TUESDAY, 18 MAY 2004

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

ASSENT TO BILLS

14 May 2004

The Honourable R.K. Hollis, MP
Speaker of the Legislative Assembly
Parliament House
George Street
BRISBANE QLD 4000

Dear Mr Speaker

I am pleased to inform the Legislative Assembly that the following Bill, having been passed by the Legislative Assembly and having been presented for the Royal Assent, was assented to in the name of Her Majesty The Queen on 13 May 2004:

"A Bill for an Act to repeal the Aurukun Associates Agreement Act 1975, and for related purposes"

The Bill is hereby transmitted to the Legislative Assembly, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

Yours sincerely

(sgd) Quentin Bryce

Governor

AUDITOR-GENERAL'S REPORT

Mr SPEAKER: Order! Honourable members, I have to report that today I received from the Auditor-General a report entitled *Audit Report No. 8 of 2003-04: Results of audits performed for 2002-03 as at 31 March 2004*.

REGISTER OF MEMBERS' INTERESTS

Report

Mr SPEAKER: Order! Honourable members, I lay upon the table of the House the 16th report on the Register of Members' Interests.

STANDING ORDER 114

Mr SPEAKER: Order! Honourable members, in light of the behaviour that has been experienced in the House over the past couple of sitting weeks, I feel it necessary to remind members of standing order 114, which states—

A Member shall not interrupt another while addressing the House except by leave of such other Member, and for the purpose of making a personal explanation.

It is apparent to me that some members need reminding that a breach of this standing order or similar standing orders is being disorderly and therefore subject to standing order 123A, which provides the Speaker with the power to order withdrawal of a disorderly member.

I remind members that the behaviour of one member of the House reflects on all members. Observers in the public gallery or those members of the public watching or listening via the TV or the Internet gain a lasting impression of what they see or hear. Members who persistently make uncalled for and disruptive interjections potentially deny the rights of other members to speak. Members who do so not only bring shame upon themselves but also reflect on this parliament.

I will not tolerate behaviour by any member that amounts to disrespect for the Queensland parliament and the institution of parliamentary democracy. So I give fair warning that I will be enacting standing order 123A if any member's conduct, including persistent uncalled-for interjections, unduly disrupts the proceedings of this House.

PARLIAMENTARY PRECINCT, SALE OF ALCOHOL

Mr SPEAKER: Order! I note the comments made by the Leader of the Opposition in the *Sunday Mail* of 16 May 2004 regarding the serving of alcohol in the precinct and the alleged nexus between the sale of alcohol and unruly behaviour. As my previous statement indicates, I agree that there has been unruly behaviour in this House in recent times. However, I would like to place on record that any unruly behaviour of members in recent times has occurred in the House between the hours of 9.30 a.m. and 11.30 a.m. Whilst I can speculate on many causes for the unruly behaviour experienced in the morning session, to the best of my knowledge none of the unruly conduct experienced during the morning sessions has been caused by alcohol. I have not yet been contacted by the honourable member in regard to this issue, but I would be happy to meet with him to obtain further and better particulars of these surprising accusations.

PETITIONS

The following honourable members have lodged paper petitions for presentation—

StandBy Suicide Bereavement Response Service, Noosa

Ms Molloy from 923 petitioners requesting the House to reconsider the decision to withdraw support for funding of the vital community service, StandBy Suicide Bereavement Response Service, auspiced by Noosa Youth Services Inc and request the ability to make this project a life line for all those so tragically affected by suicide on the Sunshine Coast and consider making this project a part of the state of Queensland's ongoing fight in this year of the child.

Vehicle Access, Moreton Island

Mr Speaker from 384 petitioners requesting the House to reconsider the restriction of vehicle access on the beach at Comboyuro Point and North Point in the final QPWS Moreton Island management plan.

PAPERS

PAPERS TABLED DURING THE RECESS

The Clerk informed the House that the following papers, received during the recess, were tabled on the dates indicated—

14 May 2004—

- Board of Trustees of Brisbane Grammar School—Annual Report 2003
- Marine Safety Incidents—Annual Report 2003

17 May 2004—

- Response from the Minister for Education and the Arts (Ms Bligh) to a paper petition presented by Mr Pitt from 2292 petitioners regarding the opening of the school gates at Innisfail State High School during lunch hours to allow students to cross the road to access lunches

STATUTORY INSTRUMENTS

The following statutory instruments were tabled by the Clerk—

Government Owned Corporations Act 1993—

- Government Owned Corporations (Ports) Amendment Regulation (No. 1) 2004, No. 51

Tow Truck Act 1973, Transport Infrastructure Act 1994, Transport Operations (Marine Pollution) Act 1995, Transport Operations (Passenger Transport) Act 1994, Transport Operations (Road Use Management) Act 1995—

- Transport Legislation Amendment Regulation (No. 1) 2004, No. 54

Land Protection (Pest and Stock Route Management) Act 2002—

- Land Protection (Pest and Stock Route Management—Yellow Crazy Ant) Emergency Pest Notice 2004, No. 55

MINISTERIAL PAPERS

Premier

- Supplementary report of Official Visit to Israel, UK, Ireland and Europe, 22 March—3 April 2004, Heather Beattie

Attorney-General

- Freedom of Information Annual Report 2002-03

Ministerial Statements

Premier

- Alcohol action plan
    - tabled report titled 'Finding the balance, Queensland Alcohol Action Plan 2003/2004 to 2006/2007.'
- Biodiscovery
- 100 days Beattie government
    - tabled document titled 'Beattie government Third Term—100 days of Achievement'.
- FOI
    - tabled copies of sections 44 & 46 Freedom of Information Act 1992,
    - tabled 9 Courier Mail articles re FOI stories,

- tabled Queensland Health document titled ' Elective Surgery Waiting List Report as at 1 April 2004',
- tabled Courier-Mail article dated 10 February 1998 titled 'Ministerial behaviour under fire',
- tabled Courier-Mail article dated 2 August 2000 titled 'Borbidge admits to misuse of FOI law'.

- Leader of the Opposition motor vehicle
  - tabled letter undated to Leader of Opposition re approval of 4WD vehicle

Public Works & Housing

- Aboriginal and Torres Strait Islander housing and construction program

Attorney-General

- FOI annual report

Child Safety

- Child abuse

Education

- Television production tax offset

Tourism, Fair Trading

- Centre for Credit and Consumer Law

Aboriginal & Torres Strait Islander

- Longreach cattle drive

State Development

- Public Private Partnerships forum

Police & Corrective Services

- Queensland Police Fingerprint Bureau exhibition

Transport & Main Roads

- Queensland road toll

Primary Industries

- Biosecurity

OVERSEAS VISIT

Supplementary Report

Hon. P.D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.36 a.m.): I table a supplementary report, supplementary tablings, in relation to my visit to Israel, the UK, Ireland and Europe at the end of March/beginning of April this year.

FREEDOM OF INFORMATION

Annual Report

Hon. R.J. WELFORD (Everton—ALP) (Attorney-General and Minister for Justice) (9.36 a.m.): I lay upon the table of the House the annual report on freedom of information for the 2002-03 year.

MINISTERIAL STATEMENT

Alcohol Action Plan

Hon. P.D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.37 a.m.): Alcohol misuse is costly, destructive and sometimes fatal. The monetary cost to Queensland is estimated at $1.4 billion per year and the human cost is astronomical. Between 1992 and 2001, more than 6,000 Queenslanders died of alcohol related causes and more than 136,000 were hospitalised. Thirty per cent of road deaths and almost 13 per cent of all traffic accidents involve alcohol, costing the community more than $186 million in 2002-03.

Alcohol also had a presence in 38 per cent of domestic violence breaches, 43 per cent of assaults and 77 per cent of good order offences. *Finding the Balance*, the new Queensland Alcohol Action Plan 2003-04 to 2005-06 which cabinet has endorsed, outlines these and other facts. Alarmingly, the plan highlights how teenagers and young adults are adopting increasingly dangerous drinking habits. I table a copy of that report *Finding the Balance* for all members which I urge them to read.

Binge drinking is on the rise amongst young women, and the proportion of girls aged 14 to 17 with dangerous drinking habits has risen from one per cent in 1998 to nine per cent in 2001—that is, almost one in 10 teenage girls who are too young to legally enter a bar drink at dangerous levels. We know

such risky behaviour can cause horrific road accidents, sexual coercion and unwanted pregnancies, foetal alcohol syndrome and drownings. One of the top priorities of this action plan is to pull these young women back from the precipice and prevent other girls from adopting risky habits.

To this end, Queensland Health is developing a campaign to counter binge drinking among young women, just as it has implemented a program warning young people of the risks of drink spiking.

The government has a range of integrated strategies to prevent and reduce alcohol-related harm, based on the best available evidence. The strategies include more than $2 million on random breath tests each year—equivalent to one test for every licensed driver; a review of drink driving penalties and sanctions, including consideration of options to deter recidivist drink drivers; a review of the Liquor Act, including consideration of options to strengthen regulation of unacceptable hospitality practices; strategies to counter irresponsible marketing of liquor products to young people; the Rio Tinto Child Health Partnership focusing on the impact of indigenous alcohol consumption on prenatal health; and an introduction of alcohol restrictions in indigenous communities, based on tailor-made plans developed by community justice groups.

Statistically, the average Queenslander's alcohol consumption has in fact declined from 11 litres per adult in 1993 to 10 litres in 2001. Hopefully that trend will continue. This is encouraging and shows that awareness raising and enforcement do work. But we continue to drink more than our share and some trends are alarming.

This plan is the third in a trio of action plans under Beyond a Quick Fix, the Queensland drug strategic framework. The first, released in October 2000, was about tobacco and the second, published in November 2003, dealt with illicit drugs.

This plan may include strategies that some would consider anticompetitive. However, that is a criticism the government is prepared to wear when we are tackling alcohol misuse and striving to improve the health and safety of Queenslanders. I urge, as I said, all members to read it.

MINISTERIAL STATEMENT

Biodiversity

Hon. P.D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.43 a.m.): Queensland's staggering biodiversity is one of our great assets. Almost 4 per cent of the world's biodiversity is unique to the Smart State. Nearly half of Australia's plant species are found here, as well as 80 per cent of Australia's native birds, 70 per cent of native mammals and 50 per cent of native frogs and reptiles.

Exploring biodiversity can be as exciting as space exploration. We do not know what is out there and we can only guess at its potential to cure diseases, ease pain and relieve famine. Scientists are already searching reefs and rainforests for cures and wonder drugs, and smart investors and corporations are turning a profit from this research.

I am delighted to inform the House that the government will ensure Queenslanders get a piece of the action. The Minister for Innovation, Tony McGrady, will today introduce the Biodiscovery Bill, an Australian first, approved by cabinet yesterday. Through this legislation, Queenslanders will share in the potential bonanza from biodiversity, in terms of royalties, investment, jobs and training, especially in regions, and knowledge.

Effectively, when companies take research success from the lab bench to the boardroom, Queenslanders will be shareholders. There will be big penalties for non-compliance. For example, a corporation that takes a sample without a proper permit and then uses it without a benefit sharing agreement will be fined up to $3 million. The fine could be greater if the value of any commercialised material exceeds $1.875 million.

There is more detail in my ministerial statement and I seek leave to incorporate it in *Hansard*.

Leave granted.

The regime will be carefully controlled and monitored; the research will be sustainable; and samples will be small.

Examples of safeguards in the system include:

Research will need to comply with the Code of Ethical Practice for Biotechnology in Queensland;

Access to National Parks will be tightly controlled;

The Director-General of the Environmental Protection Authority will have discretion to require a more detailed impact assessment when a permit to collect a rare and threatened species is sought;

Researchers with a collection authority will need to report every six months on the material they have taken and whether their authority has been transferred to a third party.

Mr Speaker, this legislation will expand knowledge of Queensland's plants and animals, with researchers required to give the Queensland Museum or the Queensland Herbarium a sample of what they collect.

It will also encourage the protection of Indigenous knowledge and sharing of benefits with traditional knowledge holders, in line with the United Nations' Convention on Biological Diversity.

The Environment Minister will administer the Biodiscovery Collection Authority and the Innovation Minister will administer benefit sharing agreements.

MINISTERIAL STATEMENT

Beattie Labor Government, Achievements

Hon. P.D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.45 a.m.): Yesterday was a significant milestone in the history of this government. It was 100 days since the government's re-election. It was significant that the anniversary fell on a day that involved a community cabinet meeting at the Greek Club in South Brisbane, as one of the significant achievements of my government has been to take the cabinet around the state to listen to the views, concerns and ideas of Queenslanders.

At that cabinet meeting, I was proud to be able to release a document which outlined more than 100 achievements that have occurred in the 100 days since the election on 7 February. That list shows my government got straight back into work and is committed to improving the lives of Queenslanders wherever they live. I said on election night that we would govern as if we have been elected for the first time and I can say, 100 days later, we have.

I table the full list of achievements of the government in its 100 days for the information of all members, and I seek leave to incorporate more detail in *Hansard*.

Leave granted.

I would like to highlight some key achievements from the first 100 days of this term of Government.

The Peter Forster blueprint for child protection reforms was delivered on 22 March 2004. The Government immediately responded to the blueprint by committing an extra $161.6m per year to build a new, radically improved system for Queensland children.

The extra funding, together with the $40m approved before the Crime and Misconduct Commission reported in January, will deliver more staff; better training and resources; more accountability; more money and support for foster carers; and more options for finding new homes for abused and troubled young people.

More than 2000 patients have had surgery as part of the Queensland Government's election commitment to provide up to 4,000 additional operations for patients on public hospital waiting lists before the end of June 2004.

The $20m program is aimed at those patients who have waited longer than necessary, and is the first stage of a $110m commitment this term to reduce waiting times.

The Government is canvassing a senior certificate overhaul. These are part of reforms to make education more relevant. A discussion paper includes options, such as setting minimum literacy and numeracy standards, and giving senior certificate candidates credit for workplace learning or university subjects. As well a major review of the board of teacher registration is under way.

The Government has delivered on its commitment to introduce new tree clearing laws in the first sitting of the new Parliament in March 2004. Under the new laws, broad scale clearing of remnant native vegetation will end in 2006 and land holders will have greater certainty in the ongoing management of native vegetation on their land.

Following the State election, the Government initiated talks with industry on sugar industry reforms. On 1 March 2004, this Government and peak industry organisations—Canegrowers and the Australian Sugar Milling Council—signed a heads of agreement on sugar industry reforms.

The reforms were passed by this House on 28 April 2004, unlocking the full $150m committed by the Queensland and Commonwealth Governments under the Memorandum of Understanding signed in September 2002. This Government's $33m contribution to restructure assistance will support innovation, change management and farm consolidation.

The Office of Urban Management has been established and will have the operational and legislative power to make sure a comprehensive, workable plan for the future growth of south east Queensland is put in place. The Office will work with the 18 local governments in the region, through the Regional Coordination Committee and the south east Queensland Regional Organisation of Councils, and with business and community groups to expedite the new SEQ 2021 Regional Plan.

Also, the level of transfer duty and mortgage duty relief for first home buyers will be extended. The breaking the unemployment cycle program hit the 70,000 jobs mark, putting it well on track to reach its new target of 100,000 by June 2007. The 70,000 mark was achieved against the nominal June 2004 target of 56,000 jobs.

In line with the Government's commitment to maintain and enhance racing facilities in Brisbane, meetings have begun to work towards successful amalgamation of the metropolitan clubs. This Government has announced a panel of three respected independent people, who will inquire into the integrity management structures of thoroughbred, harness and greyhound racing in Queensland.

The Government has also appointed three independent panel members to undertake a detailed review of the performance of Queensland's electricity distribution networks, electricity distribution and service delivery for the 21st century.

From 22 March to 3 April 2004, as the Minister for Trade, I undertook a trade and investment mission to Israel, the United Kingdom, Ireland and Europe. The mission paved the way for potential export growth to these markets.

This Government is continuing the hugely successful listening philosophy and has already held four Community Cabinets—Yeppoon, Townsville, Kelvin Grove QUT and the Greek Club.

The Government contributed to a joint states submission to the national wage case in support of a $20 a week increase to all Federal award rates of pay, and supported the $20 increase to provide greater assistance to the low paid.

Yesterday was a first for my Cabinet

Yesterday we were blessed.

Seriously as part of our 72nd Community Cabinet Greek Club at South Brisbane we had the honour of being blessed by three priests in the adjoining Greek Orthodox Church of St George.

A big thank you to Father Dimitri Tsakas, Father Gregory Sakellariou, Father Anastasios Bozikis

A big thank you also to President of the Greek Orthodox Community of St George Brisbane, Emanuel Kallinicos Honorary Consul-General for Greece in Queensland, Alex Freeleagus and also Greek Consul Jim Raptus and all in the Greek community for the welcome

The warmth of their reception and that of the dancers, schoolchildren and community in general was palpable.

We were there to launch this year's Paniyiri festival.

Paniyiri might be about getting together and having fun.

But it is also a celebration of culture, food, religion and life in general.

It is also a celebration of multiculturalism in Queensland and Australia.

While there I was able to pass on the good news—that my Department this year is providing $35,000—virtually double last year's $19,500

That means the total Queensland Government contribution this year is $60,000—Energex ($15,000), Queensland Rail ($10,000) also providing sponsorship

The government is keen to see festivals playing an increasing role in bringing Queenslanders together—this is so vital in such troubled world times

The Greek Orthodox Community of Saint George—organisers of Paniyiri this event—are to also be congratulated on this year's 75 years of service to the Greek community in Queensland.

I was there for their 75th anniversary celebrations of the Greek Orthodox Church of St George—April 23 this year.

The Greek Community has been celebrating Paniyiri in Brisbane since 1979.

This week's Paniyiri program includes—

Hellenic and Cypriot dancers features throughout the week,

Tuesday—a photographic exhibition

Thursday—a Greek Film Festival

Friday—I host the Premier's Sports Dinner Road to Athens—Return to the Birthplace—honour of farewelling our Qld Olympians.

Saturday—Paniyiri by Night

Sunday—the big day—Brisbane's Musgrave Park in South Brisbane—be there!

It was a great pleasure to again be part of Paniyiri

Yassoo

MINISTERIAL STATEMENT

Freedom of Information

Hon. P.D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.48 a.m.): The annual Freedom of Information report tabled by the Attorney-General today reveals that in the last reporting period 2002-2003 the number of documents released rose by 6.6 per cent from 86.4 per cent to 93 per cent. This is proof of the fact that FOI is working. More than nine out of every 10 documents requested were made available.

The number of successful FOI applications rose by 1.1 per cent and 9,872 applications were made to state government agencies. Of these, 5,362 were personal applications and 4,510 were non-personal. For 93 per cent of applications, access was granted to all or some or the documentary matter sought. In fact, for 85 per cent of applications, there was a full release of documents.

Let us get down to the basics of what FOI should be all about. FOI is meant to be a constructive tool, not something which is designed to attack people personally or to indulge in character assassinations. The overwhelming majority of requests for information comes from members of the public who want to know what documentation the government holds on them and if it is correct. They want to be able to correct any misinformation.

FOI also enables people to discover more about what the government is doing and why. Unless it involves a document that was part of the cabinet process, that information will be made available, providing no other exemptions come into play under the act such as sections 44 and 46, which I table for the information of all members so that we understand those two sections and what exemptions they provide. There are other exemptions involving privacy and commercial-in-confidence matters which are taken into account when decisions on releasing information are made.

Does FOI work? The answer is—overwhelmingly. The *Courier-Mail* has written many stories based on information it has obtained through requests using Freedom of Information legislation. I table nine *Courier-Mail* stories from the past couple of years which rely on documents obtained under FOI.

Let me make it clear: FOI legislation was not designed to enable people to go muck-raking. It was not designed for people to follow every scurrilous rumour in order to embarrass an individual minister or private individual for cheap political gain. It was not designed for oppositions to go on vast fishing expeditions for cabinet documents which are exempt throughout Australia and elsewhere. It was not designed to give the media a seat at the cabinet table to help them access cabinet's innermost workings.

How do we compare to the mother of parliaments in the Westminster system? The *British Code of Practice on Access to Government Information* states that exemptions apply to information which disclosure would harm the frankness and candour of internal discussion, including: proceedings of cabinet and cabinet committees; internal opinion, advice, recommendation, consultation and deliberation; projections and assumptions relating to internal policy analysis; analysis of alternative policy options and information relating to rejected policy options; confidential communications between departments, public bodies and regulatory bodies.

This is remarkably similar to the situation in Queensland. The opposition may complain but I invite Queenslanders to consider my government's record and the facts and figures I have given today and those contained in the official FOI report. Expenses incurred by ministers and their staffs are tabled in parliament every six months, which has never been done before under any government in the history of Queensland.

Elective surgery waiting times are published for the first time. I table the latest list of elective surgery waiting times, along with those nine documents from the *Courier-Mail*.

