioned the reasons for introducing them and pointed out their inappropriateness to the unique structure of the family day care as an extension of the home environment. They felt that parents chose FDC because they wanted their children to have diverse everyday family experiences as they occur.

The executive put forward the view that individual schemes should be responsible for developing policies to ensure that parents' wishes were adhered to with regard to excursions and outings in line with the circumstances that may apply. Furthermore, there is no doubt that the restrictions would create hardship for those in rural and remote areas. The consensus of opinion was that restrictions are not in the best interests of the children or the families. They objected to the restrictions being called safeguards, as there is no implication of safeguarding anything with them. In fact, it is far safer to travel on excursions with care providers' friends. They should not be required to watch the clock to ensure that we are not breaching regulations. It would not be normal or natural to insist that children hurry to finish activities so that time limits are not exceeded. Furthermore, why should school holiday excursions have to be limited to three hours?

Recently, one of my constituents was very concerned about this. I went to her place and had a lengthy discussion with her about this bill. Her main concerns were that she cannot hold playgroup on a private premises. Jo-Anne Janke from Dalby is a family day care provider. She is the vice-president of the Queensland Care Providers Association and the chairperson for the state and territory advisory committee. She believes that this will affect rural areas and playgroups in registered carers' homes because of the limitation on the numbers. A coordinator comes there

every three weeks and is there for every playgroup. She is very worried, because now she feels that her excursions will be knocked on the head.

**Mr CUMMINS** (Kawana—ALP) (10.03 a.m.): In rising to speak to the Child Care Bill 2002, I will mention that my wife, Donna, worked in the child care industry for close to a decade. Although there have been many changes over the years, many have obviously been for the good. There are so many good childcare workers within the industry. Many love their job and the experience of interacting with children. Unfortunately, there is a very small element that we continue to weed out that do not do the right thing. When these low-lives do the wrong thing by innocent children we read about it in the press.

Childcare workers right across Queensland should be commended, because they do a marvellous job. The member for Ipswich mentioned that in her mother's day it was frowned upon to put one's children into child care, if there were any such services. My mother also never really had the opportunity to utilise child care services similar to what is on offer nowadays. I also remember that mothers were encouraged to stay at home and bring up the children. Once we had entered school, my mother went back to work. We were in North Ipswich and they needed two incomes to try to give us a good education and a good family life. That is very important to many Queenslanders, and my parents were no different. About the only child care available in those days was *Romper Room* and similar. I remember a certain little Ipswich boy who went along to *Romper Room* one day. When it was time for them to go—

**Mrs Miller:** Mr Dobee.

**Mr CUMMINS:** It was a bit after Mr Dobee; it was time to read a book. This little Ipswich boy decided it was time to come with me and gallop. He led a little bit of a mini revolt. I will not name him, but I know that he went on to a very successful career and happily lives at Kawana on the Sunshine Coast.

Many years ago, mothers were frowned upon for going back to work. I am very happy to say that nowadays it is impractical for some people not to do so. A second income is a must for many families. When I wrote this speech, I decided that I would mention that in our circle of friends I know of only one mother who has not returned to the work force. We have a three-and-a-half-year old. A lot of friends we mix with have young children. Sadly, the woman I was going to mention, Cathy Butt—I met my wife at her wedding—is seriously ill in Sydney in hospital in intensive care with meningococcal. To Cathy and Murray and the whole family I say that our thoughts and prayers are with you.

As I said, the majority of families we know need a second income to give their family the best they can. It is very positive that society no longer frowns upon mothers who decide to return to work. Even those who do not decide to return to work should not be frowned upon, because it is their decision and their right to do that, if they can. My three-and-a-half-year-old son, Daniel, is a regular patron at child care. Dawn, the lovely woman who has looked after our Daniel John, is a loving mum. Our thoughts and prayers are also with her and her family while her son goes through an upcoming bone marrow transplant. We meet many beautiful people through the child care industry. They enjoy their work and bring out the best in the children. It really is a great experience for young people.

The Child Care Bill 2002 represents more than two years of extensive consultation with the child care industry, community interests and parents. I believe it is a bill that provides the flexibility for the delivery of a quality child care system. The Beattie Labor government recognises that child care services play a critical role in the lives of many Queenslanders. We know that child care is one of the most important issues for young Queensland families who want to see the best for their children and we know that the support of families and the care of our children is critical to the future of our communities. We know also that to give our children the best start we need to ensure our childcare workers have the best skills. These people are providing care and education to the youngest Queenslanders every day. They are contributing to the development and education of tomorrow's leaders and tomorrow's parents. They are helping to improve the quality of children's lives and to build and support our communities.

Queensland needs a smart and flexible work force. To reduce unemployment, families with young children need support to take up opportunities for work, further education and training. Child care allows many people to be able to take part in community life and decision making and provides opportunities for children to come together and play and learn in safe surroundings. I believe that making life better for children is the hope of all parents and governments. How we care for and educate children is a measure of our society.

Years ago, child care was seen as something which parents needed, usually to help the mother stay in or return to paid work. Increasingly, parents now want their children to have access to good child care because of the education and development opportunities which it offers. We have noticed the change in my son Daniel from when he was staying at home with his mother. Since he has been mixing and socialising with other children the improvement has been remarkable.

Good child care can ensure that education and development begins at an early age. Good child care can ensure that we do not have five-year-olds arriving at the school gate to start their school years with social or learning disadvantages, or just being a long way behind their peers in experience and skills. Whilst saying that, mothers and fathers who stay at home and who do not enter the child care industry can also give their children a good start to their lives.

Good child care operates as a community services network, providing a range of health, welfare and counselling services. Good child care teaches parenting skills such as play and listening. It is often a non-threatening source of advice on everything affecting parents, including social security, financial management and time management. It can be a support mechanism which helps to replace the support which used to come from the extended family. Good child care can do more than provide education; it can build and strengthen the community in other ways. It creates jobs for Queenslanders and for many of the small businesses which support it.

I have been contacted by licensees of child-care centres on the Sunshine Coast regarding the proposed new legislation for child care—in particular, staffing during children's rest times. Those inquiries have been responded to. The people have been informed that the Department of Families held a number of round table meetings in August 2002 in order to work with child care peak organisations, including the Queensland Professional Child Care Centres Association and the Childcare Industry Association of Queensland. This was an attempt to solve the issue. Consensus was not able to be reached by the group in relation to how to address staffing during children's rest times in the proposed new legislation.

As a result of the meetings we now see that section 63 of the bill covers the following matters in relation to staffing during children's rest times. A licence condition for a centre based service may provide for one or more periods during a day, totalling not more than two hours during the day, to be rest periods for the service. This condition can be requested by way of an application under the act for a licence or for the amendment of a licence. In deciding whether to include a licence condition providing for a rest period and, if so, in deciding the timing and length of a rest period, the chief executive must have regard to: the ages of the children in care and the times they will ordinarily be resting, the licensed capacity of the service, how the physical layout of the child-care centre allows for the adequate supervision of the children, the staffing arrangements for the service, the information given to parents and guardians about the staffing arrangements and 'another matter prescribed under a regulation'.

Regulation will further detail staffing requirements during a rest period. These requirements include: centres are allowed to vary their staffing levels during designated rest periods to use unqualified 'floaters' to cover multiple rooms rather than having to backfill each worker, and the floater would have a position description and be expected to be actively working between the rooms; and during the period of the variation, the director or assistant director would have to be present but could still fill the position of the floater.

The regulations also state that, depending on the licensed capacity of the service, different numbers of floaters would be required. For services with a licensed capacity up to 30, one floater; over 30 and up to 75, two floaters; and over 75, three floaters. Where a group includes a child aged less than two years old no variation to staffing levels would be allowed. I believe that these provisions recognise the staffing issues and costs associated with lunch breaks whilst ensuring that safety is maintained and risks are considered, and hopefully minimised.

The bill uses objective criteria to set appropriate requirements, including the setting of the service—home or centre based—the numbers and ages of children attending the service and the length of time in care. Whilst this means that those services do not appear in the legislation, the department will continue to recognise these services in publications, resource materials and when providing information to parents. Using objective criteria to regulate ensures that new and emerging forms of child care are included in the framework when they operate with the same characteristics as other forms of licensed care.

The bill introduces new requirements for services around the transportation of children, the operation of playgroups in family day care and improved strategies to ensure that parents are

aware of group and staffing requirements in centre based care. In addition, there are new provisions designed to assist services in responding directly to the needs of parents and families. These include a provision to care for a child or sibling group in the case of a family emergency and the ability for services to accommodate the needs of shiftworkers by varying their operating conditions at particular times of the day. Through these new provisions the bill assists services in becoming more responsive to the needs of communities by allowing services to operate with specific conditions on their licence and appropriate safeguards.

Whilst the bill introduces a strengthened qualification framework, there are specific transitional provisions for staff already working within the child care industry to assist them in meeting the new requirements within a reasonable time frame. This government's \$4.2 million Child Care Statewide Training Strategy will greatly assist workers in obtaining these qualifications. At this stage, I want to mention to the minister that many of the child-care centres have applauded the assistance that the department has given to various child-care centres in the past and sincerely thank the government for that.

I sincerely believe that this Child Care Bill provides a solid framework for child care in Queensland which strengthens current requirements and ensures that services are better placed to accommodate the needs of parents. There will always be competing views within the child care sector about how stringent the legislation should be made. The regulation of child care is important in ensuring that child care services are provided in the best interests of the child and in accordance with the standards around safe and suitable care.

The school-age sector has been working towards licensing standards for some time and is ready to be accommodated within the framework. A broadening of the licensing framework provides benefits for children and families in terms of helping to ensure quality and safety. The strengthening of the qualification requirements means that the system of issuing certificates of endorsement to unqualified staff will be abolished and more staff will be required to hold qualifications or be studying towards an appropriate qualification. An increase in qualified staff will lead to higher quality child care services right across the state.

This bill is founded upon guiding principles which value the interests of the child as being paramount, encourages the involvement of parents and the community and ensures that child care services develop children's potential in a vast range of areas. The Child Care Act 1991 and subordinate legislation has been in operation since 1992. Since that time there has been a significant growth in the child care sector, including changes in the work force patterns of parents and new and emerging codes of child care. The need for legislative change has been highlighted in feedback provided in the consultation sessions, particularly in relation to the legislation being overly prescriptive and lacking the necessary flexibility to assist services to meet the specific needs of parents within their communities.

This new legislation builds on the minimum standards of the current legislation by increasing qualification requirements for childcare workers, including the licensing of school-age care services for the first time and increasing the number of offences for breaches under the legislation. I sincerely believe that this bill incorporates a range of views and sets a strong regulatory framework which aims to ensure safety for children as well as having the capacity to assist services in meeting the needs of parents.

I also make mention of the fact that I recently attended—and I encourage anyone involved with children and child care to read it—the launch of a new publication entitled *ABCs—About Baby and Children's Safety*. Whilst it was released by the Office of Fair Trading, it is obviously relevant throughout the child care industry. *ABCs* is a free publication designed to provide practical advice on buying safe nursery furniture and accessories, toys, clothing and pool safety for children under five years of age—the children who are directly affected by the child care industry. *ABCs* has been developed by the Office of Fair Trading's Product Safety Branch in consultation with key industry stakeholders including the Department of Families, the Queensland Injury Surveillance and Control Unit, the South Australian Public Health Service and Queensland Health.

In closing, I have to make mention of Kathleen Edwards, the President of the Chancellor State School P&C, Jaques Maudy and all others involved in establishing an after-school child-care centre within my electorate. They deserve to be commended. It is to be opened on Monday, 4 November at 7.30 p.m. The Maroochy Shire Council contributed substantially to the construction of this facility. It will be a well utilised after-school care facility within my electorate, because the need for it was identified. While the Maroochy council contributed to its construction, it is built on state government land. I would estimate that, at today's prices, the land would be valued at

between \$250,000 to \$400,000. I commend the minister and recognise that this legislation is the result of a drawn out and difficult process after two years or more of consultation. Realising the difficult aspects of her portfolio, I also applaud the minister for the substantial budget increases to address the issues raised in the Forde inquiry. The minister has also brought before this House legislation dealing with Aboriginal communities containing major reforms. The minister, her department and all those involved in the consultation process should be commended, and I commend the bill to the House.

**Mr ROWELL** (Hinchinbrook—NPA) (10.22 a.m.): The Child Care Bill is a very significant bill for the future direction of many young people in the state of Queensland. There has been a major change in attitude of society in terms of the breadwinner of a family, and there are many reasons for this change. First of all, there is the availability of work for either partner or, more often, the need for both to work to provide the family's income. There is a high level of expectation in that we have become a consumer-driven society. In many cases, people want to buy a home, a car, facilities for their home and so on. As a result, there is a burden and a demand to do all of this—not just to keep up with the Joneses but to provide a good standard of living.

In today's society with job insecurity and the prospect of either partner not having a job, it is often essential that children are placed in child care facilities. Thirty or 40 years ago women were the homemakers and the responsibility of care for children was taken on by them. However, the women of today are developing their skills to find job opportunities. Child care is also required for single parents. A single parent has to provide for their children and themselves. They have to go into the workplace to provide that income that is so essential to keeping both themselves and their children in good stead.

Issues with children being left unsupervised must be addressed, and it is essential for the government to take a role in and to support the availability of child care services. There is a change in society where women want to become independent and look for employment opportunities. Of course, that necessitates that they put their children in child care. Child carers obviously have an influence on children. Therefore, sound scrutiny and training are absolutely essential, because the aspirations and views of carers should not be reflected onto the children in care. Carers also need to maintain family values. As the minister said, children need the best start. The minister noted in her second reading speech that the bill requires increased qualifications.

Random visits by the department will ensure that facilities are operating satisfactorily. That is a good method of determining just how successful the facility is and ensures that the facility meets today's expectations. Maintaining trained staff in rural areas may be difficult, and there is a need to meet that demand. This bill imposes some additional costs, and that issue has been raised by a number of speakers during this debate. The federal Minister for Children and Youth, Larry Anthony, has taken the initiative to establish a think tank made up of all concerned, and this is needed. Society as we once knew it is now in the process of reshaping itself. The role of the family and expectations of government are changing, and we have to meet those expectations. The proposal put forward by the federal minister will be of some benefit. Even though there are costs involved, the burden has to fall across both governments for the scrutiny that is so necessary for the future determination of so many young people in this state and right throughout the Commonwealth of Australia. Costs are a major concern. Whether it is building a facility, the manning of such facilities and providing qualified staff, all of these issues will be discussed by the think tank proposed by the federal minister.

I turn now very briefly to the Tully district, which is looking to upgrade its community support centre. Many mothers in the area have had to return to the work force to supplement their farm income and to basically survive. Some are packing bananas and some are providing nursing care in nursing homes or hospitals. It used to be the case that the breadwinner was the male, but these women now have to go off farm to look for work to ensure the survival of the family unit. Due to the pressure in the community and the downturn in the sugar industry, this situation is occurring more and more. Many farms are in debt and are going backwards because of the price of sugar on the international market. As a result, every resource within the family unit has to be looked at to ensure that that family survives. If there are young children in these families and there is no other option for care such as grandparents, the parents have to use the services of a child-care centre.

It is interesting to see what they are proposing at Tully. During the community forum at Cardwell the minister received a proposal relating to the project. Currently there are counselling services and an advocacy service with a family support centre which involves housing. There are

also child care activities being carried out. This service is expanding very rapidly and the Tully facility has outgrown its space. Now there is the noisy situation of counselling going on with children in the background.

There is also a limited hours child care facility there. It runs for about 12 hours per week. The centre really needs to go into a long day care centre—strictly controlled, of course, for the children's safety and their future development. There is a small out-of-school-hours care and vacation care centre. Numbers have doubled in the last year and it has very limited space. The centre is run from an old tennis facility. The limited space is not allowing for any expansion and the centre does not comply with the national standards.

The service started about eight years ago, but the facilities are now inadequate. The Cardwell shire made the site available in the early 1990s. The former tennis complex is the site of the proposed development. No doubt the Cardwell shire will facilitate a wide level of support if there can be some planning and forward direction for that particular facility. I will quickly go through the proposal. There will be a Home and Community Care, a parking area and child care area. There will be a central block with a kitchen, toilets and so on. On the other side there will be an out-of-school-hours care centre. It will also be using part of the existing centre, which is a very small complex. There is adequate room for parking. Plans have been drawn up. It provides an ideal model for Family Services, HACC and so on. A floater would be able to go across into the child-care centre, perhaps at lunchtime. The out-of-school-hours care centre could be located there as well. This is a model that could be used for the future. I acknowledge the planning of the group involved, which is particularly dedicated in its determination to bring this proposal to fruition.

Things are changing in Tully. There are problems in relation to the sugar industry. Mothers are now going to work packing bananas and so on, so families are looking for somewhere to leave their children. I believe this type of facility offers a great opportunity for the future, a model for child care.

I commend the bill to the House. I know that a few concerns have been raised, particularly about the cost of the operational side of the bill. I think those types of things can be better facilitated by a complex containing all the components that could be expected in relation to child care and community development.

**Dr LESLEY CLARK** (Barron River—ALP) (10.34 a.m.): For families today the availability of quality, safe, affordable child care is one of their top priorities. For women particularly to be able to achieve their full potential and contribute their talents and abilities to our community and economy, access to quality child care is almost invariably essential.

I was proud to be part of the Goss Labor government which in 1991 introduced the first legislation to regulate the child care industry in Queensland. It was groundbreaking legislation at that time, bringing Queensland into line with what had been accepted practice in other states for years, as was the case in so many areas in those days. But times change, and the needs of families and their carers change. We now know more about the impact of child care practices on the development of young children and about the skills that carers need. I am again proud to be part of a Labor government that is delivering the services that families, particularly working families, need through the framework provided through the Child Care Bill 2002.

In my contribution to the debate today I want to focus primarily on the aspect of after-school care. All of the state primary schools in my electorate provide this essential service and do it extremely well. Some, like Freshwater State School, have received funding to construct a special-purpose building while others, such as Edge Hill, use rooms under existing school buildings. In all cases, the standard of care provided is excellent.

The legislative changes to extend the licensing regime for child care to cover after-school care had been sought by the sector. However, when the draft bill was circulated for comment it came as a shock to me and the P&Cs in my schools to discover that because they were not and could not be incorporated it appeared they would not be able to be licensed and continue to provide after-school care services.

I attended a consultation meeting in Cairns with Department of Families' staff and school-age care providers from across the district who raised many concerns, including a fear that the service would have to become privatised and maybe even run by commercial interests with no connections to schools and that the fees would rise. I commend and thank the minister for her prompt and effective response to my concerns and those of my P&C associations and indeed those across Queensland. I also recognise the leadership and commitment shown by Gary Cislowski, the president of the QCPCA, for helping to resolve this critical issue.

As a result, a new clause has been inserted in the bill that specifically allows for a P&C association formed under the Education Act 1989 to hold a licence for school-age care services. This act, when it comes into effect, will apply to a licensee that is an association as if the association were a corporation and the association's executive officers were executive officers of a corporation. The provisions of the bill mean that P&C associations can continue to run after-school care services in future, in just the same way they currently do. However, each executive officer and the nominee, who helps to ensure that the licensed service is conducted in compliance with the act, will be required to obtain a positive suitability notice from the Commissioner for Children and Young People, as will all licence holders. P&C associations will have two years from the time this act is proclaimed, probably mid next year, to comply with the legislation, which should be adequate time for them to obtain their licence for school-age care services and make any organisational changes necessary.

The other issue schools must address in relation to licensing is the suitability of the building in which the service is provided. I am aware that for some schools this may be a major problem. Certainly there are some in my electorate for whom it will be. But schools do have five years to comply with the relevant building regulations. The older schools in my electorate, which use rooms created under classroom buildings for after-school care, have expressed concerns about the extent of the changes they will have to make to comply with the regulations. The government has provided \$4 million over three years to assist schools.

I understand that an audit of Cairns schools to determine exactly what work may be required has just been completed. Although this final report is not yet available, I will be continuing to work with schools in my electorate to assist them where necessary to comply with the new regulations. I know that all P&Cs are deeply relieved that the crisis they faced earlier this year has been averted. I commend them and the staff that provide services for their commitment and dedication to the children in their care and for the support they provide to their families.

The other area of the bill I want to touch on briefly is that of qualifications and training. For far too long there has been a view that any woman knows how to care for children, merely by virtue of her gender, and that it is therefore not a job that requires any special training or high pay. But, of course, nothing could be further from the truth, with research increasingly indicating the value and need for qualified staff in supporting a child's early development. So I am pleased that this bill goes further in strengthening the qualifications required of staff and carers and that the bill, in fact, imposes performance based qualification standards reflecting competency skills and levels of responsibility underlying the Australian qualification framework. It is proposed that a minimum qualification will be an AQF level 3, which is generally a 12-month course involving supervised practice. These proposals broaden the range of qualifications that will be recognised as providing the necessary skills and competencies to undertake child care into early childhood studies, health and human movement.

However, I understand that the new proposals are still behind the OECD minimum requirement of a three-year tertiary qualification for any person working with children. So I think that this issue of qualifications needs to be continually under review.

The regulations would also set out minimum qualifications for the coordinator of family day care schemes, which will become a diploma in child care or an equivalent qualification. I am pleased that both centre based and home based carers will now be required to have competency in first aid.

Directors of child-care centres in my electorate have reported that it is difficult to attract and keep experienced and well-qualified staff. Specific transitional provisions are included in the bill to accommodate employees and staff currently working in the child care industry in meeting the new qualification requirements. The government has in place a Child Care Statewide Training Strategy, providing some \$4.2 million to assist in this process. There has been a great uptake of that initiative. I understand that around 50 per cent of assistants are already in the process of upgrading their qualifications.

This bill is founded on guiding principles that value the interest of the child as being paramount. There will always be competing views within the child care sector as to how stringent the legislation and regulation should be to achieve this goal. I have listened to the sector in my electorate, including school-age, centre based and home based care providers. I believe that the legislation strikes the right balance. Although I acknowledge that not everybody is entirely happy with the final product, there have been significant changes made to the draft legislation that was circulated earlier taking into account the concerns that were raised on a range of issues, and the bill now provides greater flexibility and responds to the needs of carers and their families in a more

comprehensive way. The result is legislation that will provide for the delivery of a quality child care system for Queensland families. I commend the minister and her departmental staff who have worked so hard over the past two years with extensive consultation to formulate this legislation. I particularly thank the minister for always being so ready to hear from me about the concerns of the child care sector in my electorate. I commend the bill to the House.

**Mr CHOI** (Capalaba—ALP) (10.42 a.m.): I rise also to speak in support of the Child Care Bill 2002. It has been said that of all of nature's gifts to the human race, nothing is sweeter to a man than his children. I presume that that comment applies to women as well. Indeed, children are a godsend, but they require a lot of TLC—tender loving care—and it is not an easy task. I have three children and they are all girls. I have no idea why I cannot make boys. It must be my diet, or maybe it is the way—

**An honourable member** interjected.

**Mr CHOI:** I do not think that I will go there anymore. I thank the member very much for that. My children are lovely girls and I have to say that every time I come home very tired, they rush to the door and they are all over me. It is all worth it. But children are not easy to raise. There are uncertainties and difficulties with children these days that parents are very mindful of. In fact, only two weeks ago my wife was having a heart-to-heart talk with my eldest daughter. She is 13 years old at the moment. My wife was trying to warn my daughter about boys. My eldest daughter said, 'There is nothing wrong with boys. Daddy is a good man.' My wife then said, 'That is precisely the problem. There are men not like your daddy outside in the street.' That highlighted the problem of how difficult it is to raise our children these days.

Michael Levine once said that having children makes you no more a parent than having a piano makes you a pianist. This is particularly true when a lot of Australian families these days have both parents working and, therefore, are unable to provide necessary child care to their children, particularly during the day. It has been reported that just over half of Australian children aged under 12 years are receiving some form of child care. The child care industry plays an increasingly large and important part in the average family. Many parents, mine included, would not be able to participate in the work force, or study or train without any outside assistance such as child care.

This bill seeks to meet its policy objective of protecting and promoting the best interests of children receiving child care by establishing a licensing system for child care services, which will now include school-age care services, regulating the way child care services are conducted and setting standards for people to provide child care, particularly through increasing the minimum qualification requirement based on competency.

Many of the concepts and standards that are currently contained in the Child Care Act and associated legislation have been retained in this bill and, where necessary, strengthened, modified and streamlined. In particular, many of those standards are now performance based rather than prescriptive. However, the bill introduces a new licensing framework and a number of new standards and requirements. I would like to focus on the criminal history checks and the monitoring of services aspect of this bill.

Criminal history checks on persons who are likely to come into contact with children in child care are an important way of helping to ensure the safe and appropriate conduct of a child care service and the safe and appropriate provision of child care. The current Child Care Act 1991 deals with the issue of criminal history checks by placing an obligation of disclosure on applicants for a licence. Under this act, persons who have been convicted at any time of certain offences, notably indictable offences involving violence, are held to be not qualified to hold a licence. Under the act, the Department of Families may obtain from the Commissioner of Police the criminal histories of a range of persons including licensees, a person engaged by the licensee, care providers, company directors of all licensed companies and members of committees of management. Only fit and proper persons may be engaged by a licensee if they actually or are likely to come into contact with children. Criminal history checks are undertaken on staff at licensing and relicensing time and when the department is notified of the employment of a person at a child care service.

Under the Child Care (Child Care Centres) Regulation 1991, the licensee must give the department written notice within seven days of deciding to employ a person, providing particulars of the person's name, date and place of birth. But under the new legislation, the Department of Families will no longer be responsible for processing criminal history searches as it is required to do under the current legislation.

Under the Commission for Children and Young People Act 2002, the commission will be responsible for processing criminal history checks for certain categories of child related employment and for issuing suitability notices. People working in and involved with child care services will be required to have a positive suitability notice and will need to apply to the commission for that notice. The licensee of a service will be required to keep originals or certified copies of the suitability notices as part of their records so that they can show departmental officers at any time that all the people working in the service have been screened. The amendment of the Commission for Children and Young People Act 2002 to include employment in child care as one of the regulated categories of care is a key component of the bill, which is aimed at ensuring the protection of children and the quality of care.

The safety and wellbeing of children is of prime importance to this government. Under this amendment to the Commission for Children and Young People Act 2002, when deciding whether a suitability notice should be issued to an applicant the Commissioner for Children and Young People may take into consideration complaints and charges that have not resulted in a conviction. The screening process creates a tension between the rights of the individual and the competing rights of the child. That tension is underpinned by the principle that every child is entitled to be cared for in a way that protects the child from harm and promotes the child's wellbeing. Provisions relating to employment screening are considered necessary in order to recognise that principle.

The employment screening provisions also include the following safeguards to protect the rights of individuals. They ensure that written notice of a decision by the commissioner that a person is not suitably qualified for child related employment is accompanied by reasons for the decision and information about a person's right to have the decision reviewed by a tribunal. It also protects the privacy of persons who have a criminal history by requiring confidentiality to be maintained as to an employee's criminal history and by prohibiting disclosure of the contents of that history to other employees. The issue of positive screening notices is a matter between the licensee of the service and the Commission for Children and Young People.

Monitoring of child care services by the Department of Families is also an important way of helping to ensure that children are provided with safe and suitable care. Presently, one of the ministerial portfolio statement output measures for child care is the percentage of licensed child care services receiving at least two contact visits per year. The target is for 85 per cent of licensed child care services to receive two visits per year. I am pleased to receive information that in the year 2001-02 this target was exceeded by two per cent. Under the new legislation, visits will continue to be conducted by regional staff to monitor and implement the child care legislation. During a monitoring visit to a licensed child care service, an authorised officer may look at the following areas—building and facilities, equipment, numbers of children and group sizes, staff levels, records, programming and maintenance, and health and safety issues. In addition to resourcing contact visits, regional staff will have significant contact with services via telephone and email. Criminal checks and monitoring services are therefore an extremely important part of this bill.

This government has a duty of care to the people to avoid a situation where inappropriate persons are in frequent contact with our children. This government also has a duty of care in terms of not placing unnecessary temptations before known offenders. As I said before, criminal history checks are an important provision of this bill to protect and promote the best interests of our children receiving child care. It is for that reason that I commend this bill to the House.

**Mr TERRY SULLIVAN** (Stafford—ALP) (10.53 a.m.): I rise to support the legislation before the House. For the past 11 years I have had the privilege of being on the caucus committee under various forms that has dealt with families and community care. Under Anne Warner's leadership in the early 1990s the first significant legislation on child care was introduced into the state House. The big issues at the time were facilities, qualifications and staffing levels. I do not think much has changed in the past 10 years. Child care can take various forms. As a father of five I have had experience with some of the challenges of providing appropriate child care for youngsters. One choice that this legislation does not deal with is that the parent be at home full time with the child or children. I say the 'parent' because it could be either the father or the mother. I have some friends where the family has decided that the father will be the full-time parent, and I commend them for that choice.

Each family has to decide what is best for them. Some families, though, have less choice than others because of financial or other circumstances. Trish and I were able to make the choice that Trish stay at home. I have told my children on more than one occasion that the best start

they have had in life and the greatest thing that has happened to them is that Trish stayed at home with them in their childhood years and has been a strong force behind their schooling. It is the best start that we could have given to our children. We also, though, had access to playgroup, a live-in nanny when our children were older, family day care and babysitters. For different families, though, different needs and different choices apply.

Full-time parenting is demanding, challenging and rewarding. The extended family which in the past has been a backup for parents is becoming less of a support today. I would like to comment on a trend which I find disturbing; that is, the grandparent as full-time parent. The situation to which I refer involves both young parents choosing to work and asking the grandparent to be the full-time carer. I think that is unfair on the grandparent. There has always been a magnificent relationship between grandchild and grandparent which does not have the responsibility of a parent but which can convey all the love, spoiling and attention of a grandparent. One of my close friends said that in such a situation she reached the stage where she almost felt resentful to the grandchildren because she could no longer lead her life the way she wanted. That is where the provision of good and appropriate child care is important so that young families can access child care and make the appropriate choices. It is also important that the federal government has the correct financial incentives and arrangements which make child care affordable across our society.

A number of people, either on a full-time or part-time basis, choose paid, professional, community or commercial child care. The standards relating to this child care are what this legislation addresses. I, too, would like to pass on my congratulations to my Deputy Whip, Phil Reeves, and his wife, Megan, on the birth of Brianna and thank them for sharing their wonderful experience with the House by bringing Brianna here today.

The issue of staffing during rest times has been widely debated in the lead-up to the introduction of this bill. Like many of the central issues in the debate, there is a strong divergence of views. Under the current legislation, a group leader must be in charge of each group at all times. When the group is more than half the maximum number, two staff, that is a group leader and an assistant, must be in attendance. This means that the staff-child ratios referred to in the current legislation also apply during these rest periods. There has been some dispute over staffing requirements. However, the former Minister for Families, Anne Warner, made it clear at the time—and has been supported by Crown Law at various stages—that two staff were required, including during lunch breaks. As I said, I can remember the fierce discussion in 1991-92 with the introduction of our first child care legislation. It was a position adopted as appropriate then when there were some 350 child-care centres and 415 kindergartens caring for over 50,000 children and more than 14,000 children in family day care.

At the end of this financial year there are now more than 1,480 licensed services across the spectrum of child care service types. There is no indication that the growth in the industry will slow, has been slowed or that the number of parents accessing child care will decrease because of the enforcement of these staffing levels. The increasing importance that child care is playing in the lives of ordinary Queenslanders makes it imperative that there be clear standards so that both parents and the sector know what is required.

There has been a problem throughout the life of the current legislation as services found it difficult to comply with these requirements during lunch breaks, which usually coincide with the children's rest times, because it means that they have to backfill staff during this period. Those child-care centres that have complied with the current legislation will find that the new regulations will probably represent a relaxation in their standards as they will be able to use a floater, therefore involving a saving in cost. But those child-care centres that have not been complying with the regulations over a number of years will find that they will have to improve the staffing ratios. Those child-care centres should consider themselves quite fortunate, because in many other sectors where regulations are not complied with there are very strict sanctions and very strict monitoring. The fact that this has not occurred in this sector is something that has been an advantage to them and it should not be seen as a right, because the legislation of the early 1990s never intended that relaxation to become the norm.

Australia currently experiences a shortage of qualified staff available to work in child-care centres. This issue has been identified by states and territories and raised in national forums such as the Community Services Ministers Advisory Council and the National Child Care Advisory Council. The issues that exacerbate the shortage of qualified staff in Queensland, which is the most decentralised state, include the difficulties many services located in rural and remote locations experience in attracting suitably qualified staff, the inequalities in pay and industrial

conditions for qualified staff who work in child-care centres compared with those working in early education services such as kindergartens and state preschools, and a general perception in the community that child care work is low-status work.

In response to these issues, the government has done a number of things. It has implemented, in conjunction with the Department of Employment and Training, the statewide training strategy, which targets flexible and affordable training options for staff currently working in child care services. It has negotiated the implementation of an apprenticeship scheme for child care. It has developed and implemented in consultation with the sector the Queensland Child Care Industry Plan 2002-2005 and it has commissioned research into employment and training patterns and trends in the Queensland child care industry.

Although these initiatives will go a long way towards addressing the problem, the shortage of qualified staff has meant that staffing requirements during staff lunch breaks have been difficult for licensees to meet. As a result of feedback from families and the child care sector, the exposure draft of the legislation proposed a provision concerning flexibility for group sizes and staffing requirements. This provision allowed for other conditions or variations to be applied to services in relation to group and staffing requirements for up to two hours per day or overnight. The variation to standards requirement would offer the flexibility of using part of the two hours to assist with the issue by not requiring a full complement of staff. Final consultations with peak organisations held in April 2002 showed strong support for this proposal from the Queensland Professional Child Care Centres Association, which represents commercial child care operators. However, there was general opposition from the community backed peak organisations, which disagree in principle with any variation to the minimum standards on the basis that it will impact on the safety and quality of care for children.