Freedom of information is working for Queenslanders. I table the rest of that material and I would seek to incorporate more detail of my ministerial statement in *Hansard*.

Leave granted.

It is time for the National Party to stop its hypocritical behaviour when it comes to Freedom of Information legislation.

When the Nationals were in power for 32 years up to 1989 they refused to introduce FOI legislation.

It was the Goss Government that opened up access to information held by the government by introducing FOI legislation.

When the National Party was in power—between 1996 and 1998—it twice promised to conduct reviews of the legislation.

Instead of reforming FOI legislation, it abused it.

On February 10, 1998, The Courier-Mail reported: "The Borbidge Government, for no good reason, has used the secrecy provisions of the Freedom of Information Act introduced by the Goss Government, to prevent any examination by the public of any of the expenses incurred by ministers and their staffs."—I table a copy of that article (document A).

I was determined to be more open and accountable.

I now table this information twice a year. I refer members to page 33 of Hansard this year when I tabled those expenses for the period from July 1 to December 31, last year.

Mr Springborg was a Minister in 1998 when the quarterly waiting time statistics for Queensland public hospitals were wheeled through the Cabinet room so that his Government could hide its shameful record on elective surgery.

I was determined to be more open and accountable.

I promised we would not do this and that we would publish the figures, good or bad, four times a year.

I table the latest figures which are freely available on the Internet. (Document B).

In an unprecedented action, I have even released Cabinet documents to reveal everything that went to Cabinet about the Heiner controversy.

Then, as now, there were unfounded accusations that we were hiding material by using FOI exemptions.

Bearing in mind the years of unfounded allegations, I announced I would make a one-off exception to the legislation and release secret Cabinet documentation.

On July 30, 1998, I tabled Cabinet submissions Nos 100, 117 and 160.

In addition, I also tabled:

- a copy of a letter to the acting Director-General of the Department of family Services and Aboriginal and Islander affairs from the Crown Solicitor dated 18 January 1990;

  a copy of a letter to the Acting director-General, Department of Family services and Aboriginal and Islander Affairs from the Crown Solicitor dated 19 January 1990;

  a copy of a letter to the Acting Director-General, Department of Family Services and aboriginal and Islander Affairs from the Crown solicitor dated 23 January 1990;

  a copy of a letter to the Acting Secretary to Cabinet from the Crown Solicitor dated 16 February 1990;

  and a letter from the then Acting Cabinet secretary to the State Archivist seeking permission to destroy all documents obtained by Heiner during the inquiry.

That was every document we had.

And still it hasn't stopped the ridiculous allegations.

On August 2, 2000, former Premier Rob Borbidge admitted to The Courier-Mail that his Government had misused FOI laws. I table a copy of this article (document C).

He said that his government—of which the current Opposition Leader was a Minister—abused FOI laws to keep sensitive documents secret by claiming Cabinet exemptions.

Let me emphasise that Mr Springborg was a Minister in the government which Mr Borbidge has admitted misused the Cabinet exemption in order to keep documents secret.

Mr Borbidge said that documents that were never meant for Cabinet were taken to Cabinet for the express purpose of avoiding FOI.

I have never done that.

The only documents taken to Cabinet by my Government are there to ensure Ministers make decisions based on all the facts contained in those documents.

Last week I again released Cabinet documents—28 of them—because they had not been part of the decision-making process.

Now, listen to the sting in the tail of the Courier-Mail interview with Mr Borbidge.

Despite alleging that all governments had done as he did, he told The Courier-Mail that 'fair dinkum' documents should be kept secret to preserve government decision-making processes.

With no axe to grind now that he is out of politics, he agrees with me on the need for Cabinet exemptions.

These examples show that my Government is, indeed, the most open and accountable Government in Queensland's history.

MINISTERIAL STATEMENT

Leader of the Opposition, Four-Wheel Drive Vehicle

Hon. P.D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.48 a.m.): I have often said that my government prides itself on responding to matters as they arise. Keeping in mind the distances travelled and the recent accidents Mr Springborg has had, I have today agreed that the Leader of the Opposition be granted a Toyota four-wheel drive vehicle instead of an Australian-built limousine.

The Leader of the Opposition has been involved in a number of costly accidents in recent times. The cost of the 4 October 2003 accident when his green pearl Holden Caprice hit a kangaroo on the Texas-Yelarbon Road was $1,305. The second accident was on 6 February when his senior adviser Jake Smith's car, in which Mr Springborg was a passenger, sustained $6,492 damage to the government vehicle. Another vehicle in that accident was written off with a pay-out cost of $7,581. Arrangements for costs associated with the owner of a third vehicle involved in that accident was $3,034. The total of that accident is $17,107.

Mr Springborg was also earlier this month involved in another accident when he again collided with a kangaroo on 2 May. This time he sustained approximately $1,328 damage to his martini grey Caprice Holden. This happened on the Stanthorpe-Inglewood Road.

Today I have written to the member for Southern Downs in response to his letter to me of 10 May 2004 where he sought a four-wheel drive vehicle and I table that letter for the information of the House.

Mr Springborg, I agree that a four-wheel drive will be more suitable in terms of your own safety and on-going costs. Of course, I need to do everything I can to ensure the safety of the Leader of the Opposition. In particular, driving a luxury vehicle on country roads does not make sense. I think his request is a fair one.

Therefore, I advise the House that the Leader of the Opposition, the member for Southern Downs, will be allowed a Toyota Landcruiser GXL. On Friday evening, the Leader of the Opposition's office raised the possibility of a different vehicle—a Toyota Prado Grande. I think the one being offered is the most appropriate. I wish him safe driving.

MINISTERIAL STATEMENT

Aboriginal and Torres Strait Islander Housing

Hon. R.E. SCHWARTEN (Rockhampton—ALP) (Minister for Public Works, Housing and Racing) (9.50 a.m.): In 1985 the state government established the Aboriginal and Torres Strait Islander Housing Construction Program. The main aim of this program was to create training opportunities for Aboriginal and Torres Strait Islander people to become tradespeople. This program, the only one of its kind in Australia, has delivered around 200 tradespeople. It has been successful to that end.

One of the major objectives was to provide indigenous people with an opportunity to manage a construction company and develop project management skills including job estimating, pricing, procuring materials, engaging subcontractors, financial accountability and so on.Yet another important role of this construction unit was the design of Aboriginal housing.

In 1992, the Aboriginal and Torres Strait Islander Housing program, which involved the construction unit and the old Aboriginal Housing Program, was transferred out of the Department of Families to the Department of Housing. It has been there since. When I became minister nearly six years ago, I took an interest in this program and visited projects in my own electorate, Cairns and

Brisbane. I recall visiting the Zillmere depot on one occasion to present an apprenticeship award to an indigenous carpentry apprentice. I was also concerned that projects seemed to take a longer period to construct but was satisfied by the end product like the award winning Jeannie Barney Units in West End.

As a result of a number of visits to work sites, I became concerned that in some circumstances apprenticeship supervision did not appear to be adequate. I conveyed this to the director-general who instructed the relevant departmental officers to pursue this issue. My other concern was the length of time and general cost of some construction projects. I was assured, as was the director-general, that the reasons for this were to do with difficulties experienced in training Aboriginal and Torres Strait Islander apprentices. Anyone who has had anything to do with training indigenous apprentices will know that these are reasonable observations and will support this view. As we all know, training apprentices costs time and money.

During the last three years it became evident to the director-general that the housing management section of ATSI Housing was not functioning appropriately. What we had was virtually two housing area officers within the one building. It was clear that this model was neither fair nor functional. So I decided there should be an amalgamation under one roof but the Aboriginal and Torres Strait Islander Housing Program should be referred to specifically under the new Housing Act—this did not exist under the previous act—which was introduced by me into this House last year and was supported by all members. Given the above, it was therefore appropriate to question the need for a stand-alone Aboriginal construction company within the Department of Housing. As Q-Build is the construction and training arm of government it made sense, especially given Q-Build's role in training indigenous apprentices, to fold this program into Q-Build and therefore mainstream training of Aboriginal apprentices and construction of new housing in non-DOGIT communities.

In the course of opening the Bernie and Pat Gorman Units in my electorate in late 2002, I was made aware by a Q-Build employee who was involved in the project that there had been some serious problems in terms of the way the project had been managed. I asked the director-general to have these matters investigated. Findings of non-compliance were found and disciplinary action was taken. In the course of these investigations other complaints were made and acted upon again requiring disciplinary action.

Other complaints also arrived from the Mackay and Zillmere depots prompting further action which resulted in a full-scale review of the Zillmere depot by a respected housing industry expert so a clearer picture could be developed of the shortcomings of the program. The industry specialist found a number of issues at the Zillmere depot including lack of supervision, poor work practices and so on. He also found some questionable accountability and reported as much to the department.

Upon learning of this, the director-general and I agreed that a more comprehensive forensic audit should be undertaken by private accountants. I should also point out that the director-general notified the Crime and Misconduct Commission of the issues raised by the industry expert and the CMC agreed with the approach outlined. Last Wednesday the accountants verbally briefed the director-general, advising that there were serious matters involving incompetence and possible dishonesty identified at the Zillmere depot. The CMC was immediately notified of this and in a joint operation with the department gathered further evidence last Friday.

Today I advise this House that I am so concerned at what I have heard so far that I have instructed the Department of Housing to expedite the handover of this program to Q-Build. Furthermore, certain steps will be taken to secure all documentation and other necessary action to ensure that properly supervised construction activity continues. I want to assure the House that no apprentice, provided he or she has acted appropriately, will lose their apprenticeship. This is not about killing the program; it is about making sure that it provides the training and housing outcomes Aboriginal people deserve.

Also, any officer who has been identified as having a case to answer will today be stood down from their position and sent home pending further investigation. The CMC has remained in the loop on this matter and we await its further advice. In the future, these indigenous apprentices will join the other 24 already identified indigenous apprentices in Q-Build and become part of a nearly 380 strong team of apprentices, trained to the highest level on public housing projects for indigenous and non-indigenous people. I will keep the House informed on this issue and offer the shadow minister and shadow spokespersons from the opposition parties a full confidential briefing on these issues.

MINISTERIAL STATEMENT

Freedom of Information

Hon. R.J. WELFORD (Everton—ALP) (Attorney-General and Minister for Justice) (9.56 a.m.): This morning I tabled a report under section 108 of the Freedom of Information Act 1992. I am pleased to advise members of the excellent work by government agencies. In 2002-03 there were a total of 11,111 applications made to state and local government. This is 114 more applications than the previous

year. Some 9,872 applications were made to state government agencies. Of these, 5,362 were personal applications, and therefore free of charge, and 4,510 were non-personal, with an application fee of $33.50. More than 90 per cent of documents sought were released. In fact, the number of documents released in whole or part was 93 per cent of all applications. This is an increase of 6.6 per cent on the previous year. For 85 per cent of applications, there was a full release of documents.

Of the various government agencies, police received the largest number of applications in 2002-03—a total of 2,145. This represents an increase of 10.7 per cent, 208 more than the last reporting period. Other agencies with large numbers of applications were Health with 1,992; Industrial Relations with 1,248; Emergency Services with 930 and Corrective Services with 928. Those agencies which had large proportional increases over the previous years were Public Works with 41.6 per cent; Treasury with 31.3 per cent; Industrial Relations with 27.2 per cent; and Education with 21.2 per cent.

The amount collected in application fees for non-personal applications rose from $107,305 to $114,143. The amount collected in charges for time spent by agency staff in dealing with non-personal applications rose from $96,549 to $136,949. I should point out that the revenue received under these applications, pursuant to the Freedom of Information Act, remains a fraction of the total cost incurred by agencies in dealing with these matters. Fees and charges fluctuated from agency to agency—some went up, some down. For example, Education Queensland increased from $546.60 to $4,905.15 The Department of the Premier and the Cabinet decreased from $1,383.90 to $769.40

Importantly, under our FOI legislation, agencies must provide applicants with an early notification of the estimated charges, giving them an opportunity to revise the scope of applications in order to minimise the expense incurred by the applicant. No charge is made for non-personal applications that consume less than two hours in staff time. I want to take this opportunity to thank all staff in government agencies whose efforts have helped Queenslanders with their applications to ensure the Freedom of Information Act operates effectively.

MINISTERIAL STATEMENT

Child Abuse, Nundah Case

Hon. M.F. REYNOLDS (Townsville—ALP) (Minister for Child Safety) (10.00 a.m.): All Queenslanders would be very concerned about the severe assault of a three-month-old child which has been reported in the media over the last 24 hours. As Minister for Child Safety, I believe the perpetrators of these types of crimes should be subject to the full force of the law. People need to understand that if they harm children there will be severe consequences. As minister, I am keeping a very close and personal watch on the events surrounding this incident. I have requested regular updates on the progress of the child.

Harm to any child is a cause of tremendous concern to the government and the Queensland community, and I know our hearts go out to this child as she suffers from senseless child abuse. Child abuse is a whole-of-government and whole-of-community concern, and everyone needs to be vigilant in protecting the young and defenceless members of our society. All decision making by the Department of Child Safety and the SCAN team with regard to this incident will be subject to review in accordance with our established review policies. Infant abuse is often a very complex matter, and it would be very unfair to make premature assumptions in any case. I can assure the House that improvements to the child protection system are being made as fast as humanly possible to ensure that Queensland will have a strong and robust system protecting vulnerable children in Queensland.

MINISTERIAL STATEMENT

Television Production, Refundable Tax Offset

Hon. A.M. BLIGH (South Brisbane—ALP) (Minister for Education and the Arts) (10.01 a.m.): The Queensland government has been lobbying the federal government to extend the 12.5 per cent refundable tax offset that is available to film production to television production since 2001. In the federal budget last week, the Howard government finally got the message, announcing that it would extend the offset currently available for large-scale film production to TV. While the offset has benefited feature film production, the exclusion of episodic television from the original incentive placed Australia at a severe disadvantage and hit Queensland very hard with the loss of at least $30 million a year in television series production. I am hopeful that this decision to now include TV production is not too late and will reverse this trend.

While I am glad that the lobbying by the industry, the Premier, myself and my predecessor, the Hon. Matt Foley, has worked to some degree, I am disappointed that the federal government may not have got it right yet. As the 12.5 per cent tax incentive only applies to projects with a budget of more than $15 million, many TV series, telemovies and straight to DVD releases will be lost to us because the

federal government does not propose to allow production companies to package together or bundle projects in order to make the $15 million cut-off.

By leaving bundling out, the federal government has ignored a growing and lucrative market. Ausfilm commissioned a report in 2003 by the Allen Consulting Group which estimated that bundling could attract between $60 million and $105 million in production to Australia. My recent visit to the United States reinforced these findings. Five studios indicated their plans to produce a slate of telemovies, smaller features and straight to DVD releases. One of these studios has a slate of at least 18 telemovies which require locations that Queensland can offer. That would equate to more than $50 million alone in production expenditure and investment here in Queensland. Unfortunately, due to the federal government's short-sightedness, Australia is not in the running for these productions.

While these formats are now eligible for the offset, most do not individually reach the $15 million qualifying expenditure. As a result, Australia is losing these projects to countries that have lower exchange rates and other more competitive incentives. A bundle of projects has as much and potentially more economic benefit than one feature film of a similar size. The regular employment and training equates to jobs, jobs and jobs. For example, each telemovie would be in preproduction for up to five weeks, film from between four to six weeks, and hire up to 100 local crew plus cast and extras. In addition, they are more likely to use local businesses and equipment suppliers, not to mention the tourism benefits that would flow from showcasing Australian locations to a broader audience.

I call on the federal Treasurer, Peter Costello, to reconsider eligibility criteria for this new offset and to allow the bundling of eligible projects so that Australia does not miss out on this growing market. On our side of the House we have done our part to lobby for this. I now call on the members opposite to do so as well. In particular, I call on the Liberal Party members from the Gold Coast to join with their Labor counterparts in a united call to the Howard government. It is time we all got behind the local industry on the Gold Coast, got behind the local talent and got behind Gold Coast jobs. I ask members to lobby their federal members to make these changes before the eligibility criteria is finalised. Getting it wrong will cost Queenslanders jobs and valuable training opportunities in this important industry.

MINISTERIAL STATEMENT

Centre for Credit and Consumer Law

Hon. M.M. KEECH (Albert—ALP) (Minister for Tourism, Fair Trading and Wine Industry Development) (10.05 a.m.): Today is a great day for Queensland consumers. The launch today of Queensland's new Centre for Credit and Consumer Law heralds a new era for Queensland consumers. The centre has great potential to contribute positively to consumer policy development in Queensland. I thank Griffith University for its support of and enthusiasm for this exciting project, and I am proud to have been invited to launch the centre today. Griffith University outbid the University of Queensland to host the centre. It is great to see two Queensland universities competing for the right to build a better future for Queensland consumers and the quality of fair trading regulation.

The Beattie government is proud to provide seed funding for the centre with a commitment of more than $400,000 over the next three years, and I particularly thank the Premier for his strong support. Our contribution comes from the Consumer Credit Fund—a fund made up of penalties imposed on people and institutions breaching consumer credit laws. In fact, it is perhaps ironic that those who have transgressed against consumers are now helping to fund the centre. The funding demonstrates the Beattie government's strong commitment to consumers, to consumer protection and to the development of a fair marketplace for all.

The Centre for Credit and Consumer Law will effectively advocate for the reform of laws, policies and industry practices, represent consumers effectively, undertake high-quality research into credit and consumer law, and ensure improved links with consumer, government and industry groups. The centre gives consumers a much stronger voice in the development of policies which affect them directly. It will balance its consumer advocacy role with a research role. Both areas are vital to policy and strategy development and will contribute to improving the outcomes of the Office of Fair Trading. The Queensland centre forms part of a growing national network. It will deal not just with Queensland issues but play a valuable role on the national stage as it works with centres in other states and territories. We are looking more and more for national responses in our increasingly borderless marketplace. I look forward to working closely with Centre for Credit and Consumer Law chairperson Fiona Guthrie, her board and centre director Nicola Howell, who comes to the centre with such great credentials. Consumer protection is a high priority for the Beattie government. The Centre for Credit and Consumer Law will help Queensland to continue to provide the very best consumer protection regime in Australia.

MINISTERIAL STATEMENT

Longreach Cattle Drive

Hon. E.A. CLARK (Clayfield—ALP) (Minister for Aboriginal and Torres Strait Islander Policy) (10.08 a.m.): It is sometimes easy to feel a long way away from Queensland's history of stock routes and droving. But in the central west, one alliance is teaching these very Australian skills—and more—to 36 young Aboriginal people. The first group of 12 of these young people have already set off on their journey on horseback under the guidance of boss drover Pic Willetts. They will take about 1,220 head of cattle from Julia Creek to Longreach working in three different teams of 12. I know that the member for Mount Isa, Tony McGrady, joins me in applauding this wonderful initiative.

This journey will not only increase the job opportunities for these young people; it will provide them with an adventure to remember.

Mr Johnson: I'll take delivery of them when they get to Longreach.

Ms LIDDY CLARK: Yes. It will be great.

Mr Johnson interjected.

Ms LIDDY CLARK: This journey will take these young stockmen far beyond their final destination of Longreach. This project comes from an alliance of three Aboriginal owned cattle stations in the Mount Isa and Normanton areas—the Kalkadoon Tribal Council's Calton Hills station, the Morr Morr Pastoral Company's Delta Downs at Normanton, and the Riversleigh and Lawn Hill stations north of Mount Isa. Each station in the Lower Gulf Indigenous Beef Alliance has contributed cattle which will be sold following the six-week journey at public auction in Longreach on 26 June.

I would like to congratulate all involved in this project, including organiser Boyd Curran, who says the idea followed the huge interest shown in traineeships offered for the past three years by the Riversleigh and Lawn Hill stations. I might add that two young women have taken up these traineeships for the first time this year. Boyd Curran says there were many, many more applicants than traineeships and the three stations decided that it was time to share their knowledge of the cattle industry and stock work more widely.

This is the first time this droving trip from Julia Creek to Longreach has been held and the stations are hoping it will become an annual event. The journey has been organised through the work and support of groups and individuals including the tireless and inspirational Father Mick Lowcock and Centacare Employment. It has attracted the interest of people who can make a difference to these young people's lives. They have gone through health checks, and have had a two-day induction course and a further two-day horsemanship course even before they set off. But this is not just about getting on a horse. These young people will be outfitted and instructed, they will learn further numeracy and literacy skills, health awareness, and face challenges, and they will receive job finding skills training at the end of it all.

The alliance has also started a trust fund to provide scholarships for young Aboriginal people to gain further education. I applaud this independent and imaginative initiative which has used Queensland traditions to help give kids a future in this state.

MINISTERIAL STATEMENT

Public-Private Partnerships, Ministerial Forum

Hon. T. McGRADY (Mount Isa—ALP) (Minister for State Development and Innovation) (10.13 a.m.): As members would be aware, public-private partnerships are where the government and private sector join together on major infrastructure projects with potentially millions of dollars in savings for taxpayers. Last Friday I chaired the first national ministerial forum on public-private partnerships.

The meeting was attended by Victorian Treasurer John Brumby; New South Wales Treasurer Michael Egan; Western Australian Treasurer Eric Ripper; and South Australian Minister for Infrastructure Patrick Conlon, as well as parliamentary representatives from the Commonwealth, the Northern Territory and the ACT. Industry representatives also took part.

This forum was very productive and we now have a unified approach to building the $6 billion national PPP market. As a group of Australian governments we will be working together with the private sector to share knowledge, skills and information to initiate a coordinated approach to PPPs right across the nation. In addition, yesterday I addressed key industry representatives at the fourth annual public-private partnerships conference at the Brisbane Hilton. I told them there are 18 projects currently being evaluated in Queensland with a combined capital value in excess of $3 billion. They include—

- the Gateway Bridge duplication and the associated roadworks;
- the Townsville and Toowoomba water recycling projects;
- the redevelopment of the old Boggo Road jail; and
- cruise ship terminals in Townsville and on the Gold Coast.

The project currently at the most advanced stage of this process is the South Bank education and training precinct.

I am well aware that there are some people who have concerns about the whole concept of PPPs and I do not believe that we should simply dismiss these concerns; rather, we should demonstrate to these people and their organisations the real benefits to the state and indeed to the Queensland economy of PPPs.

MINISTERIAL STATEMENT

Fingerprint Bureau

Hon. J.C. SPENCE (Mount Gravatt—ALP) (Minister for Police and Corrective Services) (10.15 a.m.): Members may have seen an exhibition in the Parliamentary Annexe which plots the 100-year history of fingerprinting in Queensland. This exhibition marks the centenary of the Queensland Police Fingerprint Bureau, which will be officially celebrated next Tuesday, 25 May. Items on display in the annexe include a fingerprint form taken in 1904, an old magnifying glass and fingerprint pointers, and posters giving a brief explanation of the fingerprint science and photographs of past and present bureau staff.

I would like to take this opportunity to commend the efforts of those staff, both sworn and unsworn, who are at the forefront of a revolution in crime fighting with the science of fingerprints playing an increasingly important role. I would like to mention a number of fingerprint officers who are in the gallery today: Superintendent Paul Stewart, the manager of the Forensic Services Branch; Inspector Brendan Keleher, the officer in charge of the Fingerprint Bureau; and sergeants David Skellams, Vanessa Ha, Peter Condoleon and Wes Hetherington.

Honourable members: Hear, hear!

Ms SPENCE: Since the bureau was first established in May 1904 by Constable Duncan Fowler, fingerprinting has become an integral part of almost every investigation helping to solve crime. The bureau is now making about 5,500 offender identifications a year. Fingerprints were first used in a Queensland court on 9 February 1906 for the burglary of the F. Cullen store at the corner of Ferry Street and Main Street, Kangaroo Point. In those early days, police used only a brush and powders at crime scenes to develop latent fingerprints. Now they are equipped with poli lights, which can illuminate fingerprints invisible to the naked eye.

Soon Queensland police will have access to the latest fingerprint technology. As part of a Beattie government election commitment, Queensland police will receive $5.4 million over the next three years to purchase 15 live-scan units for major watch-houses. Live-scan uses computer and laser technology to scan fingerprints and palms. Each digital print will then be sent electronically to the national Crimtrac database for matching. The database currently stores about three million sets of fingerprints and information is shared with police around the country. This immediate processing and searching will save time and eliminate the risk of a charged person being released when they are wanted on warrants or by Interpol.

The Beattie government also recognises the importance of having fingerprint experts based in the regions to help investigators identify offenders faster and link crime scenes. The recent appointment of a fingerprint expert to central Queensland, who I have had the pleasure of meeting, along with experts based in Cairns, Townsville and the Gold Coast, will strengthen criminal investigations. These experts are responsible for the coordination of the fingerprint crime scene examination.

Next week past and present members of the Fingerprint Bureau will gather at police headquarters for the presentation of an honour roll, featuring the names and years of service of all experts who have worked for the bureau. This honour roll will hang at police headquarters in permanent recognition of the vital role these officers play in crime fighting in Queensland. I encourage all members to visit the display in the Parliamentary Annexe this week to learn about the important work of our Fingerprint Bureau.

MINISTERIAL STATEMENT

Road Toll

Hon. P.T. LUCAS (Lytton—ALP) (Minister for Transport and Main Roads) (10.18 a.m.): I wish to inform the House of Queensland's current road toll and use this as an opportunity to remind motorists of

the need to be ever vigilant about safety. Between Friday and Sunday, six motorists were killed on Queensland roads. Speed, fatigue and not wearing seatbelts contributed in many of these accidents. Queensland's road toll stands at 113—eight more than at the same time last year. This is after recording the lowest Easter road toll in four years just last month, with one death on our roads.

What we all need to remember is that it is not just the long weekends when we have to be careful; it is every time we sit behind the wheel. Two days before the Easter weekend three people lost their lives on our roads. On the Thursday after Easter, five people were killed. One of these accidents was a triple fatality. At 4 a.m. west of Warwick a car carrying three women and five children left the road, crashed into a tree and caught on fire. Fatigue was a factor. The driver told police that she had been driving since 2 p.m. the day before when they set off from southern New South Wales. In this accident, a 12-month-old, a nine-month-old and a 25-year-old female passenger were killed. Neither child was restrained.

The fact is that many accidents are avoidable. We can have the best designed roads and cars, but ultimately the driver shares a responsibility. Road trauma costs Queenslanders more than $1 billion a year. That is before we even consider the huge social costs, which no-one can put a price on. People need to understand that a road accident is more than just a car accident or a bent fender; in many instances it is a ruined life, a broken family, a lost work opportunity. I am sure all of us in the House know someone whose life has been irreversibly affected by a car accident.

The Beattie government is committed to curbing the road toll, and we are spending a record $1.3 billion on roads this year. That will go towards better designed new roads, new bridges, traffic improvements and upgrades of roads. During the Easter, Anzac and Labor Day weekends through to the end of June we are spending $1.5 million on television, radio and billboard road safety campaigns. This is part of a $5.6 million spend this year.

We have made some big advances in road safety in recent years. Our road fatality rate has dropped from 12.7 people in every 100,000 in 1993 to 8.2 people in every 100,000 in 2003. Of course, this is still too high. One road death is one too many. Road safety is a complex problem that needs to take into account not just the vehicle but the road and human behaviour. The Beattie government will continue to make road safety a priority and I am encouraging all motorists to do the same.

MINISTERIAL STATEMENT

Food Safety

Hon. H. PALASZCZUK (Inala—ALP) (Minister for Primary Industries and Fisheries) (10.20 a.m.): The clean and safe production of food is a priority for countries around the world. In Australia, our agricultural sector is free of many of the pests and diseases plaguing producers and industries overseas. However, we are not complacent. Australian governments have upgraded preparedness and response strategies following recent overseas outbreaks such as mad cow disease in the UK, Japan, Canada and most recently the United States. On behalf of the Queensland government, I have asked for and received support from this parliament for important legislative measures such as tougher sanctions on swill and ruminant feeding.

The Department of Primary Industries and Fisheries has allocated additional resources and attention to biosecurity in recent years. For instance, the department has recently undertaken an audit of all commercial poultry farms in Queensland. I am advised this audit has found the industry's overall compliance to be very high. I am further advised that this audit found no evidence of deliberate feeding of chicken litter to livestock. The audit will itself increase the level of understanding of the regulations, which I understand are not applied in many other countries such as the United States. The fact this is a priority area for the government is further highlighted in the new structure of the department with the creation of the Biosecurity Division to replace the Animal and Plant Health Service.

While preparedness is very important, there is a major cooperative effort to upgrade the responsiveness of Australian authorities to actual disease incursions. I can report today that eight animal disease experts from the department are in Tasmania this morning for the start of a simulated disease outbreak, called Exercise Sarcophilus. These officers are drawn from Toowoomba, Yarraman, Caboolture, Townsville, Charters Towers, Normanton and Brisbane. They form part of an Australia-wide rapid response team. The primary purpose of this team is to provide smaller jurisdictions in other states with extra resources, particularly in the first few critical weeks of an outbreak. However, our participation in the team and simulated disease outbreaks further finetunes our capability to handle the worst. Previous simulated disease outbreaks, such as Exercise Minotaur, have prompted improvements to our legislation, which I referred to earlier.

PRIVATE MEMBERS' STATEMENTS

Access to Ministers

Mr SPRINGBORG (Southern Downs—NPA) (Leader of the Opposition) (10.22 a.m.): On 26 February last year it was reported—

Mr Beattie has reprimanded ALP state director Cameron Milner after it was revealed the party had been offering the business community direct access to him and his senior ministers for $5,500.

Further, on 25 February it was reported—

'We will not be attending any function where it is a prerequisite to pay funds to see us about any project involving government,' Mr Beattie said.

Imagine my surprise when I picked up the Auditor-General's report tabled today, which states on page 20 in relation to the Law Society—

An instance was noted with the Society's attendance at one of these function where the Society was initially invoiced by Chatsworth ALP for $1,200 for the attendance of ten Society staff and guests, and subsequently for an additional $500 following seating of the Honourable R J Welford MP, Attorney-General and Minister for Justice, at the Society's table.

The Society's participation at such activities is in accordance with its lobbying activities, however, I am not convinced of the need for the Society to make additional financial outlays for access to the Minister.

Quite clearly the Premier misled this parliament—lied to this parliament—last year when he came in here and said that he would address 'this particular issue. What we have is the chief law officer of Queensland being up for sale. That is, if you want to meet with the chief law officer you have to pay a premium. Where does this expose sit with the shallow commitment made last year by Mr Beattie that there will be no cash for access to government ministers? It was a shallow promise. It was a duplicitous promise. It is a promise which has already been broken. The Auditor-General has exposed it as such.

Safety Houses

Mrs ATTWOOD (Mount Ommaney—ALP) (10.24 a.m.): Over the last few months I have visited a number of Safety House committee meetings in my electorate of Mount Ommaney. Like most community groups out to do the right thing in enhancing our lifestyles and wellbeing, they are struggling with membership. They all need more volunteers to help them with their cause. The more help they get, the lighter the workload for individuals to perform the myriad tasks which have to be successfully completed to ensure the group operates successfully.

The Safety House concept has been in place for 20 years. The groups I have been involved with are passionate about their objectives—to make this a safer community for the young and the vulnerable. We hear of tragic situations where children have been abducted or have met with foul play on the way home from school. Safety House organisations help provide a safe haven for children when they are walking home from school or on the streets without adult supervision.

Safety Houses are provided by police-checked, reputable members of the community, and letterboxes are marked with an IMA symbol. Children are educated by Safety House volunteers to seek refuge at houses with the IMA symbol on the letterbox if they feel they are in danger. However, the national organisational body is talking about manufacturing an IMA doll to sell to raise funds to promote Safety House. My Safety House volunteers, although all are for fundraising ideas, are vehemently opposed to this idea. In fact, one group in Queensland has stopped operating because they believe that this fundraising idea could place children in danger.

The committees are educating our children to recognise the IMA symbol as a haven of safety. Their concern is that an ill-meaning stranger who has an IMA doll could lure a child into danger by giving them the impression that all is well and that they are in safe hands. This is in direct conflict with Safety House volunteers' objectives and their work in keeping the organisation alive for the safety of children. I understand the concerns that local Safety House committees have about the production of the IMA dolls, and I urge people in organisations who are to provide donations—

Time expired.

Mary River Freshwater Interpretive Centre

Mr CHRIS FOLEY (Maryborough—Ind) (10.27 a.m.): I rise to inform the House about the Mary River Freshwater Interpretive Centre. It is clear that if Queensland is the Smart State then Maryborough is the smart and progressive electorate. The Mary River system is unique in Australia as it is home to at least four threatened and endangered species, at least one of which is found nowhere else in the world. Very little is known about these animals, and their survival is utterly dependent on increasing our knowledge of their life cycles and habitat requirements and applying scientifically based environmental management practices for both in-stream and riparian zones.

Many other aquatic animals and riverine ecologies are under severe stress, if not threat, throughout Queensland and indeed Australia. No dedicated freshwater interpretive research establishment or freshwater cooperative research centre exists in Queensland or Australia. The first was recently established in Albany, Georgia, USA. Tiaro Shire Council is supportive of the establishment of such a research facility on the Mary River, which is one of the jewels in the crown of the Maryborough and adjoining electorates. Also, this centre is proposed to be located adjacent to the township of Tiaro. The benefits of this location are many and include proximity and easy access to major cities and centres of learning, an ideal freshwater riverine environment, reliability of flow and local availability of all utilities. It is envisaged that the centre would have both national and international significance and would immediately become a major educational facility for scientific disciplines and general public use as a tourist attraction. I think it is a project that deserves the support of this House.

Sirromet Winery

Mr ENGLISH (Redlands—ALP) (10.29 a.m.): Last Saturday night I, along with over 9,000 other people, attended the John Farnham concert at the Sirromet Winery at Mount Cotton. What a fantastic event it was. I would like to congratulate Terry Morris, his wife, Lurleen, and his entire team at Sirromet for the fantastic event they put on. John Farnham was in spectacular form, let me tell you. This is the first major event put on at the Sirromet Winery, with many further planned. There were a number of teething issues, which Terry Morris is already aware of. Certainly the lack of toilets and food outlets was brought to Terry's attention throughout the night.

I would like to thank the public for their fantastic behaviour on the night. I would also like to thank the police, including Inspector Mark Stiles and his team at the PSRT. A number of local police attended and assisted in policing the event, including Senior Sergeant Rowheder, Sergeant Steve Hollands and Sergeant Joe Cranitch.

The police, in conjunction with the team at Sirromet, put together a fantastic traffic management plan which minimised traffic disruption to the wider public and to the people attending this event. I would like to extend an invitation to all Queenslanders to come to the fantastic Food and Wine Festival being held at Sirromet Winery on 5 and 6 June to experience the lovely ambience they have there at Sirromet and of course the great wine and the fantastic food available.

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

QUESTIONS WITHOUT NOTICE

Access to Ministers

Mr SPRINGBORG (10.30 a.m.): My question without notice is directed to the Premier. Is it acceptable that the Labor Party charges a premium for the Law Society to have dinner with the Attorney-General? Does the Auditor-General's report tabled in this parliament today not expose the fact that his edict of no cash for ministerial access is just another hollow, shallow, broken promise?

Mr BEATTIE: I thank the Leader of the Opposition for his question. Perhaps he could help me: when did I make that statement in the House?

Mr Springborg: Last year.

Mr BEATTIE: When—2003?

Mr Springborg: You tell us.

Mr BEATTIE: I am just trying to be helpful.

Mr Springborg: If you were sitting in here before, you would know that I actually told the parliament.

Mr BEATTIE: Okay. What the member is saying is that I made a statement in 2003 in relation to certain behaviour and what I expected of my ministers. He said the fact that this report released today by the Auditor-General refers to a function which was organised made a mockery of what I said to the House. The reality is this: he referred to a statement I made in 2003. The function was held in November 2002. Let us not have any nonsense about what was said there. What he said to the House in his private member's statement was wrong.

The second thing I want to say is this: I made it clear to the party secretary at the time that ministers and government members would not be accepting invitations based on an amount paid to the party. It is a fact of life, and I stand unequivocally by that. The circumstances relating to this report from the Auditor-General highlight a number of things involving the Law Society. The member may notice, and I draw his attention to, page 19 of the report, which states—

The review also noted that the Society met the cost of staff attending functions and State conferences organised by political parties (Labor and Liberal parties).

It seems to me that we need to draw a very clear distinction between a public lunch that was organised by the Deputy Premier—

Mr Mackenroth interjected.

Mr BEATTIE: By the committee, sorry. This lunch was a public occasion where the media were present—there was no secret about this—and, quite appropriately, people were charged to come. The Law Society, as I understand it, actually asked to come to this function. It was not asked to come to the function; it actually asked to come to the function.

Mr Springborg interjected.

Mr Mackenroth: No, they just liked me.

Mr BEATTIE: Which, quite frankly, is understandable. There is nothing untoward about a public function in the full gaze of the media where various organisations and companies are charged to attend. It is a practice followed by all political parties—certainly followed by the Liberal Party and the National Party—where if a minister is sitting at a table there is an extra charge. It is a public occasion. There was no guarantee that the Attorney-General would be sitting at this table—no guarantee at all. That is vastly different from a private lunch where people are specifically charged to get access to a minister. That is totally different.

Freedom of Information, Access to Documents

Mr SPRINGBORG: My next question is also directed to the Premier. In February I applied under FOI for access to documents which would reveal Queensland's true financial position and real situation regarding the budget position of departments, otherwise known as transition-to-government documents. This follows the Premier's action on 13 July 1998 when he told his ministers in writing that transition-to-government documents would not be protected from freedom of information searches. My application has been refused because the 45 documents and two compact discs were submitted to cabinet some time after I requested them. Will the Premier explain why he broke this promise and this commitment? Will he now inform Queenslanders what decisions were made by cabinet that necessitates these documents being covered up for the next 30 years?

Mr BEATTIE: I thank the honourable member for his question. Transition-to-government documents are important planning documents for the government. Once a government is re-elected, they are considered by the cabinet and the planning begins for the next term. Had the Leader of the Opposition been the Premier, he would have had all the documents. Those documents are appropriate for the government to continue with its business. When a government is re-elected, clearly what it needs to do is to begin work. How does a government begin work? It begins work starting with the transition-to-government documents and the election commitments given. They are the facts. Had the Leader of the Opposition won the election, then he would have had full access to all those documents.

The Leader of the Opposition knows that in the caretaker period he has an opportunity to be briefed by any director-general and he has an opportunity to be fully briefed on whatever matters he wishes. Those transition-to-government documents—any material that is appropriate for briefings by the director-general—are conveyed or information is conveyed within the caretaker provisions and its limitations to the Leader of the Opposition or his shadow ministers.

Let me make it very clear that the freedom of information laws that exist in this state as demonstrated by the report tabled by the Attorney-General this morning are working. As I read to the House this morning, the Westminster system, the mother parliament of Australia, works in exactly the same way as we do. These documents, as I indicated to the House this morning, would be treated exactly the same way in the mother parliament. I say to the Leader of the Opposition: at the end of all this we have to have appropriate FOI laws that work. The statistics today confirm that they work. The FOI is not there for personal muckraking. They are not there simply to be abused either.

I believe the opposition has been seeking to abuse the FOI laws in this state. Let me make it clear: we have the most open and transparent FOI laws that have ever existed. I want to pay tribute to Wayne Goss today because Wayne Goss introduced these laws. After 32 years of National Party government, we had none of these laws. They came in under a Labor government and were maintained under a Labor government. We will remain committed to those FOI laws.

Smart State, Research and Development

Ms STONE: My question is directed to the Premier. Today is yet another research and development milestone for the Smart State, and I ask: could he please detail why today is so significant for our state?

Mr BEATTIE: Later today the Minister for State Development and Innovation, Tony McGrady, and I will join the Australian Science Minister, Peter McGauran, in officially opening the E-health Research Centre in Brisbane. It is the largest e-health research and development facility of its kind in the Southern Hemisphere.

The $15 million joint initiative with CSIRO will bring together world-class researchers and industry to produce commercial products and services that will create both economic and social benefits for Queenslanders. Half the cost of the project was met by the Queensland government and half by the Commonwealth. Our contribution to the centre is part of our $13.75 million investment in e-health and e-security through the Institute for Information Communication Technology Innovation.

E-health has the potential to deliver huge social benefits, particularly in a state like Queensland where our population is so widely dispersed. These new technologies give people the means to better monitor their own conditions and they also give remote communities better access to specialist medical advice. What it means to the individual is a better quality of life. I have to say that this is core Smart State philosophy and it is working in Queensland. E-health research is all about identifying and developing ways that health care can be delivered to patients who are not able to be in the same location as the health care provider.

At the opening today we will be witnessing a demonstration involving the prototype of a personal monitoring device called PERSiMON. This is an initiative of the CSIRO which will be further developed at the new centre. It is an exciting example of our cutting-edge e-health technology. It gives people a vastly increased level of care while at home. It also sends the patient's health report on to their doctors. The device monitors heart and respiratory rates and detects physical falls. It also records and transmits data to doctors or carers and has communication capabilities for emergency situations.

This centre is the first major investment by CSIRO in an ICT program in Queensland and it proves yet again that we are well on the way to achieving our Smart State goals. This E-health Research Centre is very important not just because of our geography, isolation and diversification but also the fact that with medicine we need to get a critical mass of researchers and a critical mass of doctors who can do the appropriate diagnoses. Often you will get an expert in one particular part of Australia, or indeed sometimes in the world. E-health and similar technology will enable that degree of expertise to examine a particular health problem and find a solution. That is why this is such an exciting opening today. I congratulate the minister on his support for it, and I know that the Minister for Health is just as excited about this as we are.