Recent media coverage concerning staffing over lunchbreaks in child-care centres highlighted the disagreements within the sector in regard to this issue. As a result, the Minister for Families requested that the department hold a round table discussion with the key stakeholders to try to resolve the matter. These meetings were held in August 2002 with representatives from key stakeholders. The groups included Churches in Child Care, the Creche and Kindergarten Association of Queensland, the National Association of Community Based Child Care Services, the Queensland Children's Activities Network, ABC Developmental Learning Centres, the Queensland Professional Child Care Centres Association and the Child Care Industry Association of Queensland.

These consultations were in addition to the extensive statewide consultations undertaken by the department between February 2000 and May 2002 in relation to the proposed new legislation for child care. I disagree with a press release issued in September by one of the child care associations which had a go at the minister and said that she was not listening to it, that she did not care and had rejected its advice. The minister listened to a wide variety of views. The commercial child care groups have to realise that they are not the only voice in child care and that other groups have to be listened to. Just because they did not get their way does not mean that the minister was not listening or that this government was not taking their concerns into consideration. I believe the press release it issued, which I think was dated 16 September, was not befitting of it and showed that it could not convince others in the child care sector of its point of view so it chose to vent its spleen in what I consider was a less than professional media release. I suggest to those groups that they now get on with their life. The legislation will be passed and the regulations will come into effect. Just as every other industry—whether it be primary industries, manufacturing or other service sectors—has strict regulations that have to be adhered to, so must the child care industry.

In conclusion, I reiterate what I said at the start, namely, that the challenges facing any minister or government in this area of child care include facilities, qualifications and staffing levels. Those issues were addressed in the early nineties in the first legislation on child care and they are factors being addressed by the minister now. I believe the legislation is worthy of our support. In the context of the whole range of child care options, this legislation is playing an important part in providing safety for our children. I commend the bill to the House.

**Madam DEPUTY SPEAKER** (Ms Liddy Clark): Order! Before calling the minister, I welcome to the gallery students and teachers from the Maryborough Albert State School in the electorate of Maryborough.

**Hon. J. C. SPENCE** (Mount Gravatt—ALP) (Minister for Families and Minister for Aboriginal and Torres Strait Islander Policy and Minister for Disability Services and Minister for Seniors) (11.05 a.m.), in reply: It is fitting that this legislation is being debated during Children's Week, a

week dedicated to the uniqueness and importance of Queensland's children. A number of community organisations throughout this state are celebrating this week. It has been held since 1971. It is fitting that the Queensland parliament has held such a lengthy debate on child care during this important week.

I note that over 30 speakers have given their attention to this legislation. It is terrific to see both men and women interested in talking about child care in the Queensland parliament. Recently I was asked how the increasing number of women had changed the Queensland parliament. I think that change is evident in the interest in debate on issues such as child care. The speakers have shown a real understanding of the diversity and complexity of the child care industry in this state. They have expressed an appreciation of the importance of quality child care and they certainly have shown an appreciation of the needs, anxieties and expectations of parents who are consumers of child care. Indeed, many of the speakers themselves have been consumers of child care. In particular, many of the women who spoke in the debate revealed their frustrations and concerns about and understanding of the importance of child care. As a mother myself—someone who has been a working mother for the last 17 years—I have been a consumer of long day care, family day care, live-in nannies and other varieties of child care. I have a good understanding of the importance of this industry to Queensland's children and parents.

A number of concerns have been expressed about various provisions in this bill. Members have acknowledged and realised that this is a diverse industry and there is certainly not agreement on all aspects of this legislation. What we have endeavoured to do is strike a balance. I would like now to discuss a number of concerns that have been raised during this debate. The first concern I wish to address is the issue of screening.

Under this new legislation the Department of Families will no longer be responsible for processing criminal history searches. This will now be conducted by the Commissioner for Children and Young People. The result will be a better system than is currently in existence which will allow the commissioner to take into account the circumstances of a past conviction when deciding whether or not someone is suitable to work with children. The employment screening provisions also include a number of safeguards, including the right to have a decision reviewed by a tribunal, ensuring that confidentiality is to be maintained as to an employee's criminal history, and prohibiting disclosure of the contents of that history to other employees. I think this is a huge improvement on the current system.

The most contentious issue that members have raised, and certainly the industry has shown concern about, is that of staffing at rest times. This has been canvassed by a number of speakers. It is an issue that has been debated particularly widely in the lead-up to the introduction of this bill. I have had extensive consultation with key stakeholders to try to resolve this issue. But at the end of the consultation consensus was not able to be reached. The option supported by the government recognises the concern with staffing issues but at the same time ensures that safety standards are not only maintained but also improved. Whilst the Child Care Regulation 2002 has not yet been finalised, it is proposed that the regulation will further detail staffing requirements during a rest period.

These requirements will include the following. The centres are allowed to vary their staffing levels during designated rest periods to use unqualified floaters to cover multiple rooms rather than having to backfill each worker. A floater would have a position description and be expected to be actively working between the rooms. During the period of the variation the director or assistant director would have to be present but could fill the position of the floater. Depending upon the licensed capacity of the service different numbers of floaters would be required. For services with a licensed capacity of up to 30 there would be one floater, for over 30 and up to 75 there would be two floaters and for over 75 there would be three floaters. Where a group includes a child aged less than two years no variation in the staffing level would be allowed.

It should be noted that under the current child care legislation—and the member for Chermside showed an acute understanding of this—services are required to have two staff in the room during children's rest times if there are over half the number of children in the group. This has been the case since the early 1990s when the legislation was introduced. Sections of the industry have resisted this and have argued a legal opinion that disputed this interpretation. This legislation provides absolute clarity, but also adds the flexibility of allowing unqualified floaters to be engaged. For services which have been doing the right thing and have had two qualified staff members in the room at all times, including rest periods and lunch breaks, this perhaps represents a relaxation in the current requirements, but those services which have not been

abiding by the intent of our current legislation and have only had one person in a room during rest periods and lunch hours will be required to obtain the services of an additional person. As I mentioned, the additional person does not necessarily have to be a qualified staff member. This is the one issue in which I have not been prepared to compromise my standards and risk the safety of children. The Queensland Professional Child Care Association had a fair hearing on this matter and the government discussed their views but we are concerned about striking the right balance between viability and safety. I understand that that association has run quite a campaign on this particular issue, but at the end of the day we believe that the balance has been struck.

There is a matter to which I wish to draw attention. There was a campaign of having children send in their artwork from the Ponderosa Park Child Care Centre in an attempt to get us to reduce the staffing levels during sleep times. I have to say that as a former teacher I am very concerned when anyone in authority uses children and children's names to conduct a political campaign. I would say to the Ponderosa Park Child Care Centre—and I do not care whether the parents of this child-care centre gave their permission for this or not because I do not believe parents should allow their children to be used for this kind of political campaign—that they do themselves and the children no great service by using them in this fashion.

The next issue I would like to talk about is that of emergency care. The exposure draft of the legislation originally provided for a service to care for up to 10 per cent more children in certain circumstances. Feedback from consultation indicated that the sector believed that more safeguards were needed to ensure that the provision was not abused. As a result, the provisions have been amended to remove the 10 per cent cap, which has been replaced with a limit of one child or sibling group.

In terms of qualifications, some members opposite have raised the critical issue regarding increased qualifications and the retention of qualified staff in the industry. Extensive qualifications received broad support from parents and the child care industry—for child care staff to be well-trained and appropriately qualified. In recognition of these views, and on the research that is available on the subject, this new legislation sets new standards for staff qualifications. The legislation proposes the introduction of minimum qualification requirements for assistant childcare workers as well as the removal of certificates of endorsement.

Consultation with the child care sector has also identified the need for additional training and career path opportunities for childcare workers. We are tackling the issue of qualifications and keeping qualified staff working in the sector through the Child Care Statewide Training Strategy. This strategy is providing a range of training options to assist the sector in meeting the qualification requirements in existing and proposed legislation, and is also creating career pathways for the staff in child care services. As well, we have negotiated the implementation of an apprenticeship scheme for child care, as well as examined employment trends within the child care and early education sector with regard to training suitability, availability, accessibility and the retention of qualified staff.

The strengthening of the qualification requirements means that the system of issuing certificates of endorsement to unqualified staff will be abolished and staff will be required to hold qualifications or be studying towards an appropriate qualification. An increase in qualified staff will lead to higher quality child care services across the state.

Another issue raised by opposition members concerned that of enforcement. They have spoken of the Creche and Kindergarten Association's view that the enforcement provisions have been weakened under this new legislation. I reject that view. In fact, I believe that the bill represents a tightening of powers which recognises the importance of ensuring children's safety. Unannounced visits will continue to be conducted on licensed child care services by departmental officers. I believe that the provisions of this bill will work to protect children in child care. There are a number of enforcement options available. This will mean that, although the new legislation will allow licensees flexibility in service delivery, there will be sufficient powers to enable the department to ensure that licensing standards are maintained.

I would also like to address the concerns raised by the honourable member for Nicklin in relation to enforcement by departmental officers by saying that it is important that departmental resource officers not only do their job but also do it with commonsense. Training, policies and resources currently being progressed will reinforce a consistent application of the legislation across Queensland.

Some members raised the issue of indigenous services and asked me to clarify the issue of licensing of indigenous services. The government recognises that indigenous services are currently providing innovative, responsive and culturally appropriate services within indigenous

communities in far-north Queensland in particular. A consultation meeting was held in Cairns in March 2002 with 25 indigenous care centre providers to discuss the proposed new legislation. The representatives at that meeting strongly indicated that their services wanted to be included within the licensing framework so as to ensure that the children attending these services received the same standards of care as children in any other child care service in this state.

Section 30 of the bill reinforces the intent of the legislation to promote positive outcomes for children by providing that the chief executive of the Department of Families must have regard to whether a care centre's service is conducted, or is proposed to be conducted, principally within an Aboriginal or Torres Strait Islander community, to cater for the culturally specific needs of Aboriginal and Torres Strait Islander children. What it means is that indigenous services will not be allowed any variations in terms of building requirements, staffing or hours of service. However, what it means is that they may be given some latitude in terms of programming.

For example, sand play is encouraged in child-care centres. The child-care centre at Horn Island would say, 'It is unnecessary for us to conduct sessions in sand play. The whole of Horn Island is sand and that is what children play in all the time.' They do not necessarily need to tackle the issue of sand play when it comes to child care. There will be some specific programming changes, I guess, in indigenous child-care centres, but in terms of the basic requirements the same requirements will apply to indigenous services as to other services throughout the state.

The next issue I would like to raise is that of authorised officers. In response to this issue, it should be noted that decisions made by authorised officers are open to judicial review as they are administrative decisions. The judicial review looks at issues such as bias and conflict of interest. Both the bill and the draft regulation were broadly consulted on as part of the process for developing this legislation. A regulatory impact statement and public benefit test have been completed for this legislation.

With regard to family day care, throughout the consultation process on the exposure draft of the proposed new legislation it became evident that the practice of two or more carers gathering together or holding playgroups was not accommodated within the proposed legislation. Home based care services value their practice of carers coming together to participate in activities, provide opportunities for children to socialise with other children and provide peer support for carers. Feedback through the consultation process indicated that there were a range of practices across the state in relation to the operation of playgroups.

Some family day care schemes independently regulated the operation of playgroups while others provided few safeguards. I have listened to the family day care sector in relation to its concerns about care providers coming together and have responded to these concerns. The bill and the proposed regulation now allow for two or more care providers to gather together as part of providing a family day care service. The legislation sets out safeguards around the frequency of gatherings, the number of carers and children participating and the environment in which playgroups can take place to ensure the safety of children and consistency across the state. The intention is to place reasonable limits around the operation of playgroups to ensure that children are not attending playgroups all day every day and missing out on the benefits of the home environment—for example, regular sleep times.

Some members may have recently received a bulletin from the Queensland Care Providers Association which sets out its concerns in relation to care providers coming together. The amendment I will move in committee is a direct result of officers from the Department of Families meeting with representatives from the Queensland Care Providers Association and the Family Day Care Association of Queensland to discuss the concerns raised in that bulletin. The amendment will provide that a regulation may not allow a period of care of more than three hours, disregarding any travelling time, to be provided under this section more than once in a week. In this section, 'travelling time' means time during which the children in care are transported to or from a home or other place for the purpose of a period of care under this section.

This amendment addresses the family day care sector's concerns that travelling time should not be included when calculating the time that care providers spend together or at playgroups. In particular, it will benefit those care providers who care for children in remote or rural areas where travelling time can sometimes be quite lengthy. I am also pleased to advise that, as a result of these discussions with the family day care and care providers associations, further amendments will also be made to the regulation to accommodate care providers coming together.

With regard to the transportation of children, the exposure draft of the bill contained proposals for particular adult-child ratios to be applied where children are being transported in private vehicles, cars or buses. The ratio stipulated one adult for 11 children and that an adult had

to be in the vehicle at all times. If there were more than 11 children, then two adults needed to be present. There were strong views from different parts of the sector in relation to this ranging from comments that the proposed ratios were unsafe to views that the proposed ratios were not flexible enough. As a result of feedback, the provision has been amended to substitute new ratios that accommodate family day care and centre based care, recognise feedback that greater safeguards are required if more younger children are in the vehicle, and acknowledge issues with restraints in vehicles, particularly buses, by including a provision that requires parents to be notified of the restraints that are being used in the vehicle. Additionally, the bill now provides that the transportation requirements must be reviewed in two years from the commencement of the bill.

In relation to the issue raised about the building standards, these are based on the building requirements in the Child Care Regulation 1991. Child-care centres built after the commencement of the bill will have to comply with the standards in the building legislation. However, existing licensed services will not be required to make changes or to be reassessed against the proposed building standards when the new legislation is introduced. This is because the new standards are based on the current requirement in the Child Care Regulation 1991 and therefore existing services will meet the proposed new building standards. If an existing licensed service undertakes renovations that require development approval or if the building or part of the building is not maintained or deteriorates, then the building works will be assessed against the new building standards.

Officers from the Department of Families met recently with representatives from the Queensland Professional Child Care Centres Association in relation to building requirements and I understand that the draft building standards will be looked at again in light of its concerns. The department is aware from feedback received during the consultation process that some standards may have inadvertently changed during the transition process into the language of the building code. These issues will be addressed prior to the commencement of the legislation.

I refer to the issue raised about the need for plain English in this legislation. The new legislation is a legal document which regulates complex activities. Whilst the legislation is worded so as to achieve clarity in terms of licensing responsibilities, the department realises that often explanatory documentation may be valuable to the sector. Therefore, the department is developing useful resources to assist the people who use the legislation to understand their obligations. Resources will be developed specifically for all types of care for the benefit of licensees, staff and parents.

I note that the honourable member for Gladstone raised her concern that, whilst there was a maximum licence capacity set out in the bill for centre based care, there was no maximum licence capacity set for family day care. This is because the restriction on the number of children for family day care is linked to the care provider. Care providers in family day care schemes are limited to caring for a maximum of seven children at any one time, and that is written into this legislation. So a parent in her house can have only seven children, and this legislation outlines the ages of those seven children. However, I think what the member talked about is the issue of how many children a director of a family day care program can supervise. I understand that there is a great difference throughout the state about the size of those family day care programs, but that is regulated by the federal government because it controls that scheme.

Additionally, the Commonwealth limits the number of equivalent full-time places it gives to family day care schemes, and I think that has been acknowledged by many of the speakers over the last two or three days. I would like to put in a plug to the federal government to look at the family day care situation in this state where there is a shortage of family day care places and ask it to seriously increase the funding it gives for family day care in this state to alleviate some of that need.

The Child Care Bill strengthens current requirements and ensures that services are better placed to accommodate the changing and diverse needs of families. As I said earlier, there will always be competing views within the child care sector about how stringent the legislation should be made. This bill represents minimum standards for the sector and the relevant considerations are what are the best interests of families and children in terms of quality, safety and affordability as well as what is achievable in the sector. I thank all speakers for raising issues and assure them that all options were considered carefully before the legislation was finalised. I firmly believe the bill not only provides some flexibility to assist services in meeting the needs of parents but also works to ensure the safety of our children.

The legislation has been the result of a long and extensive consultation process, and I particularly want to thank the many people and groups who have contributed over the past four years. They include the previous minister, Anna Bligh, who started the consultation process for this legislation. I especially want to thank the Director of the Child Care and Seniors Interest Branch, Mr Rod Setterlund; the manager of the Child Care Unit, Anne Reddell; Heidi Kitson and Lisa McCoy from the Child Care Unit, who have listened to three days of debate here in the parliament—

**Mrs Edmond:** They deserve a medal.

**Ms SPENCE:** They do deserve a medal. I also want to acknowledge the significant work by three former staff members: Annette Whitehead, Therese Oxenham and Trish Lye as well as the contribution by Ian Larwill from the Office of Parliamentary Counsel. I commend the bill to the House.

Motion agreed to.

### Committee

Hon. J. C. SPENCE (Mount Gravatt—ALP) (Minister for Families and Minister for Aboriginal and Torres Strait Islander Policy and Minister for Disability Services and Minister for Seniors) in charge of the bill.

Clauses 1 to 14, as read, agreed to.

Clause 15—

**Mr COPELAND** (11.30 a.m.): I thank the minister for answering in her reply a lot of the questions that were raised during the second reading debate. Obviously there are a lot of concerns, especially regarding the implementation of this legislation. It is important that those concerns are addressed to make sure that as many people as possible are aware of the actual situation.

I have a general question in relation to clause 15. A lot of the questions I will be raising during the committee stage may seem fairly straightforward or perhaps a bit repetitive, but I think it is important to raise the concerns that have been raised with us to make sure those questions are clearly answered and on the record.

In terms of licensing, it will be a fairly large-scale process to transfer from the current act to this proposed legislation. What resources have been put into the transitional phase to make sure the legislation is properly implemented and, as I think the member for Nicklin said, to make sure that the interpretation across the state is consistent and done with some commonsense and that any teething problems are addressed?

**Ms SPENCE:** I think it is a good question. This bill is unlikely to be proclaimed until the middle of next year, so we have an eight-month lead time to prepare ourselves for the introduction. We believe that will allow us considerable time to develop the policies and explanations about these legislative changes before they take effect. We acknowledge the need to get those changes and that information out to particularly regional and remote Queensland. That is the reason we are not proclaiming this bill until probably June next year.

Clause 15, as read, agreed to.

Clauses 16 to 25, as read, agreed to.

Clause 26—

**Mr COPELAND** (11.32 a.m.): I refer to the change of the screening process to the Commissioner for Children and Young People. All people will need to have a suitability notice to work in a child-care centre. There has been some concern about the turnaround times in relation to those suitability notices. Is there some sort of guarantee of turnaround time to ensure there is no unnecessary waiting period? I know that the commissioner does not come under the responsibility of this minister; it is the Premier's responsibility. It will certainly mean a transfer of workload from the minister's department to the commission. There may be some issues in resourcing there as well.

**Ms SPENCE:** I am sure that my department will look forward to transferring that workload over to the Commission for Children and Young People. It is a reasonable question. It will be an issue for the Children's Commission. I do not have any guarantee from that office in relation to turnaround times for the processing of those applications, but I am sure it will be happy to provide

that. The fact that we have eight months to make this transition should ensure that that occurs smoothly. We will certainly ask the Children's Commission for some commitment in terms of turnaround times.

**Mr COPELAND:** I refer to paragraph (4)(a) of clause 26. The member for Toowoomba North referred to it in his contribution, as did the Scrutiny of Legislation Committee in its report. It regards contravention of the act, whether or not the contravention constitutes an offence. The question has been asked whether that is a fair thing and whether it follows the normal principles that we have come to expect.

**Ms SPENCE:** Paragraph (4)(a) is meant to give the commission the right to decide whether a pattern of offences might make someone unsuitable to work in a child care environment. One offence alone of a minor nature may not deem someone unsuitable, but if there is a pattern of offences, even of a minor nature, then the commission may decide that that person is truly unsuitable to work in this sector.

**Mr COPELAND:** I refer to the Scrutiny of Legislation Committee report. It states—

... the Commissioner for Children and Young People, when deciding whether to issue a suitability notice, may take into account not only previous convictions, but also charges which did not result in a conviction.

That was the issue the member for Toowoomba North was referring to. He raised for example the Scott Volkens case, in which charges were dropped. It may actually be an unfair thing to hold against a person if that is the case. Paragraph (4)(b) states—

... any conviction of the person for an offence, against another law of Queensland or a law of another jurisdiction, that involved a child or was otherwise relevant to a person's suitability to conduct a child care service;

The example given to me related to someone having received a speeding ticket and being required to drive a bus or to carry children in a vehicle. It was asked whether an offence of speeding in a private car would be held against them in consideration of their role as a child care provider carrying children in a vehicle.

**Ms SPENCE:** The point that needs to be made here is that, while the parliament is today indicating some clear guidelines about the areas we believe should be considered when making assessment of the suitability of someone to hold a child care licence or indeed work in this industry, we are actually adding flexibility into the system. In the past a departmental officer in the Department of Families made those assessments according to some strict guidelines. Now we will have, I think, a better situation whereby the Children's Commission will have some flexibility in making those kinds of assessments, as in the Scott Volkens case, rather than having to use some very prescriptive guidelines, as has occurred in the past.

What must be mentioned is that in this legislation we have added the provision that a person can go to the Children's Tribunal to have the decision of the commission reviewed. So if the commission is not making sensible decisions then that will certainly become very obvious in the review determinations of the Children's Tribunal. I think what we have is a better balance, a fairer balance, than we have had in the past.

Clause 26, as read, agreed to.

Clause 27, as read, agreed to.

Clause 28—

**Mr COPELAND** (11.38 a.m.): The minister stated in her reply to the second reading debate in relation to the Building Act requirements that anyone who has a licensed facility under the current legislation will be able to continue to operate that facility. There has been some confusion about conflicting interpretations within different clauses of the bill. I think the minister's reply to the second reading debate has made it quite clear that if operators have a licence now then that licence will continue and there will be no requirement to upgrade depending on changes in the Building Act.

**Ms SPENCE:** That is quite true. The only requirement on them to upgrade would be if the building was deteriorating and our officers who went around there decided that there was a need for some sort of upgrade. There will not be any requirement as a result of this legislation to upgrade facilities.

**Mr Copeland:** Or if there is a new development application? That will be subject to the Building Act?

**Ms SPENCE:** Certainly, or if there was a renovation. If the child-care centre decided to undertake some renovations, then it would be required to upgrade under the Building Act.

Clause 28, as read, agreed to.

Clause 29, as read, agreed to.

Clause 30—

**Mr COPELAND** (11.39 a.m.): In the minister's reply, she stated that the Aboriginal and Torres Strait Islander care providers quite clearly want to be covered by this licensing as well, which I think is a positive step. The minister mentioned that the staffing requirements, the building requirements and everything else will be exactly the same. The only one that was not mentioned was qualifications. I just seek clarification regarding the qualifications and whether it is the same period for any other licensed provider—that the same standards must be met, the same time frames and the same qualifications.

**Ms SPENCE:** Yes, they are going to have to have the same qualifications as any non-indigenous centre in the state. Their transitional requirements are slightly different from the non-indigenous requirements, but they are the same as the requirements that we have put in the legislation for school-age care. So unqualified people will have five years to attain the qualifications. That is the same transitional requirement that we have allocated for school-age care people as well.

Clause 30, as read, agreed to.

Clause 31, as read, agreed to.

Clause 32—

**Mr COPELAND** (11.41 a.m.): The minister referred to the changes that were made from the exposure draft regarding emergency care. I note that the limit is 75. This issue will also arise in relation to some of the clauses of the bill—the ability to have only one extra child or sibling group. The issue was raised with me that if, for example, a parent is hospitalised for an extended period, what happens if the licensed capacity is 75 and the centre is at the limit? Will that centre be able to take that child for an extra period depending on the emergency situation?

**Ms SPENCE:** The situation is that the emergency care is able to be provided for only one day. So if a parent was going into hospital, they would get only one day's emergency care from that child-care centre and the parents would really have to make some arrangements for the care of that child after that initial day unless, of course, the centre had a reduced capacity and some space.

**Mr COPELAND:** That is where there may be some question as to stability for the child being placed in care—rather than putting that child into a different centre. That may well need to be looked at in the review of the regulations, which I know will come in later. It is something that will need to be monitored, because I can certainly foresee situations where there may be the occasion that that would happen and the stability of the care of the child may be the overriding factor.

**Ms SPENCE:** The member would be aware that we actually had a larger number of children in the exposure draft than we have ended up with in this legislation. We were criticised for being too lenient in the exposure draft, which is why we rethought this provision of the legislation so that only one additional child or one sibling group was allowed to be placed in a child-care centre for one day.

I take the member's point—what about the continuity of care of that individual child—but on the other hand, staff will ask what about the stress on them if they have to have a sibling group or additional children for a long period of time. They would also ask: what about the effects of the children in our child-care centre if we have these additional children for a long period of time? So that is something that certainly has been debated and we think that we have the right balance. Certainly, this legislation will be reviewed in a couple of years and that can be a subject of that review.

Clause 32, as read, agreed to.

Clauses 33 and 34, as read, agreed to.

Clause 35—

**Mr COPELAND** (11.45 a.m.): I seek clarification of clause 35(2), which states—

The appointment of a nominee for a licence does not affect the licensee's responsibility to ensure the licensed service is conducted in compliance with this Act.

Where is the responsibility line drawn between the licensee and the nominee? Is there any conflict between the responsibilities of those two people?

**Ms SPENCE:** What we want to do in this particular clause is to clarify the intent that the responsibility rests with the licensee and not the nominee for the conduct of the child-care centre.

Clause 35, as read, agreed to.

Clauses 36 to 40, as read, agreed to.

Clause 41—

**Mr COPELAND (11.46 a.m.):** This clause relates to restrictions on the amendment of a licence on application. It states that a change can be made only by application for a new licence—not by an application to amend the licence. But clauses 42 and 43 go on to state that the chief executive can amend the licence. Is there any reason that the chief executive can amend the licence, but a licensee cannot apply for an amendment to the licence?

**Ms SPENCE:** Clause 41 refers to the establishment of a new child-care centre whereas the amendments can occur for an existing child-care centre. This is a situation of the legislation not being in as clear English as one would like. Certainly, that is the intention of clause 41—to refer to new child-care centres rather than to existing ones.

Clause 41, as read, agreed to.

Clauses 42 to 44, as read, agreed to.

Clause 45—

**Mr COPELAND (11.47 a.m.):** This clause details specifically that, for a centre based service, if the child-care centre is unsafe or unsuitable for use as a child-care centre, that is a ground for the suspension or revocation of a licence. But it does not refer to a home based care facility. Yet clause 29(2) states that the chief executive must be satisfied that the home and facilities are safe and suitable. Are there grounds for suspension or revocation of a licence to be undertaken if the home is deemed to be not suitable or unsafe in contravention of the licence?

**Ms SPENCE:** That is a good question. The reason that we have been prescriptive about the suitability or the safety of licensed centres is that we are directly licensing the centre, including the premises; whereas, under this legislation, we are licensing only family day care schemes, not the individual homes in the scheme. So that is the difference there. We would expect that the family day care scheme manager/coordinator would inspect those individual homes for those kinds of issues.

**Mr COPELAND:** Clause 29(2) states—

The chief executive must be satisfied the licensee is willing and able to ensure the homes and facilities used, or proposed to be used, in the course of the service are safe and suitable for use in providing child care under the licence.

But that clause does not give that as a ground for revoking the licence as opposed to, as the minister says, the prescription for centre based services. I would have thought that the safety issue would be an important part, especially given that it is explicitly stated as a ground that the chief executive must take into consideration when issuing the licence.

**Ms SPENCE:** If we were not satisfied that an individual family day care provider's house was safe, the chief executive of the Department of Families would bring that to the attention of the coordinator of the family day care service. We would expect that the coordinator of the family day care service would make a decision about the suitability of that home to be a family day care provider. If that did not occur and we still were not satisfied that the family day care coordinator was making the right decisions or taking strong enough action, we could actually revoke the family day care provider's licence under the provisions of section 45. Let us be realistic, a family day care coordinator could supervise 70 or more houses. If we removed one licence, we would stop family day care perhaps in 70 houses involving 300 or 400 children. So that would be a very serious action to take. Being realistic, there would be negotiation. I have had a lot to do with family day care in the past. I have used a number of family day care mums in my time and have met a lot of family day care coordinators. It is a good, quality service and I know that, if that matter were brought to the attention of the family day care scheme, they would certainly take action and make a decision about the suitability of that house and that provider of care.

Clause 45, as read, agreed to.

Clauses 46 to 64, as read, agreed to.

Clause 65—

**Mr COPELAND** (11.52 a.m.): This regards staffing levels and the concerns about the increased costs. I think the minister has adequately answered that in her response in the second reading.

Clause 65, as read, agreed to.

Clauses 66 to 79, as read, agreed.

Clause 80—

**Mr COPELAND** (11.53 a.m.): Again, I seek clarification. The requirement is on the licensee to notify the chief executive in writing if any of the people stop having a current positive suitability notice. I seek clarification that that comes at the point when they are aware that the current positive suitability notice is not in place, because there are circumstances that they may not be aware of.

**Ms SPENCE:** There will be a requirement in the regulations that the licensee keeps copies of those suitability notices. The member is right, though, that it would be an issue if they had a suitability notice and committed some offence which might make them unsuitable. I understand that the Children's Commission has a telephone line that one can ring to find out whether that suitability notice is currently up to date. If a licensee was concerned about an individual, they can ring the Children's Commission and have that position clarified.

Clause 80, as read, agreed to.

Clause 81—

**Mr COPELAND** (11.54 a.m.): Again, I seek clarification of when it becomes the responsibility of the licensee to report harm or serious injury once the licensee becomes aware. Is that responsibility only when the child is at the venue or under the supervision of the licensee or the centre, or is it any harm that they become aware of?

**Ms SPENCE:** Subclause (b) of clause 81 does refer to their obligation to report injury while in the care of the care provider, but under the terms of the Child Protection Act they would be obliged to inform us if they suspected any injury or neglect while out of their care as well.

Clause 81, as read, agreed to.

Clause 82, as read, agreed to.

Clause 83—

**Mr COPELAND** (11.56 a.m.): During the minister's response she did go through the provision for transporting children away from a centre or a home. I may not have been clear in my contribution regarding permission slips and how they will operate. There has been some concern regarding the changes in the way permission slips will operate. For example, for a standard trip the children take every week, will one permission slip be okay to cover that for a period of time? For other ad hoc trips, will specific permission slips have to be obtained?

**Ms SPENCE:** The regulations will set out that level of detail more fully. There will be some sort of generic permission slips for regular trips and special ones for special occasions as, I guess, the education system has.

Clause 83, as read, agreed to.

Clauses 84 to 95, as read, agreed to.

Clause 96—

**Ms SPENCE** (11.57 a.m.): I move—

1. Clause 96—

At page 57, line 2, after '3 hours'—

*insert—*

'(disregarding any travelling time)'.  
2. Clause 96—

At page 57, after line 3—

*insert—*

'(4) In this section—

"travelling time" means time during which the children in care are transported to or from a home or other place for the purpose of a period of care under this section.'

I move this amendment in order to better accommodate care providers coming together in play groups in family day care schemes. Throughout the consultation process on the exposure draft of the proposed new legislation it became evident that the practices of more than two carers

gathering together or holding playgroups were not accommodated within the proposed legislation. Home based care services value the practice of carers coming together to participate in activities, provide opportunities for children to socialise with other children and provide better peer support for carers. Feedback through the consultation phase indicated that there was a range of practices across the state in relation to the operation of playgroups. Some family day care schemes independently regulated the operation of playgroups, while others provided few safeguards.

I have listened to the family day care sector in relation to its concern about care providers coming together and have responded to these concerns. The bill and proposed regulation now allow for two or more care providers to gather together as part of providing a family day care service. The legislation sets out safeguards around the frequency of gatherings and the number of carers and children participating in the environment in which playgroups can take place to ensure the safety of children and consistency across the state.

The intention is to place reasonable limits around the operation of playgroups to ensure that children are not attending playgroups all day every day and missing out on the benefits of home environment and regular sleep times. This amendment will provide that a regulation may not allow a period of care for more than three hours, disregarding any travelling time, to be provided under this section more than once a week. In this section, 'travelling time' means time during which the children in care are transported to or from a home or other place for the purpose of a period of care under this section. The amendment addresses the sector's concerns that travelling time should not be included when calculating the time that care providers spend together or at playgroups. In particular, it will benefit those care providers who care for children in remote or rural areas, where travelling time can sometimes be quite lengthy. I table also my explanatory notes.

Amendments agreed to.

**Mr COPELAND:** In relation to the provision 'may not allow a period of care of more than three hours to be provided more than once a week', I ask: does that preclude other periods of less than three hours also being included in that same week?

**Ms SPENCE:** If people want to get together with other parents and have a playgroup, if it was under three hours that could happen more than once a week.

Clause 96, as amended, agreed to.

Clauses 97 to 110, as read, agreed to.

Clause 111—

**Mr COPELAND** (12.01 p.m.): This clause relates to monitoring and enforcement and the appointment of authorised officers. Will the authorised officers be departmental staff or will it be possible for people outside the department to be appointed as authorised officers? What areas of the industry will those people be monitoring?

**Ms SPENCE:** It is possible—and indeed we do this now—to authorise some C&K officers to be authorised officers on behalf of the Department of Families. They do not monitor the regulations or do inspections of their own centres; that would be improper. But they do that on our behalf when the need arises.