Federal Budget Reply

Mr SEENEY: My question without notice is to the Treasurer. While the Treasurer was overseas the Premier issued a press release containing a $2.5 billion list of what the Beattie government wanted from Canberra last week. It was something we all expected the minister's federal colleague Mark Latham to address in Labor's budget reply. Can the Treasurer confirm that Mr Latham has given him an undertaking that should Labor win the federal election Queensland will get the $2.5 billion in funding that the Premier wanted Mr Costello to provide?

Mr MACKENROTH: Unfortunately, I have not caught up with the Premier's press release, but I am pleased that the Deputy Leader of the Opposition has brought it to my attention. Obviously, the Premier must have been disappointed with what Peter Costello and John Howard delivered for Queenslanders last week. Let us wait until the federal election campaign actually does start and see what commitments Mark Latham does make for Australians and for Queenslanders. I am sure it will be a lot more than what has been delivered by Howard and Costello.

Visit to Queensland by Chief of United Nations Procurement Division

Mrs ATTWOOD: My question is to the Premier. Often the Premier's overseas trade visits lead to significant gains for the state. Last year the Premier met with senior United Nations officials in New York. Has that meeting resulted in any subsequent benefit to the people of Queensland or Australia?

Mr BEATTIE: I thank the honourable member for the question, and I am delighted to advise the House that I have formally invited the Chief of the United Nations Procurement Division, Mr Christian Saunders, to visit Queensland later this year. This follows a personal invitation I made to Mr Saunders when I met him in New York last year. As a sign of the significance of the visit, I can also advise the House that the New South Wales and Victorian governments have indicated that they would like to be involved as well.

Following Queensland's initiative, all three states are working together to coordinate the visit. The visit is highly significant because in 2003 the total value of United Nations procurement was $US8.9 billion. It represents a diverse range of goods and services required by the various UN agencies, organisations, commissions, programs and funds, including peace-keeping missions. Australia's share of the UN procurement program was only $US8.4 million. It is not good enough. That represents less than one per cent of total procurement.

I want to boost the participation rate of Queensland companies. I want Queensland to get a much bigger slice of the UN's work. The goods and services the UN is after range from food and medical supplies to vehicles and training and technical services, all of which we are very good at. Significant opportunities exist in the environment, education and training, agriculture, information technology,

governance and infrastructure sectors. By bringing the UN's procurement people to Queensland, we can put them in direct contact with Queensland businesses who can show off their resources and expertise.

Our analysis shows that part of the reason for the low participation rate is a lack of awareness of the various UN business opportunities and a lack of understanding of the UN's procurement system. Put simply, the visit by the chief of UN procurement will help Queensland firms, and the public sector, do business with the United Nations. The potential for Queensland is enormous.

As I said, I have now written formally to Mr Saunders inviting him and another senior official to visit Queensland, New South Wales and Victoria. It is hoped that the visit will take place in November this year. To help ensure the success of the visit, an officer from the International Aid and Development Business—IADB—unit of my department is scheduled to meet with Mr Saunders later this month. I will keep the House informed about this important visit.

I must say I have been a little disappointed that Australia has not taken more advantage of this UN work. I do not believe that the UN work should be dominated by any particular country, although larger ones obviously have somewhat of an advantage. There is no reason why our expertise cannot be part of the UN procurement program. It is really a case of understanding how to apply, how to take advantage of the UN opportunities that exist, to create jobs here. As we pursue a very aggressive export strategy for this year, this UN procurement is part of it.

Funding Cuts to Rural Programs

Mr HORAN: My question without notice is to the honourable Minister for Primary Industries and Fisheries. The federal Labor leader, Mr Latham, has proposed to abolish the Bureau of Rural Sciences and cut ABARE's funding by 25 per cent, while the Labor shadow agriculture minister has attacked the Howard government's sugar sustainability grant because it will assist Bundaberg sugar mills and their 1,600 workers.

Mr Latham has attacked FarmBis, drought proofing investments, the diesel fuel rebate scheme, tax write-offs for water conservation and land care and zonal tax rebates, and he has floated cutting the exceptional circumstances drought program from two years to one. Does the minister support his federal leader's antiregional Queensland agenda and his planned cuts to vital rural programs in Queensland?

Mr PALASZCZUK: I have heard some of these allegations that have been made against the federal leader, Mark Latham.

Mr Hobbs interjected.

Mr SPEAKER: Member for Warrego, I have already warned you. This is my final warning. You are now warned under standing order 123A.

Mr PALASZCZUK: Let us take one issue, that is, the issue about Finesucre in Bundaberg. I have heard those claims made by the minister's federal government colleagues and I believe that the claims in relation to Finesucre and others are false. I heard the federal Leader of the Opposition also deny those claims, and guess who those claims were made by? Those claims were made by the member's National Party colleagues.

Mr Horan interjected.

Mr SPEAKER: Order! Member for Toowoomba South, this is my final warning. You have asked the question.

Mr PALASZCZUK: I strongly support Finesucre's involvement in the Queensland sugar industry, and we have to remember that Finesucre invested in the Queensland industry when times were very, very tough. They need our support, and our government supports Finesucre's involvement in the industry here in Queensland.

Opposition members interjected.

Mr PALASZCZUK: I am talking about the issue that I have heard about.

Mr SPEAKER: Member for Toowoomba South, order!

Mr PALASZCZUK: That relates to the sugar industry.

In relation to FarmBis, let us have a look at what the federal government has done. It has reduced its contribution to FarmBis from $167 million to $67 million.

Mr Horan: A point of order, Mr Speaker.

Mr PALASZCZUK:—and we don't even know—

Mr SPEAKER: Order! We have a point of order.

Mr HORAN: There is another $240 million extra in the budget. The minister should tell the truth.

Members interjected.

Mr SPEAKER: Order! Can we have the point of order now?

Mr HORAN: I took the point of order, yes, just making him tell the truth.

Mr PALASZCZUK: The Commonwealth's FarmBis funding has been reduced under the AAA from $167 million per year over the previous three-year period to $67 million.

Mr Horan interjected.

Mr SPEAKER: Order! I have already warned the member for Toowoomba South. I now warn the member under standing order 123A.

Mr PALASZCZUK: We do not even know now what new terms and conditions the Commonwealth government is going to impose on the states. People within industry themselves have criticised the manner in which FarmBis funding was administered in the last three years. We have a ministerial council meeting tomorrow to decide all those things.

As far as Mark Latham is concerned, I support Mark Latham's support for farmers. I support Mark Latham because he is looking at introducing and giving tax cuts to people who are not in the wealthy bracket. If we have a look at the statistics in relation to our producers, we find that their lot will improve by around 12 and a half thousand dollars.

Ipswich Motorway

Ms NOLAN: My question is directed to the Minister for Transport and Main Roads. As the minister knows, the Ipswich Motorway did not receive any funding in last week's federal budget. The motorway desperately needs upgrading to six lanes. This morning it was completely blocked, causing many Ipswich people—including both the member for Bundamba and me—to make a long journey to Brisbane. Can the minister tell us whether the federal government will provide the funding under AusLink next month to upgrade this road?

Mr LUCAS: I thank the honourable member for her question. Both this member and the member for Bundamba have spoken to me this morning, as has the member for Ipswich West, to express their grave concerns about the current state of the Ipswich Motorway. It was very much like a parking lot this morning. Indeed, the federal government has been the parking lot attendant. It has not allowed the residents of Ipswich, further west and all the way up to the Darling Downs to get through to Brisbane today.

This morning's accident drives home the desperate need to six-lane this road. In fact, all that was announced in the federal budget was $66 million of urgent safety and other upgrades that was already committed. So there was no new money. To be frank, I hold very little hope that, under AusLink, we will get the $600 million to $700 million needed to upgrade this road to six lanes.

I am very disappointed because I had very productive discussions with Senator Campbell. There is still time, with AusLink's announcement to be made on 7 June, for it to change its ways and make a strong commitment to the people of Ipswich. The Queensland government committed itself to phase 1 of a planning study which it finished in August 2001. That study recommended six-laning the Ipswich Motorway, including additional service lanes next to the motorway in order to keep local traffic off the motorway itself. But what we have seen from the federal government is the half bypass solution of the federal member for Blair, Cameron Thompson. Mr Thompson should know very well that constituents in his electorate mainly travel to Brisbane city for work and other commitments. The hidden agenda is here very clearly.

The Logan Motorway was built by the state government as a toll road. The Gateway Arterial road was built with state and federal funds. Mr Thompson wants it to go through the member for Moggill's electorate, across the river and back onto the Logan Motorway. That is fine, but what he wants to do is not spend the $600 to $700 million on upgrading the Ipswich Motorway and not spend the $200 million on the Brisbane urban corridor. In other words, the government wants to slide away from it responsibilities.

The Ipswich Motorway needs to be fixed urgently, and this is a commitment to a National Highway. It is a national road. Even the then state coalition agreed with us. I table a media release dated 15 January 2004 when the Leader of the Liberal Party, on behalf the coalition, indicated that the state coalition is fully committed to upgrading the existing Ipswich Motorway to at least six lanes but totally opposed to any option that requires duplication of the Ipswich Motorway through Moggill. That is the state coalition's position, but federal member Cameron Thompson is leaving the residents of Ipswich in a parking lot on the Ipswich Motorway.

He would know, as would the member for Moreton, Gary Hardgrave, that the Brisbane urban corridor also needs to be urgently upgraded. Some $2.1 billion was announced in the federal budget for AusLink and even on our fair share of it—even with at least 20 per cent—we would only get an additional $85 million. That is not good enough.

Crimes Against Seniors

Mr QUINN: My question is directed to the Minister for Seniors. I refer the minister to the government's 16 February media release in which it announced the establishment of a task force to crack down on crimes against seniors. That task force was to produce its first report within three months. Given that the deadline has elapsed, I ask: where is the promised report? Was this just another PR stunt for a few easy headlines?

Mr PITT: I thank the Leader of the Opposition for the question.

Mr Seeney interjected.

Mr PITT: My mistake. I thank the Leader of the Liberal Party for the question. Unfortunately, in his haste to apologise for John Howard and Peter Costello over the budget in recent weeks, he has failed to understand that this particular question should be directed to the Minister for Police and Corrective Services. I suggest he does that.

Crazy Ants

Dr LESLEY CLARK: My question is directed to the Minister for Natural Resources, Mines and Energy. I refer to media reports that crazy ants have infested sites in Rocklea and Cairns. What is the Queensland government doing to fight this pest?

Mr ROBERTSON: I thank the honourable member for the question. In the past month the Queensland government has responded to two outbreaks of yellow crazy ants—one in Cairns and the other in Rocklea in Brisbane's southern suburbs.

Mr Mickel: A very serious pest.

Mr ROBERTSON: They are very serious pests. Both incursions are being dealt with by a multiagency crazy ant task force led by my department which includes the Department of Primary Industries and the EPA. Operational teams, which include representatives from the Cairns and Brisbane city councils, are dealing with each infestation at the source. The infestation at Rocklea has already been treated using ant baits and we are beginning to be confident that the outbreak there is limited and has already been controlled. Further surveys and monitoring will ensure that yellow crazy ants are eradicated in the area.

Officers in Cairns are currently establishing the full extent of the outbreak there. Additional survey work will be crucial to developing a control strategy for the infestation. While all the groundwork on eradicating these pests is under way, my department has made an emergency declaration of yellow crazy ants as class 1 pests, giving the state government increased powers to control them.

To control this outbreak we need the support and coordination of the entire community. But residents can be assured that they will be kept informed and they will be contacted if any work needs to be carried out on their properties as part of the effort to eradicate yellow crazy ants. The Queensland government has previously eradicated incursions of crazy ants in Townsville and Cairns. I am confident the officers will replicate that success.

Yellow crazy ants are a serious environmental pest—one that has been responsible for decimating crab populations on Christmas Island and for significant environmental damage in places including Hawaii, the Seychelles and Zanzibar. They are considered by the World Conservation Union to be one of the world's 100 worst invasive pests. While they do not bite or sting, they can spray formic acid and can burn or irritate the skin and eyes of both people and animals. Yellow crazy ants are a significant threat to Queensland and our precious environment. The crazy ant task force is taking swift, decisive action to ensure that they do not take hold here.

Mr SPEAKER: Order! Before calling the member for Tablelands, I welcome to the public gallery students and teachers from Cleveland High School in the electorate of Cleveland.

National Livestock Identification Scheme

Ms LEE LONG: My question without notice is directed to the Minister for Primary Industries and Fisheries. The compulsory introduction of the national livestock identification system on 1 July 2005 will come at a great deal of added expense to the livestock producers of Queensland. For example, ear tags, which will replace tail tags, will cost approximately $4 each, a wand $940, a reader up to $3,500 and so on. For someone shifting 10,000 head, it will cost approximately $40,000 for ear tags alone. As producers are price takers and cannot pass on these costs, will the Beattie government provide any financial assistance to support Queensland livestock producers in meeting those costs?

Mr PALASZCZUK: I thank the honourable member for the question. At the outset, the Queensland government agreed with industry to stall the introduction of the national livestock identification scheme by one year. In other words, the implementation date for the NLIS in Queensland is 1 July 2005. However, I have been in discussions with various interested producer groups due to the

very strong representation from the member for Fitzroy, who brought to me a delegation of producers who had a view contrary to those producers who are 100 per cent in favour of introducing the NLIS scheme. There are a number of questions that the honourable member for Fitzroy and the party that he brought to me have raised that need to be answered. We are looking to see what those answers are. More discussion on the introduction of the NLIS scheme will be conducted by me with various interested persons.

I turn to the specific nature of the question in relation to assistance to our producers. What we intend to do is what New South Wales intends to do—that is, to provide funds for providing infrastructure for saleyards, for abattoirs and so on. But when it comes to providing assistance to producers for the purchase of the tags, unfortunately we do not have a levy scheme such as Victoria has in that the Victorian government was able to subsidise the purchase of the tags by using the money from the levy scheme. We do not have that in Queensland. Like New South Wales, we are going to assist in the provision of the infrastructure to assist our producers when the NLIS scheme is finally introduced. However, there are still serious questions that have to be answered. I reiterate for the benefit of the House one more time that, due to the very strong representation of the member for Fitzroy, the government is having a very close look at those important questions that really need to be answered.

Public Works Projects, Education Week

Mrs REILLY: My question is to the Minister for Public Works, Housing and Racing. State Education Week is an ideal time to recognise the great things happening in our state schools. Would the minister inform the House how the Department of Public Works is supporting public education in Queensland?

Mr SCHWARTEN: I am delighted at the great relationship that exists between the Queensland Education Department and our major business units, Project Services, Q-Build and SDS. Education Week is a great week for us to ponder the relationship that good quality public education has for our future. It is also a good time to ponder what a great thing it is to have our very own in-house training that provides 380 apprentices with a future in the building industry. Notwithstanding that, in this financial year we will complete some $100 million worth of work for the Education Department in Queensland. One prize project was Clover Hill in the honourable member's electorate which was built by day labour and managed by us. It was a very difficult project to build. As I have said in this House before, it was being built at a time when there were increasing labour costs and problems with getting designers, tradespeople and subcontractors. All of those things were forcing up labour costs and making it difficult to deliver. We were able to get that project open for school this year. I remember the honourable member coming down to the school with me with her son, who had a Q-Build helmet on. Perhaps that was coming events casting a shadow: he may well end up being a chippie in Q-Build one day. That is a good way to start your working life.

We also have some $44 million devoted to projects. There is one in Kawana in the electorate of the honourable Minister for Emergency Services. Moore Park is another project that we built. We have $50 million worth of upgrades and maintenance. The honourable member for Gregory will remember that he contacted me earlier this year to tell me that the airconditioning had collapsed at Birdsville school. We were able to fix that for him. The member for Robina also contacted me with a serious drainage problem in his electorate. They are the sorts of issues that we fix. We could fix those problems at a time when there was a shortage of labour in the industry.

We have 20 school based apprenticeships, and I know that the minister is very keen on school based apprenticeships. Again, the greatest thing that we have done in my time as a minister is to really forge those links closely so that when kids come out of year 12 they go straight into an apprenticeship and only take a couple of years to complete it with their prior learning. We also have SDS, which has transported about $3 million worth of furniture around the state. Anybody can get on online—from Birdsville and all those types of places. This year it has done some $15 million worth of work. Unfortunately, this year Q-Build spent $6.4million in fixing up 16 schools that have been vandalised. Again, that is a problem that we have but is one that we deal with very well.

Schools, Zero Drug Policy

Mr MESSENGER: My question is to the Minister for Education and the Arts. I refer the minister to her department's official policy of drug minimisation in our schools. Why is the minister opposed to a zero drug policy to try to address the extraordinary high rate of illicit drug use and behavioural management problems in our schools?

Ms BLIGH: I thank the honourable member for the question. I can assure the member and every other member of the House that illicit drugs are not tolerated in any Queensland school. They are certainly not tolerated in any state school in Queensland. I am unaware of any non-state school that tolerates them either. What I can assure the member of is that all states, territories and the federal government, including both state and non-state sectors in all of those jurisdictions, have got together over the last few years and have developed a national drug education strategy. Queensland is a

signatory to that strategy and we are in the process of implementing it in every school in Queensland. Both state and non-state—Catholic, independent and state—schools support the national drug education strategy that has been developed by the state and federal governments across Australia. Every one of our schools takes that policy very seriously.

Parents expect that when their children go to our schools they will be safe and that our schools will be places where they can get on with the business of learning. Drugs and alcohol have absolutely no place in our schools, and our behaviour management policies reflect exactly that. If the member is aware of any school that is not complying with the department's policy, I would be more than happy to discuss that with him and to have those details brought to my attention. But I can assure him that the policy that is used in Education Queensland schools is compliant with the national drug education strategy that has been accepted by states, territories and the Commonwealth.

Interruption.

PRIVILEGE

Comments by Leader of the Opposition, Queensland First

Hon. P.D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (11.07 a.m.): I rise on a matter of privilege suddenly arising. The Leader of the Opposition raised an issue this morning in relation to some comments I had made saying that we will not be attending any function where it is a prerequisite to pay funds to see us about any project involving the government. That was in the *Courier-Mail* on 25 February. On 26 February 2003 Cameron Milner, the then State Secretary, wrote to foundation and corporate sponsors saying—

Due to the incorrect perception that Queensland First was a cash for access operation, the Australian Labor Party is not proceeding with this business dialogue.

I thank you for your consideration of the previous Queensland First letter and all monies processed to date will be refunded to you as the decision has been made not to proceed with Queensland First.

I table that letter for the information of the House.

QUESTIONS WITHOUT NOTICE

Resumed.

Out of the Box Festival of Early Childhood

Mr LEE: My question is to the Minister for Education and the Arts. Early next month the Out of the Box Festival of Early Childhood will be staged in Brisbane. Can the minister tell members more about this internationally acclaimed festival and give us an insight into what the children of Queensland can look forward to this year?

Ms BLIGH: I thank the honourable member for the question. He, like other parents of young children I hope, is getting an early introduction to the wonders of the Out of the Box Festival. If he has not had an opportunity to take his daughter there, I hope he does this year, because he and his family will be, I am sure, delighted by what is on offer. The Out of the Box Festival of Early Childhood was established by the Queensland Performing Arts Centre in 1992. It is a biennial festival for children aged three to eight years. I know that the member for Indooroopilly's daughter is not quite three, but I am sure she will nevertheless be able to appreciate some of what is on offer this year. This year's festival starts on 7 June and will run through to 12 June. During that week, we will see families and children take over QPAC, a space that we normally see reserved for adults.

The Queensland government is very pleased to sponsor this festival to the tune of $500,000 and we expect that more than 60,000 children, their teachers, carers and parents will attend the festival this year. This festival is the only one of its kind in the world. It is not only uniquely Australian; it is unique in Queensland. It has won both national and international acclaim and has seen more than 400,000 children attend over the past 10 years. This festival acknowledges children as an important part of society and a very discerning audience in their own right. Many of the performers will tell you that children are often the toughest of audiences.

The festival will allow children to explore ideas and feelings and develop creative problem-solving skills through the arts. As the Minister for Education, I am pleased with the effort that the festival has gone to over the years to ensure that the activities that it offers link with all parts of the syllabus for the early years of school. The festival has done a lot of work to develop partnerships with teachers.

The 2004 program includes both large- and small-scale performances, hands-on workshops and free activities, both indoors and outdoors. Some of the performances that are on offer will include a performance based on an acclaimed book called *The Red Tree* by an Australian author, Shaun Tan,

which explores the concept of hope and follows a child's journey through a day of ups and downs. I am sure that any parent who has read *The Red Tree* will be looking forward to that performance. Another performance that is not to be missed is called *The Flying Babies*. It is a funny show about three babies who lose their red balloon and their elaborate attempts to get it back.

Workshops will include one that involves creating edible food art, one making jewellery and accessories to wear, one that introduces children to gardening and one involving digital sound production, allowing them to rotate between being DJs, producers and dancers. The free program will also include performances by some of Brisbane's finest circus artists and comedy acts and a daily program of dance and music from Aboriginal and Torres Strait Islander performers and performers from other Pacific islands.

I encourage all members who have children or who have children as neighbours to get along to the festival and do everything that they can to promote it. It is something for us all to be very proud of.

Overseas Trained Doctors

Dr FLEGG: My question is to the Minister for Health. There are overseas trained doctors currently working in Queensland public hospitals who have only recently been asked to pass even a low-level basic English test and have not passed the Australian Medical Council examination at all. This test is designed to demonstrate basic medical competency and is comparable to the level of a final-year Australian university medical exam. I ask: why are Queenslanders being treated by people in public hospitals who have not passed even a basic medical competency exam?

Mr NUTTALL: Firstly, in relation to the issue of the doctors' competency, I am sure that Queensland Health takes the appropriate steps to ensure that those doctors are competent enough to do their work. However, in relation to the matter that the member has raised, I will find that out.

The big question is: why do we have to have overseas doctors? We have to have overseas doctors simply because the member's colleagues in the federal government will not open up enough university places for young people to study medicine in this country.

Honourable members interjected.

Mr SPEAKER: Order! We have one minister answering the question. We will leave it to that minister.

Mr NUTTALL: Last year we had 5,000 young people who were eligible to study medicine in Australia, yet only 1,500 of those were accepted into our universities. I personally think that it is morally wrong for us to be bringing doctors from Third World countries to work in our country, which is wealthy compared to the rest of the world.

Dr Flegg: 1,600 a year in Queensland.

Mr NUTTALL: The member needs to go down and see Tony Abbott, like I did, and ask him to talk to Brendan Nelson about opening up more university places so that young people can train, so that young people can study medicine, so that Australian doctors can work in Australian hospitals. I suggest that that is the sort of representation that the member should be making to ensure that we have people of sufficient calibre to work in Australian hospitals.

Mr SPEAKER: Order! Before calling the member for Fitzroy, I welcome to the public gallery students and teachers of Browns Plains State School in the electorate of Logan.

Stock Theft

Mr PEARCE: My question is to the Minister for Police and Corrective Services. It is two years today since the Beattie government passed legislation to toughen up penalties for stock theft. Can the minister inform the House as to how effective the police crackdown on cattle duffing has been?

Ms SPENCE: Stock theft is a serious problem. Before I talk about that, I would also like to welcome the Browns Plains State School kids. I once taught at the high school there. It is terrific that they are in here today.

As I said, stock theft is a serious problem. In recognition of that, two years ago this parliament changed the laws to increase the penalties. Now we have a tenfold increase in fines for stock theft. The offences for unlawfully using cattle, illegal branding, stealing and defacing branding will now attract a penalty of imprisonment for five years or fines of up to $50,000.

In this state we are very fortunate to have a very proactive Stock Squad with 32 members. In fact, we have the biggest Stock Squad in Australia. In comparison, Western Australia has a Stock Squad of five members and New South Wales has a Rural Crime Unit of 31 members. That unit does more than just police stock issues. So we are fortunate to have a very large Stock Squad.

Recently I travelled to western Queensland with Detective Inspector Rob Weir, who is the state coordinator of our stock squad, and talked to officers in western Queensland about the work that they

are doing. They tell me that they regularly and proactively look at properties, saleyards and meatworks. They develop partnerships with police in other states and also people in non-government organisations to develop intelligence about cattle movements. They are certainly dependent on good cooperation with cattle owners for that kind of information.

Mr Schwarten: It all happens in National Party electorates, too.

Ms SPENCE: Yes, it does. The Stock Squad continues to deter cattle duffers and solve crimes. In fact, I was going to say that that does not just happen in National Party electorates, because one of the area coordinators who has improved intelligence is based in Rockhampton. The other officer is based in Toowoomba.

How successful is the Stock Squad? In the past two years, the total number of stock offences has dropped from 414 in 2001 to 350 in 2003. In the same two years, the number of offences cleared rose from 148 to 181. As I just mentioned, we have area coordinators throughout the state and we have a state coordinator. They are partly responsible for better managing the Stock Squad's movements. I think that we are fortunate in this state to have a dedicated group of men and women who are preventing theft and protecting the livelihoods of farmers throughout this state.

Recreational Use of Forests

Mr WELLINGTON: My question is to the Minister for the Environment. The last two Beattie governments gave commitments to all Queenslanders that there will be no net loss of public access for recreational users to Queensland's forests as a result of the regional forest agreement. Will the minister honour this commitment just as Mr Welford did as minister in the 1998 Beattie government and Mr Wells did in the 2001 Beattie government?

Mr MICKEL: I thank the honourable member for his question. He came to see me some weeks ago now with a group of horse riders from his electorate. I thank him and I thank them for the professional and courteous way in which they conducted themselves. I know that the member is passionate about this matter.

Let me say that 23 areas have been set aside under the South-East Queensland Forest Agreement—an agreement that was the first of its kind in Australia between environmentalists and the timber industry. But caught up within that agreement are recreational groups. I want to say to the honourable gentleman that, yes, I will continue to consult with people right across those 23 areas to make sure that the best possible use of our forests is recognised. That is, where there are areas of high conservation and high conservation values, they will be recognised. I hope to announce to the honourable member and to the House very shortly an outcome of some of those deliberations.

Graffiti Solutions

Mr McNAMARA: My question is directed to the Minister for Communities. I refer to the recent Graffiti Solutions funding round, and I ask: can the minister explain what the Graffiti Solutions program entails and how it is helping to curb youth crime rates in Queensland?

Mr PITT: I thank the honourable member for Hervey Bay for his question and recognise the good work he is doing in his community, working with his local city council to attack the problem we have with graffiti. The Graffiti Solutions initiative is an innovative program that targets not only the impact of graffiti on local communities but also its causes. The Queensland crime prevention strategy has over a three-year period made a $300,000 commitment. The Graffiti Solutions initiative supports communities in developing local solutions to local problems. That is the way it should be. The harnessing of local knowledge is very important if we are going to have any impact on this particular problem.

In the latest round of funding for Graffiti Solutions, 14 community organisations will share more than $100,000. I would like to detail some of those for the House. For example, here in Brisbane the Wynnum-Manly Graffiti Task Force received $2,070 to construct legal street arts programs on Saturday afternoons during school holidays. In Emerald, the shire council's Tunnel Art project will receive $4,500 to design and paint artwork for a pedestrian tunnel. A professional artist will work with youths over two workshops to complete that project.

In my part of the world, the Cairns City Council has also received funding. Its project will receive $9,814 to work directly with graffitists in west Cairns. The project participants will be involved in engagement workshops, development of a graffiti mural, graffiti removal and health and education training. In the Beenleigh area the Art On, Tag Off project has received $8,852 to engage 15 young people in a 10-week project. These participants will clean up existing graffiti, create a community mural and help make a documentary about the project. I am sure that documentary will be of great benefit to us in other parts of the state.

On the Sunshine Coast, the Cooloola Shire Council's Graffiti Blaster project will receive $7,541. The council there will use the funds to set up a rapid response mobile graffiti removal trailer. Back in the member's own electorate in Hervey Bay, the city council's program, Graffiti Graduates, will receive

$8,500 in funding. Through that the council will implement a range of art projects, including the painting of traffic light power boxes, an art wall and artwork to be placed along the Hervey Bay foreshore.

Graffiti Solutions is a program that is innovative, is effective in its approach, engages young people and benefits the communities they live in. This program is one of the many ways in which this government is making our communities safer and much more enjoyable places in which to live.

Queensland Racing Board

Mr HOPPER: My question is addressed to the Minister for Public Works, Housing and Racing. I refer the minister to the recent resignation from Queensland Racing of CEO Jeremy Turner and board member Wally Tutt, and I ask: is the minister aware of any other members of the board who are under investigation by the CMC for conflicts of interest? Will this leave another vacancy on the Queensland Racing Board?

Mr SCHWARTEN: There are a couple of things I want to clarify first of all. I have never indulged with the member for Gregory in a cruel habit of tying goats to bells, which the member for Darling Downs accused me of in this parliament. I would ask the member to retract that.

Mr Hopper interjected.

Mr SCHWARTEN: You said, and I quote—

Mr JOHNSON: Mr Speaker, I rise to a point of order. He has implicated me in something. What is he talking about?

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

Mr SCHWARTEN: It was said last week. The honourable member for Darling Downs said—

This morning the minister was up and down like a goat on a rope. The member for Gregory explained to me once how, when they were young fellas, they tied a goat to the church bell.

I have never indulged in that. Whether or not he has is his own business, but I think it is pretty cruel.

The reality is: the matters to do with the board are matters for people on the board. I have brought some information packages along today for opposition members. It is a copy of the act. It exactly establishes the minister's role with regard to the appointment of the Queensland Racing Board. I will give these copies to those opposite. If they need someone to read them to them later on I am quite happy to arrange that. If they need them put in cartoon form we can do that, too.

The reality is: I do not appoint the board of thoroughbred racing, and the act specifies it. Despite the greatest attempts of those opposite to implicate people in this whole thing, we do not run racing in Queensland. I know that those opposite want to do that, and that is their policy position. They want the government to set the prize money, to select the 'stipe', to select the CEOs and so on.

Mr Hopper interjected.

Mr SPEAKER: Order! The member for Darling Downs! This is my final warning.

Mr SCHWARTEN: If those opposite want to do that, I understand. But the people of Queensland do not want that.

Mr Johnson: Big Bill's home.

Mr SPEAKER: Order! Member for Gregory, this is my final warning to you also.

Mr Schwarten interjected.

Mr SPEAKER: Order! Minister, order! Before calling the member for Toowoomba North, I welcome to the public gallery a second group of students from Browns Plains State School in the electorate of Logan.

Queensland Law Society, Entertainment Expenses

Mr SHINE: My question is addressed to the Attorney-General. I refer the Attorney-General to Auditor-General's report No. 8, in particular to entertainment expenses by the Queensland Law Society, and I ask: what action is the Attorney-General taking to the issues raised by the Auditor-General?

Mr WELFORD: I thank the honourable member for his question. As the member would be aware, one of the most important elements of our government's business program has been to initiate extensive reforms to the Queensland legal profession in order to rebuild public confidence. In fact, the second stage of our very extensive reforms to the legal profession is contained in a bill currently before the House.

As the Auditor-General points out in his report, the society has not been funded by the state and has operated with some degree of autonomy. However, as a public sector entity it is subject to the same prescribed requirements in terms of legislation and Queensland Treasury guidelines as all other

statutory bodies. I have noted in particular the Auditor-General's comments about the society's wine purchases. It is a concern that the society did not have a policy in place for the use of credit cards for these bulk purchases of wine when they were made. The important thing is that the society may be entitled to use its own members' funds for whatever it chooses, according to proper policies, but it should not use funds of the public or regulatory funds for that purpose.

In terms of the Auditor-General's comment about the society meeting the cost of staff attending functions and state conferences organised by political parties—all political parties—obviously the society, as a representative of its members, is entitled to pursue whatever strategies it considers appropriate to further its members' interests and concerns. With regard to my attendance at the particular function organised by the Chatsworth ALP, I need to emphasise that I have no knowledge of and took no part in the organisation of that function, and I have no knowledge of the arrangements entered into by the Law Society for its attendance at the function. The audit report states—

The Society's participation at such activities is in accordance with its lobbying activities, however, I am not convinced of the need for the Society to make additional financial outlays for access to the minister.

To that I say 'hear, hear'. It is part of my responsibility in my portfolio to meet regularly with the Law Society, and I do so. There has never been any indication to the Law Society that it needs at any time to pay to meet me. It certainly does not have to pay for my attendance at meetings with it. Members of my office and my department also regularly consult with the society about policies relevant to the society.

The future of the legal profession in Queensland depends on a form of regulation in which ordinary Queenslanders can have confidence. There is no question that the Queensland Law Society should not be using money allocated for regulatory activities to conduct membership functions. This is the very reason our government is removing control over interest on solicitors' trust accounts from the Law Society. This is at the heart of our legal profession reforms.

Black Sigatoka

Mr ROWELL: My question is directed to the Minister for Primary Industries. Although black sigatoka has been fully eradicated from the Tully district, the correct protocols for official certification have not been completed, thus preventing Queensland and therefore Australia from being declared black sigatoka free. Without our being certified free of black sigatoka, import applications from countries which do have black sigatoka as a disease may be successful due to the fact that the protocols for certification have not been implemented. Why is the industry still waiting for the minister to complete the protocols? Is it because the DPI is so gutted of staff that there are no longer officials there to do the job on time, or is it simply because he is not interested in looking after the interests of primary industries in Queensland?

Mr SPEAKER: Unfortunately, there are only 50 seconds left for the minister to answer.

Mr PALASZCZUK: Let me at the outset refute the scurrilous allegation by the honourable member that I am not interested in primary industries: far from it; I live and breathe primary industries. I am obsessed with primary industries.

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

MATTERS OF PUBLIC INTEREST

Freedom of Information; Department of Primary Industries; Ipswich Motorway

Mr SPRINGBORG (Southern Downs—NPA) (Leader of the Opposition) (11.30 a.m.): This morning in parliament we again saw the spectacle of the Premier squirming, ducking, weaving and diving on the issue of accountability and the abuse of freedom of information in this state. The mere fact that he had to come in here by way of extensive explanation during a ministerial statement to seek to justify his and his cabinet's personal abuse of the freedom of information laws and cabinet exemption goes to show that the blowtorch is going very close to touching the soft underbelly of his government with regard to its lack of accountability.

Nobody argues that there should not be reasonable cabinet exemptions from the freedom of information laws. Nobody argues against that whatsoever. Nobody argues against the Westminster principle that ministers should be able to debate matters without having other external considerations, but the Westminster system and freedom of information laws in no way mean and in no way explicitly say that the government should abuse cabinet exemptions to hide embarrassing documents. That is what is happening under Mr Beattie and his government. When matters become very embarrassing, this government's response is to bundle those documents together and take them into cabinet even if those matters at the most liberal interpretation are peripheral to any cabinet decision or any matters being discussed by cabinet.

We have seen this with motor vehicle accident reports: four ministerial motor vehicles and four ministerial electorate vehicles. We have seen it in the last couple of days with transition-to-government documents. We saw it in the last term with matters relating to Lang Park and the Goodwill Bridge. The hallmark of a government is its capacity to withstand reasonable criticism, not to be so arrogant and drunk on its own power and huge parliamentary majority as this government is to the extent that it must take those matters to cabinet to hide them from public scrutiny for some 30 years.

Again this morning Mr Beattie, the Premier of Queensland, was squirming and wriggling on the hook when he was asked a question about keeping his commitment of 13 July 1998 about transition-to-government documents. Mr Beattie on 13 July 1998 in a letter to his ministers said this—

... most transition-to-government documents, to be examined at today's Cabinet meeting, will not be protected from freedom of information searches.

He went on to say—

... documents would only be exempted if they were of a personal nature or deemed to be commercial-in-confidence.

He admitted his stance had the potential to cause his Government embarrassment but said he was committed to the principle.

Is it not amazing the principles that Mr Beattie had when he had a margin of none and the principles that he has when he has a margin of some 30-odd members in this parliament? His principles have gone out the window. It is up to Mr Beattie to come in here and to explain to this parliament how many of those transition-to-government documents which I recently sought were matters of commercial-in-confidence or personal in nature which would deem them under his own rules of 13 July 1998 to be exempted. I would say very, very few of those matters would have been personal and even fewer of them would have been commercial-in-confidence. The reason they were taken to cabinet was that they showed some embarrassment to this government.

Mr Beattie has conveniently forgotten, and did not expressly answer in this place this morning, why that directive which he gave in 1998 to his ministers has been absolutely forgotten about and repudiated now. At no stage did he indicate that. He went into some sort of waffle about Westminster conventions and all those sorts of things which stood when he became the Premier in July 1998. Nevertheless, he said that there would be certain procedures and practices put in place. The Peter Beattie of July 1998 is totally different to the unaccountable Peter Beattie of May 2004, and it is amazing the difference a huge majority makes.

Other issues raised in this place this morning included the Department of Primary Industries and this government's administration of that department. What would Mr Latham and his primary industries spokesman, Gavan O'Connor, do for the plight of primary producers in Queensland? The Minister for Primary Industries was unable to stand up in this place and repudiate the gross and outrageous attacks on very good schemes which exist to assist primary producers in Australia to build up their farms and become more viable. He refused to repudiate his own federal colleague's attacks on FarmBis.

Mr Johnson interjected.

Mr SPRINGBORG: He refused to repudiate his own federal colleague's attacks on the sugar package which was recently brought down by the federal government which provides long-term solutions for the future of the sugar industry. As the member for Gregory said, he did not repudiate it; he supported it. What about the cuts to ABARE? ABARE is something which is recognised by all sides of politics as providing very good strategic direction to primary producers and the resources sector in Australia. Once again, he refused to repudiate his federal colleague's attack on ABARE.

Mr Horan: The diesel fuel rebate.

Mr SPRINGBORG: The diesel fuel rebate, as the shadow spokesman for primary industries has said, is an important and entrenched part of the way the off-road economy operates in Australia—again under attack by the federal Labor government; supported by the Beattie Labor government and its Primary Industries Minister in this parliament. What does this Primary Industries Minister actually do? Has he ever stood up for primary producers? Not that I have seen. He has presided over further and more cuts to the Department of Primary Industries. As the member for Gregory knows, you cannot even get a stock inspector at Alpha.

Mr Johnson: He calls himself the farmer's friend!

Mr SPRINGBORG: There has been a winding back of those vital extension services to primary producers in this state, and he has the audacity to call himself the farmer's friend.

We heard more about the Ipswich Motorway in this place this morning. I travel along the Ipswich Motorway, as many members do, because for me it is how I come to Brisbane. We all know that is becoming more and more congested regardless of which way you travel on it depending upon the time of day. I note the Minister for Transport this morning when asked about this on radio said, 'What we should do is six-lane it like the Gold Coast Motorway.' The last time I travelled the Gold Coast motorway most of it was eight lanes, certainly from Beenleigh to Southport. I do not know what the Minister for Transport—the person charged with the strategic development of our roads infrastructure in

Queensland—actually does when he drives down that motorway. Maybe he cannot count to eight, but I can count to eight and most of my colleagues can.

The fact is that the minister has embarrassed himself. Even if the Ipswich Motorway were six lanes, that accident this morning would have made it six lanes of congested traffic because there are some other issues that need to be looked at. Unlike the Gold Coast motorway, there are service roads where people can easily slip off and go around particular accidents and for local people as well. That luxury would not exist under the proposal of the Labor Party. We have an extraordinary development at Springfield to the south, and we need to be looking at other options to address what will happen if that road closes down—whether it be service lanes or developing a more extensive road network to the south. Those issues were not canvassed by the minister this morning.

I note that yesterday with great fanfare the Premier talked about 100 days of achievements in the third Beattie government. I really cannot think of any achievements of the third Beattie Labor government, other than 100 days of inaction, secrecy and cover-ups. I have outlined 50 of them here in a document entitled *100 days of inaction, 100 days of secrecy and 100 days of cover-ups and only another 996 to go*. All Mr Beattie has been doing in the last 100 days is taking embarrassing documents to cabinet and refusing to be involved in particular issues which are very important to the community in Queensland. We have already heard in this place that the ambulance tax is set to rise. Once again we have got crime victims being misled by government cover-ups regarding the John Tonge Centre, and the shambles over taxpayer-funded cars, just to mention a couple.

There has been no royal commission as promised by the Premier into the extraordinary price rises and discrepancies in fuel right across Queensland. What about an agreement with local government which has been broken where this government, due to its own mismanagement of the industrial relations system and failure to negotiate with valuers, has actually made local government pay for valuations in the order of $10 million which they have not even had done and are not going to have done? Again, more failure from this government. I table that for the benefit of all members of this place.

Federal Budget, Women

Ms BARRY (Aspley—ALP) (11.40 a.m.): I have spent the last week reading two very important works: the federal budget speech and subsequent media commentary from the Treasurer, Peter Costello, and the June 2004 issue of *Cosmopolitan* magazine.

What, you may ask, do these two literary pieces have in common? The truth is little. In fact, it is the difference between the two that compels me to speak today, because both offer an insight into the attitudes of the Howard government towards women. It is an attitude that should compel every decent Australian to raise their voice in dismay.