**Mr Copeland:** For other centres?

**Ms SPENCE:** For centres other than C&K centres.

**Mr COPELAND:** In relation to the monitoring—

**Ms Spence:** What clause are we doing?

**Mr COPELAND:** We are still on clause 111. This has a bit broader scope than just the appointment of officers; it is more about the monitoring role and this is probably an appropriate place to speak about it. During the second reading debate I raised the possibility of having more ad hoc visits to centres rather than prearranged visits. Some people have contended that that is probably a more accurate way of getting a good picture of how a centre operates on a day-to-day basis rather than allowing a centre or whatever facility is being inspected to get ready for the inspection visit. The flip side of that also is that I think in the budget papers there is a target of 85 per cent for centres to have two visits per year. That leaves 15 per cent that will not have two visits. We need to ensure that they get at least one visit per year. We spoke about this at budget estimates time also. Given that we are talking about the Child Care Bill now, it is probably appropriate to explain how that inspection service works and how the monitoring role is carried out.

**Ms SPENCE:** This is quite a contentious issue in the industry. I have had many private care providers, and indeed their associations, complain to me about the number of ad hoc visits they receive from departmental officers. Some of them might receive four or five visits a year, and they see this as an imposition. They want to stop these ad hoc visits altogether and have only the one prearranged visit a year. I have disagreed with their views. I agree with the member that it is important that our officers conduct these ad hoc visits.

I do not have the statistics in front of me right now, but I have certainly read them. We already have a pretty good visiting regime. I think about 84 per cent of the centres already receive two visits a year. Every other centre, I think, receives at least one visit a year. Some centres, as I said, might receive more. The only centres that would receive perhaps just the one visit a year at present are those in remote parts of the state—say, Badu Island—where it is very difficult for our officers to get to. If we can improve our performance in terms of monitoring and unannounced visits, we certainly should do so. I am very keen to look at how our resource officers at present have a dual responsibility. They are there to assist the centre and give them advice about programming and other matters. But they are also the regulator. In some cases, there is a bit of an issue there about the same officer performing the same function. That is something I am keen for the department to look at in the next few months as we plan for the introduction of this legislation.

**Mr COPELAND:** This comes back to the resourcing issue I raised earlier, especially given that there will be a lot greater need for that regulation because of the new legislation. In referring to the output statement of this year's budget, for example, I note that in terms of the number of licensed child care places the estimate for 2001-02 was 80,000 but the actual was 82,645 and this year's estimate is 85,000. So there will be an increase in numbers and there will also be difficulties in implementing the new legislation and making sure it is properly complied with. This again comes back to the resourcing aspect. We have to make sure that adequate resources are in place so that departmental officers can carry out this monitoring in an even-handed and logical manner across the state.

**Ms SPENCE:** I take on board those concerns, which I share. This will obviously be an issue for the government and the department over the next eight months as we roll out this new legislation. As I said, there are a number of things that we need to look at in terms of the functions of our community resource officers. We have to make sure that they have the capacity to perform the new monitoring responsibilities under the legislation.

Clause 111, as read, agreed to.

Clauses 112 to 117, as read, agreed to.

Clause 118—

**Mr COPELAND** (12.07 p.m.): This clause relates to one of the powers that the Scrutiny of Legislation Committee referred to, namely, the power to enter a facility virtually under any circumstances. I guess it is a matter of making sure that there are checks and balances in place to ensure that that power is not abused, but is used wisely.

Clause 118, as read, agreed to.

Clauses 119, as read, agreed to.

Clause 120—

**Mr COPELAND** (12.08 p.m.): Following on from clause 118, which does give very wide-ranging powers to enter a facility, clause 120(3) states that the magistrate may refuse to consider the application for a warrant under some circumstances. If the magistrate does refuse the warrant, is the officer still allowed to enter a facility under one of the other powers listed under clause 118? Obviously, if a magistrate does want more information, there would have to be some reason for it. We would hope that the officer would not be able to enter until a warrant were issued?

**Ms SPENCE:** Officers can only enter a premises under the powers of clause 118. If they cannot enter those premises by using any of those powers, they will have to go to a court and ask a magistrate for a warrant. The magistrate has the right to ask for more information, which the officer would have to provide, if there was some doubt in the magistrate's mind about the issuing of the warrant. At the end of the day, it is up to our officers to convince a magistrate that that warrant to enter is necessary. If the warrant is not granted, they would not be able to enter the premises.

Clause 120, as read, agreed to.

Clauses 121 to 142, as read, agreed to.

Clause 143—

**Mr COPELAND** (12.10 p.m.): I think the minister has probably answered this one in her reply. This refers to the potential inconsistency with section 177 and some of the other sections regarding the Building Act. The minister has quite clearly stated what the position is regarding the Building Act.

Clause 143, as read, agreed to.

Clause 144—

**Mr COPELAND** (12.11 p.m.): This is another one that was raised by the Scrutiny of Legislation Committee. Clause 144(3) says—

It is a reasonable excuse for the individual to fail to comply with the requirement that complying with the requirement might tend to incriminate the individual.

However, clause 138(2) states—

Despite section 144, if the requirement relates to a person's licence or a document required to be kept by the person under this Act, it is not a reasonable excuse for an individual not to comply with the requirement that complying with the requirement might tend to incriminate the individual.

There appears to be an inconsistency between those two in that clause 138 overrides clause 144. That is one of the questions that the Scrutiny of Legislation Committee raised regarding taking away the right not to disclose information because of self-incrimination.

**Ms SPENCE:** The clause where the licensee is obliged to hand over information refers to the information that the licensee is obliged to keep under the terms of the licence. They must hand over any of that information. If there is other information which they believe is not relevant to the holding of that licence they are not obliged to give up that information on the grounds that they might incriminate themselves.

Clause 144, as read, agreed to.

Clauses 145 to 171, as read, agreed to.

Clause 172—

**Mr COPELAND** (12.13 p.m.): This is in regard to the review of the regulations about a number of issues, and the minister mentioned those in her reply, particularly in regard to a review of transportation, qualifications and training. Perhaps I could ask that the staffing levels be one that the minister keeps an eye on because it is one that has obviously caused contention in various parts of the industry and it will probably be one that will need to be monitored to ensure that its implementation is done well. If it has not been done well, I would ask that it become part of a review that is conducted down the track.

**Ms SPENCE:** Are you proposing that we go through the whole lot—lunch hour, sleep time and staffing requirements and the like—in two years' time? I suspect that we would not want to revisit this again too quickly. Certainly a review in terms of qualifications will occur in two years. I am told that the staffing levels review will occur as part of that qualification review.

Clause 172, as read, agreed to.

Clauses 173 and 174, as read, agreed to.

Clause 175—

**Mr COPELAND** (12.14 p.m.): In my second reading speech I spoke about the regulatory impact statement and suggested that perhaps it would have been good to have one, given the significant changes that have occurred from the time of the exposure draft until now and the fact that people have not been able to see the new regulations and the legislation that we are now discussing. I would ask for a commitment that if fees are proposed to be changed the matter would be brought before the House. In recent times we have seen fees change on a couple of occasions and they have not been before the House. I simply ask for that commitment.

**Ms SPENCE:** The regulations could not be finalised until the legislation is passed in parliament. Those regulations will go to cabinet and they will then be presented to the parliament. They will then be within public knowledge. The opposition, or indeed any member of parliament who wants to disagree with any of the regulations, will have the opportunity to raise the matter through the parliamentary process. The fees will be contained within the new regulations. I am told that we are actually looking at reduced fees in these regulations. That is good news.

Clause 175, as read, agreed to.

Clause 176, as read, agreed to.

Clauses 177 to 183, as read, agreed to.

Clause 184—

**Mr COPELAND** (12.16 p.m.): This is a point of clarification, I guess, regarding the requirement for a carer to obtain a positive suitability notice. The legislation states that the carer has until the day when the licence is next due to expire. If an application is made for a suitability notice by the applicant before the notice is due to expire, the application is not withdrawn until the application is decided. Could the minister explain that? Does that mean if someone is found to not have a current positive suitability notice they have until the day before the expiry of the licence to get it? I may have completely misinterpreted that, but could the minister clarify the position?

**Ms SPENCE:** They have until the day the licence is due to expire to either have a suitability notice or apply for a suitability notice.

Clause 184, as read, agreed to.

Clauses 185 to 193, as read, agreed to.

Clause 194—

**Ms SPENCE** (12.17 p.m.): I move the following amendment—

3. Clause 194—

At page 104, lines 20 and 21, from 'the home based service' to 'the engagement.'—

omit, insert—

'a home based service, even if the person later resumes being engaged to carry out the functions of a coordinator of a home based service.'

I move this amendment to the bill in order to accommodate unqualified coordinators of family day care schemes who are currently employed as coordinators in the schemes. The original clause in the bill would have prevented a currently engaged unqualified coordinator from the family day care scheme from moving to another scheme. This would have resulted in a transitional provision for family day care that was not as generous as a similar transition provision for centre based care which is provided for under clause 193 of the bill. This revised clause allows for an unqualified person currently engaged as a coordinator in a family day care scheme to continue to act as a coordinator and to move to another scheme to act as a coordinator.

Clause 194, as read, agreed to.

Clauses 195 and 196, as read, agreed to.

Schedule 1—

**Ms SPENCE** (12.19 p.m.): I move amendment No. 4—

4. Schedule 1—

Page 112, lines 15 to 17 and page 113, lines 1 to 10—

omit, insert—

' 1 Section 6(2)(e)—

omit, insert—

'(e) a place used only to provide child care.'

' 2 Section 6(3)—

omit, insert—

'(3) In this section—

"child care" means child care within the meaning of the Child Care Act 2002, section 4, but does not include care provided in the course of providing preschool education to children in the year immediately before year 1, primary education, secondary education or special education.'

I move this amendment to the bill in order to amend the Education (Accreditation of Non-State Schools) Act 2001. This amendment to the bill is a technical amendment which will avoid the circularity of definitions with regard to 'non-state school' under the education legislation and 'child care service' under the Child Care Bill.

Amendment agreed to.

Schedule 1, as amended, agreed to.

Schedule 2, as read, agreed to.

Bill reported, with amendments.

### Third Reading

Bill, on motion of Ms Spence, by leave, read a third time.

## RACING BILL

### Second Reading

Resumed from 17 September (see p. 3526).

**Mr HOBBS** (Warrego—NPA) (12.22 p.m.): I am pleased to rise to speak to the Racing Bill 2002. The purpose of the bill is to repeal the Racing and Betting Act 1980 and put in place a new structure. The bill also implements the recommendations of the national competition policy review of the Racing and Betting Act 1980. In that regard, there are a few issues that will change some existing racing activities. For instance, it will provide an opportunity for a new code of racing to be approved, remove the prohibition of proprietary racing and remove advertising restrictions on racing bookmakers. The responsibility for the management of the industry will rest with the control bodies.

The bill focuses on the control bodies' regulatory responsibilities and also provides that only a corporation established under the Corporations Act can apply for control body approval. Those people involved in those control bodies will go through quite a stringent probity check, but that is the way it is in this day and age, and I will deal with some of the finer points of that later. In some cases some racing clubs go overboard in this respect particularly for volunteers raising funds for the Flying Doctor Service or whatever the case may be. The existing control bodies for the thoroughbred, harness and greyhound codes can continue as statutory authorities for up to three years and new ones will have one year to put their houses in order so that that particular code of racing can operate effectively.

In her second reading speech the minister said—

There has been a painful and traumatic process for the racing industry to adapt to a changing and highly competitive environment in the entertainment and leisure marketplace.

Quite frankly, my view is that the biggest challenge the racing industry has faced is the Racing Minister and the way this issue has been handled. People are not stupid. They understand change. They are professional people in many ways and I do not think—

**Mr Johnson:** And they know their industry.

**Mr HOBBS:** As the member for Gregory says, they know their industry and should not be treated as fools or as being elitist. However, that is the sort of language that the minister uses. It is very unfair, because these people are doing the best for their industry; many volunteers do an enormous amount of work for all industries, and racing is only one of those industries. Much work has been done and much more needs to be done in terms of managing changes in the racing industry. There are currently three existing control bodies for the three codes of racing in Queensland—that is, thoroughbred, harness and greyhound racing—and they will continue. The bill establishes a system for the licensing of the control bodies for codes of racing in Queensland. A corporation wishing to be a control body for a code of racing and which meets specified criteria can apply to the Minister for Racing for control body approval. That is quite a stringent process, and I do not think that anyone would deny that it has to be so. The bill also specifies the criteria and requirements that must be filled.

The chief executive of the Department of Tourism, Racing and Fair Trading has a number of responsibilities, particularly the responsibility of conducting probity checks, accessing applications for a control body, appointing authorised officers and many others. However, it is interesting to note the policies of a control body, the major planks on which directions are taken. The control body has to put together the policies and ensure that they are workable, but there has to be a process for consultation as to how those policies are in fact developed. Most of the policy issues that will be covered are managed in some manner or form now in the racing industry, but this is a good chance to modernise and write down what they all mean. I want to go through some of the issues in relation to these policies. The first is the way a control body develops its policies, including the consultation it must undertake. That will be interesting, because the QTRB—now Queensland Racing—had some serious problems in relation to the consultation process. The minister is not very good at consultation and perhaps that has rubbed off, because many people are saying that there is no consultation.

There was a meeting yesterday. I understand that no-one in the south-east racing region was part of consultation in relation to the final outcome of the bill before the House today. All the minister has done is conduct the review of the governance of racing. She has obviously pulled that together and presented the bill before the House today. She has not gone out to the industry to talk to its members, to say, 'Does this fit? Will it work?' No-one in the south-east corner was consulted. It is very strange that the minister would want to do that. Why can she not consult?

Other departments do it. Is there some reason this minister does not do it? The minister will have an opportunity when she replies to the second reading debate to explain the consultation process—how it went, who she talked to and how this legislation came about. We would love to hear it.

A control body is to have policies in relation to its licensing scheme for licensing persons, animals, clubs and venues for the code; education and training for persons participating in the code; and testing or training licensed animals for the code. It should be remembered that there are other codes of racing. As has been mentioned around the place, that could be racing of quarter horses, Arabs or camels.

**Mr Johnson:** I have ridden them, too.

**Mr HOBBS:** Did you win?

**Mr Johnson:** I was too heavy, mate, but I still did. The handicapper was a bit tough.

**Mr HOBBS:** Was he? I have given other possibilities for racing. It is highly unlikely that a control body would be set up for camel racing, but it could happen. A control body certainly could be established for sprint racing, for quarter horses and so on. Sprint racing had a pretty big start a number of years ago. There probably were some complications in relation to working in with the thoroughbred industry, but there is a possibility for some clubs to capitalise on the growing support for sprint racing. I was told when I was in Gympie the other day that sprint racing for horses is an up-and-coming event. People there were looking to get it going.

A control body is to have policies in relation to lawful betting on races under the control of the control body; its web site and the information to be accessible through the web site; first level appeals, if the control body is to have appeals from the decision of stewards to an appeal committee established by the control body; clubs to be licensed by the control body; licensing of venues; handicapping; and drug control. Drug control is a very important aspect. I believe that we have a pretty good system now but, like everything else, it can always be improved. There are also to be policies on animal welfare and disease management, spending by non-proprietary clubs and disposal of assets by non-proprietary clubs. I will cover some of those issues later in my speech. There are some concerns in relation to that.

There are currently some guidelines in place. This bill presents the opportunity to look at those guidelines, but we have to get it right. We have to make sure that the industry is able to consult widely enough and sincerely enough in order to get it right. There is nothing worse than bad legislation, and there is no need for it if consultation is carried out in a reasonable way. I do not doubt that in relation to any legislation there are people who have strong views about the way things should happen, but at the end of the day we have to make the best decision to meet the needs of the people in the particular industry concerned.

The bill places a number of obligations on a control body. The first obligation is to have internal controls that separate its commercial operations from its regulatory operations for the code of racing. The second is to have a racing calendar, which is done now—a program of information about race meetings and races to be conducted for the code. I will deal with the racing calendar later in my speech. The third obligation is to have a program to audit licensed participants and venues. The fourth is to enter into an agreement with an accredited facility for the provision of drug control and scientific services. And the fifth obligation is to have rules of racing that comply with its policies and have regard to the rights and liberties of individuals as mentioned in section 4(3) of the Legislative Standards Act. A few issues have become apparent in the very short time I have had to consider this bill, and more may come to light when we consider it in detail.

This bill will cover in detail issues such as drug control, animal welfare and disease management. That is particularly important to this industry. In this day and age there are many shysters around. We have to be very careful. We have to have a clean sport. To the best of my knowledge the sport is pretty good, but there are always people who like to push the boundaries. That happens particularly in industries that are very cash strapped. This industry is cash strapped. People are desperate to survive and they will do desperate things. The prize money in Queensland is so bad that many people are leaving. They are leaving because they are forced to. The ones who are hanging on are struggling to survive in many instances.

The appeals process is another important aspect of the legislation. Obviously we have to modernise that process. The current system is not bad, but we do need to make sure that appeals are carried out in the modern way of managing these things—at arm's length. We have to do some work on that.

The bill retains the racing associations and the Queensland Regional Racing Council. The Queensland Regional Racing Council was set up under the provisions of the current act, and it will carry on. That council is comprised of one representative from each racing region, and people on that council can only be from non-TAB clubs, which is quite reasonable. The way the council is set up is fine. We supported those provisions when they were considered in a previous bill.

At the time of the establishment of the QRRC I said that I did not believe it had enough teeth to have a genuine say in relation to particularly regional and country racing. That situation remains and it has not been addressed in this bill. More authority needs to be given. We do not need two entirely separate groups—we have the main control body—but there has to be a way we can give the Queensland Regional Racing Council a greater ability to undertake some process, consultation or arbitration if it sees a very important issue that is being denied by the control body. I am sure it can be done. It is really a matter of putting collective minds together to find a way forward.

Presently, the council can write to the control body and make suggestions and the control body has to write back. All it has to do in writing back is say, 'Thanks very much for your letter. We will look at it.' The control body can do the old mirror trick at any time. I am not saying that that will happen, but it can. With the way things are going at present, it appears there is a need, particularly in view of the cutbacks in country racing that are proposed by this process—obviously that has been endorsed by the minister—to ensure any rationalisation is done in a fair way. I do not see that we need to have any dramatic change. I will cover some of those issues later in my speech.

The other change in this legislation relates to bookmakers. Because of the national competition review, advertising restrictions on racing bookmakers have been lifted. So they can now advertise their services.

Those are a few of the issues that I will cover. I want to go through those in some more detail. First of all, the main concern that I have with this bill is clause 34, which gives further extensions of power to the control body—far more than they have now. I do not believe that this is the right way to get everybody on board and to make sure that we have a successful racing industry.

I want to make a point in relation to a directions notice given to any race club in relation to their operations and their assets. If for some reason a club is not the flavour of the month with the control board—human nature being what it is—that board could make things very difficult for that club, for whatever reason. The way I see things in Queensland, we could certainly visualise a situation like that arising. If a club cannot or does not comply with that direction, then the control body gives a show cause notice to that club. It really depends on what that lack of compliance relates to. It may be something that that particular club in this particular area—

**Ms Rose:** They can do it now. That is the status quo. The control body has always had that power.

**Mr HOBBS:** Yes, but the thing is that the minister has taken away from them the right of judicial review. All they have now—

**Ms Rose:** They still have got the right of judicial review.

**Mr HOBBS:** If the minister could explain that to me later on, I would be very interested to hear that it is there. I do not believe that it is there. In other words, under clause—

**Ms Rose:** The Racing Appeals Tribunal.

**Mr HOBBS:** That is not a judicial review. What the minister has taken away, which they have now, is that judicial review. The minister does not even know where she is at.

**Ms Rose:** They can appeal. They can go to the Supreme Court, the same as they can now. That is the status quo. What is in the new bill is the same as what is in the racing and betting.

**Mr HOBBS:** I do not know about that. I do not believe that it is in this legislation. During the committee stage, we will go through the clauses to determine exactly whether there is genuine judicial review.

Clubs can go to the Racing Appeals Tribunal and see what they can do, but it is not anywhere near what they have now. That is the way I understand it. Under the act, if a race club is given a show cause notice, it has to give a written submission. As I understand it, judicial review has been taken away from the clubs that wish to challenge a breach—and this is a breach of natural justice by the control body, for instance. In that regard, I think that there are some issues

that really need to be worked through, because, contrary to what the minister has said, I do not believe that there is judicial review.

The other issue that is particularly important in this whole matter is the credibility of the people at the top. We have all seen what happened—and I am not going to labour over all of the selection boards that happened in the past, because we have all been through it. We know that the minister interfered in that process. She brought on two selection panels—the second one to get her nominee up as chairman of the board. Yesterday, for the first time we heard—and nobody else in the industry knew about it—that the minister is going to go for her third secret panel. Actually, in answer to a question from me, the Premier made the announcement in the House. He stated—

The minister has requested the QTRB to provide her with the names of two persons who are eligible to be members of the selection panel by 1 November 2002.

That is in a few days. I ask the minister: how many people in the industry has she consulted about this? The act says—

**Ms Rose:** There is no need to. I am acting according to the act and it is exactly the same process as I went through the last time.

**Mr HOBBS:** And the one that the minister went through the last time she did wrongly. The minister is supposed to consult with the industry. The act says that the minister is supposed to consult with the industry. Quite clearly, the minister has not done that. She did not do it the last time.

**Ms Rose:** I do not have to consult with the industry for those two people, but I am. Two industry representatives will go on that selection panel, the same as they did the last time. There will be two industry people on that panel.

**Mr HOBBS:** Sure, there will be. Obviously, the minister will get industry people on the panel. But the thing is this—

**Ms Rose:** You supported that.

**Mr HOBBS:** I support the selection panel process, but the way in which the minister has gone about it has been totally wrong. The minister does not have the confidence of the racing industry in that process. Here, the minister is doing it again. It is just quite astounding, really. The minister and her actions are already the subject of a Crime and Misconduct Commission of inquiry in this whole thing.

**Ms Rose:** You were the one who sent it there. You referred it to there.

**Mr HOBBS:** Of course I referred it. That is right. It is not me entirely saying that this whole process is wrong. The state's leading crime fighting body, in fact, is also saying, 'Something is wrong here.'

**Ms Rose:** You referred it.

**Mr HOBBS:** They have done numerous—

**Madam DEPUTY SPEAKER** (Ms Jarratt): Order! Can I ask that the interjections cease and can I ask that the member go back to the relevance of the bill.

**Mr HOBBS:** I am talking about the control bodies. As I said before, the most important thing is to make sure that we have credibility in that process to elect those control bodies. Presently, we do not have that at all. It will happen again. I can see the minister going through that same process. Who knows? Maybe the minister can tell us who she is going to put on the new Queensland Racing board. She knew the last time before it happened, so she might as well tell us now and then we will know.

The minister also said—and this is interesting—that in Queensland now racing is no longer the sport of kings. The minister and the Labor Party have been in government for 10 and a half years out of the last 13 years. If racing is not now the sport of kings, those members opposite have been the ministers in charge for a long time. Have they ever thought that perhaps they are the cause of racing no longer being the sport of kings? I have a letter here from someone who is in the harness racing industry.

**Mr Hayward:** Didn't they sign it?

**Mr HOBBS:** Yes, he signed it.

**Mr Hayward:** Tell us.

**Mr HOBBS:** I do not mind tabling it. It is from a chap called Wayne Waltisbuhl, who states—

My Dear Minister

It is without option that I regretfully advise you that I have lost complete confidence in the Harness Racing industry in this State.

Having been involved in trotting for over 30 years, I have had enough of the blatant inconsistencies and ineptness of the stewards and management of this sport.

**Madam DEPUTY SPEAKER:** Order! Can I ask the honourable member if this is relevant to the bill?

**Mr HOBBS:** Absolutely.

**Madam DEPUTY SPEAKER:** Explain that for me.

**Mr HOBBS:** These control bodies—the Thoroughbred Racing Board, the Harness Racing Board and the Greyhound Racing Board—will have to be able to manage things like this. This person has no confidence in the present structure. The new structure, when it is put in place, will have to make sure that these sorts of things are avoided. So it is terribly important that we talk about it.

He says—

I have over a dozen individual owners in racing and breeding of the Standardbred. They also have had a gutful. I have reported incidents within the industry which have caused damage to our property and yet the harness racing authorities have failed to adequately investigate much less instigate any action. Our training property is valued at over \$1.5 million. This was constructed from our personal toil and funds and certainly not from returns of inadequate prize money. With provincial owners such as—

**Ms ROSE:** I rise on a point of order, Madam Deputy Speaker. Could I ask for the letter to be tabled?

**Mr HOBBS:** I am happy to table it when I am finished.

**Madam DEPUTY SPEAKER:** Are you seeking leave to table the letter?

**Mr HOBBS:** Not right now. I will table it when I have finished reading it. When the debate on the bill is over I will table it.

**Government members** interjected.

**Mr HOBBS:** Well, the minister has to wait. I want to use it during committee. The letter continues—

With provincial owners such as Tony Finch (Bundaberg) and prominent owners/sponsors of Otto Tuza (Horse Floats) and Glenn and Suzette Whalley . . . It has been my recommendation that to protect their horses from indiscriminate injury they transfer them interstate until suitable conditions are implemented here. Minister, the industry in this state has lost many participants in recent years and as I have stated, regretfully it has lost several more. Unless present QHRB management endorses a policy of active and genuine interest in those persons that have varied financial investments in the industry, the numbers of owners, licensees and supporters will continue to diminish. I urge you, minister, to involve yourself in these matters immediately.

Guess what? The gentleman wrote to the minister and she has not responded.

**Mr SPEAKER:** Well, guess what—that is not relevant to this bill. I ask the member to return to the bill or otherwise I will sit the member down.

**Mr HOBBS:** That sums it up. The minister can have the letter anyway.

**Ms Rose:** How do I know if I've got it if it's got no date on it?

**Mr HOBBS:** He said that you got it. The man told me—

**Mr SPEAKER:** Minister and shadow minister, I will not have a debate across the chamber. Keep relevant to the bill, otherwise we will move on to the next part of it.

**Mr HOBBS:** That is fine; thank you, Mr Speaker. It is very relevant. It is important that we understand that these processes that are in place will not be repeated with the new legislation. The control bodies will play an important part; in fact, they will be far more powerful than the old control bodies. It is particularly important that we make sure that we get them right. I do not believe that at this stage the minister has done so. I also refer to a letter from a lady in Hughenden who wrote in relation to her concerns about the review of the racing industry right now.

**Mr Hayward:** Hang on, there's another letter.

**Mr HOBBS:** And there's more to come. I want to make sure that the minister understands that there are some serious problems in this racing industry. This bill may resolve some of them, but those processes must be put in place and the minister must listen to the industry and consult with it, something the minister has not done. They had a meeting in south-east Queensland the

other day and they said that the minister had not consulted with them. We want to hear what the minister has to say about that. Jane McNamara from Abbotsford, Hughenden, wrote a letter concerning the review of the racing industry. She said—

I do realise that there are problems with the industry, which need addressing, but I'm not sure if the correct ones are being targeted. I would appreciate it if this letter could be tabled at your meeting ... I have in my capacity as a committee member of the North Queensland Racing Association circularised a newsletter outlining some of these concerns to the people and clubs which I represent. The newsletter related the fable of the Golden Goose because I feel many of the issues and changes that have come out of the review so far will have that effect on the racing industry. Most of these matters I have spoke to you about in our recent telephone conversation. I can only comment on matters that affect my area and do not presume to address the wider issues of coastal or metropolitan racing issues.

There are quite a few other issues in the letter that I will read out, but the letter goes on to talk about a lot of the administrative structures that Mrs McNamara believes are not working at present—this is the government's existing Queensland Thoroughbred Racing Board, Queensland Racing. The letter continues—

The most short-sighted issue so far is the removal of the regional executive officers. Any commercial enterprise that has instigated a major centralisation of this kind has suffered major ramifications due to the client (in this case the country racing industry) receiving less service and being isolated from their central administration. I agree that an area such as Capricornia would not need its own REO due to the small numbers of race clubs in the area. I suggest that the state be divided into three areas—northern, central and southern, with the controlling office in Brisbane so as not to duplicate the administration structure in another centre. The positions should be offered to existing REOs first, due to their product knowledge and racing background.

There are a number of issues. The issue which is very important and which is on everyone's lips at the moment is: what is happening to grassfed and picnic racing in Queensland? The letter continues—

Grassfed and picnic racing should be left as they were because they have proven to be successful and in the long term bring many people into the industry. A mixture of corn and grassfed races with a two day program will not solve the issues and will cost just as much as they receive now, but wreck their system which is tried and proven. Cutting back on numbers of race meeting has only proven in the past to make more racing participants quit the sport of racing. There must be enough meetings to bother with racing a horse. Less meetings also means that it is much harder to place a horse in a race of the class and distance that suits the horse, within reason ... The few trainers in our area who are still in the industry now train 50 per cent or less of the horses they had before the cutback of racing in the early and late 1990s. Possibly one solution to this would be to have a different rate of distribution for off season racing, e.g., mid November to mid March be at a rate of 75 per cent of funding—\$3,000 per race instead of \$4,000.

**Mr SPEAKER:** But this does not really reflect on this bill.

**Mr HOBBS:** Mr Speaker, this bill changes the whole of racing.

**Mr SPEAKER:** But you are talking now about an entirely different thing to the administration. The member is talking about other issues. The member needs to come back to the bill.

**Mr HOBBS:** What this letter refers to is part of it. Cornfed racing, grassfed racing and picnic racing is part of this bill. With what is proposed under this bill, there will be no more picnic races or grassfed meetings, because the government is starving them of funds. The lady who wrote this letter is pointing out the reasons why. This lady is making a suggestion that could in fact help. Perhaps if her views were taken on board by the minister she may be able to comfort the industry by saying—

**Ms Rose** interjected.

**Mr HOBBS:** Well, we would like to hear what your response was. Mrs McNamara's letter continues—

This would at least keep those participants who are dedicated to racing full time the opportunity to do so and keep their incomes flowing. This would allow for the secondary class of horses to be kept in the industry ... Promoting and marketing are the only way we are going to get the public back to the track. The TAB outlets do not get people into the racing industry. There needs to be a solid foundation of regional administration and marketing and courses to teach people how to build racing in their areas. The negativity which has been fostered by this present review is only serving to fragment and disillusion the people inside and outside of the industry. I trust that you will take on board some of the issues I have raised and I am more than happy to discuss them with you or QTRB staff. Racing is more than profit and loss statements or returns to the TAB shareholders. The TAB also has an obligation to support the industry which gives it its financial base. Communities depend on the racing industry as being a part of their whole structure. Take away one part and the rest is that much poorer.

Sitting suspended from 1.00 p.m. to 2.30 p.m.

**Mr HOBBS:** Prior to the luncheon recess, I was talking about the feelings from north Queensland in relation to the changes to racing. I wish now to refer particularly to the control bodies and their licensing arrangements. In the minister's briefing note, the overview of the proposed racing legislation outlines the way the control body develops its policies, including the

consultation it must undertake. I refer honourable members to a *Cairns Post* article about a meeting held up there in relation to what is happening at the moment. It states—

The most startling disclosure came when Bob Bentley admitted that the QTRB didn't bother to consult with local Cairns stakeholders before making the decision to cut race meetings from 36 to 14. It is estimated that this unilateral decision by the QTRB behind closed doors in Brisbane will have an economic trickle effect of ripping \$5 million from the local Cairns community and sending many local businesses and families to the wall. Perhaps Minister Merri Rose and Premier Peter Beattie have an answer as to why no community consultation was undertaken before this government board decision was imposed on the Cairns community.

I do not doubt that, if there are some financial reasons, the activities of some clubs may have to be curtailed for whatever reason. But surely we can talk to them. Surely we can go out and communicate with them and work our way through it somehow. That is only reasonable, as I mentioned before, particularly in relation to this bill.

During the luncheon recess I spoke to some more people from racing. They have not been consulted on this bill. I have found nobody so far who has had full consultation about the exact impacts of this bill on clubs. It amazes me that in this day and age we can have a bill as thick as this come into this parliament without the stakeholders being consulted. The article continues—

Any wonder that a vote of no-confidence in the QTRB was enacted at last week's North Queensland Racing Association meeting because of lack of consultation with other clubs.

This is happening out there. It is important that we manage this properly. The QTRB obviously has to be able to manage things very well financially. That is its charter. Under the new act, under clause 34F and under clause 45,—A, B, C, D, and E—the legislation talks about financial commitments and good management. At the moment, the clubs are going through another change in that the race club levy system has been put out to race clubs. In fact, the QTRB has introduced a number of new services in recent years with the aim of creating efficiencies and cost savings in administration and tax compliance for clubs while at the same time reducing the fees charged. This is what the new fee system is proposed to do. This letter to clubs also states—

... the need to replace the existing club levy system with a more equitable fee regime that reflected the actual level of services provided by the QTRB to individual clubs; and the need for the QTRB to generate sufficient revenue to meet, at least in part, the cost of providing essential services.

Submissions from clubs on the fee structure were received. I think some 50-odd clubs responded to the QTRB in relation to that. That letter continued—

... the Board further considered the proposed new fee structure at its meeting on 11 July 2002, and after giving careful consideration to the issues raised by clubs, agreed that implementation should proceed on 1 September 2002. The only significant change to the fees, as advised to you in June, relates to mid-week and Sunday TAB meetings where a 50% discount in the Integrity Services fee will apply.