I will start with *Cosmo*. I was led to this month's edition after hearing about the magazine's commitment to a campaign called, 'No Respect/No Relationship', a campaign designed to highlight the problems of emotional abuse in relationships. At the outset I would like to congratulate the editor and the publishers for their courage and commitment to this campaign. In 2003 the federal government announced a domestic violence campaign that was to have been a $12 million program to educate women and men, especially the young, about domestic violence. The multimedia campaign was to feature documentaries, radio and magazine ads, and festivals highlighting the problem of abuse in all of its forms: physical, sexual and emotional. With the rates of sexual assault on the increase in this country the *Cosmopolitan* magazine, a long-time advocate for awareness raising about issues affecting young women, committed itself to supporting the government campaign, in particular in the area of emotional abuse.

The editor expressed a real dismay and disappointment when the program was abruptly cancelled. Following a question to the Prime Minister by federal Labor shadow minister Nicola Roxon in the federal parliament, John Howard claimed that the ads were shelved for incorrectly referring people to a web site, stating that people suffering from physical and sexual abuse should go to the police. That is quite true, but the magazine quite rightly asked the Prime Minister what happened to the component of the campaign that deals with emotional abuse. His silence has been deafening. *Cosmo* considers the issue of emotional violence against women and girls to be so important that it has launched its own campaign and I urge honourable members to take the time to read the article in this month's edition. It is compulsory reading.

The second compulsory reading is the federal budget, where the bag of silver was dangled out for the mothers, or perhaps more correctly the wives, of the nation to feel released from the shackles that held them back with respect to child bearing. Please do not get me wrong: recognising that women in this country are discouraged from having children because of cost is legitimate and I commend any financial assistance to women following the birth of a child. What I object to in the strongest terms is the crass and inexcusable manner in which the Treasurer sought to sell this element of the budget. His budget speech gave us little indication that he had examined in detail the reluctance of women to have children. There were no initiatives for workplace reform to meet the pressures of struggling with work

and family, no relief from crippling HECS fees, no long-term strategic plan for child care, no answer to the bulk-billing crisis and no tax relief for most women workers.

At no time has the Treasurer acknowledged that he understands how these issues affect women and their decision to become mothers. At no time is it acknowledged that many women in this country do not enter long-term relationships because of the effect of exposure to emotional abuse during pregnancy and in particular during child raising at work and at home. That is the reason that they choose to remain childless.

In fact, the budget announces the end of the Partnerships Against Domestic Violence Program in June 2005. But worse was yet to come. During a press conference the Treasurer made the comment that Australians should have three children if they can—one for your husband, one for your wife and one for your country. Peter Costello, a senior member of the Howard government, made a joke: 'You go home and do your patriotic duty tonight.' His comments, made to draw attention to himself and his wit, have taken on the flavour of base sexual innuendo in the media and dominate conversations about the budget. What we have is a budget commentary that has as its main talking point the need for women and men to consent to and initiate sex and conception for their country's sake.

For those of us who live and love in relationships based on equity and mutual respect the comments may have had little influence, but for those women who have had to endure the agony of relationships where sex is forced upon them as a means of emotional and physical abuse I am sure that the ill-conceived words of our Treasurer did little for their self-esteem or empowerment in those relationships. I suspect that the Treasurer was in some bedrooms last week in a way that he could not have imagined. His comments do irreparable harm to women and girls. They are an abrogation by this Treasurer, who should be sending a message that sexual relationships between a man and a woman should be ones of mutual respect.

That is the problem with not understanding how words hurt. Emotional abuse is real abuse. The federal government could redeem itself by re-establishing its commitment to the domestic violence campaign that targets understanding emotional abuse. It would be a step in the right direction. Mr Costello, my advice to you is to understand that such remarks have no place in modern and respectful politics.

National Inquiry into Children in Immigration Detention Report, *A Last Resort*

Mrs REILLY (Mudgeeraba—ALP) (11.45 a.m.): Last week the Human Rights and Equal Opportunity Commission released a report which should have all members of this House, all parents, all people of faith—of any faith—and, in short, all Australians up in arms.

The National Inquiry into Children in Immigration Detention report*, A Last Resort,* is a sad indictment on a free, progressive and compassionate country. The report found that Australia's immigration detention policy has failed to protect the mental health of children, failed to provide adequate health care and education, and failed to protect unaccompanied children and those with disabilities. The two-year comprehensive inquiry also found that the mandatory detention system breached the United Nations Convention on the Rights of the Child. It failed, as required by the convention, to make detention a measure of last resort for the shortest appropriate period of time and subject to independent review. It also failed to make the best interests of the child a primary consideration in detaining children and failed to treat them with humanity and respect.

The inquiry considered whether Australia's detention laws complied with international law and whether adequate alternatives were also considered to placing children in immigration centres. The inquiry also looked at the treatment of child asylum seekers in immigration detention centres between 1999 and 2002. This was not some two-bit consultation over a desk with a few civil rights activists or refugee lawyers; this was a major comprehensive inquiry that took two years to complete by an independent statutory organisation which reports to the federal parliament through the Attorney-General.

Try as it might, the federal government cannot dismiss this report as biased, nor frivolous, nor narrow, nor backward as the federal minister Amanda Vanstone has tried to call it. I will ask later what members of the House might think is backward.

The inquiry examined the safety and security of children in detention, the effect of detention on children's mental and physical health, their access to education, care made available to children with a disability, the opportunity for recreation and play, the ability to practice religion and culture, and the care of unaccompanied children. On all these facets the Commonwealth government failed; on all these counts it was found to have breached the United Nations Convention on the Rights of the Child.

The inquiry visited all immigration detention centres and evidence was sought and gathered from the Department of Immigration and Indigenous Affairs, which made comprehensive submissions; Australasian Correctional Management; state governments; medical and legal experts; human rights advocacy groups; and children and parents in detention.

Of course, Australia as a sovereign country has the right to determine for itself who enters the country, whether they have entered legally and whether they stay, but with those rights come responsibilities and, as signatories to the UN Convention on the Rights of the Child, as advocates of human rights internationally and as passionate advocates of those human rights and as current chair of the UN's Human Rights Commission, we could, should and must do better.

Detention is not a safe environment for children. They witness and sometimes become involved themselves in riots, protests, assaults and hunger strikes. These are children under 12 who not only witness attempted suicide but attempt suicide themselves. They self-harm, and they spend an average of one year and eight months—not weeks or months, one year and eight months—and sometimes years awaiting a decision on their future.

Between 1 July 1999 and 30 June 2003, 2,184 children arrived in Australia without a valid visa. More than 92 per cent of these children who were held in detention were found to be refugees. In the case of Iraqi children, the figure is as high as 98 per cent. During this same period of time, 3,125 children arrived carrying valid visas also seeking asylum. They were not held in detention while their status was determined. Only 25 per cent of these authorised arrivals were found to be refugees.

Children have been held in detention since mandatory detention was introduced in 1992, shamefully by a Labor government. This does not make it right. For my part I have argued consistently for many years against mandatory detention, and I will continue to do so. In the meantime, the federal Labor opposition has promised to release all children from immigration detention and place them in residential community care. The Commonwealth government has failed these children and failed its international obligation.

These are children who have sometimes come with their parents and sometimes they have been sent alone by even more desperate and destitute parents to escape to a country they believed would show them compassion and give them a chance to make a life—a better life, any life. I appeal to members of the House to read the report in detail. I found it on the Internet. It it is not hard and does not take long to read. It is very concise but harrowing reading. I appeal to all Australians to say enough is enough and to practise that Christian compassion that we are so well known for by voting to free the children as the federal Labor opposition has promised to do.

Spectacle Supply Scheme

Mr CHRIS FOLEY (Maryborough—Ind) (11.50 a.m.): I rise to speak on a matter of public importance—that is, glasses for pensioners in Queensland. Apparently, the Queensland Spectacle Supply Scheme does supply bifocals for people. That is on an as needs basis, of course. If a person needs multifocal lenses, such as trifocals, the scheme will not pay any of that cost. Obviously, it would be a great idea to at least deduct the cost of the bifocals from the multifocal lens cost. Pardon the pun, but blind Freddy can see the solution here. That is to simply deduct the cost of the bifocals from the cost of the multifocal lenses.

My office has done some research into this matter. Obviously, to access glasses people need to have a pension card for six months. The three local optometrists we surveyed told us that the person goes in and fills out a form at their optometrist, then that goes to the local community health office. The community health office then processes that through a particular optometrist in Brisbane which makes the glasses. It is the person's choice to then either return to their local optometrist or have them posted.

That process takes about three to four weeks and occasionally there is the odd delay with long weekends and so forth. If a person wants any special coating on their lenses, such as multicoating, it is done in Sydney so that extends the time taken to get the glasses.

The matter I want to raise with the House is the glaring problem with the legislation, being that if a person needs multifocal lenses they simply do not get any of the cost paid. I call on the Health Minister to clarify this position and for the House to put pressure on the government so that at least the cost of the bifocals is deducted from the cost of the multifocal lenses.

Federal Budget

Ms NELSON-CARR (Mundingburra—ALP) (11.52 a.m.): It is only last week that the federal government brought down its stunning budget. I say 'stunning' because it is nothing more than cynical politics at its worst. It is all about John Howard's political future and Peter Costello's political future. On the surface, voter reactions whilst mixed have fallen for the family spin. It is hot on the heels of Labor's Mark Latham's rising popularity.

However it is interesting to note that research and Newspoll find that three out of four people say that a large budget surplus should be spent on health and education and not on tax cuts, as the coalition would like us to believe. This being the case, an electorate like mine—that is, ordinary Australia—may have a slightly but significantly different view all together.

For those fortunate enough stay-at-home mothers whose husbands bring home a tax cut, we know that many, many more constituents will be part of the widening social divide. According to the National Centre for Social and Economic Modelling, the poorest 41 per cent of households have least to gain from the combined effects of the government's tax cuts and family assistance changes, at an average of $4.80 a week. The top 27 per cent of households are estimated to gain an average of $24.50 a week. Can this be justified? What we are doing is spending the budget in a way that will not let us invest in services in the future. That is the best way to decrease the divide between rich and poor in this country.

Mundingburra is a landlocked seat. It has a traditional family constituency where parents leave the electorate for work unless they are part of the burgeoning casualised work force in shopping centres and small businesses. Children attend one of 25 schools in the electorate. The sick are cared for in our public and private health systems. Students attend TAFE or James Cook University. Single parents, the homeless, the elderly, frail and aged battle on in increasing numbers. It is a typical middle Australian scenario and part of the most marginal federal electorate in Australia.

How would my constituents react to Howard's way? The tax cuts for people on high incomes were not welcomed by seven out of 10 people who would prefer a larger tax cut for people on low incomes and a smaller cut for higher income earners. These same tax cuts mean less money available for essential health, education and welfare services. This budget does nothing for people living in poverty, nothing for children growing up in families where both parents are out of work, and nothing to address the needs of my constituents who are unable to access safe and affordable housing or those who are unemployed.

The disadvantaged have been ignored and so, too, have those suffering from a mental illness or those with complex needs. Pensioners have missed out entirely on the pre-election largesse. Those who have welcomed the new quality of life payments for families agree that, while it might make a difference now, it will not help put these children through university later. How do the 60 per cent of families feel who will not receive any benefit from the tax cuts or family payment increases because their incomes are not high enough and they do not have children? What do we think they will be thinking?

Put simply, singles without children who earn $1,500 per week or more will be better off by $21 a week while singles on a low income of less than $450 per week will receive nothing. How fair is that? Talk about hitting a double whammy especially for the poor. Petrol prices continue to rise. Is there any tax relief for motorists as a results of this? Of course not. Prices in most service stations are now well in excess of a dollar a litre but the federal government says it powerless to do anything about it. Salvation Army spokesman Graeme Rigley says—

Any increase in fuel will impact on the people we work with and impact on our delivery of services, for which we don't get recompensed in terms of increased income.

Some 38c per litre of that is tax and only 16c goes back into roads. There is something pretty wrong with that.

The unavoidable message behind the coalition's proudly 'pro-natalist' ninth budget is to procreate and profit. It is nothing short of a bribe and electioneering at its most cynical. I was pleased to hear the member for Aspley being very emotional about how women have been affected by this. There is little policy sense but plenty of vote buying.

To my constituents—the teachers, nurses, postal workers, sales representatives, office workers, shop assistants, technicians; the absolute backbone of the Australian economy—I say that they get nothing. They have been forgotten. The big issues such as lifting bulk-billing, reversing HECS increases, expanding the availability of aged care places and making housing affordable have not been given a mention. I would say to those 25 per cent of women who choose not to have children for the many reasons outlined by the member for Aspley that I hope they, too, will be joining the many people, such as the constituents in the country's most marginal electorate, who will make the right decision at the next election.

Coral Reef Fishery Quotas; National Livestock Identification Scheme

Mr HORAN (Toowoomba South—NPA) (11.57 a.m.): I want to speak about two important issues in primary industries and fisheries at the moment—the coral reef fishery quotas and the electronic national livestock identification scheme. The Beattie government introduced a coral reef fishery management plan which will wind back commercial catch levels from 4,800 tonnes to 3,061 tonnes. The minister confirmed that this plan leaves about 240 commercial fishermen with no licence to fish. The Queensland Seafood Industry Association estimates that these changes will cost the industry more than $20 million and the loss of more than 500 jobs both in the catching and downstream processing sectors.

Earlier this month the minister introduced a backflip of sorts to address the fact that long-term commercial operators were being particularly hard hit by this management plan. These long-term operators will now be able to take up to 80 per cent of their pre-1997 commercial catch levels. Instead of

raising the tonnage to fix this anomaly the minister is robbing Peter to pay Paul by taking quota off other fishermen who have already paid for their allocation.

Whilst it is important to address the concerns of long-term fishermen, the government's so-called solution seriously undermines our commercial fishing fleets' investment security. They have only just been given their individual transferable quota levels and started trading in the lead-up to the start of the new system on 1 July. Some fishermen have borrowed up to $500,000 to increase their quota and ensure their economic viability. But now, five minutes later, the government is changing the rules and taking quota off people left, right and centre. How does it expect fishermen to operate with certainty? What message does this send to banks and fisheries management?

The Premier and State Development Minister have been crying crocodile tears about the future of the CRC reef centre. If the Beattie government is so supportive of the CRC reef centre, then surely the minister would change the management plan so that it was in line with new science produced by the CRC reef centre. This science shows that such a large reduction in the total catch is not biologically necessary and that the coral trout limits could be as much as 400 tonnes higher and the fishery would still be sustainable. The Beattie government dithered for six years before finally introducing a coral reef fin fishery management plan and still cannot get it right, with the goal posts still being shifted.

The other important issue at the moment is the electronic national livestock identification system. Rarely have we seen the promotion of such a scheme cause such division within the beef cattle industry. The beef cattle industry in Queensland is worth $3 billion a year and is mainly an export oriented industry. The national livestock identification scheme has been mooted as an insurance scheme for Australia. I do not think that there are many people who would disagree with the need for us to be at the absolute forefront in whole-of-life traceback systems. As we market our beef overseas, we should be at the forefront in traceback and provide consumer confidence domestically and internationally. It is important that if a system is going to be forced upon producers and made mandatory that system should engender confidence in the industry, be cost-effective and be proven to actually work and not bring about huge costs and physical imposts on producers—whether they be small hobby farm producers who are confused about what is happening or the big beef cattle producers with tens of thousands of head of cattle who are already, in many cases, electronically tagging and having significant problems in dealing with the EU market.

I have visited some of the saleyards of Queensland and talked to producers to get a balanced view representing different parts of the state. I have been amazed at some big producers who have the experience and the practical knowledge. Whilst they generally agree with the principle of having an effective system, they know that, if the branding system with proper crossbranding is effectively followed and the tail tagging system is followed properly, as it is, along with the NVD declarations, Queensland has one of the best systems in the world. They all say that no-one has asked for us to put in place the NLIS. If we want to do it to be at the forefront of the industry, well and good—provided that the system works.

Problems that can occur are loss of ear tags, and that will happen. That happens to somewhere between one per cent and three per cent—even up to five per cent and 10 per cent in some cases. The fact that an orange tag then has to replace the lost white tag will potentially mean the downgrading of the price at the saleyards through the processing plant. Horrendous problems will occur at some saleyards such as Gracemere, which had 5,000 or 7,000 head of cattle at a recent sale that I attended. In Roma, some 12,000 head of cattle have to be read in and read out and read into meatworks and so forth. There are going to be problems with producers who buy in cattle from other properties or transfer from property to property with the additional reading in and out that has to occur. There are some simple examples. If one simply breeds and sells the weaners off their place, they simply tag the weaners and that is all. This minister needs to recognise these problems and not implement this mandatory system until there is majority support in the beef cattle industry in Queensland.

Time expired.

Bribie Island Chamber of Commerce

Mrs CARRYN SULLIVAN (Pumicestone—ALP) (12.02 p.m.): A number of small business operators—that is, those with under three employees—on Bribie Island have recently taken the opportunity to enrol in the nationally accredited Certificate IV—Small Business Management Course. The course is being made available from funding provided by the state government's Department of Employment and Training and is auspiced by the Bribie Island Chamber of Commerce at its office on Bribie Island. The training is being provided by Dennis Chiron, manager of the Caboolture Business Enterprise Centre. The aim of the accredited course is to improve and enhance the skills in the business community. I was invited to present to the participants certificates for the successful completion of the first module of the course which focused on marketing and the production of a marketing plan for each business. Judging from the feedback I received, all participants felt the module was an extremely worthwhile exercise. I want to share with members of the House some of their comments.

One small business proprietor, Kerry-Lynn Price of Bribie Hire, said that she had implemented everything that she had learnt in the marketing course and stated that staff morale had been boosted considerably. She said that the entire image of the workplace had changed, as did the way in which the staff dealt with customers. She also said that there had been a number of different marketing activities introduced and in a few short weeks the business had increased its profits and turnovers. Rosemarie Banks, owner of Live This Lifestyle, a relatively new business venture on Bribie Island, wrote to me saying that she greatly appreciated the state government and me creating the opportunity to participate in the certificate IV course. She explained that she had been in business on the island for nine years and had found the course very good for getting her back to basics in looking at how she promotes and runs her business with many new ideas and the opportunity to network with other businesses in the area.

Mrs Cherylene Butt of Bribie Upholstery began her business with her husband Jason 17 months ago. Although Jason had extensive knowledge of marketing and business management, she confessed that she had none. When the opportunity arose for her to undertake study in this area, she did not hesitate. She now feels she is able to offer more input with regard to running their business and realises just how important it is in this competitive world to stay one step ahead. She also said that she found she had learnt from others in the class who had been in business for many years, and this along with the chance to network had proven to be invaluable. Anne Sinclair and Nadene Poelingoer from Bribie Shoes and Things offered their thanks to the state government bodies that encouraged and supported small businesses and extra workplace courses. The course had provided greater opportunity for future development and growth in the store. Proprietor Anne also said that the opportunity was particularly encouraging for Bribie Island as it was undergoing substantial growth at this time, and she feels that courses such as the certificate IV course can keep small business owners up to date with customer skills and promotion.

Lisa Mack, owner of Century 21 Bribie Island, and Colleen McLean, Lisa's office administrator and her right hand, both decided to undertake the extra study to enhance the business. Lisa stressed that one can always learn something to benefit their business and said that the course did not let her or Colleen down. She said they had learnt from others and it was one of the best decisions they had made. Lisa praised the role of the current chamber of commerce committee and its role in helping bring the course to the businesses. Lisa has worked in business on the island for 10 years and has now decided to become a member of the chamber because of its role in helping small businesses in this way.

Elizabeth Kelly has just started her bookkeeping business and knows the value of this course. She said that it was presented in an accessible manner and was very worth while. She would recommend the course to others who were considering starting a business. Jasen Gerrard, a mechanic from the Spinnaker Sound Marine Workshop, said that the course was a terrific opportunity to help him in his future business plans. He was very complimentary of the way the course was run and the helpful attitude of everyone and hopes to continue with the other two modules. Another proprietor, Karen Jamison from Art Attack, acknowledged that the strategies, suggestions, ideas and feedback provided through the course gave her the encouragement, motivation and guidance required by small businesses to improve and grow. Karen's praise of Dennis Chiron was echoed by all participants. She said—

He's doing a terrific job explaining the concepts and uses relative examples to help everyone understand. Dennis makes the course interesting and more than adequately feeds our thirst for knowledge.

She does suggest, however, that an increase in time to complete the three modules would be helpful. Just how participants juggled family, work and study and other commitments is quite amazing since most operators stated that they had not studied for some time.

Other participants including Gwen Taylor from Head to Toe Clothing and Pam Swann from Australia Post at Woorim commended the course and are keen to continue the other two modules of the certificate IV course. This is what a chamber of commerce is all about—helping the business community to achieve better outcomes. I have heard nothing but glowing reports about how the course module was and continues to be run, and I want to congratulate the current committee of the chamber on this initiative and for providing backup and support to all the businesses involved. Operators were particularly thankful to Mrs Anne Kinchella for the time and effort she put in to ensure that everything operated smoothly. I shall be passing on these valuable and positive comments to the Minister for Employment, Training and Industrial Relation, the Hon. Tom Barton, and urging him to continue to provide opportunities like the certificate IV small business management course to small businesses throughout Queensland.