We have some changes. Members should be aware of this. Interestingly, what has happened in the past is that when the QPC took over a lot more of the work of the race clubs, it in fact took over a lot of the financial burden as well. It did all of the handicapping, paying out of the prize money and a lot of other administration. In many instances, that amounted to thousands of dollars of saving to many clubs. Some clubs now do not have to raise the sort of money they used to just to get by and that has led to some change. That direction has changed to a certain degree and the control body is now saying that we have to claw back some of that benefit that we gave those clubs and so a fee will be charged. It really depends on the stewards—how many stewards there are, the size of the club and things like that.

The letter talks about the integrity of service fees having the following features—

... it is a 'per meeting' fee based on the number of QTRB staff that officiate at each meeting; the cost to the QTRB is determined by applying a daily rate of \$250 for a permanent staff member and \$175 for a casual staff member (based on salaries/wages only); and a total cost to the QTRB is then determined, and clubs will be charged an integrity services fee based on the following categories.

The categories range from A to H and those service costs range from \$500 up to \$2,250. The fee ranges from \$300 to a maximum of \$2,000. That gives members some idea of what has happened. In some cases, clubs can save some of that if they provide their own people to undertake activities such as clerk of the scales, judging or the operating of video cameras. But basically what they are really saying is that the general standard that is there now will not be compromised so clubs will have to pay up.

The Thangool Race Club had some things to say about that and also clause 34 and clause 45 of the legislation. I would like to read out some of the statements of Mr B. F. Clarke of the Thangool Race Club. He stated—

Integrity Services—stewarding, judging, clerk of scales, swabbing, betting supervision: Prior to the introduction of rules requiring our club to accept and pay for the number of stewards attending our meetings, we had one or two

stewards attending at every meeting, depending on the size of the meeting, and our club supplied all support staff, including day stewards, who were members of our committee. They performed their function as day stewards in an efficient manner and there was no need to change that system. However, with the establishment of the QPC, we were required to pay for the number of stewards imposed on the club by the QPC. This resulted in at least three stewards attending our meetings, whether they were big meetings or small, when, in fact, one steward would have sufficed, supported by our committee. The introduction of this system has imposed a financial burden on our club which we consider excessive.

It goes on to talk about judging, handicapping and a lot of other issues—race day secretarial services, nominations, acceptances and scratchings. It states—

... this club takes great exception to the introduction of fees for your board taking nominations, acceptances and scratchings.

It is a very detailed letter that indicates that they are not particularly happy with the way things are going. In summary, it states—

... our club strongly objects to the introduction of any further levies on country racing to subsidise city racing and, whilst this letter may upset some of your board members, we are of the opinion that the time has come for country clubs to stand up and be counted and reject proposals by your board which adversely effect country racing.

It also says—

A copy of this letter has been forwarded to the Premier and to the Minister for Racing, neither of whom have been sympathetic to the cause of country racing. Hopefully, this letter will be read to your board and not thrown in the rubbish bin. If your board's intention is to get rid of all country clubs, please let us know forthwith so that we may hold a meeting and decide to disband, rather than to be choked to death by your board.

These are people in the field and they are writing letters like this.

**Mr Reeves:** They all want independence of the board.

**Mr HOBBS:** I do not think there is a problem with that. It is all happening and there has been no consultation. You may have missed the earlier bit. There has not been any consultation on this bill. It is quite extraordinary.

However, I want to move on because time is running short. I want to pass on to the question of the financing of racing. Obviously, the TAB is the main funding source for racing. This is covered by clause 45 and clause 11(2). It is even referred to in the explanatory notes. Recently, there was a very good article in the Australian *Financial Review* that summed up some of the issues that I would like to refer to today. This article says that prize money will come under greater threat when the 15-year agreement between the TAB and the Queensland government is renewed on 30 June 2003. There will be a new redistribution formula. In 2001 the Queensland racing industry received almost \$100 million from \$278 million which was wagered on racing. It is estimated that racing will receive up to \$6 million less from the TABQ under the new formula. Whereas the TAB was created to support racing, the privatised TABQ is primarily interested in supporting the interests of its shareholders and its relationship with racing is purely contractual. Bill Carter had a few things to say about that.

In 2001 the QTC, for instance, paid out \$2.6 million more in prize money than it received from the TABQ. The BATC paid out an extra \$2 million. At the same time, provincial clubs received 100 per cent of their prize money. I am not saying which is right and which is wrong; I am simply pointing out the problems being faced by the industry.

In the 2000-2001 racing season metropolitan racing in Queensland received \$23.6 million compared with New South Wales where metropolitan racing received \$55.6 million and Victoria \$67 million. In the same season provincial racing in Queensland received \$37.4 million compared with New South Wales which received \$33.8 million and Victoria which received \$33.9 million. Sky Channel's contracts are also coming up for renegotiation and the industry expects to come off second best there as well. We recently had the ludicrous situation where there was a possibility that the TABQ was going to sue race clubs which had deals with the Treasury Casino. That was quite extraordinary.

The interesting thing is that the minister seems more intent on criticising and denigrating racing identities rather than facing the real issues. It appears to me that the minister is caught up in the very factional fighting which she says is causing the industry problems. She is reported as saying, 'Here I am, the reforming minister, until now held back by the elite.' As I mentioned earlier, there are lots of race clubs which are comprised of the ordinary mums and dads. Of course there are the bigger clubs.

**Mr Reeves** interjected.

**Mr HOBBS:** What I am saying to you is that the racing industry can modernise itself but it does not support the way in which it has been done. It is as simple as that. The selection board of the present board is the subject of a CMC inquiry.

**Mr Reeves** interjected.

**Mr HOBBS:** That is the situation. It is there in black and white. I want to move on to country racing. Country racing will suffer dramatically under this minister and under Labor. A lot of country clubs will close unless the minister steps in and does something about it.

**Mr Reeves** interjected.

**Mr HOBBS:** The member for Mansfield who sits in a comfortable city seat wants to cut back country racing. It is all right for him; he can attend one of the best facilities in Queensland. If the honourable member lived in a provincial area would he think it was fair to reduce clubs in, say, Toowoomba, the Sunshine Coast or the Gold Coast in order to prop up Brisbane? The same thing applies in rural areas. If the honourable member thinks that racing will boom in the larger regional and rural towns at the expense of closing the country clubs down, I can tell him that it will not work.

**Mr Reeves** interjected.

**Mr HOBBS:** Quite clearly, it should be funded. Racing is not funded. There is never enough money. The minister does not have the funding and she is being totally irresponsible in not addressing that issue. We all know that the TAB deal that was put in place was a lousy deal. However, that has been done and we have to live with it. We now have to move on. The simple fact is that it just did not work. There is insufficient funding, and the funding will decrease the way we are going.

**Mr Reeves:** The racing industry wanted to be privatised.

**Mr HOBBS:** No, you are quite wrong, because you were not even in politics at the time. You were probably still in nappies when this was done.

**Mr REEVES:** I rise to a point of order. I find the comments of the member for Warrego offensive and I ask that they be withdrawn. I was here when we had the TAB privatisation debate.

**Mr HOBBS:** I withdraw. The minister has not addressed the issue of finance for the racing industry. It was the government that raked off the majority of the money from the sale of the TAB.

**Mr Reeves** interjected.

**Mr HOBBS:** Mate, that was 12 years ago. It was this government that put through the privatisation deal. It did not work out. Irrespective of who did it, the issue is that there was just not enough money in the system. It has to be fixed. We cannot just say, 'Somebody else got it wrong and we will let it stay wrong.'

This minister is asking the industry to bail itself out of this financial mess into which her government has put them. They cannot do it. The minister shakes her head. She probably cannot get her mind around the issue; it is probably far too big for her. The minister has placed the QTRB in a dreadful situation by having a cloud over its head from the very start. The QTRB does not have the confidence of the broader community. It needs this confidence in order to undertake reforms in a cooperative manner.

**Mr Reeves** interjected.

**Mr HOBBS:** You have not been listening to what I said. These letters have come from various clubs. The people in those clubs are most unhappy. This issue refers not only to the small clubs but to those in the bigger cities as well. I am not the only person saying this. At this stage I also want to refer to the name change. I have no real problem with that, but the name had to be changed simply because the QTRB was a dead dog. The minister knows that. She made it into a dead dog because there was no way that it could gain credibility in the broader community with the smell of allegations of misconduct hanging around it. Now we have an inquiry under way. The minister cannot possibly get up in this House and say that her hands are clean on this matter.

The *Alert Digest* raises some issues that I hope the minister will respond to. In referring to clause 317, the *Alert Digest* states—

... a substance mentioned in the Standard for the Uniform Scheduling of Drugs and Poisons as in force from time to time ... Whilst the committee has not examined this document it presumably includes, or could be amended to include, a wide range of drugs. If that were so, race patrons bringing onto a racecourse various forms of pharmaceutical drugs for their personal use might *prima facie* fall foul of the provision, and be forced to establish the existence of a reasonable excuse, such as a medical condition, in order to avoid prosecution.

What is the minister's view of this? Will the legislation allow people to go about their normal life and ensure that, if they have to take medication with them, they will not be thrown in the pen if they go to the races? The *Alert Digest* continues—

A person must not bet at a public place unless the betting is lawfully conducted under (the bill) or another Act.

...

Although by virtue of clause 320, cl.326 does not apply in relation to wagering lawfully conducted under the Wagering Act 1998, and does not affect the operation of a range of stipulated statutes, cl.326 does appear to impose a general prohibition upon betting (and not necessarily betting upon races) in a public place.

The committee notes that cl.326 appears to impose a general prohibition upon betting in a public place.

The committee draws to the attention of Parliament the apparent breadth of this provision.

What happens if there is some sort of fundraising event that may not necessarily be racing? We need to ensure that this bill does not unintentionally snare people. This legislation also provides for the reversal of onus of proof in criminal proceedings without adequate justification. The *Alert Digest* states—

Whilst the difficulties of determining liability in certain circumstances (for example, corporations) are appreciated, the committee as a general rule does not endorse such provisions.

Minister, what happens in relation to that, particularly in relation to those corporations? Are there sufficient regards to the rights and liberties of individuals in relation to that?

Time expired.

**Mr DEPUTY SPEAKER** (Mr Fouras): Order! Before calling the honourable member for Noosa, I welcome to the public gallery teachers and students from the East Murwillumbah Primary School in New South Wales. Even people across the border have come to see us.

**Ms MOLLOY** (Noosa—ALP) (2.53 p.m.): I rise to speak in support of the Racing Bill. The Racing Animal Welfare and Integrity Board will replace the current Racing Codes Advisory Board. It will be an independent statutory board consisting of persons with specified scientific skills and will provide advice to the chief executive on issues relating to drug control, welfare and disease management of licensed animals. Control bodies will be required to enter into an agreement with a facility accredited by the chief executive on advice from the integrity board for the provision of drug control and scientific services.

The Racing Science Centre, a branch of the Department of Tourism, Racing and Fair Trading, which is currently providing drug control services to control bodies, will need to apply for accreditation. As is the case currently, the proposed act makes it an offence to use prohibited things including drugs on a licensed animal. The current Racing Appeals Authority, which hears appeals from the decisions of first level appeal committees, control bodies and stewards, will be renamed the Racing Appeals Tribunal. Currently, only the thoroughbred code has first level appeals from decisions of stewards which relieves the Racing Appeals Authority from having to hear appeals involving minor penalties.

It will not be mandatory for all control bodies to establish first level appeals committees. However, if a control body decides to establish first level appeals committees certain requirements first must be met. For example, the appeal committee must consist of three individuals. One must be a lawyer, one must have a thorough knowledge of the rules of racing for the code and the third must be from either of these categories. The proposed act limits first level appeals committees to hearing appeals against decisions of stewards which relate to a suspension of a person for up to three months and fines of between \$100 and \$2,000. Racing associations and the Queensland Regional Racing Council for the thoroughbred code and provisions regarding control body disciplinary processes for clubs contained in amendments to the Racing and Betting Act 1980 in December 2001 have been retained.

The Queensland Regional Racing Council was established in April 2002 and is comprised of one representative from each regional racing association. The council is responsible for developing and recommending to the QTRB the racing calendar for non-TABQ races—that is, races on which the TABQ does not or is unlikely to offer wagering in each region; planning and recommending to the QTRB the distribution strategy for prize money and other funding required for conducting non-TABQ races; monitoring and reporting to the QTRB on the performance of the allocated racing calendar for non-TABQ races in respect to encouraging racing in each region; and encouraging dialogue and planning between the clubs of the various regional racing associations.

Provisions of the current act relating to racing bookmakers are replicated in the proposed act. In accordance with government policy to devolve responsibility for operational issues to the industry, control bodies rather than the chief executive will be responsible for approving and

supervising a telephone bookmaking system. Bookmakers may only conduct bookmaking while the racing bookmaker is present at a racing venue during a race meeting or a betting meeting. Advertising restrictions on racing bookmakers are to be removed from legislation. This will allow racing bookmakers to advertise their services. It is an offence under the proposed act to advertise unlawful booking, betting or bookmaking. Offence and penalty provisions for unlawful betting and unlawful bookmaking have been retained and will be vigorously enforced.

I congratulate Minister Rose for showing leadership. Indeed, the racing industry is all the better for her interest and ministry in what must be a difficult portfolio at times. Her department and advisers are also to be congratulated on putting all of this together.

**Mr POOLE** (Gaven—ALP) (2.57 p.m.): I rise to speak on the Racing Bill 2002. I suppose that I am in a qualified position to speak about the racing industry and the bill now before the House as I was a professional trainer for more than twenty years. I trained in Australia and New Zealand and trained more than 300 winners during that time and was fortunate enough to train some big race winners. I returned to Australia after training in New Zealand from 1985 to 1987 with a team of horses to run during the Brisbane Cup and Prime Minister's Cup carnivals. I arrived with five or six horses, including Grecian Valour, who won at Eagle Farm, and Sir Ali, who had just run second to Our Waverley Star in the Matamata Cup in Australasian record time for the mile. Our Waverley Star went on his next start to run in that amazing Cox Plate contest with Bonecrusher. However, that horse went to Melbourne for his race on a fast dry track and Sir Ali to the Gold Coast, where I have never seen so much rain and mud before or since, but I wish we could get that kind of wet again. Having said that, that set Sir Ali's preparation back weeks because of the wet conditions and we had to start again. From memory, I think he ran second in the cup.

I am giving the House a brief outline of my past life to reassure the House of the importance of proper running of the racing industry from the perspective of an insider, albeit a former insider. So many lives depend on proper structures in the industry, and I can assure this House that this minister, Merri Rose, is making that possible with her ability to understand the needs of the industry in bringing this bill before the House. It is not a makeshift, bandaid piece of legislation; it has been framed to work and make a wonderful industry become accountable, and this is why. The Racing Bill 2002 moves government further from the day-to-day operations of the racing industry but enhances the government's role in demanding accountability and transparency in the industry in matters impacting upon the probity and integrity of racing and the protection of the public interest.

The government currently has no role in making, or influencing the thoroughbred code to make, decisions not related to probity and integrity matters. For example, specific issues such as allocation of race dates, prize money and field sizes are decisions that are currently the legislative responsibility of the control bodies, and they will remain such under the proposed racing act. I suppose we should remind the editor of the *Gold Coast Bulletin*, when he sticks a photo of the seven members on the Gold Coast on the racing page—

**A government member:** It was a good photo.

**Mr POOLE:** It was a good photo. It is a pity they put the blindfold around our mugs. The article said that we did not stand up for the Gold Coast Turf Club's acquisition of a Saturday stand-alone race date for the Prime Minister's Cup. I think that explains it: we cannot interfere. We have never been able to interfere and we will not interfere in anything to do with the structures of racing.

In 2001 the ministerial review of the governance structure of the thoroughbred code in Queensland was conducted. The outcomes of that review were that the control bodies should be structured as companies under the Corporations Act 2001 and there should be a two-stage process to allow the thoroughbred code to adapt to change, to provide the time for internal code discussion on the structure of the company and its constitution, and to protect the interests of the country and regional non-TAB clubs and racing participants.

Stage 1 was the establishment of a board of five independent directors, the Queensland Thoroughbred Racing Board. In stage 2, the QTRB is required to design a company model and report to government by 5 October 2003. The Queensland Harness Racing Board and Greyhound Racing Authority have been similarly charged with the same responsibility to report on company corporate governance structures by October 2003. This bill will allow the outcomes of the governance review to progress and ensure that Queensland has a racing industry that will be able to respond to the challenges it faces.

The Racing Bill 2002 will repeal the Racing and Betting Act 1980 and replace it with a modern legislative framework for the management and regulation of the Queensland racing industry. The key objectives of the proposed act are to ensure that the racing of animals on which betting is lawful is conducted to the highest standards of integrity by all persons involved in the racing or betting and that the welfare of animals involved is protected. The proposed act has no application for animal racing if there is no betting or wagering on the outcome.

Under the proposed act, control bodies are unambiguously given responsibility for managing their code of racing. The legislation clearly places management for such matters as licensing animals, clubs, participants and venues and allocating funding and race dates to race clubs and venues as a management responsibility of the industry.

Finally, the responsibility for making hard decisions, for example the number of clubs that can be sustained in a code, lies with the control bodies and the racing communities, not with the government. I again thank the minister and her staff for their foresight in making the racing industry in Queensland a viable industry. I think the rest of Australia will follow this legislation. South Australia will certainly look at it.

**Ms STONE** (Springwood—ALP) (3.03 p.m.): I rise to support the Racing Bill 2002. Earlier this year I attended a race meeting at Warwick Farm racecourse in New South Wales with Andrew Timperley from the Table Office. I could not believe the number of families enjoying the day. They had come along with a picnic basket and a blanket to have a very enjoyable family day. I later found out that the day was to honour emergency services men and women who had fought those dreadful fires in New South Wales last Christmas.

I was very impressed with a number of factors on the day. Firstly, it was a way to recognise the whole family as well as to say thankyou to those heroic men and women. Secondly, it made the day at the races a very enjoyable family day. The grounds catered for families with picnic hampers. It catered for people who wanted to sit in the grandstands. There was a range of facilities that catered for all.

As a child I often heard stories about my grandfather, Mr Roy Dahl, who used to go to the races. It was a day for him to meet up with his mates and sometimes have a large win—sometimes not. For my nanna it was a day to dress up. She told me that the best part of her life when she was a young woman was getting a new dress made to go to the races—and of course buying new shoes and a new hat to go with the new dress!

**Ms Keech:** She is still a young woman.

**Ms STONE:** She is still a young woman at 82 and still dresses nicely, I might add. As with all young families, the needs of the children were the first priority and a day at the races happened less and less often. However, I can recall as a child at least once a year attending a race day with my nanna, my mother, my uncle and my brother. They were happy days but not always successful in terms of making money.

Melbourne Cup day was always a big day in our family. We always picked out who we thought would win and mum would go and put on the bets. Somehow mum always managed to pick the winner. It was later in life that my mother told me about the good tips she got from people in the racing industry whom she knew from her employment at the Mount Gravatt Hotel. I am looking forward to seeing my mother and nanna soon to discuss our Melbourne Cup outfits and bets.

This year I will be celebrating the Melbourne Cup at several places in my electorate, commencing at the Springwood Hotel. I will then be attending a charity day at the Springwood Towers, hosted by the Logan Lady Mayoress Welfare Committee. I must thank Jenny Freeman, Pam Sheldon and the committee for the invite and also for the work they do around the community. However, I did decline the invitation to model fashions on the day. I am sure that the community members who have volunteered to do so will do a good job. After lunch I will be presenting prizes to the fashion and raffle winners at the Springwood Coffee Club, and of course I will be watching the race. I thank the owners, Jenny and Barry Lang, for that invite.

Apart from the great entertainment the racing industry provides, there are other very important factors about the industry, such as the employment and economic value it gives to our state. The racing industry employs many people directly and indirectly throughout the whole of the state, and some of them are in my own electorate. It is a very important industry.

This year I was very fortunate to attend the Magic Millions at the Gold Coast Turf Club. I thank the club for the invite. I must say how impressed I am with the facilities of this course. It is a

fantastic racecourse, and I enjoyed the day very much. Des Power from Queensland Events took me around the course and certainly gave me a lot of information about the different aspects of the industry. I was invited to attend the sales that evening. It was this day and this event that demonstrated to me the enormity of the racing industry. As I said before, the facilities at the Gold Coast Turf Club are very good. They are always clean and tidy. This is partly due to my uncle Keith Dahl, who works at the course.

During the recent sittings of parliament in Townsville I attended a harness racing meeting. I must say thankyou to the member for Thuringowa for the invite. I must also say thanks to Margaret Reynolds from Shailer Park, who organised the evening. Margaret spends so many months a year organising harness meetings for various clubs. This was a very enjoyable evening, and I got the opportunity to compete in a celebrity race.

**Ms Phillips:** How did you go?

**Ms STONE:** I thoroughly enjoyed this. I now know just what a lot of skill it takes to do harness riding. From watching the children, I know that they are being developed and that we can look to a good future in harness racing.

I thank the member for asking me how I went in the race. After all, I did let the member for Thuringowa win. She did invite me, but my competitive nature got the better of me. Passing the Minister for Emergency Services and member for Townsville was very exciting. The outcome was first, member for Thuringowa; second, member for Springwood; and, third, member for Townsville. To the punters who put all that funny money on me: I apologise. I will be better next year.

I said earlier that a day at the races or an evening at the harness racing is very enjoyable. I have attended a number of race meetings in regional Queensland and also at Eagle Farm and Doomben. Earlier this year I took my best friends, Melanie and Tony Piccini, to a race meeting, and they loved it so much they became members. I look forward to attending many more race meetings with them. Possibly on Saturday I will be with them at a race meeting.

Another person I see at the races is Wayne Gammon. Wayne grew up with his family in the racing industry. He owns a successful computer company in my electorate as well as a couple of race horses that, I must say, owe me a lot of money. I am sure I will catch up soon.

As I said, the industry is very important to Queensland. It employs a lot of people directly or indirectly and it affects a variety of other industries. I am pleased that this bill will take some of the shackles from the legislation, which has been described as out of date. The restrictions on competition that will be removed by this bill include restriction on the entry of new codes of racing and restriction on advertising by racing bookmakers. I certainly hope that the removal of these restrictions will introduce more people to this industry and awaken them to the strengths and importance of the industry.

I know that there are a few parliamentary attendants and staff who like to have a flutter and enjoy a day at the races. I must say thanks to them for their tips; they have been wonderful. I hope more people like them and me will come and support the industry while having an enjoyable time. I commend the bill to the House.

**Mr PEARCE** (Fitzroy—ALP) (3.09 p.m.): In rising to contribute to the debate on the Racing Bill 2002, firstly I declare my personal interest in the thoroughbred racing industry. My wife, Diane, has a one-third share in the lease of a four-year-old mare based in Rockhampton. The mare, which races under the name of Hermoine, is trained by Kerry Smyth. She has already won 16 out of 15 starts—

**Honourable members** interjected.

**Mr PEARCE:** She is a very good horse. She went around twice in one race. She has already won six out of 15 races and is certainly working her way up through the grades and showing a lot of promise. I do not think that it will be very long before Hermoine will be heading down to Brisbane.

**An honourable member** interjected.

**Mr PEARCE:** The minister backed it. I also hold a one-tenth share in the ownership of a yet-to-be-named colt by Kaaptive Edition. If this horse is half as good as it looks, it will be very good. I also have an association with a successful greyhound that has raced in Queensland but which now races in Adelaide that goes under the name of Fitzroy Jim. It was given that name because of the support that I had given to the local greyhound industry and a constituent of mine.

**Mr Reeves:** You should be proud of that.

**Mr PEARCE:** I am proud of the dog. In the Fitzroy electorate, there is one greyhound racing club in Rockhampton, along with the Rockhampton Harness Racing Club, the Rockhampton Jockey Club and the Rockhampton Amateurs Race Club. There are also six non-TAB clubs that hold race meetings throughout the year: the Bluff/Blackwater Amateur Race Club, the Dingo Race Club, the Daringa Race Club, the Mackenzie River Amateur Picnic Race Club, the Middlemount Race Club and the Ridglands Race Club. Given the number of clubs in my electorate and my personal interest in racing, I am sure that members can now see that I have a good reason to want to speak to this legislation.

In doing so, I will comment on some of the important provisions of the legislation. As well, I will raise an issue of concern on behalf of the racing industry in central Queensland which, despite seeking independence in the control of racing in Queensland, now has concerns as to what an independent board will do and what the board will claim to be in the best interests of racing in Queensland. There are some concerns about that.

As I see it, this legislation has been developed in response to the need to modernise the existing legislative framework so that the management and regulation of the racing industry caters for the future direction of that industry. Despite many amendments to the Racing and Betting Act 1980, it remains outdated and in need of simplification. That act will be repealed as a consequence of this legislation. Queensland must have a racing industry that has the confidence of the general public. The public must be confident that the integrity of those involved in the racing industry is unquestionable. The public must also be certain that the animals involved in the racing industry are not treated poorly. This legislation provides for that certainty of confidence in the management of this important industry. Certainty will be achieved through the way in which the policy objectives of the legislation are delivered.

The new legislation implements a number of key reforms that focus on control bodies, the role of a chief executive, the probity, integrity and accountability, and the responsibilities and obligation of a control body. The legislation will also remove the prohibition on proprietary racing. It also establishes a racing animal welfare and integrity board and a racing tribunals board. It maintains unlawful bookmaking and unlawful betting offences and includes those provisions of the repealed act that regulated racing bookmakers.

The legislation also includes provisions relevant to the already established Thoroughbred Racing Board and the Queensland Racing Council. It allows for the existing control bodies for the thoroughbred, harness and greyhound codes to continue as statutory bodies for a period of three years. During this three-year period, each of the codes will be required to form a corporation and seek control body approval.

Part 2 of the bill sets out how industry control bodies will manage and regulate the respective codes of racing. A corporation established under the Corporations Act can apply to be a control body. The credibility and integrity of the structure appears to be well covered by the provisions of this bill. I see the future success of the structure being more dependent on the knowledge and expertise along with the personalities of those persons who find themselves sitting at the various levels of the structure.

For the racing industry to be clean and free of corruption, there needs to be mechanisms for the making of rules and the enforcement of those rules. This requirement is addressed in part 3 of chapter 3 of the bill, titled 'Rules of Racing'. When a rule is actioned, it does not always mean that those enforcing the rules have it right. Those facing the consequences of penalties as a result of an indiscretion must have a mechanism by which they can appeal against that decision. Such a mechanism exists in the new legislation and is covered in the appeals under the rules of racing section. Where there is an obligation for a control body to have rules of racing that it believes are necessary for the good management of the code, the control body may establish an appeals committee that is effective, both cost wise and time wise, in dealing with some of the decisions of the stewards. Those matters that cannot be dealt with appropriately by the appeals committee can go to the Racing Appeals Tribunal.

This legislation calls for the minister to advertise for nominations for the appointment of suitably qualified persons to the tribunal before recommending a person to the Governor in Council for appointment. Clause 153 under part 1 states that a tribunal member must be a lawyer with at least five years experience. I think that is a very important aspect.

Chapter 10 of the bill, titled 'Repeal, Transitional Provisions and Other Provisions' provides for the repeal of the Racing and Betting Act while the transitional provisions of the racing section enables the three existing bodies to continue to function for three years after the commencement

of schedule 1. This means that the Queensland Thoroughbred Racing Board, the Queensland Harness Racing Board and the Queensland Racing Authority will continue as the control bodies for their respective codes for three years. During that time, they must form a corporation and apply for control body approval.

Country racing has and will continue to provide significant recreational and social opportunities for rural communities. Country race clubs offer support to charitable organisations, local schools, hospitals, ambulances, et cetera from the moneys raised during race days and other social activities that go with it. It may not be the Melbourne Cup, but for those communities the local races are a major social event. All the work involved in running a race day is voluntary. These are decent people doing their bit for the community. The racing industry is far from just an idle pastime for people who have more money than sense. The racing industry is a fundamentally important element of our economy and, therefore, its administration and supervision should be of the highest standard.

Racing is so important that it is no overstatement to suggest that the good health of the industry is a major determinant of the state of the Queensland economy. So it is imperative that we remember that the industry is an industry that is important to all Queensland and not just to the south-east corner of the state. That is why I am pleased to see that the five geographical areas of the thoroughbred racing code represented by racing associations will be retained in this legislation and that they will continue to provide advice to the control body for thoroughbred racing. By retaining these racing associations, regional racing will have the opportunity for input into how country racing should be conducted. This input will be through the Queensland Regional Racing Council, which has been in existence under the repealed Racing and Betting Act 1980. The important issue here for country racing is the ongoing credibility of the process—ensuring that the representatives of country racing are doing what they are appointed to do, and that is to represent the people who support racing in regional and country Queensland. The process must be accountable, transparent and the issues put for consideration must be resolved with the best interests of racing being the driving factor in the outcome.

I would like to raise a concern that I have with the new control body, which I understand will be known as Queensland Racing, and what will happen when it commences to operate under the provisions of the legislation. I accept that it is probably not appropriate to make an assumption on how the new body will do business, but my constituents expect me to raise their concerns in this place, because once the legislation is passed I will have no ability to have effective input into the decision-making process of the board. I do not have a problem with that. The position of the government will be that the control board is the control board. They will control racing.

Decisions affecting racing will be the sole responsibility of that board. That is okay. As I said, I do not have a problem with that, because the credibility and future of the racing industry in Queensland needs to be at a level that everybody respects. The decisions will rest solely with that board. It will be the industry board making decisions about the racing industry. My main concern is the future of country racing under the new control board and the potential impact on country racing as a result of decisions of the board.

Let me say again that I support the structure. It is the type of structure which is transparent and accountable and which has the powers to direct the racing industry in the right direction. The new board will be run as a business. I commend that business focus, because that is what is required if Queensland racing is to make up ground on racing in the southern states. The better prize money in New South Wales and Victoria as well as access to a wide range of races where horses can get a regular start in a suitable class and distance means that Queensland racing will continue to lose owners and trainers to the south. The cost of racing a thoroughbred is high because of those associated costs such as veterinary services and training fees. For Queensland to improve its position and be competitive with the southern states, the racing control board must be able to make changes to the way it allocates the pool of money made available by the TAB. The only way that can be done is to stop TAB monies allocated to the board from flowing through to the smaller country and regional clubs.

Our fear is that the new board will argue that it should not allocate prize money to clubs when they conduct non-TAB meetings. TAB venues should take a cut on race days. Because there is no return to the TAB, the body that provides the pool of money to the new control body, it could rightly ask, 'Why should we allocate money to a club that is giving nothing in return?' That is a fair business argument and a point that anyone would find difficult to challenge. We must accept that the impact of the withdrawal or cutback in prize money for country clubs will have a significant impact. I do not believe that the new control body will give two hoots about the impact of its

decisions on country racing. The decision makers do not live in the country. They do not have an understanding of country racing. The members of the control body certainly will not be mixing with the country racing fraternity. There is no doubt that this will mean the forced closure of country race tracks. The flow-on effect to country towns would be immeasurable. Infrastructure will be left to rust and rot.

**Mr Hobbs** interjected.

**Mr PEARCE:** It is not about me being minister, it is about me telling this House what my constituents are telling me. I have an obligation to do that. What has been put in place is excellent. Do not try to put me on the spot for what I am saying. I am just doing what has to be done. Major social events where people of the region gather for an enjoyable time will cease. Charitable organisations such as the Royal Flying Doctor Service, the Helicopter Rescue Service, the Cancer Fund, local hospitals, ambulance services, et cetera will miss out on the opportunity to get money. These organisations will then lobby the government for additional funds to meet their charity day shortfalls and to help them continue to operate their important services.

I am concerned that, despite having the structure in place to ensure that country race clubs are heard, the new control body will be under no obligation to make decisions in favour of continuing with country race clubs. The control body will not be in favour of supporting country race clubs that hold non-TAB meetings, because these clubs are seen as a financial drain. The TAB believes that there is no point in supporting country people and I believe that it will cooperate with the new control body. Personally, I object to any organisation, whether it is the new control body or the TAB, suggesting that I or my fellow country Queenslanders do not support the Queensland racing industry, because we do it every day and every night of the week when we place a bet with the TAB. Any number of big punters live in country and regional centres across this state. I consider it fair and reasonable that the new board should ensure that country Queenslanders get a return on the dollars they invest in the state's racing industry through the TAB. We are contributing to the prize money pool. We are contributing to the profits of shareholders, and all we expect in return is a fair go.

I am the first to say that country racing can do better. There needs to be change and a more professional approach. I will not accept that the new control body should just start agreeing to a process that will force country race clubs to close. I will be looking to the new control body to make a difference. I encourage the incoming members of the board to work with country race clubs. Country people are decent, hardworking citizens. They all are Queenslanders who choose to live and work in the bush. It would be wrong to take actions that force the closure of country race tracks.

In conclusion, I shall read into *Hansard* a couple of letters from representative bodies of the three codes of racing in my area so that they know I have made representation on their behalf. A letter from the Rockhampton Harness Racing Club states—

The main problem facing the industry is lack of funding. It is my belief that this has been mainly brought about due to poker machines ... Harness racing in the northern centres has been struggling for survival for a number of years. However, the current approach by the harness racing board has seen an increase in the number of meeting for Rockhampton increased to 38. However, as stated above, unless more money is available for prize money at an industry level there is no way any club can predict the future.

A submission from the Rockhampton Greyhound Club states—

For main country clubs to flourish and introduce new participants, a new level of prize money needs to be adopted. The major centres are Townsville, Rockhampton and Bundaberg. At the Rockhampton complex the three codes need to amalgamate its resources and staff so as for the costing of wages and equipment is minimal.

I actually support that. I think we can do better in Rockhampton. The Rockhampton Jockey Club Committee letter states—

The Rockhampton Jockey Club Committee has read the bill and has raised no items for question. The club does raise the matter of the need for continued country racing at places like Mackay, Emerald, Thangool and Gladstone to support the future of racing in Rockhampton (both TAB and non-TAB race meetings). Also, the need for increased prize money to keep the owners and trainers viable and so as not to leave the racing industry.

As I said before, this is good legislation because it brings accountability to the racing industry, accountability that the public of Queensland want. They want to know that we have a credible industry in Queensland. I have raised some concerns about the decisions of the incoming board and how that may impact on regional Queensland. As an elected member, I have a responsibility to represent the views of the people in my electorate.

**Mrs LIZ CUNNINGHAM** (Gladstone—Ind) (3.28 p.m.): I rise to speak to this Racing Bill and to express my concerns as a representative of a regional Queensland area. There are two racing fraternities in my electorate—the Gladstone Turf Club and the jockey club at Calliope. The

Gladstone Turf Club has a regular turnover of meetings—not as many as they would like—and Calliope has a couple each year. The facilities at Calliope are fairly basic, but I know that the atmosphere and the camaraderie shared there is exceptional. For a number of years the Gladstone Turf Club has been looking to relocate.

The racing industry affects not just those who own or train racehorses but the jockeys, strappers, feed merchants, suppliers and so on. The ripple effect of the racing economy is significant, whether it involves a small club or a larger club. For a number of years in my region there has been an intention, and a lot of work done, to relocate the Gladstone Turf Club. The previous Racing Minister, Russell Cooper, met with the relocation committee and agreed with and was very supportive of its plans for relocation. The intention at the time was to make the property that the turf club currently is on available for sale and the proceeds of that sale were to be reinvested in a new location—one of the ash ponds under the jurisdiction currently of the Gladstone Port Authority.

Debate, on motion of Mrs Liz Cunningham, adjourned.

## PAPERS

### MINISTERIAL PAPERS

The following ministerial papers were tabled—

Minister for Industrial Relations (Mr Nuttall)—

WorkCover Queensland—

Annual Report 2001-02

Statement of Corporate Intent 2001-02

Minister for Local Government and Planning (Mrs J Cunningham)—

Report pursuant to s 3.6.9 of the Integrated Planning Act 1977 entitled Development application for Helensvale Town Centre (Shopping Centre including Main Street and Speciality Shopping) called in by the Minister for Local Government and Planning, the Honourable Nita Cunningham MP, on 18 July 2002 and decided by the Minister for Local Government and Planning, the Honourable Nita Cunningham MP, on 19 September 2002

Minister for Education (Ms Bligh)—

Department of Education—Annual Report 2001-02

## MINISTERIAL STATEMENT

### East Block, Royal Brisbane Hospital

**Hon. P. D. BEATTIE** (Brisbane Central—ALP) (Premier and Minister for Trade) (3.31 p.m.), by leave: On Monday the Health Minister and I had the pleasure of opening the East Block at the Royal Brisbane Hospital. The opening of this \$78 million dollar facility brings us one step closer to completing our 10-year health capital works program. Under this program, which was the biggest of its kind ever undertaken in Australia, hospitals and community health facilities have been rebuilt, refurbished and modernised. It has given Queenslanders the best public hospital facilities in Australia. The East Block will house the Royal Brisbane's new emergency department and state-of-the-art intensive care, coronary care and burns units. Patients will begin moving into the wards early next month.

The Royal Brisbane Hospital continues to build on its reputation as a leader in health care and research and development. In August I opened stage I of Q-Pharm at the Royal Brisbane Hospital. Because of some issues that I wish to raise today, I seek leave to incorporate the remainder of my speech in *Hansard*.

Leave granted.

That day I spoke of its potential for creating jobs and finding cures for diseases as a key part of our Smart State strategy.

I said that if we are to find cures that won't harm patients or produce adverse side effects we need a first-class facility where clinical trials can be conducted.

Q-Pharm delivers on that by providing a world-class, custom-designed centre where such Phase One Clinical Trials can be carried out to ensure new drugs don't harm humans.

Q-Pharm is the product of a partnership between the University of Queensland's Uniquest, and the Queensland Institute of Medical Research.

Q-Pharm will allow us to take drug discoveries to full commercial production, without the need for researchers to conduct Phase One Clinical trials overseas.

Q-Pharm's people and facilities, and our very attractive exchange rate, should also attract business from overseas drug companies.

I did not think at the time that it would attract support so quickly.

Last Wednesday Brisbane-based biotechnology company Agenix Ltd announced it had appointed Q-Pharm Pty Ltd—in conjunction with the Royal Brisbane Hospital—to carry out the first human trials for its blood clot imaging project, ThromboView.

The Phase I trials will test ThromboView in a group of healthy volunteers early next year. Doctors will determine the safety of the product, as well as collecting information about how the drug is distributed in the body.

The ThromboView technology is designed to improve the diagnosis and treatment of Deep Vein Thrombosis (DVT) and Pulmonary Embolism (PE) through a superior method of blood clot detection using radiolabelled antibodies. Once injected into the bloodstream the antibodies attach to blood clots, which can then be detected using a special imaging camera.

This news is proof positive that by establishing the right environment we are creating the magnets to attract investment and more and more scientific endeavour.

Where are the doubters now?

Our future will be built on our brains. It is about being smart—just like Q-Pharm and Agenix.

Agenix Chief Executive Officer Don Home says the selection of Q-Pharm is an important milestone in the ThromboView program. Phase I clinical trials are a fundamental step in developing a new therapy for use in humans and Q-Pharm, which is an excellent facility, is ideally situated right here in Brisbane.

It is akin to what we did with AMC in Germany last week—it is Queensland technology and intellectual endeavour staying here and all for the benefit of Queensland.

Q-Pharm builds on other Smart State initiatives such as our \$270 million bio-industries strategy aimed at establishing Queensland as the Asia-Pacific's biotechnology hub.

The State has also contributed \$20 million to the Clive Berghofer Cancer Research Centre and is supporting the Australian Institute for Bioengineering and Nanotechnology which will be based at the University of Queensland.

Becoming the Smart State is vital to securing the future for our children and their children and all these projects and people are clearly part of that.

## MINISTERIAL STATEMENT

### Premier of Queensland's Export Awards

**Hon. P. D. BEATTIE** (Brisbane Central—ALP) (Premier and Minister for Trade) (3.32 p.m.), by leave: Last night I had the pleasure of presenting the 2002 Premier of Queensland's Export Awards. These awards have generated more enthusiasm than ever before. I am pleased to say that we have exceeded the target we set of a 20 per cent increase in exporters over the next five years for this year. In fact, I am pleased to say that this year's target of gaining 40 new exporters has been exceeded and I am delighted with the outcome. I also announced last night that in order to build on this success I intend to establish an export connections and advisory group of Queensland's leading exporters to further support the strategy. As I said, I am pleased to say that we have exceeded this year's target of gaining 40 new Queensland exporters. I seek to incorporate the remainder of my ministerial statement in *Hansard*.

Leave granted.

These awards, now in their 13th year, celebrate the achievements of Queensland businesses which have made the leap into global markets.

The drive and initiative shown by all of them is what the Smart State is all about.

My Government is doing all it can to help Queensland businesses make their mark in what has become a very competitive trade environment.

Last year, as part of our efforts to help promote Queensland business and increase the number of exporters, we established Export Solutions.

That strategy aims to increase the number of Queensland exporters by 20 per cent over the next five years.

I'm pleased to say that we've exceeded this year's target of gaining 40 new Queensland exporters.

In order to build on this success I intend to establish Export Connections, an advisory group of Queensland's leading exporters to further support the strategy.

This group will:

- 1 Advise on international trends and emerging opportunities, especially in knowledge-based industries;
- 2 Assist in promoting an export culture throughout Queensland industry;
- 3 Provide access to international networks that can identify major export opportunities and assist Queensland firms to exploit them.

As the Smart State we want to encourage innovation and enterprise to ensure overseas markets for Queensland products continue to grow and with them, job opportunities.

In Queensland one in five jobs is directly related to exports, with exports accounting for around a quarter of the Gross State Product.

I am proud that this year's Queensland Premier's Export Awards attracted a record 125 entries, with 74 entries coming from rural and regional areas.

Each and every one of the entrants is to be congratulated for the drive and initiative they've shown in the past year.

In particular, I wish to congratulate MIM Holdings Ltd's coal operations on winning the minerals category and also being named 2002 Queensland Exporter of the Year.

MIM's once struggling coal business unit fought back from losses in the mid-1990s to an estimated before-tax profit of \$400 million in 2001-02.

Along the way it doubled production and productivity and reduced unit costs.

To MIM and the other ten winners I say well done.

All the companies will go on to compete in the Australian Export Awards in Melbourne next month and I wish them every success.

Mr Speaker I seek leave to incorporate the full list of winners and finalists in Hansard.

Exporter of the Year	MIM Holdings Ltd (Central Queensland)
Runner-up:	Jabiru Aircraft (Bundaberg)
Regional Exporter of the Year	Overseas Game Meat Export (OGME) (Gold Coast)
Agribusiness Winner:	Tender Plus (Gold Coast)
Finalists:	OGME Superbee Honey Factory (Sunshine Coast)
Arts/Entertainment Winner:	Krome Studios (Brisbane)
Finalists:	Digital Dimensions (Townsville) Warner Roadshow Movieworld Studios (Gold Coast)
Education Winner:	Central Queensland University (Rockhampton)
Finalists:	Becker Helicopters (Sunshine Coast) Shafston International College (Brisbane)
Emerging Exporter Winner:	Worley (Brisbane)
Finalists:	Granite Engineering (Mareeba) Flightship Ground Effect (Cairns)
Information and Communications Technology Winner:	Opcom (Brisbane)
Finalists:	Avaya Australia (Brisbane) Amlink Technologies (Brisbane)
Large Advanced Manufacturer Winner:	Food Spectrum
Finalist:	Austral Brick Company (Brisbane) Nu-Lec Industries (Brisbane)
Minerals and Energy Winner:	MIM Holdings Limited
Finalists:	Queensland Magnesite (Gladstone) Sun Metals (Townsville)
Services Winner:	Ausenco (Brisbane)
Finalists:	Brisbane City Enterprises (Brisbane) MIM Process Technologies
Small to Medium Manufacturer Winner:	Jabiru Aircraft (Bundaberg)
Finalists:	PanBio (Brisbane) Digga Australia (Gold Coast)

## MINISTERIAL STATEMENT

### Bali Memorial Service; Counter-Terrorism Arrangements; Gun Control

**Hon. P. D. BEATTIE** (Brisbane Central—ALP) (Premier and Minister for Trade) (3.33 p.m.), by leave: The Leader of the Opposition and I, along with the Governor, have just attended a memorial service in Canberra for the Bali victims. It was one of the most moving ceremonies that I have ever attended. I will come back to that memorial service a little later. Following that ceremony, there was a meeting with the Prime Minister, the various premiers and chief ministers. We had a briefing on the security environment by Mr Dennis Richardson, the Director-General of Security, and Mr Kim Jones, the Director-General, Office of National Assessments. We had a briefing on the Bali bombings and the Australian response from Dr Ashton Calvert, the Secretary of the Department of Foreign Affairs, and Mr Mick Keelty, the Commissioner of the Australian Federal Police.

While we were there we also signed an intergovernmental agreement. That intergovernmental agreement means that for the first time we have an arrangement in Australia that can effectively deal with modern terrorism. We have had mechanisms in place in the past, but I believe this agreement on Australia's national counter-terrorism arrangements is important, effective and a significant advance in dealing with terrorism. Because of its importance, I seek to incorporate this agreement, which I have signed today on behalf of the people of Queensland, in *Hansard*.

Leave granted.

AN AGREEMENT ON AUSTRALIA'S NATIONAL  
COUNTER-TERRORISM ARRANGEMENTS

between

THE COMMONWEALTH OF AUSTRALIA

and

THE STATE OF NEW SOUTH WALES

and

THE STATE OF VICTORIA

and

THE STATE OF QUEENSLAND

and

THE STATE OF WESTERN AUSTRALIA

and

THE STATE OF SOUTH AUSTRALIA

and

THE STATE OF TASMANIA

and

THE AUSTRALIAN CAPITAL TERRITORY

and

THE NORTHERN TERRITORY OF AUSTRALIA

THIS AGREEMENT is made on 2002 BETWEEN

The Commonwealth of Australia ("Commonwealth"); and

The State of New South Wales ("New South Wales"); and

The State of Victoria ("Victoria"); and

The State of Queensland ("Queensland"); and

The State of Western Australia ("Western Australia"); and

The State of South Australia ("South Australia"); and

The State of Tasmania ("Tasmania"); and

The Australian Capital Territory ("Australian Capital Territory"); and

The Northern Territory of Australia ("Northern Territory").

1. BACKGROUND

1.1 Following the bombing of the Hilton Hotel in Sydney in 1978 the Standing Advisory Committee on Commonwealth/State Cooperation for Protection Against Violence (SAC-PAV) was established to respond to terrorism. SAC-PAV held its first meeting in 1979 and the National Anti-Terrorist Plan (NATP) was subsequently developed in 1980, based on cooperation between the Commonwealth, States and Territories.

1.2 The new security environment, including the attacks in the United States on 11 September 2001 and in Bali on 12 October 2002, indicates that previous assumptions about the nature, potential scale and forms of terrorism may no longer be valid and require ongoing review.

1.3 On 5 April 2002, the Prime Minister and State and Territory Leaders agreed that a new national framework was needed to meet the new challenges of combating terrorism. The Leaders also reaffirmed the importance of effective cooperation between the jurisdictions and the need to build on existing arrangements in adding elements that would respond quickly and effectively to these challenges.

2. AGREEMENT

2.1 The Commonwealth, State and Territory governments now enter into the following formal agreement to put into effect the outcomes of the Leaders' Summit in combating terrorism and to establish the basis, including details of governance, for the National Counter-Terrorism Committee (NCTC).

The Commonwealth, States and Territories agree:

#### Purpose

- 2.2 The Purpose of this Agreement is to establish a framework to enhance Australia's counter-terrorism capability through a cooperative partnership between all jurisdictions. For this to occur, the framework will enable:
- (a) effective nation-wide prevention, response, investigation and consequence management arrangements based on best-practice;
  - (b) a comprehensive and complementary legal regime across all jurisdictions; and
  - (c) effective cooperation, coordination and consultation between all relevant agencies in all jurisdictions.

#### Roles and Responsibilities

- 2.3 The Commonwealth, States and Territories recognise:
- (a) their joint responsibility in contributing to the development and maintenance of a nation-wide capability to counter terrorism;
  - (b) the Commonwealth has an important national role and coordination responsibility to counter terrorism; and
  - (c) the importance of cooperating fully to ensure that the Purpose is met.

#### Responsibility for Terrorist Situations

- 2.4 The Commonwealth, States and Territories recognise:
- (a) State and Territory governments and their agencies have primary operational responsibility for dealing with a terrorist situation in their jurisdiction;
  - (b) Commonwealth agencies have a role in a terrorist situation and will support the States and Territories as appropriate;
  - (c) the Commonwealth will consult and seek agreement from the affected States and Territories before any national terrorist situation is declared and States and Territories agree not to withhold unreasonably such agreement;
  - (d) the Commonwealth has responsibility in a declared national terrorist situation for determining policy and broad strategies in close consultation with affected States and Territories;
  - (e) a national terrorist situation means those events declared to be a national terrorist situation, to include attacks on Commonwealth targets, multi-jurisdictional attacks, threats against civil aviation and those involving chemical, biological, radiological and nuclear materials; and
  - (f) arrangements for a response to a national terrorist situation will recognise the operational integrity of, and will not inhibit effective response or consequence management by, State and Territory governments and their agencies.

#### Legislative Arrangements

- 2.5 The Commonwealth, States and Territories will:
- (a) take whatever action is necessary to ensure that terrorists can be prosecuted under relevant criminal law; and
  - (b) review their legislation and counter-terrorism arrangements to make sure that they are sufficiently strong in support of the Purpose.

#### National Coordination and Intelligence

- 2.6 The Commonwealth, States and Territories will continue to:
- (a) improve Australia's counter-terrorist intelligence capability and to develop effective means for sharing intelligence; and
  - (b) significantly upgrade the central coordination capability so that the operational arms of the Commonwealth, States and Territories can obtain the information and strategic advice necessary to respond rapidly and effectively.
- 2.7 To assist in this, all jurisdictions will apply appropriate standards and arrangements for the protection of national security information.

#### 3. THE NATIONAL COUNTER-TERRORISM COMMITTEE

- 3.1 Commonwealth, States and Territories agree that the existing SAC-PAV will be reconstituted as the NCTC with a broader mandate to cover prevention and consequence management issues and with ministerial oversight arrangements.
- 3.2 The NCTC will be a high-level national body comprising representatives from the Commonwealth, States and Territories.
- 3.3 The NCTC will implement the framework set out in this Agreement including:
- (a) maintaining the National Counter-Terrorism Plan (NCTP) and associated documentation;
  - (b) providing expert strategic and policy advice to heads of government and other relevant ministers;
  - (c) coordinating an effective nation-wide counter-terrorist capability;
  - (d) maintaining effective arrangements for the sharing of relevant intelligence and information between all relevant agencies in all jurisdictions; and
  - (e) providing advice in relation to the administration of the special fund referred to in 5.2 below.
- 3.4 The terms of reference for the NCTC are at Annex A.

#### Accountability

- 3.5 The NCTC will report annually to the Prime Minister, Premiers and Chief Ministers to facilitate ministerial oversight of the NCTC by the Council of Australian Governments (COAG).
- 3.6 The appropriateness of continued ministerial oversight of the NCTC by COAG will be reviewed by COAG in 2005.
- 3.7 There will be a review of the national counter-terrorism arrangements every three years.

#### 4. NATIONAL COUNTER-TERRORISM PLAN

- 4.1 The National Counter-Terrorism Plan (NCTP) sets out Australia's high-level strategy in preventing, and dealing with, acts of terrorism in Australia and its territories. It will be the primary document on Australia's national counter-terrorism policy and arrangements. The NCTP will be supported by documentation, including a handbook, that sets out in detail the procedures, structures and coordination arrangements necessary to ensure the prevention, response, investigation and management of the consequences of terrorism on a national basis.

#### 5. FINANCIAL ARRANGEMENTS

- 5.1 The nation-wide counter-terrorism capability is developed through utilisation of the:
- (a) policing and emergency management capability funded by the States and Territories; and
  - (b) operational and policy capacity of relevant Commonwealth agencies funded by the Commonwealth.
- 5.2 This is supplemented by a special fund to maintain and develop the nation-wide counter-terrorism capability, provided and administered by the Commonwealth on the basis of advice of the NCTC.

#### 6. INTERPRETATION

##### Definitions

- 6.1 In this Agreement, unless a contrary intention is apparent:
- "Agreement" means this document and includes all Schedules, and Annexes;
- "Annex" means an annex to this Agreement;
- "NCTC" means the National Counter-Terrorism Committee;
- "Jurisdiction" means the jurisdiction of any of the Parties;
- "Party" means any of the Commonwealth of Australia, the State of New South Wales, the State of Victoria, the State of Queensland, the State of Western Australia, the State of South Australia, the State of Tasmania, the Australian Capital Territory and the Northern Territory of Australia; and
- "Purpose" means the Purpose set out in Clause 2.2.

#### 7. CONSTRUCTION

- 7.1 In this Agreement, unless expressed to the contrary;
- (a) words importing.
    - (i) the singular include the plural and vice versa; and
    - (ii) any gender includes the other genders;
  - (b) if a word or phrase is defined cognate words and phrases have corresponding definitions; and
  - (c) a reference to:
    - (i) a person includes a firm, unincorporated association, corporation and a government or statutory body or authority;
    - (ii) a person includes its legal personal representatives, successors and assigns;
    - (iii) a statute, ordinance, code or other law includes regulations and other statutory instruments under it and consolidations, amendments, reenactments or replacements of any of them;
    - (iv) a right includes a benefit, remedy, discretion, authority or power;
    - (v) an obligation includes a warranty or representation and a reference to a failure to observe or perform an obligation includes a breach of warranty or representation; and
    - (vi) a reference to a clause is a reference to a clause of this Agreement.

#### 8. COMMENCEMENT

- 8.1 This Agreement commences to operate immediately upon its execution by the Parties.

#### 9. VARIATION OF AGREEMENT

- 9.1 This Agreement may be varied from time to time by the unanimous agreement of the Parties.
- 9.2 A variation pursuant to this clause will be in writing, signed by all Parties to this Agreement, and notice thereof will immediately following such signature be given to all the Parties.

#### 10. WITHDRAWAL FROM AGREEMENT

- 10.1 A Party to this Agreement may, by written notice to all other Parties, withdraw from this Agreement and such notice will take effect six months from the date of that notice.

#### 11. TERMINATION

- 11.1 This Agreement may be terminated at any time by agreement in writing by all the Parties and under any terms and conditions as agreed by all the Parties.

## SIGNED FOR AND ON BEHALF OF EACH OF THE PARTIES BY:

The Honourable John Winston Howard MP Prime Minister of the Commonwealth of Australia	(sgd Hon J W Howard MP)
The Honourable Robert John Carr MP Premier of New South Wales	(sgd Hon R J Carr MP)
The Honourable Stephen Phillip Bracks MP Premier of Victoria	(sgd Hon S P Bracks MP)
The Honourable Peter Douglas Beattie MP Premier of Queensland	(sgd Hon P D Beattie MP)
The Honourable Dr Geoff Gallop MLA Premier of Western Australia	(sgd Hon Dr G Gallop MLA)
The Honourable Michael David Rann MP Premier of South Australia	(sgd Hon M D Rann MP)
James Alexander Bacon MHA Premier of Tasmania	(sgd J A Bacon MHA)
Jonathon Donald Stanhope MLA Chief Minister of the Australian Capital Territory	(sgd J D Stanhope MLA)
The Honourable Clare Martin MLA Chief Minister of the Northern Territory	(sgd Hon C Martin MLA)

## ANNEX A

## NATIONAL COUNTER-TERRORISM COMMITTEE

## TERMS OF REFERENCE

## MISSION

The mission of the National Counter-Terrorism Committee (NCTC) is to contribute to the security of the Australian community through the coordination of a nation-wide cooperative framework to counter terrorism and its consequences.

## OBJECTIVES

The objectives of the NCTC are to contribute to the security of the Australian community through:

- (a) providing expert strategic and policy advice to heads of government and other relevant ministers. This will be achieved by:
  - (i) effective counter-terrorism coordination through inter-jurisdictional and inter-agency cooperation;
  - (ii) development of evaluation and reporting methodologies to facilitate the annual reporting process;
  - (iii) reviewing current and emerging trends in terrorism;
  - (iv) reviewing, monitoring and advising on the adequacy of Australia's counter-terrorism legislation;
  - (v) reviewing, monitoring and advising on the adequacy of Australia's counter-terrorism strategies and policies to ensure best practice; and
  - (vi) providing advice on the administration of the special fund,
- (b) ensuring an effective nation-wide counter-terrorism capability is maintained by:
  - (i) developing strong cooperative relationships between all parties;
  - (ii) a standardised jurisdictional and cross-jurisdictional response capacity;
  - (iii) effective arrangements for the sharing of intelligence;
  - (iv) monitoring national standards in all training disciplines to achieve best practice;
  - (v) effective command, control and coordination strategies;
  - (vi) consequence management plans to effectively counter terrorism; and
  - (vii) availability of appropriate systems and equipment; and

- (c) reporting annually to the Prime Minister, Premiers and Chief Ministers on Australia's counter-terrorism preparedness and capability.

#### METHOD OF OPERATION

##### *Membership*

The NCTC will be a high-level national body comprising representatives from the Commonwealth, States and Territories. While the members of the NCTC represent their respective governments, the NCTC itself will be responsible to all participating governments.

New Zealand will be invited in an observer capacity.

The Commonwealth will provide secretariat and executive support.

##### *Meetings*

Meetings will be held in the States and Territories in rotation and be chaired by a representative of the host government. The Commonwealth will co-chair meetings of the NCTC and a senior Commonwealth representative will act on behalf of the NCTC for matters requiring urgent out-of-session consideration.

Persons attending meetings of the NCTC will have a minimum SECRET national security clearance.

##### *Review*

There will be a review of the national counter-terrorism arrangements every three years.

##### *Constitution*

The NCTC will adopt a constitution governing its operation.

**Mr BEATTIE:** In addition, we also had a discussion on guns. The Prime Minister put to us a number of measures and we are going to consider them. I want to make the point that these are only proposals. These are matters that have been put to the premiers by the Prime Minister. The premiers and chief ministers agreed to consider them. I had Tony McGrady, the Police Minister, with me. In the proposals put to us by the Prime Minister is a reference to the police ministers considering and recommending action to a meeting of COAG to take place on 29 November. Tony McGrady and I have discussed this matter and he will be consulting with stakeholders and then reporting back to both myself and cabinet. Obviously, I will be participating in this discussion at COAG.

I made it clear at the meeting that the Queensland government is prepared to bring in whatever measures are necessary to protect the community. However, we do believe there is an important role for our gold medallist shooters. What we need to do is get a balance. The support of our gold medal shooters, nevertheless, should not be at the expense of public safety. The suggestions that have been made by the Prime Minister include a buyback scheme; restricting classes of legal hand guns; accelerating uniform national standards for registering and tracking weapons; tightening controls on the issue of firearm licences; mandatory reporting by health professionals; limiting the number and type of weapons that can be held by individuals—and in particular inexperienced shooters; limiting the number of clubs that people can join, as well as an examination of the options of requiring clubs to provide firearm registers ensuring that when sporting clubs move to expel members as being unfit they are supported by appropriate legislative backing; an examination of options for tightening controls in relation to the storage of weapons; an urgent review of the arrangements whereby firearms are allocated to employees of security firms; and to increase and make consistent penalties for the illegal possession of weapons. The Police Service is already jointly working on hand gun trafficking but more coordination is required.

At the meeting I raised with the Prime Minister the need for tougher measures to be pursued in the area of customs to ensure that we restrict the importation into this country of illegal firearms. That is a very important issue, because most of the hand guns are illegal outside of those held by sporting shooters. We need to stem the tide of illegal hand guns being imported into Australia. That is the heart of the problem. The Prime Minister indicated that he was quite supportive of ensuring that every measure possible is taken to guarantee as much as humanly possible that the Customs Act can prevent the illegal importation of guns. I know that further restrictions on hand guns will be a political debate in this state.

I seek to incorporate into *Hansard* the measures recommend by the Prime Minister for consideration. I wish to make it clear that these have not been agreed; these are issues for consideration. I told Mike Horan on the plane back—as members would be aware, I took the Leader of the Opposition to Canberra—that this would be incorporated in *Hansard* so that he and everyone else could consider the proposals.

Leave granted.

**HANDGUNS—KEY MEASURES**

The Minister for Justice and Customs and Police Ministers will be asked to work on proposals to tighten controls on handguns in the community.

Recognising the importance of seeking the advice of responsible sporting shooters, I have asked the Minister for Justice and Customs to establish a Sporting Shooters Advisory Council to advise on handguns required for accredited sporting competition and arrangements for the safe usage and handling of guns.

In developing these proposals I want to ensure that we take account of necessary differences that might be required to meet the particular needs of rural and regional communities.

The proposals that I want to see developed for a report to be considered by COAG on 29th November 2002 include:

1. Restricting classes of legal handguns to those meeting sporting shooter classifications for the Commonwealth and Olympic Games and similar events or destined for Police, security or military uses. All other classes of handguns will be banned nationwide. Advice as to the appropriate classifications will be provided by organisations representing sporting shooters through the advisory council.
2. A buy-back or compensation scheme and amnesty for those in possession of illegal weapons under which they can be handed in. The cost of the buy-back scheme will be met jointly by the Commonwealth and the States and Territories.
3. Accelerating uniform national standards for registering and tracking weapons.
4. Tightening controls on the issue of firearms licences, ensuring checks on licensees are meaningful and current, cross checking the number and type of weapons held by individual licensees.
5. Mandatory reporting by health professionals to police of persons who disclose ownership of firearms and are unfit to possess them, with an associated education programme to alert health professionals to their responsibility.
6. Limiting the number and type of weapons that can be held by individuals and in particular inexperienced shooters. A system involving a probationary licence including restrictions on the type and calibre of firearms available to probationary licence holders might be required.
7. Limiting the number of clubs that people can join, and requiring club permission to be given before a member can gain access to a firearm. In conjunction with this examine minimum attendance and participation requirements for club members.
8. An examination of options for requiring clubs to provide firearms registries with annual written reports on new members and other relevant information. In addition examine authorising registries to supply handgun details on club members.
9. Ensuring that when sporting clubs move to expel members as being unfit they are supported by appropriate legislative backing.
10. An examination of options for tightening controls in relation to the storage of weapons, and further controlling access to ammunition (noting there may need to be different requirements of metropolitan and rural areas).
11. An urgent review of the arrangements whereby firearms are allocated to the employees of security firms.
12. Increase and make consistent, penalties for the illegal possession of weapons.
13. Police services are already jointly working on handgun trafficking but more effort is required—noting that investigating handgun trafficking will be a priority for the Australian Crime Commission when it is established in January.

Police Ministers will be meeting on 5th and 6th November 2002.

**Mr BEATTIE:** Queensland is as well prepared as is humanly possible to tackle terrorism. Today in Canberra, as I said, I signed the Intergovernmental Agreement on Counter-terrorism on behalf of Queensland. I emphasise to Queenslanders that, operationally, exercises leading up to the Goodwill Games and CHOGM demonstrated that Queensland stands ready to respond to terrorist incidents. Those Queenslanders who were in Brisbane in the period leading up to CHOGM will remember the helicopters that flew low over the CBD and where teams of armed men abseiled onto roofs. There were many other preparations made that were not so overt. It all means that Queensland is very well prepared to prevent and respond to acts of terrorism as much as is humanly possible.

In light of the bombings in Bali, the Queensland government will take immediate action on paragraph 2.5(b) of the agreement I signed to review legislation and counter-terrorism arrangements to make sure that they are sufficiently strong. Paragraph 2.5(a) requires all governments to take action to ensure its laws enable terrorists to be prosecuted. We have already undertaken this exercise, because we had been working on this since April. I can assure Queenslanders that the state's Criminal Code is well equipped to deal with terrorist acts and cover terrorist situations.

Arrangements now need to be made for reviewing the national anti-terrorist plan to determine operational matters consistent with today's intergovernmental agreement. The plan outlines respective state-Commonwealth responsibilities for responding to terrorist situations which may arise in Australia.

In Queensland, the Department of the Premier and Cabinet and the Queensland Police Service will participate in the plan's preparation in liaison with the Department of Emergency Services. Along with other governments, Queensland has given priority to a bill to replace the National Crime Authority with an Australian Crime Commission, model laws for effective cross-border investigation powers covering controlled operations, assumed identities, surveillance devices, witness anonymity, and a constitutional reference from the states to the Commonwealth to support fully the Commonwealth's new terrorism offensives.

At the meeting we discussed issues arising from the Bali bombing. From a Queensland perspective, I am proud that our contribution has been first class. Medical, police and emergency services resources were immediately made available on Sunday, 13 October, and willingly offered to the Commonwealth agencies for deployment. This assistance will continue as long as necessary.

Whilst I consider that the national response has been effective, there are areas for improvement. In particular, I believe communication from Commonwealth government agencies to state agencies needs finetuning. I raised this at the meeting with the Prime Minister today. He indicated that this was one issue that he was prepared for the committee established under the agreement to examine. I have requested senior Queensland officials to raise particular areas for improvement at this appropriate Commonwealth-state forum.

We also discussed the Commonwealth government's response to the need to protect the nation's critical infrastructure such as power stations and gas pipelines. It is understood that 90 per cent of the nation's infrastructure is privately owned. There is a need to develop a national strategy dealing with this infrastructure. We need a standard approach to the identification and classification of critical infrastructure, priorities for the protection of specific aspects of this infrastructure and Commonwealth-state management arrangements for this infrastructure.

There are a number of other matters which we intend to pursue, but I want to make it clear that it is in a spirit of cooperation with the Prime Minister and the other premiers that we will do that. Our view is very simple. At this time it is important that we work together. There is no room for anybody to simply seek to grandstand or behave in a way which is not appropriate.

I referred earlier to the national memorial service. Before I deal with that a little further, I want to make a point in relation to an incident that happened this morning. I understand that shots were fired overnight at the home of *Courier-Mail* journalist Hedley Thomas and his family. I want to make it clear that I regard this as a cowardly attack on free speech. I was stunned this morning to hear of this attack on Hedley and his family and their home being shot at. This is simply outrageous and un-Australian. Everyone has the right to undertake their work without fear of such a violent retribution. I have this afternoon written to Hedley and his family expressing my outrage and offering them my support. Queensland is a better place and a better state because of people like Hedley. He is not perfect; none of us are. He does his job to expose issues and no doubt he has upset someone along the way. Well, so be it. That is what journalism is all about. He is a person who is prepared to take a hard line when it comes to exposing wrong.

However, while undertaking that important and courageous work there is a rightful expectation that members of the media can do so in safety. That is one of the hallmarks of a democracy. In a democracy there need to be accountability mechanisms. There need to be accountable mechanisms to the electorate, but there has to be a free media. We do not always like what journalists write but we will defend vigorously their right to write it. That is a very important principle. My thoughts—and I believe the thoughts of all people in this House—are with Hedley, his family and his colleagues today. Today, more than ever, after what we have witnessed in Canberra—and we saw the families and I will come back to that in minute—we have to cherish the freedoms that make this country so great. We need to have people who have the courage to stand up for what is right.

I want to make it clear that in circumstances where we see violent behaviour, where we see prejudice and where we see people who are not prepared to respect the rights of others, this government will stand up and act. I want to say to Hedley and his family, 'This parliament is with you. We believe the people of Queensland will support you. I know this is a terrible time for your family but we certainly wish you well.' I have made my position and the government's position clear. I believe I speak for the Leader of the Opposition and every member of this House when I say that we do not and will not support anyone who behaves in this way. We would like to see a speedy resolution of this matter and the people brought to justice.