I look forward to further helping foster partnerships between state government departments and the chamber in the future. Mrs Anne Kinchella sums up the chamber's view by saying—

From the chamber's perspective, this can only increase the likelihood of a successful future for those business owners who are engaged in this course and with a successful business comes the prospect of further employment for island residents.

Time expired.

Schools, Zero Drug Policy

Mr MESSENGER (Burnett—NPA) (12.08 p.m.): Earlier today I asked the Minister for Education and the Arts a question which starkly highlights the difference between the Labor Party's soft on drugs policy in our schools and the Nationals' tough on drugs policy. Early this morning the Education Minister, amongst all the pollie waffle and political speak, confirmed for the parliament because of her lack of clarity in her answer that the Labor Party and Queensland Education have a drug minimisation policy or a harm minimisation policy. I table a document from the Queensland Education web site which reads—

Harm minimisation accepts that, despite our best efforts, some young people will choose to use drugs, even some illicit drugs.

Parents of Queensland deserve better. Schoolchildren of Queensland deserve better. The Labor Party cannot give a guarantee to the parents of Queenslanders that they are sending their children to a drug-free environment.

Some may say that that is a big ask, but the fact is that the Labor Party is not even giving it a good go. It is not even trying. The very least that the Labor Party should be doing is ensuring that every possible procedure is in place to ensure that Queensland parents can send their children to a drug-free environment. If the Labor Party was serious about getting tough on illicit drugs and drug pushers, it would change its existing drugs minimisation policy to a zero drugs policy, mirroring the federal government's policy.

Some people may say that a zero drugs policy is unrealistic. If you aim for the stars, then you may just happen to get into orbit. Right now, sadly because of the Labor Party's soft on drugs policy, many of our kids are failing to even get off the launching pad. If this soft on drugs policy is not changed, then many Queensland children will be guaranteed a future of slavery: social slavery dependent on welfare handouts to shelter, clothe and feed themselves, and physical and mental slavery dependent on the next sniff, the next pill, the next puff to feel good and to escape their worries. The facts speak for themselves. In the three school terms up to July 2003, Education Queensland revealed that there were 2,117 students suspended after being caught with drugs and alcohol and another 96 students who were expelled after being caught with drugs and alcohol. One of the most alarming conversations that I have had since being appointed the opposition spokesperson for education was with a senior educator. When I asked this person how big the drug problem was in that person's school, the reply was, 'Well, these are the procedures our staff follow when suspected illicit drugs are discovered by our teachers.' When I interrupted his explanation and asked for more information on the size of the drug problem in the schools, that person did not have an answer. In this particular area, no authoritative studies have been carried out to quantify the size and magnitude of the problem. There was and is little credible information as to the size of the drug problem.

If we have not defined the size of the problem, how can we develop effective strategies to fight this wicked drug menace? We all need to get real and define the size of the problem, carry out those studies and then develop and implement sound strategies to fight the drug problem. Perhaps the Education Minister might like to ask herself these questions. Does her policy of only minimising the presence of illicit drugs in our schools contribute to the extraordinarily high rate of Queensland children experimenting with and using drugs? Does her drugs minimisation policy contribute to the rising levels of classroom violence and behavioural problems? We will not win the fight by being soft on drugs. We will not win the fight by minimising drugs in our schools. We will win this fight only by getting tough on drugs and adopting a zero drugs policy.

Children in Detention

Hon. J. FOURAS (Ashgrove—ALP) (12.12 p.m.): On Labour Day I proudly marched under the Labor for Refugees banner. In 2002 I spoke in an adjournment debate about children in detention centres, highlighting their trauma, their capacity for self-harm and their psychological long-term damage, all of which is contrary to our obligations under the Convention on the Rights of the Child. I stated then that Australia should respect international law and respect the human rights of both its citizens and non-citizens, our children and other people's children.

The recent High Court decision ruling that the Family Court did not have the authority to order the release of children in detention was welcomed by John Howard, who said that it 'clearly validates the whole detention system that operates in this country.' It does no such thing. The High Court found that the children were legally detained under the Migration Act, which does not distinguish between adults and children.

In my address-in-reply speech last Wednesday, I stated that there is no circumstance in a civilised country that would justify the imprisonment of children behind razor wire and that the trauma and psychological effects will be starkly underlined when the Howard government belatedly tables the long-awaited Human Rights Commission report. I also said that in an act of disgraceful cynicism Howard will undoubtedly release this report of the shadow of the budget. As I predicted, the report was tabled in parliament last Thursday. Unfortunately, the Howard government probably did not need to bury this

report. The media appears to have concluded that it was yesterday's news. I am appalled—appalled—at this level of disinterest.

In the recent Queensland election the abuse of foster-children was a major issue. When it comes to our children, the *Courier-Mail* ran articles on front page after front page expressing outrage at the abuse of these children and the inaction and lack of state government resources to address this serious matter. I was impressed that the *Courier-Mail* took such an editorial position, as I spent the first nine years in my time in this place highlighting my concern at the inability of the state government to meet its statutory obligations to protect children from abuse, neglect and exploitation.

Our state protection legislation highlights that the rights of the child are paramount—above the rights of parents. Yet when Ruddock, who has the gall to wear an Amnesty badge, was espousing his support for the mandatory detention of children, he said that their parents should be blamed for their children's predicament. Further, when Ruddock was advised that children were self-harming, he said that they were merely attention seeking. With the priority that this state has given to suicide prevention programs, would we reasonably respond thus if one of our children attempted suicide?

The most important conclusion in the HREOC report is that the Howard government has treated asylum-seeker children in a 'cruel, inhumane and degrading way'. The evidence that has been presented is simply so overwhelming that no balanced reader is likely to doubt its truth. The report states that many of the children disintegrated psychologically. Long-term child detainees experience near universal levels of chronic depression, post-stress disorders, joylessness, suicidal ideation, bed-wetting, severe headaches and stomach pains. However, what I find most troubling is the report of the frequent occasions when the Department of Immigration ignored the warnings of psychiatrists and psychologists who work at the centres that unless the children under their care were removed from their toxic environment of detention they would almost certainly experience irreparable long-term harm. In case after case, such advice was ignored.

The report notes that the average stay was in excess of one year—in fact, one year and eight months—with some staying three years and one staying in excess of five years. The more than 2,000 asylum-seeker children in detention were already traumatised, most having fled Saddam Hussein or the Taliban. In their desert detention camps, these children witnessed scenes no child should see: adults slashing wrists, trying to hang themselves and sewing their lips. Many were also caught up in violent disorder. Some were temporarily blinded by tear gas, some battered by water cannons, and many became terrified at seeing guards in riot gear bursting into their sleeping quarters in the early morning. HREOC's report recommends alternatives to detention that have been developed by experts. These alternatives retain security, identity and health checks, but move children and families found to pose no risk to the community into a healthier, cheaper environment, such as hostels or community housing.

Both Howard and Vanstone argue that mandatory detention of children is vital to deter the vile actions of people smugglers. What sort of society have we become that we allow the government to use the punishment of innocent children as a deterrent? The boats have stopped coming. Howard, Ruddock and Vanstone have already won the *Tampa* election as well as the fight to deter unregulated asylum seekers. To continue the detention of 80 children on Australian soil as well as the 85 children who are currently in Nauru not only shames Australia but is also an enduring stain on our nation's conscience. I conclude by quoting the Old Testament prophet Micah. I think he got it right when he said, 'What does God require of you but that you love justice, do kindness and walk humbly with your God?'

Overseas Trained Doctors

Dr FLEGG (Moggill—Lib) (12.17 p.m.): The Australian Medical Council is the national standards body for medical practice in Australia. The council conducts an examination for overseas trained doctors called the AMC examination. The AMC's web site defines the standard that this examination demonstrates as follows—

> The standard of the AMC examination is defined as the level of attainment of medical knowledge, clinical skills and attitudes required of newly qualified graduates of Australian medical schools who are about to commence intern training. That is the minimum standard for a graduating medical student in this country. This is the minimum standard that Queenslanders expect and have a right to expect when they and their families consult a doctor in this state.

Queensland public hospitals have been bypassing this usual requirement by using a loophole claiming to be 'area of need' to employ overseas trained doctors who have not sat the AMC exam or any other test of medical competency or in fact have sat the exam and failed. Supervising and senior clinicians are expressing concern. Queensland Health has taken no action. The president of the Redcliffe and District Local Medical Association wrote to the Medical Board of Queensland on 31 March as follows—

> I have been instructed by members of my organisation to write to you to voice their concerns about the competence of some overseas trained doctors recruited by Queensland Health and registered by the Medical Board of Queensland to practise medicine within the State hospitals.

He goes on to say—

There are apparently documented examples of overseas trained doctors registered by the Board who are found to be unfit to practise within one public hospital but remain registered and work as medical practitioners within another public hospital.

This is a group of mainly senior, experienced clinicians, many working within the Queensland public hospital system, and as of this morning no response had been received from the Medical Board.

Queensland Health claims that these doctors work under supervision. The AMC examination is to determine that someone has reached the standard of a final year medical student. In Australia, this is the standard that doctors must achieve before they work, even under supervision. I have 20 years experience as a doctor, but for those who do not even commonsense will tell them that you cannot supervise a doctor who has not reached final year medical school standard through every consultation and over night shifts where only one doctor is on duty. In Queensland, interns work under supervision. It is up to Queensland Health to insist that its overseas trained doctors have reached the standard necessary to work under supervision.

As reported in the *Courier-Mail* on 3 November 2003, Dr Stable, Queensland Health's Director-General, said that the market for doctors had changed recently and we are receiving applications from poorer and poorer countries around the world. It is only this month that the requirement for a compulsory English test has been introduced in Queensland, and this requirement is not being backdated and is only to a language skill level 7—in other words, broken English.

The Health Minister's predecessor received a report from the Queensland Health medical adviser for rural health services, Dr Chris Lennox. Dr Lennox identified grave concerns regarding overseas trained doctors being plucked from Third World countries with a bare minimum of screening. He urged the minister to back a new system which demands mandatory vocational qualifications to protect the community from incompetent medical practice and consequent adverse outcomes.

I will give two anecdotes. The first comes from north Queensland, in a public hospital. An Afghani doctor was speaking to the supervisor. The supervisor noticed no eye contact and no reaction and assumed that, like the others, this doctor could not speak English. The doctor could not speak English, but the doctor also proved to be totally deaf. There had been no screening at all. Another Middle Eastern trained doctor in a Queensland public hospital told the 60-year-old mother of a doctor that she had to cease all her heart medications because the community could not afford to pay for medication for people who were over 60.

There are a large number of experienced and respected clinicians who have gone public on their serious concerns about this matter. We have all witnessed the bullying of Queensland Health employed doctors who can in effect now only speak through professional organisations. I understand that having allowed this situation to happen—

Time expired.

Food Safety

Mrs MILLER (Bundamba—ALP) (12.22 p.m.): Food is a large part of the wonderful lifestyle that Queenslanders enjoy, and the food industry plays a significant part in the lives of all Queenslanders. The industry not only provides significant job opportunities but also assists in attracting tourism to our state.

Data for 1999-2000, the last year for which ABS comparative data is available, shows that industry value added from food processing contributed $2.34 billion to the Queensland economy. This amounts to over 20 per cent of total manufacturing value added. Turnover from food processing in Queensland for 1999-2000 was $11.393 billion. Food processing industries also make a significant contribution to employment in this state. In 2002-03 food processing industries employed 32,775 full-time equivalents, almost 19 per cent of manufacturing employment, and accounted for 2.1 per cent of total employment in Queensland.

Queensland Health is currently developing a new food act which will hopefully be introduced into parliament this year. The primary goal of the new act is to meet our common goal of ensuring that food is safe and suitable for consumers. We know that Queensland estimates of the incidence of food poisoning suggest that the number of food poisoning cases is increasing, with an estimated one million cases each year. I am sure most of us have suffered the horrible effects such as vomiting, diarrhoea and stomach cramps and have also had injections. What it means is time off work, time off school, visits to GPs and, in some severe cases, hospitalisation.

The direct cost of food-borne illness in Queensland each year has been estimated at $494 million. The total cost to the community is estimated at $3.3 billion per annum. These figures highlight the considerable impact that food-borne illness can have on the health of Queenslanders and the resources of both business and government. However, Queensland Health recognises the practical issues faced by food businesses, including charities and community groups, when demonstrating compliance with food safety requirements, and this is being considered during the development of the bill. Therefore, I would strongly encourage food industry groups and community groups to provide input into the draft food bill when it is released for public comment.

I believe that the relationship between the food industry and Queensland Health has never been stronger and that the new laws will only continue to strengthen this relationship for the betterment of the Queensland food industry and also consumers. However, it is important that local governments and food businesses be provided with guidance on how to fulfil their obligations under the proposed legislation and to promote greater consistency across the state. To assist in achieving this goal, it is expected that a wide range of codes of practice will be developed by Queensland Health in consultation with industry and with government.

The Premier in 2000 gave approval for the formation of a focus consultation group called the Food Safety Stakeholders Forum. This group was to provide stakeholders with a discussion forum for the review of the Food Act 1981. This ministerial advisory committee was originally chaired by Dr Lesley Clark, parliamentary secretary to the Health Minister at that time. Subsequently Mr Terry Sullivan MP, member for Stafford and our Government Whip, took over this role in 2001. This ministerial advisory committee has met on 12 occasions, and in December 2003 the forum agreed to consensus positions on all major issues in the Food Act review. The matter is now being finalised by Queensland Health, and the work of the forum has expedited this review process. I would like to congratulate Mr Sullivan on his good work on consulting with stakeholders to reach consensus with industry and consumers. He provided the direction and leadership needed by the forum to resolve these issues.

The important issue of food safety management is not solely about reducing the risk of food contamination with bacteria or viruses. Food safety management also relates to ensuring that consumers are informed about allergens in food that could result in fatal or serious reaction if consumed by allergy sufferers. It is estimated that up to two per cent of the Australian population suffers from a food allergy, but in children this rate increases to five per cent to eight per cent. Many child-care centres have introduced nut-free policies to reduce the risk of allergen exposure by children. I would like to place on record my congratulations to these businesses for taking such a positive step to ensure the safety of all children in their care.

I would also like to point out to the House that recently a number of applications have been received by FSANZ to amend the allergen labelling requirement in the code. I strongly urge all allergen sufferers, their carers and child orientated businesses to consider the proposed amendments and provide comments to FSANZ when the assessment reports on the applications are released for comment.

Time expired.

ADDRESS-IN-REPLY

Resumed from 13 May (see p. 1002).

Hon. J.C. SPENCE (Mount Gravatt—ALP) (Minister for Police and Corrective Services) (12.29 p.m.): On Saturday, 7 February I was re-elected as the member for Mount Gravatt for a sixth term with a two per cent increase in my primary vote. It was an encouraging result. I hope that my constituents saw it as the outcome of positive campaigning, strong policies and hard work. The result means that I now have the honour of being the longest-serving female member of parliament.

Government members: Hear, hear!

Ms SPENCE: Thank you. I would like to take this opportunity to place on the record my thanks to the voters of Mount Gravatt. I have always said that I regard it as an honour and a privilege to represent the interests of residents living in the Mount Gravatt electorate, which takes in the suburbs of MacGregor, Mount Gravatt, Mount Gravatt East, Nathan, Robertson, Runcorn, Sunnybank, Upper Mount Gravatt, Eight Mile Plains and small parts of Carina Heights and Holland Park.

Many generations of my family have lived in the area. I grew up in the electorate when the Big Top Shopping Centre was the place to shop, the tram stopped at Mount Gravatt Central and the Glen Hotel was surrounded by farms, and that was not that long ago. Of course, there have been many changes since that time and even more since I became the member for Mount Gravatt.

The Mount Gravatt electorate is one of the most densely populated electorates in Queensland and one of the smallest in area. The suburbs which make up the electorate were once frontier suburbs but are now easily accessible and seen as amongst Brisbane's most liveable suburbs. With the modernisation of the area, the state government has had to make big investments in the important areas of education, public housing, public transport and roads.

During the recent election campaign, I was able to outline to the electors of Mount Gravatt a long list of achievements of the Beattie government in my local area. These achievements included more than $10.5 million in capital works to schools in the Mount Gravatt electorate since February 2001. This includes projects at Macgregor and Sunnybank state high schools, a new school hall at Mount Gravatt State High School, a new two-storey classroom at Macgregor State School and additional classrooms at Warrigal Road State School. More than $1 million was provided to 12 schools in the electorate under the government's Triple R program and just over $1 million was provided in information and communication

technology grants. We provided $140,000 to enclose the Sunnybank State High School auditorium, $21,000 for special education services at Macgregor State School and $30,000 to upgrade the sports courts at Robertson State School.

Funds from the Beattie government's record health budgets included upgrades at the QEII Hospital and extra health funding to local groups, including the Blue Nurses and Mount Gravatt District Community Support. In the important area of jobs, more than $1 million was provided locally under the Breaking the Unemployment Cycle to assist 360 people with training and jobs. Public safety was also improved, with $400,000 provided to upgrade the Upper Mount Gravatt scenes of crime office, $432,000 provided to the Tactical Crime Squad and the allocation of an additional 35 police officers in the South Brisbane police district. Ongoing funding was also provided to many community support, disability and child-care services. Sporting and recreation groups are also the beneficiaries from one-off grants and funding programs with $1.2 million going to more than 80 groups in my electorate through the Gambling Community Benefit Fund.

In late February I had the honour of opening the new all-weather outdoor bowling green at the Mount Gravatt Bowls Club. The facility was constructed at a cost in excess of $600,000 and I am proud to say with the assistance of the Beattie government. Sport and Recreation Queensland provided more than $295,000 in last year's budget towards the new facility. This facility, which is the only one of its type in south-east Queensland, includes a shade structure, undercover lighting and synthetic green. It has put the Mount Gravatt Bowls Club on the map and is in an excellent position to attract regional, state and national competitions. The new facility is impressive and a credit to the committee and management of the bowls club. I would like to pass on my congratulations to the Mount Gravatt Bowls Club Committee, including President Des Roberts, Madam President Ett Ehlers and liaison officer Colin Colebrook.

I can also report to the House that work on the Hibiscus Gardens Youth Recreation Centre is progressing. The centre is being constructed in between the squash courts and the skate park at the Hibiscus Sports Complex. The Beattie government has allocated more than $647,000 towards the establishment of this centre, which will include an office area, meeting rooms, flexible recreational activity areas, open spaces and a music rehearsal room.

My neighbour and parliamentary colleague the member for Mansfield, Phil Reeves, and I have worked closely with Councillor Kerry Rea and the Brisbane City Council to bring this project to fruition. The contract for the building works was awarded in mid-February, and the construction is progressing well, with the earthworks and footings for the building completed. Construction is expected to be finished by late June/early July and an agreement regarding the management of the centre is presently being negotiated. Most importantly, this project will benefit some of the youngest members of the local community, giving them somewhere to meet, socialise and organise events.

The funding commitments and details that I have outlined today cover only some of the work we have achieved in the Mount Gravatt electorate. As I said during the election, there is more work to be done. During the campaign I outlined my vision for the local area and I will work hard to achieve these outcomes. The Beattie plan for the Mount Gravatt electorate includes delivering on our statewide commitments to health, education and employment. However, over the next three years it will also include some targeted improvements for residents living in the Mount Gravatt electorate.

With a high number of schools in my electorate, and as a former teacher, education is always a priority. Over the next three years we will upgrade the major resource centre at Robertson State School to support information and communication technology initiatives at a cost of approximately $300,000. We will provide $146,500 to upgrade electrical infrastructure at Warrigal Road State School. Some $61,000 will be provided for upgrades at Mount Gravatt State School and $42,900 for upgrades at Runcorn State School. This work will occur through the Beattie government's Wired for the Future program.

About $90,000 will be provided to upgrade telephone facilities at Mount Gravatt State School, Runcorn State School, Sunnybank State School and Upper Mount Gravatt State School. In the area of public housing, we will invest $176,000 from the Smart State Building Fund for housing upgrades. The electorate will also reap the benefits of $14.2 million for the refurbishment of public housing interiors in Brisbane's south side and $1.5 million for the construction of 15 units of new accommodation. In the area of emergency services, $1.6 million has been allocated to redevelop or reallocate the Mount Gravatt Fire Station.

People with disabilities and their families will benefit from $15,000 funding to upgrade and improve disability facilities and equipment in the local area and from the allocation of $71,201 to the Xavier Children's Network to provide extra respite to children and adults with a disability and their families. We will spend $1.8 million towards a $4 million project to provide bikeways on the Pacific Motorway between Nathan and Logan Road. In the area of transport services, $100,000 will be allocated to upgrade the Nathan connection arterial road and $2.4 million will be contributed towards traffic improvement measures on Brisbane sections of the Pacific Motorway.