I am delighted that the Leader of the Opposition has joined us. We have both just returned from Canberra. I want to table the program from the national memorial service that we both attended. I want to thank Mike for the sensible way that this has been handled in a bipartisan way. The last time that the Premier of this state, the Leader of the Opposition and the Governor shared the government jet to go to a service, tragically, was the memorial service at Port Arthur. Rob Borbidge was the Premier at the time, I was Leader of the Opposition and Leneen Forde was the Governor. Tragically, a few years later I am now in a similar position where tragedy has meant that I offered the same opportunity to the Leader of the Opposition and the Governor.

I am going to move in a moment that my statement be noted to give the Leader of the Opposition a chance to speak briefly to the parliament. I want to say this. The service that Mike and I attended would have to be one of the most moving services that I have ever attended. It was not just that the leaders of our nation spoke well—and they did; they did us proud today. The service was conducted with dignity, and it was conducted, I guess, with some reflection on where we are. The most moving part of it was the fact that every one of the victims' families there lit a candle. There was a large open bowl where the candles were placed in sand or amongst little stones so that they would stay upright.

I looked down the line and the line seemed to go on almost forever. I could not see around the back of it because there were a large number of people. It emphasised to me how many Australian families had been affected by this tragedy in Bali. Mike was seated immediately behind the victims' families and he was in the middle of the room. It gave me a clear understanding of not just the numbers but the magnitude of what this has meant.

At the end, after the service had gone on for a while, the candles had just melted away. I think there were three or four large candles that were still standing. I cannot recall, but there were probably 80 candles that had been lit. They stood there for a while and then they just melted away. It was a very symbolic moment; it was as if the lives of those people that had burned so brightly had just been wiped out by this tragedy in Bali. I do not know whether it was planned that way, but I have to say there would be very few people in that room who did not have a tear in their eye. It was a terrible thing to see the grief in those families when they came up to light a candle.

I thank Mike and I thank the Governor for the way in which we joined together in a bipartisan way in order to represent this parliament. I have to say that I do not know whether Australia will ever be the same place again as a result of what has happened in Bali. I just hope that we have the fortitude and the strength as a country to not just deal with the immediacy of bringing these people to justice—and so we should—but we really have to ensure that we get to the causes of terrorism, the breeding ground of terrorism, so that we prevent extremists who are prepared to use violence to destroy lives from attracting people to their ranks. The only way we can do that is by ensuring that, in as much of the world as is humanly possible, we have decent education standards and decent living standards and we give people an opportunity to reach their full potential. People who have hope and people who have opportunity do not want to kill people and do not want to join others who will kill people. They do not want to join the lunatics and the terrorists. I hope that out of all this Australia continues to play the significant role that it has played in the past.

The final thing I want to say before I move that my statement be noted is that I just hope that every one of us appreciates what a great nation we live in and how wonderful it is to be Australian, because this nation has a tolerance that is not found in very many places in the world. Even though there is argy-bargy in here and political exchanges, how many places in the world are there where the leader of the state can travel with the alternative leader and Governor and pay appropriate respect to those who have lost loved ones and those who have been injured and do it with good spirit and goodwill without any acrimony or agro while proudly representing their state? There are very few places in the world and we have to ensure that we appreciate it, because we do live in the best place on earth. I move—

That my statement be noted.

**Mr HORAN** (Toowoomba South—NPA) (Leader of the Opposition) (3.50 p.m.): It is a great privilege for me to be able to tell my colleagues from the Queensland parliament about the visit by the Premier, the Governor and myself to the national memorial service in Canberra. I sincerely thank the Premier for his courtesies in extending the invitation for me to attend. I have been to some sad and tragic funerals in my life, but I have never witnessed anything quite like today's

memorial service. Perhaps it was the sheer numbers of families of victims who attended. Perhaps it was the realisation of the sheer numbers who have been lost, killed, maimed and injured. Perhaps it is the knowledge that so many may never be identified and families have to wait so long to find out if their son, daughter or loved one are missing or were in fact killed and the very great difficulty they face in identifying them.

My fellow parliamentarians, I think you would have all been proud to have been there today to see what a great nation we are. The Prime Minister of Australia gave a magnificent address. It was one of the most compassionate, heartfelt and statesmanlike leadership speeches I have ever heard and was backed up by a wonderful short address by the Deputy Prime Minister and a wonderful family oriented address by the Opposition Leader. As the Premier said, seeing those family members wind their way up to the front to light a candle was like an absolute microcosm of Australia. There was a lovely little old lady who had to be helped up. There were young girls and young men. There were three fellows from the Coogee Rugby League Club in their jerseys. There were parents, and some people were inconsolable in their grief. But as you looked at these wonderful people you could not help but think what a wonderful nation we have. It was just like the people we see in our suburbs and our friends in our towns and districts. I think that that was where the absolute sadness was: this was Australia. There were young and old from each state of Australia in Bali doing what Australians love to do—being peaceful and enjoying each other's company yet they were struck down by this terrible act.

This ceremony also demonstrated the wonderful peace and religious tolerance that we have in Australia. There was a part in the ceremony for all religions in Australia. There was also a message from the Indonesian Consul-General to Australia expressing the great sympathy of his country. At the end of the day I am sure that this is going to be a long grief for Australia. I spoke to a lovely fellow whose 18-year-old son went, with two of his mates from Ulladulla, to Bali to surf. Two of them have come back but his son has not and he has no or little news. It is hard to imagine the grief that they must feel not knowing what has actually happened. This will take a long time and be a long process for our nation.

Both the Premier and I would like to thank you all for the way in which you have worked together this week and for the way in which you have given such significance and compassion to the event. We were able to pass that on to all of the families. The most telling words of the ceremony today was when the Prime Minister said at the end of his speech that in each corner of the 19 and a half million Australian hearts there is something there for all of the grieving families and those who have been injured to help them through the rest of their lives. We do have to be strong, firm and resolute. We do have to ensure that those extreme sections of religions are not able to proliferate and grow and foster and bring evil and hatred to our world, which is the exact opposite of what their religion purports to provide to people.

We must stay strong and resolute in this. I think our real need at the moment is to provide comfort to these families and to give our support and determination to the leaders of this nation and the security services and police officers who have to undertake, we hope successfully with other nations, a successful investigation to bring this matter to a conclusion and make the world a safer place. Thank you, Premier, for the opportunity to attend the service and pass on this message to our fellow parliamentarians.

## **MINISTERIAL STATEMENT**

### **Carnarvon Gorge Tragedy**

**Hon. A. M. BLIGH** (South Brisbane—ALP) (Minister for Education) (3.55 p.m.), by leave: It is with regret that I advise the House of a tragedy that occurred at Carnarvon Gorge yesterday that resulted in the death of an Education Queensland teacher and the injury of three students from Urangan State High School. Fifty-two year 8 to 12 Urangan State High School students and three teachers were on the second day of a six-day outback music tour when the accident happened. It is understood that the group was at a rock pool in the gorge when a tree collapsed, causing the death of 35-year-old music teacher, Ms Erica Brindley. Three students were injured and taken to hospital. Two of the three students have now been released while the third remains in hospital. I am sure members join with me in extending our deepest sympathy to the family of Ms Brindley and to the families of the injured students.

The local community was deeply shocked and saddened by the loss of their very well-respected and much-loved music teacher. As an instrumental music teacher, Ms Brindley provided instruction at a number of schools in the Wide Bay area during her five years in the district. In this capacity she touched the lives of literally hundreds of children and other teachers in this very close-knit community, which will be saddened by her death. I have been advised that Ms Brindley was an accomplished musician who had won scholarships to not only the Queensland Conservatorium of Music but also overseas institutions as well. She had an infectious and vibrant personality which endeared her to her school community and she instilled a love of music in all of the students she taught. Ms Brindley will be sadly missed by Education Queensland and all those who knew her.

Education Queensland sent seven guidance counsellors and student service managers from Roma and Emerald to the gorge last night to stay with students and offer support until they could be brought home. Two buses were arranged as early as possible today to collect the 50 children, including one of the injured students released from Injune Hospital, two teachers and four other adults from the gorge. The group left at 9.30 this morning and will arrive home tonight at Urangan State High School. Parents and families are being kept informed about the progress of the buses and the time of arrival. The school has organised a high level of support and counselling to help families as they welcome their children home after this very traumatic event. The Director-General of Education Queensland, Jim Varghese, will visit the school on Monday to provide support and comfort to staff and the school community. This is a very sad day at Urangan State High School and our thoughts are with the entire school at this time.

## MINISTERIAL STATEMENT

### Skin Cancer Awareness

**Hon. W. M. EDMOND** (Mount Coot-tha—ALP) (Minister for Health and Minister Assisting the Premier on Women's Policy) (3.57 p.m.), by leave: I am pleased to advise the House that my department, in partnership with the Queensland Cancer Fund, started a new advertising campaign yesterday aimed at encouraging Queenslanders to be aware of and avoid the damage that can be caused by sunburn. Skin cancer rates in Queensland are still far too high and this campaign uses an element of shock to emphasise the seriousness of the problem. The television advertisement called 'Timebomb' shows in graphic detail the surgical removal of a skin cancer that has spread to the sensitive lymph node in a patient's underarm. The aim of the ad is to help shatter the myth that sunburn is a short-term irritation that causes little damage and poses no long-term health risk. Everyone needs to be aware that every time they get sunburnt they are causing significant damage to both the upper and lower layers of the skin. People feel the pain and see the redness that sunburn causes, but they think their problems are over when these symptoms fade away. However, that dose of sunburn has caused far greater damage below the skin's surface and could possibly have planted a skin cancer time bomb that will develop later in life.

Queensland Health research indicated that more than 10 per cent of Queenslanders were sunburnt within a week of when they were surveyed and over 23 per cent strongly believed that they felt healthier with a suntan. As part of its ongoing support for the work of the Queensland Cancer Fund, Queensland Health has provided an additional \$200,000 to the QCF for this campaign.

The television advertisement will air statewide for approximately three weeks and be supported by posters that will appear on buses in the Brisbane, Gold Coast and Sunshine Coast regions. This ad has been used extensively in Victoria and has been evaluated with positive results. Non-melanoma skin cancer accounts for 12 per cent of the overall national health system costs for cancer. These are costs which are largely preventable and must be reduced.

Queensland still has the dubious distinction of having the highest incidence of skin cancer in the world. According to the Australian Institute of Health and Welfare, from 1994 to 1998 the average annual number of persons in Queensland diagnosed with melanoma was 57.3 per 100,000. This compares to the second highest rate in Australia, which was Western Australia at 41.6 per 100,000. In 1999 the total number of persons diagnosed with melanoma in Queensland was 1,975 and, unfortunately, of those 228 died. This is a situation that we must change, and we are working with non-government organisations such as the Queensland Cancer Fund to address the problem.

## MINISTERIAL STATEMENT

### Road Safety

**Hon. S. D. BREDHAUER** (Cook—ALP) (Minister for Transport and Minister for Main Roads) (4.00 p.m.), by leave: Too many Queenslanders are dying on our roads. Although we have seen some major improvements in road safety in the last decade, every death is one that could or should have been avoided. Indeed, given the recent spate of fatal accidents on our roads, I think it is timely to update the parliament on our continued efforts to curb Queensland's road toll.

Major gains have been made in road safety in the last decade, but while the road toll remains at its current level we still have a long way to go. Since 1993 the per capita fatality rate in Queensland has reduced from 12.7 per 100,000 to 8.39 per 100,000 at the end of September this year. What this means is: when we take into account population growth since 1993 the road toll is declining on a per capita basis. If it had stayed the same as it was in 1993 on a per capita basis, for example, the number of deaths on our roads last year would have been over 460. The actual number of fatalities was 324. As at midnight on 22 October the number of fatalities stood at 259, one more than the toll on 22 October 2001.

The government is undertaking a multipronged attack on the road toll. Although the road toll goes up and down from year to year, one thing never changes: the major causes of death on our roads. The fatal four are as relevant now as they have ever been and must remain the focus of our efforts. Drinking and driving, failing to wear a seatbelt, speeding and driving while fatigued remain the four most significant reasons people are having accidents and dying on our roads.

My department is currently conducting the most major review of penalties and sanctions applying to illegal road behaviour that has ever been undertaken in Queensland history. That review will be completed in late 2003. The review has two major aims: to look at the relativity between penalties and sanctions and to make absolutely sure that they represent a sufficient deterrent to dangerous driving practices.

Queensland Transport is currently running a \$1 million anti-drink-driving public education campaign—and I thank the Commonwealth government for its contribution to that campaign—including a series of three television commercials and a promotion in pubs and clubs. We are implementing the 50 kilometre an hour suburban street speed limit initiative statewide. Since the introduction of the 50 kilometre an hour limit in south-east Queensland we have seen an 18 per cent reduction in fatal crashes on local streets when compared to previous years.

In July this year I launched a web site at Kelvin Grove High School aimed at promoting road safe practices for 17- to 20-year-olds. The information on the web site is presented in a form that is relevant to the reality of the average teenager's life. Our young people hold just seven per cent of the total licences and yet last year they represented over 15 per cent of the fatalities on our roads. Earlier this year I also launched a campaign to point out the dangers of walking while intoxicated. That campaign has been promoted through the use of 'taxi-back' and other advertising and a promotion in hotels right throughout Queensland.

We must investigate all possible options for reducing the number of serious crashes in Queensland. An initiative used with success interstate and overseas is the installation of fixed speed cameras using advanced technologies. Fixed speed cameras record and store images of speeding vehicles using digital technology. This technology is currently being used at several locations in Australia, including Melbourne, Hobart and other sites throughout New South Wales and the ACT, and in many more locations overseas. I have asked Queensland Transport to investigate and evaluate the effectiveness of fixed speed cameras to see whether adding this tool to our arsenal will help reduce Queensland's road toll.

The benefit of fixed speed cameras is that they operate automatically 24 hours a day, seven days a week. There is great potential to free up police resources for other enforcement activities, and infringement notices will be processed faster. Queensland Transport, in conjunction with the Queensland Police Service and other key stakeholders, will undertake a comprehensive policy review followed by a trial of fixed speed cameras before a final decision is made on their implementation.

I conclude by saying that a number of members from the Gold Coast have raised with me the issue being proposed by the Gold Coast City Council that local government be allowed to operate their own speed cameras on local roads. I assure all members of the House that it is not the intention of this government to allow any local government the power to operate speed cameras on local roads or other roads. That is a power that will be retained by the state government and the Queensland Police Service.

## MINISTERIAL STATEMENT

### Electoral Commission Annual Report

**Hon. R. J. WELFORD** (Everton—ALP) (Attorney-General and Minister for Justice) (4.05 p.m.), by leave: I am pleased to be able to lay on the table of the House, in accordance with the Electoral Act, the annual report of the Electoral Commission of Queensland. The past year has been a significant year and a year of major change for the Electoral Commission. It is a year which has seen the appointment of a new Electoral Commissioner upon the retirement of the former commissioner, Mr Des O'Shea. I pay tribute to the new commissioner, Mr Longland, and his deputy, Ms Trudy Aurisch, for their work throughout the year and in the preparation of the annual report.

It is a year, of course, which has seen significant amendments made to the electoral laws of Queensland arising from recommendations of the Legal, Constitutional and Administrative Review Committee of the parliament as well as from the CMC's Shepherdson inquiry report. Our government has, of course, made a strong commitment to implementing more transparent and accountable rules for the behaviour of those involved in the electoral process.

The Electoral Commission has this year completed an evaluation of the 2001 state general election and taken follow-up action in relation to some 80,000 voters who failed to vote in that election. It has also commenced establishment of a work plan for the next state election. In the meantime, over the past year it has completed some 101 elections for industrial organisations, involving some 2,582 positions. I thank the commissioner, Mr Longland, and his deputy, Ms Aurisch, for their work. I am pleased to table this report for the information of members of the House.

## MINISTERIAL STATEMENT

### Gold Coast Water Saving Incentive Scheme

**Hon. D. M. WELLS** (Murrumba—ALP) (Minister for Environment) (4.07 p.m.), by leave: On Tuesday I launched the Gold Coast water saving incentive scheme in partnership with the Gold Coast Mayor, Gary Baildon. The council, with the support of the Environmental Protection Agency, is implementing the most progressive water rebate incentive scheme ever undertaken in Queensland.

Mr Speaker, as you would be aware, the Gold Coast is currently experiencing drought conditions, and the Hinze Dam is less than half full. The incentive scheme will give residents a \$100 rebate when they install water-saving devices worth more than \$120 in their homes. Simple water efficient devices such as shower roses can save an average household up to 60,000 litres of water in a year and allow them to save up to \$130 on water and energy bills, not to mention give them the satisfaction of knowing that they are contributing to a reduction in greenhouse gases. My department has been working closely with local government and industry to support sustainable water initiatives.

This week is in fact National Water Week. It is a week in which issues relating to water conservation are brought to the forefront of the Australian public's minds through a variety of awareness and education campaigns. In many parts of Queensland, and indeed Australiawide, water availability and drought are critical issues.

At every level of our society we need to be making the most of the way we save and use our water and recognise that drought is at times a natural condition in our country. Therefore, it is timely to announce some of the initiatives that the Environmental Protection Agency is undertaking to make the most of our scarce water resources by smarter management and consumption.

One such initiative for National Water Week is a joint promotion with Hungry Jack's food outlets. For this month, the table mats at Hungry Jack's have WaterWise messages and children's puzzles on them with the aim of educating our children. This promotion is running throughout Queensland and is complemented by similar projects being coordinated by other agencies throughout Australia. Since this is, in fact, a table mat, I think that honourable members would be deeply and bitterly disappointed if I did not table it. Therefore, in the interests of appropriateness, I will do so.

Various other initiatives are occurring this week, including a special advertising feature in *Quest* community newspapers throughout south-east Queensland. Other regional newspapers

are planning WaterWise features for National Water Week and ABC Radio will also promote the week and the importance of being water wise in the garden.

So there are a lot of WaterWise activities happening this week. National Water Week provides an opportunity for all of us to reflect on the importance of water and the steps that we can take to preserve this precious resource.

## MINISTERIAL STATEMENT

### Aboriginal and Islander Councils; Auditor-General's Report

**Hon. J. C. SPENCE** (Mount Gravatt—ALP) (Minister for Families and Minister for Aboriginal and Torres Strait Islander Policy and Minister for Disability Services and Minister for Seniors) (4.11 p.m.), by leave: The Auditor-General's report released yesterday details the results of the 2000-01 audits of Aboriginal and Torres Strait Islander Councils. Let me make it clear from the outset that I do not believe that the level of performance is acceptable. Despite the best efforts of the Auditor-General and his staff and the significant funding commitment and efforts of the Department of Aboriginal and Torres Strait Islander Policy, there remains an insufficient level of improvement in the financial and accounting performance of many councils.

The number of unqualified audits has increased by three this year and some councils continue to maintain unqualified audits year after year and their good performance should be acknowledged. However, as the Auditor-General's report outlines, there continues to be a prevalence of grant mismanagement, poor governance practices—including lack of maintenance of council minutes—inadequate commitment to debt recovery and substantial outstanding debts owed by current and former councillors, inappropriate payments of sitting fees to salaried councillors, inadequate control of council enterprises and agency services, internal control deficiencies, allegations of fraud and misappropriation and the use of CDEP funds for non-approved purposes.

This poor performance is simply not acceptable by any standard. We have already introduced new accounting standards this year, endorsed by the Queensland Audit Office and industry bodies such as CPA Australia, to provide a financial management framework for councils. The department's financial accountability improvement program provides \$1.9 million this year for internal audit services, training, accounting support and professional development for council staff. This will obviously strengthen accountability and proper governance and training is being provided to ensure that councillors and their staff are aware of the new standards and are able to comply with them. We have introduced new laws to transfer the control of hotels from councils to community liquor licensing boards to enable councils to concentrate on their civic responsibilities. This parliament last year also amended the Community Services Act to require councils to have ministerial approval for personal loans. The Minister for Housing has also taken steps to ensure indigenous councils meet rent collection targets by linking grants for new construction to those targets. Housing resource workers also assist councils to establish and implement housing management policies and procedures for allocations, rent setting and the collection of rent and rent arrears.

Despite this injection of funding, the training and other support that has been provided, the rate of improvement in their performance is not acceptable. That is why the Beattie government has embarked on a process of major reform—one that will examine a range of options for community governance. I am currently preparing a green paper on community governance that will explore the preferred model to achieve strong and capable government in indigenous communities. It will examine a number of models, including looking at how we can make councils more accountable not only to government but, more importantly, to their own constituents. We are also going to review the range of functions performed by councils instead of the current situation of their being all things to all people as well as looking at how to establish successful economic development projects.

To put this clearly, we will provide the legislative framework needed to make significant changes in the way the councils and communities operate. These communities are already suffering from the weight of alcohol abuse, domestic violence and significant health issues. These are being compounded by the lack of accountability and the litany of mismanagement clearly identified in the Auditor-General's report.

I acknowledge the hard work of the Auditor-General and his staff in assisting Aboriginal and Torres Strait Islander councils to improve their financial performance. I know that the Auditor-General, Mr Len Scanlan, has attended meetings of the Aboriginal Coordinating Council for the

past two years and has offered his own personal assistance to councils dealing with financial management concerns. I appreciate his diligence and share his determination to improve the governance and accountability of indigenous community councils.

## MINISTERIAL STATEMENT

### Water Meters

**Hon. S. ROBERTSON** (Stretton—ALP) (Minister for Natural Resources and Minister for Mines) (4.15 p.m.), by leave: The drought affecting much of Queensland reminds us that water is arguably our scarcest and most precious natural resource. As Queenslanders this week celebrate National Water Week, we are reminded that we must all change the way we think about and use water. This is vital to managing our resources more effectively and to protect the natural environment.

The Beattie government is playing its part through its comprehensive package of water reforms: by tackling salinity and poor water quality, by helping farmers access more efficient irrigation technology, and by ensuring that all Queenslanders get a fair share of water. I am announcing today that the government plans to expand water metering to more water licence holders to assist the sustainable management of Queensland's precious water resources. Metering will help ensure licence holders take only the water that they are entitled to and help protect the ecological health of our waterways.

Currently, there are approximately 57,000 rural water licences in Queensland which involve the taking of water. Domestic customers in cities and towns and the 11,000 irrigators who take water from SunWater schemes or who are supplied unsupplemented water through my department are already subject to water metering. Over the next seven years, we will progressively roll out water metering to a further 16,000 licences held by some 5,000 rural water users who are not currently metered. These are people who draw water straight from rivers or from ground water resources. This policy will not apply to approximately 22,500 licences which are for stock and domestic use and a further 7,500 licences which do not meet the requirements for metering. The metering expansion will mean more jobs for the bush, because regional job opportunities linked to the installation, maintenance and reading of water meters will be a bonus of this program.

I am happy to say that this new metering policy enjoys broad support from peak rural industry groups, local government, irrigators and conservation groups. They recognise that water metering is a way of ensuring water is fairly shared among water entitlement holders and that there is enough water to meet the needs of the environment. Meters will also be an important on-farm management tool for users to better understand their water usage levels and improve efficiency. Meters will be necessary when irrigators want to trade their water under the water resource plans currently being developed.

Water meters will be introduced gradually as regional water resource operations plans are implemented across the state. A thorough public consultation process will be implemented in each catchment where water metering is to be introduced.

Better water management is all about a fair go for all. It is about long-term security of supply for water users, it is about protecting the economic future of our rural communities and rural industry, and it is about sustainably managing our precious water resources. Only through the more effective and sustainable management of our waterways can we as Queenslanders ensure that we meet these objectives as a Smart State.

## MINISTERIAL STATEMENT

### Fires

**Hon. M. F. REYNOLDS** (Townsville—ALP) (Minister for Emergency Services and Minister Assisting the Premier in North Queensland) (4.18 p.m.), by leave: Fires are occurring in various parts of Queensland. I have just returned from a tour of fire-damaged areas around Toowoomba where fires are continuing to burn and threaten homes and property. I inspected that today with the member for Toowoomba North, Kerry Shine. I think that both of us were extraordinarily impressed by the cooperation and the work that all of our volunteers and permanent staff are doing. As minister, I want to congratulate our permanent and volunteer firefighters, our SES volunteers, our police and local government staff who are all doing a wonderful job in protecting their community.

Rural and urban task forces have now arrived in Toowoomba to enhance the efforts and relieve some regional staff and volunteers who have been fighting fires for over a week. These are the people who make up our Queensland communities. The Queensland Fire and Rescue Service has now declared a total fire ban throughout the whole state. This ban will remain in place until 7 November, during which time weather conditions will be monitored to determine if the ban needs to be extended or revoked. Coincidentally, this week has been designated Fire Awareness Week by fire and rescue agencies across Australia. As much of the state braces for the worst case scenario, the Department of Emergency Services is doing all it can to ensure people are prepared for a dangerous bush fire season.

I also highlight to the House today details of a major fire research initiative proposed to better coordinate firefighter response, funding and research for the nation's more than 300,000 firefighters. This proposed bush fire cooperative research centre is a joint initiative between federal and state governments, universities and research agencies. I am delighted to say that Queensland is set to play a leading role in this proposal. The Queensland Fire and Rescue Service has committed \$1.4 million as part of a seven year commitment through the Australasian Fire Authorities Council. We believe this proposed cooperative research centre and Queensland participation has significant potential to enhance our Smart State objective as well as contributing to fire safety and fire management across Queensland. I hope the federal government looks at this in the terms of benefits to Australia, and I look forward to announcements some time later this year.

## SCRUTINY OF LEGISLATION COMMITTEE

### Report

**Mr PITT** (Mulgrave—ALP) (4.22 p.m.): I lay upon the table of the House the Scrutiny of Legislation Committee's report No. 25, the annual report for the period 1 July 2001 to 30 June 2002.

## MEMBERS' ETHICS AND PARLIAMENTARY PRIVILEGES COMMITTEE

### Report

**Mrs ATTWOOD** (Mount Ommaney—ALP) (4.22 p.m.): I lay upon the table of the House report No. 56 of the Members' Ethics and Parliamentary Privileges Committee titled 'Citizens Right of Reply—supplementary guidelines and information paper No. 1, version No. 2, on the right of reply in the Queensland Legislative Assembly.' The Members' Ethics and Parliamentary Privileges Committee has responsibility for advising the assembly about individual requests for a right of reply. I wish to advise members that the committee's supplementary guidelines provide that an application for a right of reply must be received within the term of the parliament within which the statements to which the person or corporation wishes to respond were made.

## PRIVATE MEMBERS' STATEMENTS

### Bush Fires

**Mr HORAN** (Toowoomba South—NPA) (Leader of the Opposition) (4.23 p.m.): Queensland is now in the grip of a very serious and devastating bush fire season. Today, flying with the Premier to Canberra, we were able to fly over the fires in the southern border ranges and we could not believe the length and breadth of that fire and the ferocity of some of the outbreaks. Very late last night I was able to visit the Toowoomba fires and talk to some of the emergency services personnel, police, fire services and ambulance staff. I join with the minister who spoke about the sterling, magnificent job they are doing and the organisation they have in the command post and the support they are getting from the Toowoomba City Council.

The seriousness of these fires and the outbreaks of them all over Queensland means that as a state we have to be well and truly prepared. We have to ensure that in the month of August throughout this state there is a comprehensive system of cool fires at that time of the year where we can burn adequately and safely with a strategic network of breaks around the state that can assist our firefighters. It is time for a sensible, balanced approach to some of the state forests being locked up by this government. These forests need the tracks of four-wheel drivers and the tracks that have been maintained in the past by loggers that can provide the access and the

opportunity to burn breaks and to stop and prevent some of these fires. There needs to be an adequate area burnt throughout these national parks in a safe and secure way at the right time of the year. There need to be proper grazing arrangements in our forests, because that in its place keeps down the grass and the fuel load that can lead to such tragic fires. It is time to have a proper plan in place well in advance. I believe we should be reporting to this parliament at the beginning of September each year about what has been done before it is too late. That way, we will be properly prepared. A number of the firefighters last night who fought in the Stanthorpe fire told me of the need for rural numbering systems and the need for gates—

Time expired.

### **Mr M. Caltabiano**

**Mr McNAMARA** (Hervey Bay—ALP) (4.25 p.m.): Like most members of this House and indeed in common with the overwhelming majority of Queenslanders, I have taken the view that the Queensland Liberal Party is mostly harmless and best ignored until it grows up. Regretfully, however, I cannot ignore the disgraceful slur on my city of Hervey Bay made by the state President of the Queensland Liberal Party, Michael Caltabiano, last week in, of all places, Cairns. I quote from the Media Monitors transcript of a live radio interview Mr Caltabiano gave on Monday this week in which he said—

Hervey Bay has grown from 25,000 to 40,000 people in five years.

Wrong, it is 46,000. It continues—

And they have a very small hospital there. The big hospital is in Maryborough which has got 25,000 people.

While these statements say much about the lack of knowledge which the Liberal Party has about regional Queensland in general and Maryborough and Hervey Bay in particular, the misrepresentation of Hervey Bay's health services cannot be allowed to stand uncorrected. It would appear that Mr Caltabiano and the Liberal Party have missed the fact that Hervey Bay has a shiny new \$42 million, 104 bed hospital, opened in 1997. The Leader of the Opposition would know this because he was the Health Minister who opened it. Are you sure you want to be in coalition with these duds, Mike? The member for Caloundra could also have helped out Mr Caltabiano, because she was the Treasurer when the hospital was under construction. Of course, both being members of the Liberal Party probably means that she and Mr Caltabiano only speak through their lawyers. But in any event, Mr Caltabiano was in Hervey Bay only a couple of weeks ago. I guess the topic of conversation at the Hervey Bay Liberal branch meeting remained, as ever, wine appreciation and did not stray on to something as mundane as public health care. It is fortunate that the wandering Mr Caltabiano's Brisbane City Council constituents are well covered at state level by their local members Terry Mackenroth and Phil Reeves if this indicative of Mr Caltabiano's grasp of facts. Mr Caltabiano has been talking Hervey Bay down and he should publicly retract his comments and apologise to the people of Hervey Bay. Health care is one of the bay's strong points, and the Liberal Party should butt out if it cannot tell the truth.

Time expired.

### **Health Services**

**Mrs SHELDON** (Caloundra—Lib) (4.27 p.m.): I put on record another incident in the crisis facing health in Queensland at the moment. Lisa Cutter of Currimundi has asked me to read this statement to parliament. She said—

I am writing to you as I have great concern about our public health system after two experiences in Queensland hospitals this year.

Because of the lack of time I will deal with her second experience. The letter continues—

My second experience was at Caboolture hospital where I gave birth to my baby boy eight weeks ago. To begin with after his delivery, I had to wait 2 hours for a doctor to be available to give me stitches. When the doctor did arrive and he was working on me, his mobile phone rang three times as they needed him in theatre and midwives from other birthing suites came in and needed him to stitch other mums. During all this, a syringe the doctor had used was not accounted for. The midwife and the doctor had a heated disagreement as the doctor refused to look for the missing syringe and the midwife maintained it was his responsibility to find it, not hers. The doctor left after being paged again to be in theatre ... I suffered from excessive bleeding after the birth and lost 1 litre of blood and ended up in the theatre. The midwife maintained that when she examined my placenta after birth that it was complete. In hindsight it was not and I ended up in theatre to have these products removed. I don't know if the midwife's examination was done in a rush due to the understaffing but a mistake was made. The most upsetting thing for me was that after giving birth at 1.20 a.m. I was not given a shower until 4.10 p.m., nearly 15 hours later.

During my labour I was in the bath when my waters broke. The baby's meconium came over me ... When I got to the maternity ward I was told I was not to leave my bed without assistance as I had lost a lot of blood and was prone to passing out. Therefore I could not give myself a shower. When in the ward I asked on four occasions for someone to help with me a shower. The response was always they would 'organise' someone soon. Finally I asked for the fifth time and had to be quite assertive and demand that someone assist me. I did feel disgusting lying there with meconium still stuck on me and surely trying to breast feed a baby in this state is not hygienic at all. The last problem occurred the next day when I advised the midwife at 10 a.m. that I was ready to be discharged that day—

Time expired.

### **Liberal Party, South Burnett Branch**

**Mr MICKEL** (Logan—ALP) (4.28 p.m.): Along with residents in the town of Blackbutt, I have obtained a copy of the minutes of the general meeting of the South Burnett branch of the Liberal Party. In the interests of fairness, I thought I should share them with the House.

Whilst the minister revealed that the local federal member, Cameron Thompson, was away on military duties—the minutes are unclear as to whether he was saving the military or whether the military was saving him from himself—it is clear that there was mutiny, however, in the local Liberal ranks. Not only do they want a Liberal to run in the Lockyer electorate; they carried a motion that stated—

That this Branch sends a strong message of censure to Mr. Bob Quinn for serious breaches of Queensland Division protocol in relation to publicising internal Party affairs.

This from a branch which had distributed this motion in the minutes to many households in the Blackbutt township! In spite of president Caltabiano's expensive CD promotion in the lead-up to the Liberal Party state conference, the South Burnett branch also deplored the member for Robina's expensive mail campaign to attempt to divide and destabilise the rank-and-file membership.

There are two sets of standards in the Liberal Party—one for the Caltabiano backed South Burnett Liberals and another for the member for Robina Liberals. After hearing from the member for Hervey Bay about the activities of Mr Caltabiano up there and after reading these minutes from the South Burnett Branch, it seems that it will take more than the launch of the Liberal AgSmart policy this week to lift the IQ of the Liberals in regional Queensland.

### **QUESTIONS ON NOTICE**

**Hon. A. M. BLIGH** (South Brisbane—ALP) (Leader of the House) (4.30 p.m.): by leave, without notice, I move—

That notwithstanding anything contained in the standing and sessional orders for this day's sitting, members may lodge questions on notice until 6 p.m.

### **QUESTIONS WITHOUT NOTICE**

#### **QIC Superannuation Investment Returns**

**Mr HORAN** (4.30 p.m.): In the absence of the Treasurer, my first question is to the Premier. I refer the Premier to the question on notice of 3 September this year in which his Treasurer refused to outline the superannuation returns by QIC for July and August. I refer also to the Treasurer's answer in which he indicated that the year-to-date figures were available on the Q-Super web site. I table the pages that Q-Super says are most likely to be the ones referred to by his Treasurer. He will see that it is nigh on impossible to determine from these documents the returns QIC earned on its superannuation investments for July and August. These figures have been provided three times before, but now the Treasurer is denying them to this parliament. To prevent this cover-up, for the benefit of public sector retirees and in the interests of true accountability to this parliament of Queensland, is he prepared to direct his Treasurer to provide the details of monthly and year-to-date investment returns when requested by the opposition in this parliament?

**Mr BEATTIE:** The Treasurer is involved in some negotiations this afternoon in relation to the future of Indy. We all know that is a very important event for the Gold Coast, which is why I have authorised his attendance at those negotiations.

In terms of the superannuation funds, I have indicated previously that returns are down. This issue is appropriately a concern for all of us. I share the Leader of the Opposition's concern about it. The Treasurer has concerns about it and so do I. The reality is that these returns are being affected by world trends beyond our control. The 2001-02 earning rate for Queensland Defined

Benefit Scheme was minus five per cent. That reflects one of the most difficult periods in equity markets for several decades. The Commonwealth's return for 2001-02 for comparative defined benefit funds was minus 5.1 per cent; New South Wales had minus 7.3 per cent; Victoria had minus five per cent; Queensland, as I said, had minus five per cent; Western Australia had minus 5.3 per cent; and South Australia had minus 5.3 per cent. The figure was updated from minus 6.4 per cent to minus 5.1 since the original compilation of this data. The figures above clearly demonstrate that all jurisdictions were impacted by the broad market decline in 2001-02. The only differing factor in Queensland is that it is affected more in a budget sense because, unlike most other jurisdictions, Queensland has a fully funded defined benefit superannuation scheme and therefore has relatively more funds under investment.

I have dealt with the deficit issue. A minus five per cent provisional estimate was given. The 2001-02 budget assumption was for a 7.8 per cent return. Clearly, the returns have been less than we anticipated in the budget, and the Treasurer has indicated that in his answer to the Leader of the Opposition. That is why I have said quite up front that, yes, this is a matter of concern but only in terms of the return. Many public sector employees are in defined benefit schemes. Some are not, of course, and they will be affected; that is true.

**Mr Horan** interjected.

**Mr BEATTIE:** Accumulated benefit came in about two and a half years ago. There are a number in it. Most permanent employees are still in defined benefit. Under defined benefit, their entitlements are guaranteed, just as they are for honourable members.

**Mr Horan:** Is the parliament entitled to these answers we got last financial year?

**Mr BEATTIE:** In the long term, of course, the answer is yes. The issue at the moment is that because the market is so volatile any short-term figures do not give a true position as to what will happen. The member may have noticed that the Dow Jones has risen about 1,000 points and is around 8,004 or 8,005 at the moment. A week ago, it was 7,004. Any short-term figures are simply not accurate and not reliable as to what will happen. That is the point.

**Mr HORAN:** We would like to get those monthly figures and the year-to-date figures. The parliament is entitled to them and will continue to ask for them. I note the Premier's comment that the parliament is entitled to them.

### **Townsville General Hospital, Alleged Rape**

**Mr HORAN:** I refer the Minister for Health to recent complaints of rape and sexual assault made to Queensland Health by concerned relatives of women housed in the psychiatric ward of the Townsville General Hospital, and I ask: why is it that medical staff within the psychiatric ward of the Townsville General Hospital told the husband of one of these women that the incident he complained of was not rape as it was consensual, despite the fact that this lady is an involuntary patient being cared for in a mental health facility? Will the minister confirm that Dr John Allen, Chairperson of Integrated Mental Health Services, Townsville General Hospital, met with Dr Peggy Brown, the Director of Mental Health and Chief Psychiatrist Queensland, in Brisbane this week to discuss these very serious matters?

**Mrs EDMOND:** I was aware that allegations had been made. I was also aware that allegations had been investigated. My understanding is that that matter had been resolved. From memory—the Leader of the Opposition would be aware that this was some time ago—I think the woman concerned said it was consensual and did not want to proceed any further with it.

### **Community Cabinets**

**Mr ENGLISH:** I refer the Premier to the fact that the community cabinet process is among the great successes of this government, and I ask: can he detail the community cabinet meetings that the government has planned in the remaining months of this year?

**Mr BEATTIE:** I thank the honourable member for his question. I wish to pass on—and I know he will do this—my best wishes to Les Turner, a constituent of his. I rang Les the other night. He has been a long-term friend and is in ill health at the moment. I know the member will pass on my best wishes to him.

The community cabinet process has been one of the great success stories of this government. The Gympie community cabinet in late August was the 54th for the government. That was followed in September when we had a special gathering when parliament went to the

people for the first historic regional parliament in Townsville, which was a great success. Today I detail even more community engagement. This time we have a November community cabinet trifecta. The Minister for Racing would appreciate that. There will be three community cabinet meetings in November to round off a busy year of listening for the ministry.

**Government members** interjected.

**Mr BEATTIE:** See the enthusiasm of the ministry. Isn't it wonderful? Let the record show the unanimous enthusiasm of the cabinet. Cabinet will meet in Redlands and Capalaba on 3 and 4 November; Carina, in the seat of Chatsworth, on 11 November; and Ipswich and Ipswich West on 24 and 25 November. At the Gympie gathering, more than 107 formal deputations were undertaken. Since its election in 1998, my government has received just under 4,440 formal deputations. In addition, we have taken an estimated 3,850 informal deputations. That is more than 2,400 hours of deputations. That is a lot of listening. We estimate that more than 22,900 people have attended the community cabinets. Mr Speaker, you can see that there has been a significant commitment to meeting with and listening to Queenslanders. That is unprecedented in the history of Queensland. This year, community cabinets have been held at Stanthorpe, the Brisbane Convention Centre, Moranbah, the State Library, Stretton, Cairns, Barcaldine, Longreach and the Ekka. We listened and we learnt from our discussions with members of all communities. I am confident they have benefited from their hosting of cabinet. Indeed, we get regular requests from communities for cabinet meetings.

The Sunday, 3 November forum is at the Alexandra Hills State High School hall, and cabinet will meet at the Redland Bay Gold Club on 4 November. On 11 November cabinet will meet at the Carina Leagues Club. The Carina meeting will also pay tribute to the member for Chatsworth, the Deputy Premier, Treasurer and Minister for Sport, Terry Mackenroth, who celebrates 25 years in parliament. The 24 November meeting will take place at the Ipswich Workshops Rail Museum, Queensland—which will be of some interest to some of us including the local member and the Minister for Transport. On 25 November cabinet will meet at the Ipswich City Hall. By December there will have been 12 meetings for the year. That is an extraordinary year, given that we also had the demands of CHOGM and a royal visit. But we are not resting on our laurels. Cabinet will look forward to another productive series of community cabinet meetings in 2003.

I want to put on record my appreciation to not just my cabinet but my parliamentary secretaries and my department for their efforts. I also thank the community for responding to invitations to community cabinet meetings.

#### **International Marine Transport Association Interferry Annual Conference**

**Mr JOHNSON:** My question is directed to the Minister for Transport and Minister for Main Roads. I refer to the recent International Marine Transport Association Interferry Annual Conference held on the Gold Coast at which I was guest speaker. I ask: why did he give a directive to his department not to give Interferry any future funding simply because I gave a speech at the conference? I seek leave to table emails from Queensland Transport confirming the issuing of this directive.

Leave granted.

**A government member** interjected.

**Mr JOHNSON:** Because it is sour grapes.

**Mr BREDHAUER:** I gave no such direction.

**Mr Johnson:** You spat the dummy, you little sook.

**Mr SPEAKER:** Order!

**Mr BREDHAUER:** I find the honourable member's remarks offensive and ask that they be withdrawn. The basis of the honourable member's question was incorrect. I gave no such direction.

**Mr SPEAKER:** Order! The member for Gregory will withdraw.

**Mr JOHNSON:** Do you want me to call him a big sook?

**Mr SPEAKER:** Order! No, just withdraw, thank you.

**Mr JOHNSON:** If he finds the words offensive, I withdraw them.

### Achievements of Queenslanders

**Mr REEVES:** I direct my question to the Premier. Speaking of dummies, I have had much pleasure today showing off a four-week—

**Mr Johnson** interjected.

**Mr SPEAKER:** Order! The member for Gregory will cease shouting across the chamber.

**Mr Johnson** interjected.

**Mr SPEAKER:** Order! We are not in a school room. I do not want to hear who started what. I call the member for Mansfield.

**Mr REEVES:** I direct my question to the Premier. I have had much pleasure in showing off a four-week two-day-old new Queensland, being my daughter, Brianna Therese, to the parliament today. I know she is listening to question time in the annexe. I ask: while Queensland is constantly outclassing the rest of the country on the sporting field and in the cultural arena, can the Premier enlighten the House and Brianna on some recent achievements?

**Mr BEATTIE:** May I firstly congratulate the honourable member on the birth of his daughter. I have seen the photos. They are fantastic. She is beautiful. It is quite clear that she took after her mother! There is nothing wrong with that; my kids also take after their mother, luckily for them.

It was my pleasure earlier this month to announce the winners of the 2002 Queensland Premier's Literary Awards, along with the Minister for Arts, who announced a number of other awards in his department. I am immensely proud that the awards, which are now in their fourth year, have become the biggest and best of their kind in Australia. This year, the awards attracted a record 809 entries, with 275 of those coming from Queenslanders. This level of interest shows that the Smart State is not only about research and innovation but creativity as well. We are developing a thriving literary culture in Queensland, encouraging writers to tell their stories.

I was particularly pleased that the award for best fiction book was won by Queensland, Venny Armanno. His novel, *The Volcano*—

**A government member** interjected.

**Mr BEATTIE:** Yes, it is a great book. It is very good. I can get someone to read it to the minister. It is fantastic. His novel, *The Volcano*, was described by the judges as a work of power and passion from one of our most original and talented writers. As the minister responsible for Multicultural Affairs Queensland it is also pleasing to see the award go to a novel which celebrates the importance of multiculturalism and honours the migrants who have contributed so much to our way of life. It is great to see a home-grown talent make his mark.

The award for best manuscript of an emerging Queensland author was won by Nerida Newton for her work, *The Lambing Flat*. It tells the story of Ella, the daughter of Australian graziers, and Lok, a Chinese goldminer's son. It is set in the 19th century against the historical background of a westward settlement and the gold rushes and includes the moving story of the massacre of Chinese goldminers at Lambing Flat. Nerida received \$20,000 in prize money and a publishing contract from the University of Queensland Press. Because these are such distinguished writers I would like to incorporate the rest of that part of my remarks in *Hansard*.

Leave granted.

Best Non-Fiction Book (\$15,000)—Dr Brenda Niall, *The Boyds: A Family Biography* (Melbourne University Press)

Best Children's Book (\$15,000)—Michael Stephens, *Blat Magic* (HarperCollins)

Best Young Adult Book (\$15,000)—Markus Zusak, *When Dogs Cry* (Pan Macmillan)

Best Emerging Queensland Author (\$20,000 plus publishing contract with the University of Queensland Press)—Nerida Newton, *The Lambing Flat*

Best Fiction Book (\$25,000)—Venero Armanno, *The Volcano* (Random House Australia)

Best Literary or Media Work Advancing Public Debate (\$15,000)—Robert Manne, *In Denial: The Stolen Generations and the Right* (Schwartz Publishing)

Best History Book (\$15,000)—Les Carlyon, *Gallipoli* (Pan Macmillan)

Best Drama (Stage) (\$15,000)—Beatrix Christian, *Old Masters*

Best Film or Television Script (\$15,000)—Rolf de Heer, *The Tracker*

**Mr BEATTIE:** In terms of other achievements, I have to say that we all congratulate the Brisbane Lions on winning their second AFL flag in a row. I also want to congratulate the Broncos for making the preliminary finals. Many of us have been enthusiastic Broncos supporters. They will be back and they will win the premiership again. They have a very impressive record. The Lions were fantastic.

Next year, for the opening of the Suncorp Stadium, we will have two State of Origin games and the Rugby. It is going to be a great year. I wish the Queensland Bulls all the best for their defence of the Pura Cup.

I want to take up an issue raised by the member for Stafford. When the parliament last sat he raised with me the fact that the Wavell State High School was in the Nutrigrain Cup in Sydney. He knows and I know that they won. Isn't that fantastic! They have done themselves proud. They join a long list of sporting champions in this state. They defeated Terra Sancta College. What a great sporting record this state has!

### **Firearm Ownership by Mentally Ill**

**Mr WELLINGTON:** I ask the Attorney-General: what laws are in place in Queensland today to prevent people who have serious mental disorders such as bipolar and schizophrenia from buying, obtaining or owning firearms?

**Mr WELFORD:** I thank the honourable member for the question but I advise him that the firearms legislation is within the ministerial responsibility of the Minister for Police and it is not something of which I have any detailed knowledge.

### **Teachers, Career Change Program**

**Mr PURCELL:** My question is directed to the Minister for Education. There have been concerned reports in the media about the secrecy surrounding the second round in the career change program. Would the minister please advise the parliament how the program was announced?

**Ms BLIGH:** I thank the member for his question. Before answering it, may I draw the member's attention to the distribution in the House this afternoon of these badges which celebrate World Teachers Day, which occurs tomorrow. It is a United Nations celebration of the work of teachers. I encourage members to wear them particularly if they are going to be in a school tomorrow.

Indeed, there has been a reopening of the career change program, as members are aware, as part of an ongoing range of initiatives to continuously renew our teaching work force. I think members could be rightly concerned if the government had kept the reopening of this program as some kind of secret. Members are entitled to information about this.

In this morning's *Courier-Mail* the member for Beaudesert is alleged to have said, 'Ms Bligh had been caught out secretly trying to purge more teachers.' He accused me of trying to keep this program secret. I would like to tell the House how this program was announced.

On 9 October, the director-general met with representatives of the Queensland Teachers Union and advised them of the intention of the department to reopen the program. On 10 October, the director-general of the department issued his weekly news bulletin to every state school in Queensland and one-third of the bulletin was devoted to this topic. The director-general's bulletin goes to 1,307 schools and it is accessed by 35,000 teachers and 65,000 employees of the department.

On the same day, on the Education Queensland web site in a specially designed box which was headed 'Spotlight' it was stated that there would be a career change program. The Education Queensland web site, just like any other web site, is accessed by putting www into your computer. When we use acronyms often enough we often forget what they stand for. 'www' stands for World Wide Web—the secret World Wide Web. This site on the 'secret' World Wide Web is operated by Education Queensland. I thought I would have a look at who accesses it. Obviously, Australia has the largest monthly hits with over 100,000 hits. Every month the United States has more than 30,000 hits. People in Memphis, Milwaukee, Tulsa and even those in Little Rock are reading about the career change program.

**A government member** interjected.

**Ms BLIGH:** Galveston, sure! They are reading about the secret program in Japan in places like Tokyo and Osaka with average monthly hits of 500. There are almost 200 people from Poland who access it every month, so in Krakow and Warsaw they are reading about the secret program, as they are in Brussels and Brasilia. Saudi Arabia has an average of 60 hits on this web site every month, so in Riyadh they are reading about the secret program. Can I suggest to the Leader of the Liberal Party that it is not AgSmart the coalition leads; it is NatSmart.

### Maritime Industry

**Mrs LIZ CUNNINGHAM:** I refer the Minister for Transport to the fact that, after contact by the Maritime Union of Australia and a local constituent, the ship *Stadacona* is a foreign ship trading on the Queensland coast carrying Queensland cargo. Its last cargo was loaded at the QCL berth in Gladstone for Townsville and it is intended to load more cargo in the coming days in Gladstone for Brisbane. This ship was previously owned, operated and manned by Australians, and I ask: who issued a permit for this vessel to trade on the Queensland coast?

**Mr BREDHAUER:** I am happy to answer the honourable member's question. The reality is that the *Stadacona* applied for a restricted use flag in Queensland waters last week for a journey from Townsville to Gladstone and Brisbane. That was rejected by Maritime Services Queensland today. Unfortunately, however, the Commonwealth government has seen fit to give that vessel a permit to operate on intrastate waters. Honourable members might be aware that the *Stadacona* is the vessel that was sailing off the Bahamas earlier this year when the company sacked the crew. It re-registered the vessel overseas and employed a Ukrainian crew on that vessel at substantially lower wages and conditions. Under Queensland maritime laws, only Australian vessels with Australian crews are allowed to operate on intrastate journeys unless they get an exceptional restricted use flag. The company applied for a restricted use flag and Maritime Services Queensland in my department was considering the issuing of a restricted use flag when we were advised yesterday that the ship had been given a permit by the Commonwealth Department of Transport and Regional Services and that it was leaving Townsville bound for Gladstone and Brisbane and then other ports unknown.

Let me make it quite clear that the Beattie government stands for Australian jobs on Australian vessels in the Australian shipping industry. Let me make it quite clear that the Beattie government believes that Queensland's maritime laws should be respected by the Commonwealth and that the Commonwealth government should be supporting Australian shipping, not trying to tear down Australian shipping as it has been doing in its ideological campaign against the Maritime Union of Australia. It is nothing more than that. But let me make another point here. In the United States a ship cannot get into port with a vessel other than a United States vessel with a United States crew. In recent times and in light of recent events, the United States government is very concerned about the potential security risk that is posed by foreign crewed vessels and foreign vessels entering US waters. John Anderson, the Deputy Prime Minister, has listed transport security and in particular port security on the agenda for the next transport ministerial council meeting on 8 November. I will be very interested to hear him explain the Commonwealth government's position in relation to this issue and in relation to the *Stadacona*.

### Bradfield Scheme

**Mr RODGERS:** I refer the Minister for Natural Resources and Minister for Mines to a media comment by the federal member for Kennedy, Bob Katter, that putting the so-called Bradfield scheme back on the national water reform agenda was more timely than ever and likely to benefit north Queensland. I ask: can the minister advise why implementing the Bradford scheme to turn coastal rivers inland to drought-proof rural Queensland is considered economically unfeasible and environmentally dangerous?

**Mr ROBERTSON:** I thank the honourable member for the question. It seems that every time Queensland or Australia suffer drought, dreamers and idealists bring up schemes of old to fulfil the promise of drought-proofing this country. Of course, leading the charge of those dreamers and idealists is often the federal member for Kennedy, Bob Katter. I think it is useful to remind members what the Bradfield scheme was really all about. It is a 70-year-old plan devised by Dr John Bradfield who envisaged that he could divert flows from the Tully, Herbert and Burdekin rivers to the western-flowing Flinders and Thomson rivers and Torrens Creek to cushion western graziers from the effects of recurrent drought. He also thought that such a scheme would be able to open up the country for irrigated crops.

Of course, over the years the Bradfield scheme has been considered in some detail as to its appropriateness and whether or not it in fact works, and on each occasion the answer has simply been no. What amazes me most of all is that the last time the Bradfield scheme received consideration by the Queensland government was actually in the early to mid-1980s during the Bjelke-Petersen government when Bob Katter was a minister of that government. What did the Bjelke-Petersen government find when it considered the Bradfield scheme in detail? That it was

unworkable, yet Bob Katter, for whatever reason, continues to promote the Bradfield scheme as some sort of answer to Queensland's drought problems.

But what is wrong with the Bradfield scheme? For one thing, in today's dollars the construction costs for a Bradfield-type scheme would amount to some \$3.5 billion and pumping costs alone would equate to some \$145 million a year. Given that what Bradfield envisaged was to irrigate some 74,000 hectares of inland Queensland, what does that equate to in terms of pumping costs for irrigators? It works out to be around about \$1,900 per hectare. I do not know what farmer in Queensland could ever afford pumping costs equating to \$1,900 per hectare, but they are the facts. Clearly, a Bradfield-type scheme will not work. In fact, it is instructive to remember that when John Bradfield was engaged in the construction of the Story Bridge he sent out an assistant of his on horseback with a barometer to take measurements that formed the basis of the Bradfield scheme. They in fact have been reviewed in some detail as well and have been found to be less than accurate.

It is time that we moved on from dreaming about Bradfield-type schemes to somehow drought-proof Queensland and indeed Australia. The debate has moved on. It has moved on to the extent that the water resource planning process engaged by this government provides for a number of outcomes. It provides, first of all, to find out how much water is in our river systems, how much of that water is currently being used and how much water needs to be retained in the system to ensure the ongoing ecological health of our rivers. Once those fundamental questions have been answered the future planning for new dams, weirs or other storages can be based on them. It is only then that we get outcomes that are economically, socially and ecologically sustainable. I call on Mr Katter to move on from looking backwards.

**Government members** interjected.

**Mr ROBERTSON:** Tell Bob that I am happy to remind him about the decisions taken by his own government of which he was a part which said that Bradfield will not work.

### **Security, Indy Carnival and Schoolies Week**

**Mr BELL:** In the absence of the Minister for Police, I will address my question to the Premier. This week the electorate of Surfers Paradise is hosting the massive Indy event and in the midst of November there will be the converging on the electorate of thousands and thousands of school leavers for schoolies week. There is some concern in the public domain as to security for these events in the light of happenings in Bali. Therefore, in the absence of the Minister for Police, I ask: without revealing any confidential information, is the Premier able to advise what measures have been put in place to ensure public safety during the Indy and schoolies festivals?

**Mr BEATTIE:** I say at the outset that the Minister for Police is currently travelling back from Canberra. Because I wanted to ensure that the Leader of the Opposition and I had an opportunity to report to the parliament on the intergovernment agreement against terrorism, which I have incorporated in *Hansard* today, I asked the Police Minister yesterday to accompany me to Canberra to remain at the meeting for the discussion about guns after I had left. The agenda did progress a little quicker than I had thought it would, but nevertheless the minister remained at the meeting to continue the discussion on guns after I left. That is why he is not here, and I think that is an acceptable reason.

In relation to security, we have ensured that everything that needs to be done has been done. I refer to a formal brief I have been provided with. To date there have been no specific threats made against the Honda Indy 2002 carnival. Planning of security arrangements for the 2002 carnival is at an advanced stage and has been done in conjunction with Indy organisers, as well as state and national intelligence agencies. Security arrangements are constantly being reviewed to ensure that they remain appropriate. Racegoers can expect increased security arrangements and there will be a highly visible police presence.

Security arrangements for this event will not be publicly released. As a matter of practice, the public is generally not advised of security arrangements for events. This is to ensure the integrity of such arrangements. In other words, if they were released publicly all we would be doing is letting would-be offenders know what the arrangements are and they could then take appropriate measures to avoid them.

In the meeting today with the Prime Minister, the other premiers and the two chief ministers we were given a detailed briefing, as I indicated before, by ASIO, the Australian Federal Police and the Department of Foreign Affairs. We do therefore have very up-to-date briefings on security

issues in relation to our region. Obviously I do not, quite appropriately, intend to share those with this House. We will obviously ensure that every security measure that needs to be taken has been taken.

In relation to schoolies, we always give a contribution to the Gold Coast City Council to support schoolies. We have done it again. I have a particular interest in schoolies this year. So does the Minister for Families. My daughter will be attending schoolies this year and the Minister for Families' son will be attending also. One of my parliamentary secretary's children will be attending also. So members can rest assured that I want the highest possible security for the Gold Coast. I will take no less a standard. I want everyone on their best behaviour. I want no drinking. I want no foul language. I want to make sure that everyone is in bed by 9 o'clock—and in their own beds, too. Let me make it absolutely clear. I do not want any nonsense in schoolies week. If I had my way it would have been abolished this year, but I have no choice in the matter. My daughter is 18 tomorrow, so I have little choice. That will mark the end of my authority, I suspect.

The schoolies festival reference group puts a great deal of effort into the planning and implementation of schoolies week, and everything that needs to be done has been done.

**Mr Johnson:** Welcome to the real world.

**Mr BEATTIE:** I do not need to like the real world.

### School Transport Safety

**Mr MULHERIN:** I refer the Minister for Transport and Minister for Main Roads to the recommendations of School Transport Safety Task Force. Can the minister please advise what is being done to boost safety on school transport?

**Mr BREDHAUER:** I thank the honourable member for the question. I spoke in my ministerial statement today about a range of strategies the state government is pursuing in relation to road safety. I did that because a number of members opposite have been putting articles in their local papers in recent times to the effect that the government has focused on road safety only in respect of speed cameras and nothing else. That is demonstrably untrue. The reason speed is an important focus in our road safety campaigns is that speed is still one of the single most significant contributors to the road toll.

However, since the school bus safety task force presented its report we have also been pursuing significant initiatives in the area of school transport safety for children travelling to and from school. When the budget was brought down earlier this year we announced a range of measures that were designed to improve safety. We have been undertaking a substantial education and advertising campaign. I am sure that in recent weeks, as schools have gone back after the last school holidays, members will have noticed on the television in particular the advertising campaign that we have undertaken.

We are doing work on our bus upgrade program, whereby we intend to subsidise bus companies to help to upgrade their bus fleets in relation to school buses. We are evaluating the trial of 30 kilometre per hour speed limits outside schools. I will be announcing the outcome of that evaluation as soon as it is provided by the department.

We also said that we would trial seatbelts on school buses. Following the task force recommendations the government has decided to trial the seatbelts. I am pleased to announce today that the trial of seatbelts on 12 school buses across the state will begin at the start of the 2003 school year. It will continue until the end of the first semester. The trial areas will be Mossman, Edmonton, Cardwell, Gatton, Toowoomba, Monto, Sarina, Mount Morgan, Mount Tamborine, Peachester, Mount Mee and Mount Nebo. This is in line with the task force recommendations that we target buses operating over long steep or very steep routes. The 12 buses involved in the trial must have been built after 1 July 1993 and meet Australian design rule 59/00 for rollover strength. The seatbelts will be lap-sash types. Lap-only belts will not be used for the trial. The government has allocated \$600,000 to fund the installation of these seatbelts and to evaluate the results.

This Queensland Transport trial will be used to address issues raised by the task force and through the bus industry, including behavioural issues, such as children not buckling up, operational issues, such as damage and maintenance requirements, and legal issues. The evaluation of the trial will be carried out by independent research organisation ARRB Transport Research. The final evaluation of the seatbelt trial will be available in September 2003.

### Flying Foxes, Lissner Park

**Mr ROWELL:** My question is directed to the Minister for the Environment. His highly recommended methods of eradicating flying foxes from Lissner Park in Charters Towers have been ineffective. What affordable methods will the minister be recommending for the thousands of horticultural crops that will be devastated by this pest this season?

**Mr WELLS:** The honourable member's question was not so much a question as a statement of opinion.

**Mr Rowell:** No, it's not.

**Mr WELLS:** That is another one. Much and all as I respect the honourable member's opinion, he will forgive me if I have the temerity to disagree. The methods that were recommended in Charters Towers have been successful in curbing the numbers of flying foxes coming to Charters Towers. My department has been working with the Charters Towers council in order to effect a result there. What is going to be necessary is the pruning of the trees which constitute the roost for the flying foxes that have been coming back to Charters Towers.

**Mr Rowell:** This has been going on for a year now.

**Mr WELLS:** My department has provided \$10,000 assistance to Charters Towers in order to effect that outcome of the pruning of the trees.

As the honourable member says, this has been going on for a long time. The more that land is cleared, the more the flying foxes find some other place to go. One of the places they find to go is the townships. There is a connection between land clearing and the movement of flying foxes. Nevertheless, my department has been working with the Charters Towers council in order to get this result.

When this parliament met in Townsville recently, I visited Charters Towers in order to get the council to sign up to an agreement to take certain steps they need to take in order to handle the flying foxes. The fact is that the flying fox is a very intelligent species. Consequently, it can be managed. The more intelligent the species, the more easy it is to manage it, if you put in place the steps that need to be taken. In this case there are certain things the council needs to do—certain processes it needs to undertake. I have been out to Charters Towers to discuss this with the council. My departmental officers have been working closely with the—

**Mr ROWELL:** Mr Speaker, I rise to a point of order. I asked about the thousands of horticultural crops that will be damaged by flying foxes. We are just hearing a lot of waffle at the present time—

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

**Mr ROWELL:** This is not an issue—

**Mr SPEAKER:** Order! Resume your seat.

**Mr WELLS:** I appreciate the honourable member's commentary on my answer, but if I may persist, there are steps that need to be taken in order to deal with flying foxes in any particular area where they are. They can be managed and they can be managed away from the township. But that requires the local authority to go through the processes that my department recommends to them and that is what has started to occur in Charters Towers. The pruning of the trees is the most essential step that needs to be undertaken.

### Smart Future Web Site

**Ms PHILLIPS:** My question is to the Minister for Innovation and Information Economy. I understand that the minister recently launched a web site called Smart Future, and I ask: can the minister tell the House who this web site is aimed at and what does it hope to achieve?

**Mr LUCAS:** When I travel up and down the length and breadth of Queensland, there is one place that I always like to stop at, one of the smartest cities in Queensland, and that is Townsville. What better place to launch the Smart Future web site, [www.smartfuture.qld.gov.au](http://www.smartfuture.qld.gov.au).

**Ms Bligh:** The World Wide Web.

**Mr LUCAS:** That is right—on the World Wide Web available in Abu Dhabi, Bahrain, Timbuktu and all other places. I did that last month when I was at James Cook University, also welcoming the north Queensland part of the Siemen Science Experience—a very great project.

**Mr Mickel:** Could the South Burnett branch put their minutes on that?

**Mr LUCAS:** I do not know how smart they are in the South Burnett branch, but I was at the James Cook University for the Siemen Science Experience, which is a class of year 9 and year 10 students who go along to experience some of the great benefits that people receive at university. The web site is building on that in terms of making it a fun way to learn about life and careers in science and technology.

Not everyone in particular families knows about science. They do not know about the sort of careers that are available. This web site is about making that information available not just for people in Brisbane, not just for people in Townsville, but no matter where people are. We have scientists in Queensland who come from areas right throughout this state who have wonderful, promising minds and careers.

People can log on to that web site and do a quiz. It tells them what career suits them, what the job will entail and what courses they need to do to get there. People can read real-life profiles on young people. That is very important. These people are young scientists who people can identify with—geophysicists and, indeed, TV science reporters if anyone up there in the gallery is looking at reprofiling. For example, Greg Shephard is a 22-year-old Townsville man who studied at James Cook University and who is now working as an aviation project engineer at Hawker Pacific.

As much as we are proud of our great institutions in Queensland—and we significantly support institutions such as the Institute of Molecular Bioscience—fundamentally they are about people. They are about Mark von Itsztein, Terry Hughes, Peter Andrews, Derek Hart, Michael Good, John Mattick and Ian Fraser. We want to develop not the drug prescribers of the future but the drug designers based on our natural biodiversity.

This web site also has interesting applications of science and technology in society. Members may not be aware of dog cams, where dogs used in search and rescue have cameras mounted to them so that they can be more effective in the process, or that spider silk is five times stronger than steel and 30 times more flexible than nylon. This web site is about making science and technology fun for young people. It is about showing them the broad variety of careers, and so many traditional careers have science and technology involved in them. The good Lord made only a certain number of people with proclivities towards science. We want to make sure that they actually get there and be the future of the Smart State not just for today but for the generations to come and for those after them as well.

#### **Mayor A. Grosse, Sunshine Coast Regional Apprenticeship Group Limited**

**Mrs SHELDON:** I refer the Minister for Employment, Training and Youth and Minister for the Arts to last December when I wrote to him regarding allegations of improper dealings by the then chairman of the Sunshine Coast Regional Apprenticeship Group Limited—SCRAGL—and the Mayor of Maroochy, Alison Grosse, involving the misuse of public money for personal gain. As the minister would be aware, his department provided SCRAGL with contracts to the tune of \$5 million last financial year alone. The minister would also be aware that recently the mayor and others, including a person from his own department, gave evidence to the royal commission into the building and construction industry. The commission said that by entering into a contract to purchase land from that company, Mrs Grosse clearly breached the memorandum and articles of association and also breached her fiduciary duties to the company and should cease to hold office. As it would appear that Mrs Grosse made a personal profit of \$110,000 on the resale of that property and that SCRAGL has paid the \$8,000 land tax that had accrued on that property—and was owing—I ask the minister: what action has the minister taken to recoup these misused taxpayer funds?

**Mr FOLEY:** I thank the honourable member for the question. The action taken was a departmental investigation regarding the allegations and issues of concern. Arising out of that, referrals were made to the Australian Taxation Office, the Australian Securities Investment Commission, the Queensland Police Service, and the Crime and Misconduct Commission as relevant agencies for law enforcement.

With regard to the use of taxpayers' funds, the department conducted investigations as to accountability in respect of outcomes and SCRAGL has responded to those concerns raised during a comprehensive departmental investigation. I am advised that remedial actions have been or are being undertaken.

A primary concern of the department, of course, has been the ongoing employment and training of over 600 apprentices and trainees on the Sunshine Coast. Notwithstanding this, the joint state and Commonwealth funding provided to SCRAGL by the Department of Employment

and Training is rigorously acquitted against specific outcomes purchased. These outcomes include apprenticeship and traineeship commencements and completions, which are verified and acquitted against departmental data.

In short, the action taken was to refer the matters that required the enforcement of the law by relevant agencies to those agencies. In respect of the delivery of training by that group training scheme, the departmental officers have taken steps to ensure that that money has resulted in the outcomes for which it was provided.

### **WorldSkills Australia**

**Mr CHOI:** My question is also directed to the Minister for Employment, Training and Youth. I refer the minister to the national WorldSkills competition, which begins in Newcastle today, and I ask: how significant is this national competition for Queensland's apprentices and trainees?

**Mr FOLEY:** It is very significant indeed. WorldSkills Australia is the largest and most comprehensive skills competition in the country. It tests young people's skills against their peers, against the clock and against themselves to see how they handle the most important skills of their trades. We celebrate the achievements of our sporting heroes, but we need to celebrate the achievements of our working heroes—of our apprentices, of our trainees who have the skills that make this the Smart State and who provide a strong economic future for our country.

On Monday of this week, I had the pleasure of wishing well 67 young Queenslanders before they set off for the national WorldSkills competition, which begins in Newcastle today and runs until Saturday. Every two years, the nation's best young apprentices and trainees aged 16 to 25 who work in a range of industries from cabinet making to pastrycooking, information technology to sheetmetal work, come together for this prestigious event. Some 40,000 young Australians from schools, colleges and industry have had the chance to benchmark their skills against the demanding standards in the Australian and international competitions over the past two decades.

This year is the 20th year that Australia has held a national competition. I am pleased to inform the House that last year young Queensland tradespeople won 17 medals nationally—the best result that our state has ever achieved. This year, we have 67 young talented Queenslanders representing our state and I am very pleased to say that 10 of these are school students. Medal winners will go on to compete as part of the national team at the WorldSkills international competition in St Gallen in Switzerland in June 2003. Last year two young Queenslanders outskilled world-class competitors from 35 countries to win gold at the 36th international WorldSkills competition in Seoul. Queensland accounted for two of Australia's three medals. Stephanie Ramia, a refrigeration mechanic from Toowoomba won gold in the refrigeration category and was named best female in a non-traditional trade. Our other gold medal was won by Ron Moseling, an electrician from Gladstone.

The first international youth skills competitions were organised by Spain in the 1950s as a way to inspire young people to undertake vocational training. I am pleased to say that the Premier, Peter Beattie, is a patron for WorldSkills Australia in Queensland. Each year, my department contributes almost \$100,000 to the running of regional competitions with considerable support from the TAFE system.

Competitions such as this one are vital for building a skilled work force and developing Queensland as the Smart State. It is about time that we ensured that we show respect for our highly skilled apprentices and our highly skilled trainees in exactly the same way as we do for our sporting heroes, for our cultural heroes, and for our artist heroes.

### **Tick and Plant Inspection Charges**

**Mr HOPPER:** My question is directed to the Minister for Primary Industries. I note that the minister was in church yesterday, like the rest of us, praying for rain to bring an end to the crippling drought and the pain Queensland's rural producers are going through. On 1 August 2002, with no consultation, the minister introduced excessive new tick and plant inspection charges through the back door. Primary producers are already hurting from the effects of a devastating drought, and these disgusting new charges are just rubbing salt into their wounds. Will the minister do something that does not require an act of god and drop the new charges imposed on producers until their shires are no longer drought declared?

**Government members** interjected.

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

**Mr PALASZCZUK:** I will treat that question with the respect it deserves: you are a oncer.

**Members** interjected.

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

### **Charter Boat Industry, Taxation Ruling**

**Ms JARRATT:** My question is directed to—

**Mr Hopper** interjected

**Mr SPEAKER:** Order, the member for Darling Downs!

**Ms JARRATT:** My question is directed to the Minister for Tourism and Racing and the Minister for Fair Trading. Our tourism industry has been hard hit over the past year by the fallout from acts of terrorism and the collapse of Ansett. However, I am particularly concerned about the potential adverse impact of a draft ruling of the Australian Taxation Office on charter boat operators. I commend the minister for leading the government fight against this proposal. Will the minister inform the House of progress on this issue?

**Ms ROSE:** Tourism is already a heavily taxed industry with GST of \$5 billion a year to the federal government, the \$10 per flight Ansett levy, airport charges revenue and, now, the talk of a bed tax. The industry does not need any new impost. Under a draft ruling proposed by the Australian Taxation Office, it is suggested that owners whose boats operate in a fleet managed by another business may not be entitled to claim they are in business. That would mean boat owners may not be able to claim deductions, interest and depreciation on their boats. They may be taxed on all charter income and could be liable for retrospective payments of deductions claimed over the past four years. This draft ruling jeopardises the growth of the charter boat industry, an important part of tourism especially here in Queensland. It would impact not only on the bareboat charters, so popular and such a major part of Whitsunday's tourism, but also houseboats, fishing charter boats, game fishing, et cetera.

**Opposition members** interjected.

**Mr SPEAKER:** Order! The Leader of the Opposition will cease interjecting and so will the member for Warrego.

**Ms ROSE:** It is estimated that implementation of the ruling could cost up to 2,000 jobs—1,000 in Queensland and 700 in the Whitsundays. It would cost Queensland tourism around \$100 million a year. I support the industry in this fight. I am not out to protect tax avoiders—no-one is—but I fail to see how this is any different to negative gearing of an investment property. It is an investment in tourism, and people with legitimate investments have been caught up in this crackdown against tax dodgers. I have written to Treasurer Peter Costello, federal Tourism Minister Joe Hockey and Industry Minister Ian Macfarlane expressing my concern and asking them to support the tourism industry in this matter. I raised the issue at the Tourism Ministers Council in Auckland last month and received unanimous support from my ministerial colleagues. I have since written on behalf of the council to Assistant Treasurer Helen Coonan, voicing our concern. An economic impact statement prepared by consultants to the industry warns of a possible 72 per cent contraction in charter boat tourism, a 60 per cent increase in charter boat prices for the operators who survive and massive losses to boat manufacturers. The cost would be felt right across the board and would impact mostly on low to middle income earners. If the draft ruling becomes reality, the charter boat industry in the Whitsundays will be devastated. It would destroy the potential for growth in a number of other areas of Queensland—for example, Hinchinbrook and Hervey Bay. There are 180 charter boats operating in the Whitsundays, more than half of which are privately owned and used by charter operations.

### **Bushfires**

**Mr MALONE:** My question is to the Minister for Emergency Services. I refer to the bushfires raging in national parks and private land throughout Queensland and the expectation of a high fire danger throughout summer because of the build-up of dry fuel earlier this year and the worsening drought and hot weather. I also refer to advice from the Minister for Environment in his answer to question on notice No. 1,008 that the proposed area of planned burning this year would be only 624,000 hectares, or just 5.2 per cent of the total National Park Estate, compared to the planned burning of 870,000 hectares last year. Given all the early warning signs, including the forecast El Nino effect, is the minister concerned that his colleague's department is failing to keep up with this controlled burning program, therefore increasing the risk of wildfires and the

serious threat to people's lives and property, not to mention departmental officers? Does the minister think it is wise to cut back on the burn-off program from what was already a very low level last year?

**Mr REYNOLDS:** I might share with the member, first, what happened in Toowoomba today. It is very important to say—

**Mr Malone** interjected.

**Mr REYNOLDS:** You don't want to hear about Toowoomba? I thought you would. I would be very pleased first to share a little bit more with you. In talking to the range of volunteers and permanent staff in Toowoomba today, I became very much aware of how they can work together in these very difficult times. Tonight the people of Toowoomba will be looking at a number of different criteria and factors that may be out there—the change in the wind, the weather conditions in regard—

**Mr Malone** interjected.

**Mr REYNOLDS:** I'll stop if you don't want me to talk about it. I will answer the question in a moment. My heart goes out tonight to the people of Toowoomba, especially those people in the Blue Mountain Estate area. I am sure the shadow minister would share those concerns. When we consider the size of that range, we start to understand the hundreds of thousands of hectares in Queensland of national park and bushland out there. I ask the member to go back and read the Minister for Environment's answer of last night. I thought the answer was excellent. It showed indeed that the Minister for Environment and I as Minister for Emergency Services are working closely together in the work that we will be doing in about five different parts of the state, including Magnetic Island in my electorate. Last night the Minister for Environment stated why there were fewer burn-offs in national parks this year —because it is too dangerous to conduct some of those burn-offs.

**Mr Malone** interjected.

**Mr REYNOLDS:** The member has not listened or understood the answer. The interdepartmental committee looking at bushfires has considered the best planning we can have between the Queensland Fire and Rescue Service, the Environmental Protection Agency, the Department of Natural Resources and the Department of Primary Industries. In terms of the answers given last night by the members of my backbench legislation committee, we discussed exactly the things the member is asking now. It is quite clear that the member did not want to listen last night to the reasoning behind this. Let me assure the member once again that this year Queensland is more prepared than it could ever be in terms of its firefighting power. We very much understand that we have gone through a process for two years. We very much know the warning of the El Nino effect. We will continue to work on the interdepartmental committee with the departments and will do our very best in that regard.

## PRIVILEGE

### Townsville General Hospital, Alleged Rape

**Hon. W. M. EDMOND** (Mount Coot-tha—ALP) (Minister for Health and Minister Assisting the Premier on Women's Policy) (5.29 p.m.): I rise on a matter of privilege. Earlier in an answer to the Leader of the Opposition I implied that investigations by the police were not continuing at the request of the patient. Because of the circumstances of this case, there is some confusion about whether or not sexual intercourse did take place and whether or not it was consensual, but because of the patients involved it is being investigated by the police. It was reported to the police and all appropriate actions have been taken.

## ADJOURNMENT

**Hon. A. M. BLIGH** (South Brisbane—ALP) (Leader of the House) (5.29 p.m.): I move—  
That the House do now adjourn.

### Member for Pumicestone, Caboolture Shire Council

**Mr HOBBS** (Warrego—NPA) (5.30 p.m.): I refer to the disgraceful attempt by the member for Pumicestone to denigrate the Caboolture Shire Council and councillors. The member has made a statement in this House and in public ranging from school based traineeships rates and party politics. The mayor, Councillor Joy Leishman, has taken the unprecedented step of expressing

concern at the continuing criticism of the Caboolture Shire Council by Mrs Carryn Sullivan, MP, who in her statements in parliament wrongly accused the council of not participating in a school based traineeship. Council was informed this week that Mrs Sullivan stated—

It is a great shame that even after three and a half years of the program's huge success, the Caboolture Shire Council is unwilling to take on any of these students.

**A council media release states—**

This is simply wrong. Mrs Sullivan would know this was incorrect ... We wrote to her in July 2001 informing her of Council's participation in the SBT project ...

The letter was in response to issues she raised on behalf of Karen Syrmis from the Sunshine Coast Group Training Company.

We told Mrs Sullivan that Council was strongly committed to providing as many opportunities as possible through training and employment programs.

Since March 2001 Council has recruited 85 trainees and workers under employment and training programs including in the State Government's Community Jobs Program and is in the process of recruiting a further 40 including school based traineeships.

What's more, we have provided work experience for more than 100 local students over the past 18 months.

We have every reason to be extremely proud of our achievement in this area.

Cr Leishman said she was disappointed Mrs. Sullivan in her statement to Parliament had said Council 'frivolously prosecuted Cr John McNaught, the Labor member on Council'.

The Criminal Justice Commission stated in the context of the McNaught case 'the allegations could, if proved, amount to official misconduct,' Cr Leishman said.

The Magistrate found Mr McNaught guilty of breaching section 250(2) of the Local Government Act and placed him on a good behaviour bond for a period of 18 months.

**Even the Editor of the local *Caboolture News* stated—**

Carryn Sullivan could not resist bringing party politics into her remarks in parliament over the Local Government by-election for division one.

The editor said that the member for Pumicestone was basically trying to bring politics into the council to denigrate the council and also the particular person she was representing, or trying to represent, for that No. 1 division was one of the people who worked for her on that campaign. Further to that, the mayor also said in relation to other matters—

We have exhausted every avenue possible to try to forge a stronger relationship with Carryn, but to no avail.

In fact I was so concerned that we arranged for the CEO to have six briefing sessions with State Members.

I am tired of the constant criticism and attacks on this Council which is working for the benefit and the betterment of this community ...

**Mrs CARRYN SULLIVAN:** I rise to a point of order. At no time has the mayor ever contacted me in regard to any issue. I find the comments extremely offensive and I ask that the member withdraw them. They are untrue, unfounded and I ask that he withdraw those comments.

**Mr DEPUTY SPEAKER** (Mr Fouras): Order! I ask the member to withdraw.

**Mr Hobbs:** Withdraw what?

**Mr DEPUTY SPEAKER:** Order! The member will withdraw what the member finds offensive and untrue. The standing orders are very clear.

**Mr HOBBS:** Yes, I withdraw.

**Mr DEPUTY SPEAKER:** Order! If a member finds something offensive and untrue, I am not a judge of it; the member must withdraw.

**Mr Johnson:** What was it?

**Mr DEPUTY SPEAKER:** Order! I heard what he said. The member is wasting the time of the House.

### **Queensland Transport, Sherwood Customer Service Centre**

**Mrs ATTWOOD** (Mount Ommaney—ALP) (5.33 p.m.): In August this year I had the opportunity to officially open the Sherwood Customer Service Centre extension on behalf of the Minister for Transport, Steve Bredhauer. Present on this occasion were Bruce Wilson, Director-General, Queensland Transport, Ray Rawlings, Queensland Transport, Regional Director South East, Diane Hamilton, Manager, Customer Service Centre, and a number of local driving school operators including Wayne Gayne, Jindalee Driving School, Mims Driving School and James Pascoa Mount Ommaney Driving School.

The Sherwood Customer Service Centre was established in the electorate of Mount Ommaney at Sherwood Road in 1986 and moved to the Primrose Street location in Sherwood in May 1988. This area of my electorate has continued to grow and even now there is a new shopping centre being built across the road that will accommodate 200 visitors. Traditionally the local community and driver training industry had identified the centre as a driver licensing centre, which was originally its sole function when it first opened. As a result, this centre has continued to have a very high volume of driver licence testing. About 85 driving schools bring their students to the Sherwood Customer Service Centre and, as mentioned previously, some of them were present at that official opening representing the driver training industry.

The Sherwood centre was also Queensland Transport's pilot centre for introducing Saturday testing. The pilot was highly successful and Saturday testing is now fully implemented here and at Greenslopes, Macgregor, Logan, Ipswich, Cleveland and Wynnum CSCs. The new extended area will provide driver trainers and their test applicants with a more direct service. As everyone is well aware, the driver testing process can take up to an hour. By moving the testing facilities into this separate area all customers will benefit and receive a more direct and efficient service.

The Ipswich CSC has been operating successfully with a dedicated area for driving assessment since last year, and the department is looking at introducing it at other appropriate sites. Queensland Transport continually looks to improve the quality and timeliness of service to its customers. The Sherwood Customer Service Centre extension has been of great benefit to learner drivers and driving school operators since it commenced its operation this year. I congratulate the Minister for Transport and Minister for Main Roads on the efforts he is making to improve customer service in the driver training industry.

Whereas a lot of large organisations tend to lose focus on keeping the customer happy and providing a user friendly service, it is pleasing to see that the state government listens to its clients and endeavours to meet their needs. A balance needs to be struck also between private transport services and public transport services in my area.

### **Sunshine Coast Regional Apprentice Group Limited**

**Mrs SHELDON** (Caloundra—Lib) (5.36 p.m.): The issue of the Sunshine Coast Regional Apprentice Group Limited, or SCRAGL, is of great concern on the Sunshine Coast at the moment. Of considerable concern to it will be the fact that I asked a very detailed but very clear question to the Minister for Employment and Training today in the House which he refused to answer. The question regarded what he was going to do about public moneys that appear to have been misappropriated by the then chairman and now Mayor of Maroochy, Alison Grosse. She made \$110,000 profit on a house—I will read out the details in a minute—and \$8,000 in land tax was paid by SCRAGL for a property that appears to have been owned by her. That came out at the royal commission. I am amazed that the minister, Mr Foley, did not take the opportunity to clarify to the House exactly what his department is doing about this. It has known about it since last December; I wrote to him last December. I am aware that he has received further correspondence on this. I got a very perfunctory response to my letter and nothing since. Although this has been a major issue in the Sunshine Coast media, including newspapers, and a major issue to people on the coast, it appears that the minister is not prepared to take any direct action and recoup public moneys that his department has funded—no doubt in good faith originally—to SCRAGL. But they continued to fund SCRAGL, not that there is now anything wrong with its running. But indeed there has been, and public moneys have been abused and must be recouped. I note that the minister is still in the House.

SCRAGL was incorporated in 1984 to provide employment opportunities in the Sunshine Coast area. It was not established to provide opportunities for senior staff or company directors to profit from its success. Indeed, the company's own memorandum of articles of association include the following—

A director shall cease to hold office if that person is directly or indirectly interested in any contract with the association, and no remuneration or other benefits or moneys shall be paid or given by the association to any member of any committee or governing body of the association.

I assume the minister is aware of this fact.

Equally important was that a significant percentage of SCRAGL's funding comes from the state government via the taxpayer. Most of the building projects undertaken by SCRAGL are projects funded under the Queensland government's Housing and Industry Trade Training, or HITT, program. As I also said in my question, in the financial year 2000-01, for example, SCRAGL was awarded construction projects with a total value of \$4.97 million under that program—almost

half of the company's annual turnover. Last December, when I wrote to the minister, the revelations were picked up by the minister and his department, which appointed accountant Wendy Partridge to carry out a thorough investigation. Her review identified a number of major corporate governance issues at SCRAGL.

Time expired.

### **Indooroopilly Bicycle Reference Committee**

**Mr LEE** (Indooroopilly—ALP) (5.40 p.m.): Earlier this year I established the Indooroopilly Bicycle Reference Committee to provide me with what has been valuable feedback from the local cycling community about issues that concern them. Members of this committee have already drawn my attention to a number of local issues, and committee members have also worked in the community to promote the positive attributes of cycling as a sport, a leisure activity and also as a mode of transport.

One committee member, Samuel Lee, recently won a Queensland state cycling championship junior gold medal and together with his father, Mark, he has surveyed parents and students at his school to discover ways of better promoting cycling and cycle safety. In fact, Mark recently organised a free cycle skills course for local children in Graceville.

It is a pleasure to report the success of this committee to the House today as we are in Bicycle Week, an annual event organised by Bicycle Queensland. I am also delighted that one significant issue raised by members of the committee concerned the infamous missing link on the bikeway that runs alongside the Centenary Highway. This was funded in the recent state budget and it will be completed next year.

I do not think there is anything more enjoyable for a child than riding their bicycle with their parents. It is healthy, it teaches children how to obey the road rules and, importantly, it allows parents to spend valuable time with their children. I know that for many parents and their children the weekly practice of going to the local service station to pump up their tyres is an important ritual before their bike ride.

Sadly, some petrol stations are installing new air pumps which, while being more efficient for motor vehicles, cannot be used for bicycle tyres. I urge petrol station operators and petrol companies to ensure that their air pumps remain bicycle friendly or, at the very least, that they continue a long-term practice of allowing cyclists to pump up their tyres at service stations. I know that service stations are primarily there to serve motor vehicles but I also understand that many cyclists use the shops associated with petrol stations.

I will be writing to all local service stations in my electorate to express this view. I will also be writing to the major petrol companies. I intend to report back to the House and I also intend to list cycle-friendly service stations in my electorate on my community web site, which can be found at [www.ronanleemp.org](http://www.ronanleemp.org).

### **Bushfires, Toowoomba**

**Mr COPELAND** (Cunningham—NPA) (5.42 p.m.): As I rise to address the House this afternoon the terrible bushfire conditions are still raging around Toowoomba and in the Lockyer Valley, as they are in other parts of the state. Latest reports indicate that the conditions on the main fire front spanning from Blue Mountain Heights to Murphy's Creek remain largely unchanged.

A new fire has developed on private property on the southern side of Ravensbourne National Park and authorities are keeping a close eye on this fire. The overall fire situation is of great concern and fire crews are doing their absolute best to control the blazes. Fire authorities are very mindful of the risk of these fires spreading into the Spring Bluff area, which would seriously threaten the residents of the Highfields community.

While conditions are not great at the moment, it is a huge relief that the dust storm which hit Toowoomba mid-afternoon yesterday has cleared. That dust storm sucked the moisture out of the atmosphere and made fire conditions absolutely terrible. In addition, no helicopters could get into the air to check on the fires. I have been informed that helicopters have been in the air today and this is greatly assisting fire crews on the ground.

I would like to take this opportunity to state my unreserved appreciation for the tireless efforts of the many rural and town fire brigades which have been called in to assist. These full-time and volunteer fire crews are doing a wonderful job. I would also like to recognise the work of other

services such as the police, ambulance and emergency services, as well as the Toowoomba City Council which are doing a terrific job in the circumstances. My neighbour in the electorate of Toowoomba South, Mike Horan, and I met with them last night and were able to convey our appreciation to them and discuss the situation.

The combined community response has been wonderful and I sincerely hope and pray that we can get some respite from these dry conditions and hot winds to assist fire crews. Fires of this ferocity are a huge threat to communities across the state. Areas in my electorate are terribly dry and are literally a tinderbox ready to explode. A total fire ban has been called for Queensland from 2 p.m. today for at least the next 14 days and I urge all people to absolutely abide by the ban. The fires are, of course, a result of the shocking ongoing dry which continues to grip regions across the state. My electorate has been under exceptional circumstances for some time and is suffering greatly from this continued dry.

This Saturday the town of Clifton has been selected to participate as a live television link in the Farmhand Foundation concert telethon. I believe that Clifton will be the only such link in Queensland and one of only three in Australia. The festivities in the main street will begin at 6.30 p.m. I will be attending the evening, as will the honourable member for Inala, and I invite any member of the House who wishes to come down to Clifton and be part of the night. Clifton is a wonderful community. I urge members to experience its rural hospitality and spend some money in some of the great local businesses which have all felt the effects of the ongoing dry conditions.

### **Gun Control**

**Ms STRUTHERS** (Alger—ALP) (5.45 p.m.): The call for tighter gun control is coming out loud and clear in the wake of the shooting spree at Monash University. Today I was pleased to hear the Premier and other leaders discussing proposals for tighter gun controls, particularly in relation to hand guns. Some of the proposals that are on the table are very encouraging and are much needed. The suggestions discussed today include a buy-back scheme on hand guns, restricting classes of legal hand guns, accelerating uniform national standards for registering and tracking weapons, tightening controls on the issue of firearm licences, and the issue that the Premier and the Police Minister have been advocating, and that is a concerted effort to combat the trafficking in hand guns.

I am also very pleased to say that, with the laws available to them, our Queensland police are doing the right thing. For example, between July 2001 and July 2002 Queensland police seized 556 weapons from more than 250 weapon licence holders who had domestic violence orders taken out against them. These domestic violence offenders are the ones at risk of shooting family members and/or themselves. Many incidents of domestic violence involve guns or threatened use of guns. Many shooting incidents involve licensed gun owners with no history of mental illness or criminal background. Federal and state governments have taken responsible and swift action in recent years to overhaul gun laws, and these actions are paying off as gun deaths have lowered since 1996.

Of great concern, however, is that the number of homicides from semiautomatic hand guns has increased dramatically. It is of great concern that 250,000 hand guns exist in Australia. This poses a significant threat to community safety. Some 640,000 illegal guns were acquired by police under the gun buy-back scheme. This represented only 60 per cent of the estimated total. There are still far too many self-loading rifles in people's homes. We must also restrict imports and tighten controls on hand guns.

Over 10 years ago when I was working in a domestic violence service, a prominent member of the Sporting Shooters Association offered a financial donation to the service if we stopped our call for gun control. I was not about to be bought off then and today I remain determined in my support of strict gun control. Owning a gun is a privilege, not a right. Governments must remain vigilant in restricting access to, and the use of, guns. Hand gun bans must be the next target.

### **School Flag Raising Ceremonies**

**Mr FLYNN** (Lockyer—ONP) (5.48 p.m.): Two words are bandied around the country in these days of international unrest—patriotism and nationalism. Patriotism is about the natural love and support one has for one's own country, and nationalism is a desire for national independence. We can see the subtle difference between the two. The emotions displayed in this House have been of the former.

One Nation is pleased with federal Education Minister Dr Brendan Nelson's announcement in the *Courier-Mail* of today's date that his desire would be to see schools having a flag raising ceremony each morning and possibly having the children sing the national anthem. I believe that Dr Nelson's statement that the Australian flag is a unifying symbol in times of tragedy and triumph should strike a cord of general agreement and enthusiasm amongst loyal Australians. It is high time that our nation's leaders began to lead a revival in national pride, and Dr Nelson's statement is a fine start. I encourage our Education Minister to show similar support, and I am sure she will. Since the dawn of time mankind has needed symbols as a rallying point or as points of inspiration. They do not necessarily lead to war or other acts of aggression but are frequently used as focal points for events such as the Olympic Games.

I am somewhat disappointed at the mean spirit shown by the Queensland Teachers Union President, Julie-Ann McCullough, who seems to have difficulty in recognising the difference between state and federal issues. However, I am mightily pleased that the decision is not hers. I am sure that all of us here have agreed with the sorrow expressed in this House and elsewhere for Australians touched by recent world events, and I would encourage people to look to their flag as the very symbol of unification that we all yearn for and talk about.

### **Springwood Central State School; Kimberley Park State School**

**Ms STONE** (Springwood—ALP) (5.49 p.m.): Twenty-five years ago a dream for building a primary school in Springwood became a reality. Springwood Central State School opened on Dennis Road and recently more than 600 members of the community got behind the 25th birthday celebrations. While the suburb of Springwood has undergone rapid change, there is one thing that has not changed—that is, the dedication and excellent teaching quality of teachers and teacher aides at the school. I must also pay tribute to non-teaching staff for their excellent work in ensuring Springwood Central State School maintains its record of excellence. Past teachers came along to the evening to have a look at their old stomping ground and also to catch up with many of their colleagues. They were very impressed with what they saw. They saw a well-maintained and clean school that puts education and students first. They found quality staff under the leadership of a very fine principal, Mr Liam Smith. They also found beautiful grounds, a state-of-the-art tuckshop and a committed group of parents and staff.

The students of Springwood Central State School all contributed to the evening's entertainment by performing songs and dances of the 1970s. *Grease*, *Lightning*, *Nutbush City*, *Bus Stop* and many other popular songs brought back memories to staff, parents and definitely the state member for Springwood. Memorabilia for each year since the school was designed was on show for the community to view. Photos of school sports days, school camps and classrooms gave us an insight into how the school has developed over the past 25 years. I must thank the school librarians for taking care of the older photos and stories of the past in order for future generations to share in the school's history.

**Ms Keech:** Did they teach you how to dance?

**Ms STONE:** I did learn how to dance at school actually. Fifteen years ago the school decided to bury two time capsules to be opened on the 25th anniversary. I was honoured to assist with the opening of the time capsules along with a past deputy principal Bill Weeks and groundsman Ernie Besse. After finding it very difficult to open these capsules, Ernie then informed us that it was because they were actually glued. He told us that it was him who had glued the lids on the capsules. It must have been very special for him not only to participate in the evening's celebrations but also to be the person opening the capsules 10 years on. In the capsule was a large amount of school work from students, a cassette tape, the roll of the first students to attend the school and a copy of the *Albert and Logan News*.

**Ms Keech** interjected.

**Ms STONE:** No, I was not in it 25 years ago. I am sure the students will get much benefit and enjoyment from looking at these objects and reflecting on the past. Springwood Central State School is a young school—it does not show its age. It has a great reputation in the Logan area and this was demonstrated by the large number of people in the community who came along to support the celebrations. I mentioned before that the school had beautiful grounds. Recently the school's gardens won first prize in the Logan City Gardening Competition—School Gardens Division. As a result of this, the school has been inducted into the Hall of Fame as it has won the competition three years in a row. Congratulations must go to Mrs Wardle, students and the ladies from the Springdale Gardening Club for their hard work on achieving this prize-winning garden. I

am also proud to inform honourable members that Kimberley Park State School has won the Minister for Education's Young Legends Award in the Comalco Green and Healthy School competition. Congratulations, Kimberley Park!

#### **Death of Councillor Lloyd Fourmile**

**Mr JOHNSON** (Gregory—NPA) (Deputy Leader of the Opposition) (5.52 p.m.): As the Minister for Aboriginal and Torres Strait Islander Policy did in the House yesterday, I put on record the sincere condolences of the National Party and myself at the sudden and untimely death of Councillor Lloyd Fourmile of Yarrabah. The passing of Lloyd Fourmile will be hard to bear for indigenous and non-indigenous communities in this state. Lloyd had the unique ability to see beyond political rhetoric and was selfless in his pursuit of better outcomes for indigenous Queenslanders. Quite simply, he was a great Queenslander. In his many roles over the many years that he devoted to working for his people, Lloyd Fourmile worked with a deep and abiding sense of honour and responsibility which he shouldered personally after being called on time and time again to represent his community. His great sense of loyalty and faith was unquestioned. As his skills grew over time, he developed into an outstanding leader and advocate for his people.

In the time I knew Lloyd we struck a close working relationship and friendship because the objectives he had for his people were the same objectives that the National Party wants them to reach. Lloyd was a man of great decency, great integrity and had one goal: the betterment of Aboriginal and Torres Strait Islander peoples' lifestyle in this state. Lloyd was a man who was beyond reproach. He was highly regarded by all sections of the community. Lloyd was one of the integral leaders on indigenous issues in this state who saw that real progress could only be achieved through the establishment of true and genuine partnerships free from paternalism.

Lloyd Fourmile was a man of harmony, a man of peace, a man of reconciliation and a man who displayed openly and fiercely the love he had for making what was wrong right. If there is one thing I can say about Lloyd Fourmile it is that he has instilled in me the values he displayed in endeavouring to reach greater heights for his people. I can assure his family and his people that, to the best of my ability, I will carry on that work where he left off in conjunction with other Aboriginal and Torres Strait Islanders and other people in this state. I extend to Lloyd's family my sincere and heartfelt sorrow at the loss of a great man and a great citizen of Queensland and Australia.

#### **Logan Women's Health Centre**

**Mrs DESLEY SCOTT** (Woodridge—ALP) (5.55 p.m.): There is a haven of peace and tranquillity right in the heart of my electorate which has been responsible for healing hurts, for support and counselling, for the promotion of a healthy lifestyle, equity, acceptance and inclusiveness, and for encouraging our community to truly reach out to others. This is a brief profile of our Logan Women's Health Centre, which celebrated its 10th anniversary of operation on Wednesday, 16 October. And what a celebration it turned out to be! Our women packed the centre—a few men as well—to enjoy a great evening with MC Maree Foelz, one of our valued police officers from Logan. From the Polynesian dancers, original poetry and songs by the Older Women's Network, Bellydance Logan, some reminiscing to a hypothetical moderated by Karen Struthers MP, it was all good fun, great food and lots of laughter.

On entering this wonderful centre one immediately feels that this is a place of caring. The light is soft, the colours warm and inviting and the decor welcoming. Above all, the faces are friendly. Here one will find manager Linda Pullen, counsellors Christine Toussaint, Angela Piluris and Fiona Sharwood, health information coordinator Ivana Matkovic, finance officer and administrator Daniela Green, admin assistant and receptionist Rachel Briscoe, and reception officer Rose Clyne. A number of social work and TAFE students come regularly to the centre to gain rich experience. The Management Committee of 2001-02 chaired by Colleen Crisp has shared in the partnership of providing a quality service for the women of Logan City and beyond. As in most of our organisations in Logan, the centre has many volunteers and friends who all contribute a great deal to what is a very dynamic and innovative program.

This is a centre where values such as social justice and respect are held high and where holistic services are available to acknowledge the physical, emotional, mental, spiritual and cultural needs of all women. Confidentiality is assured and women are empowered in their decision making. Its services include counselling on emotional and mental health issues; health promotion and workshops; therapeutic group programs; cross-cultural women's health programs;

information on women's health topics including displays, newsletters, workshops and guest presentations; community education; development; advocacy and data collection; clinical services including female doctor, women's sexual health clinic and antenatal clinic; natural therapies referral service; cancer support services; a venue where self-help groups can meet such as our Older Women's Network; and a venue for outreach services. Its program encompasses every aspect of life and it strives to assist its clients to attain a healthier, happier lifestyle.

A new project has now been launched to develop a community garden, and I look forward to watching that unfold. Many women have contributed to the success of this centre over the years such as Ann Langley, a foundation member, and Cathy Miller, manager for a number of years. They really made a difference. Susan Masotti's legal advice has been invaluable and Kathy Rynders, who is now the Deputy Commissioner of Police, served as vice-president for a number of years.

Time expired.

### **Wavell State High School**

**Mr TERRY SULLIVAN** (Stafford—ALP) (5.58 p.m.): I want to expand on the earlier words of the Premier in the House. Wavell State High School is the Australian champion schools team this year. As the *Northside Chronicle* says, they are simply the best.

Wavell State High School beat Terra Sancta of Sydney 22-20 to win the Kelloggs Nutri-Grain Cup. I saw the game on television. It was certainly a seesawing game. They were down significantly in the first half, fought back, went down a try just before half time and came back in the second half to hang on for the win. The try-saving tackle by Michael Bond was typical of the tenacity of the Wavell team. As they made their way through the semifinals they have had to come from behind. They have showed the courage to do so.

This victory gave Queensland a second successive win, which has broken the New South Wales domination of this elite competition in its 28-year history. Last year's winner was Palm Beach-Currumbin, but this year one of the local schools in my electorate, Wavell State High School, which has had a strong tradition, has kept up that good tradition.

Motion agreed to.

The House adjourned at 6.00 p.m.