During the election campaign I nominated traffic congestion as one of the key issues for the electorate. It was also used by the opposition to disseminate misinformation amongst the electorate regarding Kessels Road during the last days of the campaign. These 'Dear resident' letters purporting to be from concerned residents were clearly politically motivated. The letters were a flawed and mischievous attempt to blame the state government for the traffic congestion problems on Kessels Road. Without a doubt, as the suburbs in the Mount Gravatt electorate continue to grow and increase in popularity, this is an area of high importance. It is also an issue where all levels of government need to work together.

I am pleased to report to the House that I get along well with my neighbouring local, state and federal counterparts, and I am committed to working in partnership with them on any issue. However, one area where I cannot get agreement nor any cooperation is with the federal member for Moreton, Gary Hardgrave, on the issue of Kessels Road. The Queensland government is still waiting for a formal federal government response to the final report on the Brisbane Urban Corridor Study submitted to Canberra for consideration in December.

The federally funded study, which was completed by the state government, identified community concerns, investigated causes and identified practical community based solutions for this corridor which, as a National Highway, is a federal government responsibility. We are looking for a commitment from the federal government and an initial federal funding of $6.7 million to cover the final cost of the BUC's study and undertake detailed planning on elements of the plan. The request for funding also includes a modest federal contribution of about $1 million to allow for minor works identified in several of the 55 BUC recommendations over the next 12 months. In addition, the Queensland government is also waiting for the federal government to respond to the letter sent last March regarding taking the toll for trucks off the southern bypass from 10 p.m. to 5 a.m. for a 12-month pilot study. This was a major recommendation of the BUC report.

The state government already has provided $5 million for some of the recommendations from the study. Shortly after being re-elected, I invited the new Minister for Transport and Main Roads, Paul Lucas, to visit and inspect the Kessels Road section of the Brisbane urban corridor. Mr Lucas was quick to respond and visited in early April, meeting with the member for Mansfield, Phil Reeves, and myself. Mr Lucas is in the chamber at present, and I would like to personally thank him for his time. He, like myself, felt residents had been severely let down by the fact that the recent federal budget did not include any funds to help fix traffic congestion along the Brisbane urban corridor.

A government member: This was their big chance to put up or shut up.

Ms SPENCE: This was its big chance, as the minister has suggested, and we are yet again very, very disappointed at the lack of action by the federal government.

The budget delivered a slap in the face to every south side commuter struggling with traffic along the corridor. The federal government and the member for Moreton, Gary Hardgrave, have once again failed to acknowledge their responsibilities to this route, or even give an indication that they are concerned about fixing the problems.

It is well past time for action, but the federal government has shown that the Brisbane urban corridor and the concerns of the people driving on it every day are not a priority. It is estimated that around $200 million in federal government funding could be needed to deliver the wide spectrum of solutions identified by the BUC study. Instead of buck-passing and attempting to score political points out of this issue, Mr Hardgrave needs to get serious and needs to get his federal colleagues interested in funding and implementing the recommendations of the BUC study. Unless we work together, there is not going to be a resolution.

With the new term of the Beattie government I have taken on a new ministerial role. It is my honour to be Queensland's first female Minister for Police and Corrective Services. I am pleased to report that the Mount Gravatt and the Holland Park police stations were among the first police stations that I visited and toured when I became the new minister. I know the invaluable role that the Queensland police play in crime prevention and protecting the public, and in the short time I have been the Minister for Police and Corrective Services I have been impressed with the professionalism and dedication of the many officers I have met from the Queensland Police Service.

I have always had a cooperative working relationship with police from my electorate, including police officers such as Senior Sergeant Ray De Bruen and Sergeant Ross Frassetto. These officers have provided assistance through the local Neighbourhood Watch groups and safety forums that I have hosted.

On 14 May this year—last week, in fact—I reached another milestone, becoming the longest serving member for Mount Gravatt. The previous longest standing member was Geoffrey Chinchen. I am grateful for having had the opportunity to represent the Mount Gravatt electorate for such a long period.

In finishing, I would like to acknowledge those who have assisted me in my role as the member for Mount Gravatt and during the recent election campaign. I know the result would not have been the

same without the assistance of many people, including branch members and local supporters. My campaign office was a hive of activity during the election, and there are many people who have assisted me, from my first campaign which operated out of a room in my home to people offering assistance for the first time.

I would like to say a special thanks to my campaign director Jane Hague, my family, staff and all the volunteers. I would like to make particular mention of the members of the Chinese community, particularly the Happy Seniors Club, which is headed by Dorothy Lan and Herrick Wong, who gave their time and support during the campaign.

I will continue to represent the ever-changing electorate of Mount Gravatt and ensure that we receive our fair share of funding, services and support from the state government. I will also work hard to ensure that constituents are aware of the important services and programs provided by this government by continuing to host information seminars, morning teas, celebratory functions and regular communications with my constituents via newsletters, street stalls and doorknocking. I look forward to the next three years with energy and enthusiasm.

Hon. K.W. HAYWARD (Kallangur—ALP) (12.43 p.m.): It is certainly a great pleasure for me to speak to the motion for the adoption of the address-in-reply, and I want to take this opportunity to acknowledge publicly the support for the Australian Labor Party and myself as its representative in the electorate of Kallangur. It is an honour to represent this district in this parliament which I have done so continuously since 1986.

The Kallangur electorate encompasses parts of the Caboolture shire, comprising Morayfield, Burpengary and Narangba, and parts of the Pine shire, comprising Dakabin and Kallangur. It is an area experiencing enormous population growth, with the subsequent demands for private and public infrastructure in order to meet expectations. In fact, the population growth is so strong that the mayor of Caboolture tells me that Narangba is currently the fastest growing area in Australia. Kallangur is a vibrant and exciting place which I have been given the honour and the responsibility to represent dutifully and forthrightly in this parliament.

Mr Deputy Speaker, please pass on my congratulations to the Hon. Ray Hollis on being chosen to be the Speaker of this parliament. Over the years I have come to know him well and I am sure that he will do a very good job. His record, particularly in opening up the parliament to Queenslanders and the youth parliament process, has been noteworthy and I think should be acknowledged.

Let me also take the opportunity to congratulate the member for Toowoomba North on his re-election. I know how difficult areas are to win but also how very difficult areas are to hold, and I congratulate the member on his achievement.

I want to take this opportunity to recognise the people involved in my campaign team during the last election, especially my campaign manager, Ian Burgett, who again demonstrated a tireless commitment to the Labor Party and the Labor movement. The election of 7 February 2004 was the seventh time I have been elected and Ian has been my campaign manager for every one of those campaigns, beginning in 1986. Ian, again I take this opportunity to thank you.

I want to thank all of the campaign team and the party members and supporters for their hard work during the last election. I think elections are made easier by the work that is done in the three years leading up to them. That is the time when an elected representative is judged by local residents. As most people in this parliament know, much of that judgment is determined by the contact and efficiency of your electorate staff. I want to take the opportunity to thank my staff, Colleen Hughes, Kevin Van Katwijk and Joy Seiffert, for their support and commitment. Colleen has worked for me in the electorate office since I was first elected in 1986 and her wealth of experience, problem solving ability and contacts are fantastic and very much appreciated by local residents.

I take the opportunity in the parliament to acknowledge and thank my wife Janet for her support, particularly for her work over the years in the electorate and during the last campaign.

I want to take the opportunity in this debate to congratulate new members of parliament—all of those members who have been elected here since 7 February—but particularly those Labor members of this parliament. You have given us the opportunity to hear your maiden speeches. I have listened to them and I was pleased to see that the opportunity was taken to talk about their electorates and to raise issues of importance in those electorates.

During the state election I campaigned on a number of issues in the Kallangur electorate. I campaigned on issues that stood out to people who live and work in that area. Those issues are a reflection of the tremendous growth locally. The first issue is the need for an ambulance station to service the Narangba and Burpengary districts. That service would enable the response time for ambulance call-outs to be significantly reduced. As I speak in this debate, the site has been selected and the budgeted moneys have been set aside to enable this project to be completed.

I have been able to secure two police beats located in the areas of Kallangur and Narangba. Both of these police beats have been outstanding successes and have received overwhelming community

support. To this end, during the last election I campaigned for a police beat to be established in the district of Burpengary. From my campaign meetings during the last election campaign, I know that this proposal has been well received and I look forward to being able to deliver on the undertaking for Burpengary residents.

From my previous comments in this debate honourable members would be aware of the tremendous population growth in my electorate. I made a commitment during the campaign to work to provide two primary schools to relieve the pressure in Burpengary and Narangba respectively.

Burpengary State School has a student population of 1,100 with a further 100 at the preschool. Jiniburra State School in Narangba has a population of 1,000 and a further 100 at preschool. Narangba State School, an original school which is confined by its location—probably because nobody ever dreamt at the time that Narangba would turn into the substantial place it is today—has a student population of 640 and a further 100 in preschool. These are huge numbers, particularly for primary schools, and it is a glowing reflection of the outstanding work of the respective principals and teachers to provide educational opportunities and results to young people who reside in their local district. I look forward to working with the Education Minister, the Hon. Anna Bligh, in the construction and staffing of these new primary schools.

Previously, and often, in this parliament I have spoken on and supported the need for the upgrading of the Bruce Highway. It is an issue that is most important to people who live in Kallangur and other near northern areas. The total cost of completing the six laning of the Bruce Highway from Dohles Rocks Road to Boundary Road at Dakabin is $40 million. I welcome the funding for this project which comes principally from the Commonwealth government but with the support of the Queensland government.

I urge highway users to show patience during the new construction and plan for a slower journey to their destination. I know I made these remarks previously when the Pine Rivers bridge duplication occurred, but the more people show patience the quicker the project will be completed. When the task is completed to Boundary Road, traffic flows from the Kallangur electorate will be greatly improved. I welcome the funding provided for this project by the Commonwealth government. I urge it to set aside sufficient funds to proceed with the Bruce Highway upgrade to the Bribie Island turnoff.

All honourable members know that the Bruce Highway plays a vital role in the lives of people in the Pine Rivers and Caboolture communities. Road users in my electorate pay a proportionally higher sum to petrol excise and accordingly such excise money should be devoted to the Bruce Highway upgrade. That is a matter of fairness to our local community.

I take this opportunity to thank the people of the Kallangur electorate for again showing their confidence in returning me as the member for the district on behalf the Australian Labor Party. I assure all people of the Kallangur electorate that I will do my best to work diligently on their behalf.

Mr MALONE (Mirani—NPA) (12.51 p.m.): As other members have commented, it is a pleasure to rise and speak in response to the Governor's address that took place in this House some weeks ago. This is my fifth election to this place. It has been a challenging and sometimes difficult time. We all rise to such challenges. I have enjoyed my time in this place and, more importantly, enjoyed the work I have done representing the people in my electorate not only in this place but also in the electorate.

The work of a member of parliament is supported tremendously by the people in the electorate offices. I commend my electorate secretary, Karen Farrell, who joined me 10 years ago. I commend her on the way she has represented the electorate of Mirani to the people who have passed through our doors and who have rung my office very often. I commend Clair Bartolo and Pauline Young who, in a job share situation, have made up the second person in the office. I believe our officers, as others right around the state, provide a very essential service in terms of not only addressing the political issues that come before them but also addressing a whole range of issues that people need to talk about. Sometimes it is more a counselling office than a member of parliament's office. That is a very important role. The people who talk to us in the street or call at our electorate office are sometimes looking for a level of advice that is not available elsewhere in the community.

I congratulate all members who have been returned to the parliament and, more particularly, those who have joined this parliament for the first time. Obviously, there are a number from the National Party who have joined this parliament for the first time. They are representing the National Party as we believe they should. They will make great members of parliament as they find their feet in this House and come to understand the issues in their electorates.

I thank all those people in my electorate and outside it who have supported me not only this term but also previously. They are the same people every time. I particularly mention Kevin O'Reily, my electorate chairman. I wish his wife, Annaleis, all the best in her treatment. They are going through a very difficult time right now. We wish Annaleis all the best for the future. I also thank my wife and our daughters for their support over this time. As all members would realise, it sometimes takes a great toll on family members being with someone who represents an electorate. I also thank Martin Klibbe, John Currie, Jack Long, Col Birkett and many others throughout the electorate for their help.

I have always tried to represent my electorate with dignity and credibility. I try to deliberately not seek publicity for publicity's sake or run on a roll of big-noting myself. I have tried to be responsible in that regard and represent the people of my electorate who have varied and wide-ranging interests. I notice the minister is nodding, because my electorate covers people in lots of different circumstances.

We have the graziers to the south and the caves to the north. We have the miners to the west. We have the canegrowers and the small crops growers. In the more urban parts of the electorate such as in Mackay and Walkerston there are a range of interests. They may work in the support mining industries or in general industry.

It is a varied electorate in terms of common interests. There are the issues of fishing on the Great Barrier Reef. My electorate extends to the outer Barrier Reef—the big drop-off on the outer continental shelf. I have 25 or 30 uninhabited islands in that area. I would like the Speaker to supply me with a vehicle to go out there but, unfortunately, he does not seem interested in doing that. I have to assume that everything is going all right on the outer Barrier Reef.

There are a couple of issues of great interest to me. One is a project at Sarina High School. During the election campaign an agricultural project was developed to set up a Centre for Innovation and Excellence in Rural and Agricultural Education and Training at Sarina High School. That is a lot of words but it means quite a substantial difference to the way in which we deliver education in Sarina.

A partnership has been established between the business community and the wider community. Farmers and others will become part and parcel of the project. Initially, CSR offered some land for the project. That is in the process of being purchased. Subsequent to the election, we have been able to buy a house that adjoins that block of land that also sits on about an acre. All in all about four acres of land and a house that can be converted to a teaching precinct. It is connected to sewerage, power and water. I believe the Minister for Education advanced funds to allow this project to commence.

The people from the Department of Education whom I have spoken to were some of the most responsive people in public life that I have ever dealt with. This project has the huge potential to increase the interaction between rural people and to promote education in that area. It is a tremendous project. I have followed it very closely. I commend everybody who has been involved—the principal Bill Pickering and deputy principal Ralph Johnson. A lot of the teachers are involved. A huge number of the people in the community are coming on board.

The students will graduate with a certificate III. They will support the agricultural and rural industries throughout the district. More importantly, it involves young people getting hands-on educational experience. We have seen in other programs where that makes a huge difference in young people's attendance at school. The program is purposeful and provides motivating agricultural education to disengaged students and disengaged youth within the Sarina region. This is a terrific program and it has my total support.

There was also an allocation of some $750,000 for an administration building at Alligator Creek State School. I understand some work has started. There was $127,000 for the upgrade of the ICT unit and another $5,000 for electrical upgrades. Alligator Creek is a growing school servicing some of the coastal communities such as Hay Point, Salonika and Grasstree. That area is growing very quickly. There is a real need to expand the school to meet the growing needs of the area.

Debate, on motion of Mr Malone, adjourned.

Sitting suspended from 1.00 p.m. to 2.00 p.m.

GAMBLING LEGISLATION AMENDMENT BILL

Hon. T.M. MACKENROTH (Chatsworth—ALP) (Deputy Premier, Treasurer and Minister for Sport) (Chatsworth—ALP) (Deputy Premier, Treasurer and Minister for Sport) (2.01 p.m.), by leave, without notice: I move—

That leave be granted to bring in a bill for an act to amend the Casino Control Act 1982, Charitable and Non-Profit Gaming Act 1999, Gaming Machine Act 1991, Interactive Gambling (Player Protection) Act 1998, Keno Act 1996, Lotteries Act 1997, TAB Queensland Limited Privatisation Act 1999, and Wagering Act 1998, and for another purpose.

Motion agreed to.

First Reading

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

Second Reading

Hon. T.M. MACKENROTH (Chatsworth—ALP) (Deputy Premier, Treasurer and Minister for Sport) (2.02 p.m.): I move—

That the bill be now read a second time.

The Gambling Legislation Amendment Bill 2004 amends all seven principal gaming acts. The amendments are designed to achieve greater consistency in the administration of these acts and also clarify and strengthen some of the existing provisions of these acts. The bill's implementation of a legislative model for a new exclusions regime for people experiencing problems controlling their gambling behaviour is of particular significance. The regime is unique in Australia because it was developed by a tripartite working group involving community, industry and government members of the Responsible Gambling Advisory Committee.

The model proposes uniform exclusion provisions for problem gamblers from gambling venues across five of the seven gaming acts. The Charitable and Non-Profit Gaming Act 1999 and the Lotteries Act 1997 are not included because the outlets through which such products are sold do not lend themselves to exclusions and there is a low incidence of problem gambling associated with these products. It includes enhancements to the current procedures for self-exclusions to standardise the self-exclusion provisions and create a duty for gambling providers to exclude the customer at the customer's request.

When a gambling provider issues a self-exclusion order following receipt of a self-exclusion notice from a patron, the gambling provider must also provide the excluded person with details, including the name and address of at least one entity that provides counselling services for problem gamblers. In the case of machine gaming at clubs and hotels, exclusions may be limited to the 'gaming machine area' or it may relate to the whole of the licensed premises. There is a cooling-off period of 24 hours in which the patron may notify the gambling provider in writing that they wish the self-exclusion order be withdrawn. However, until then the exclusion remains effective. Beyond the cooling-off period, self-exclusions will remain effective for five years. Patrons may give notice in writing to the gambling provider after one year to revoke the order.

The legislation also provides for a new mechanism of venue initiated exclusions called 'exclusion directions'. The legislation will create a head of power but not a duty for gambling providers to initiate the exclusion of patrons from the provider's venue. These exclusions may occur when a gambling provider becomes aware of indicators that suggest cause for concern about a particular patron's problems through one of the following means:

- an approach by a third party;
- observation by the customer liaison officer or staff of the gambling provider; or
- an approach or admission by the patron.

Venue initiated exclusions cannot be revoked by the gambling provider until a minimum period of one year has elapsed. However, the patron will have a right of appeal to a Magistrates Court within 28 days of the giving of the exclusion direction order or the refusal by a gambling provider to revoke an exclusion direction after one year has elapsed.

Uniform penalties across all five gaming acts will apply to gambling providers, their employees and patrons. For example, a maximum penalty of 50 penalty units will apply for an individual gambling provider or 250 penalty units in the case of a gambling provider that is a body corporate if they fail to process a request from a patron for self-exclusion from a venue. There will be a penalty of 40 penalty units for excluded individuals attempting to re-enter a gambling venue or a designated gaming area such as a casino or gaming machine area. Also, gambling providers would be required to document breaches of self-exclusion orders or exclusion directions and report the breach to the Queensland Office of Gaming Regulation.

There is a provision for a court to postpone imposing a penalty on the patron on the condition that the patron attends counselling. This provision already exists in section 99 of the Casino Control Act 1982 and will be repeated across the other four gaming acts to achieve consistency. Additionally, a uniform offence is created across all legislation providing for a maximum penalty of 250 penalty units for all gambling providers and 40 penalty units for an employee who knowingly permits an excluded patron to enter or remain in a gaming area or licensed premises, as the case may be. I seek leave to have the remainder of my speech incorporated in *Hansard*.

Leave granted.

The Bill also has an important role in amending the Gaming Machine Act 1991 to strengthen the power of the regulator to deal with private sector involvement in clubs.

Firstly, in certain cases, a licensed club will be required to advise the Queensland Office of Gaming Regulation of details of any management agreement and of any subsequent change before the agreement is entered into by the licensee or before the change is made.

The provisions will enable QOGR to assess whether the terms and conditions of these management agreements are reasonable and whether they comply generally with the provisions of the Act. Of particular relevance to the assessment will be those provisions requiring payments for services to be reasonable and which place an obligation on the club's elected management committee or board to remain in control of the club's affairs and not to allow the club to become a device for the personal gain of others.

The assessment of management agreements will not take the form of an approval. Rather, a period of at least 28 days, a qualifying period, will be set during which any concerns will be raised by QOGR. No management agreement will be able to be entered into and no changes will be able to be effected until the expiration of the qualifying period.

Some exemptions from this requirement will apply and these will mainly relate to arrangements between clubs and individuals who are not employed in a managerial capacity by more than one club and whose salary package is based on a pay as you go income tax deduction system.

A similar notification and assessment period is also to apply to any changes proposed to be made to lease agreements over the club premises. Again, this will provide QOGR with the opportunity to identify the involvement of private interests in a club as well as to assess the reasonableness of the terms and conditions of the lease in terms of the legislation, particularly the level of lease payments.

Secondly, the Bill places a requirement on clubs to report annually to QOGR the details of benefits paid to certain persons by the club. In future, the specific monetary payment and other benefits provided to persons under a lease or management agreement or to a member of the club's management committee or board, to the secretary or the club manager will need to be separately disclosed to QOGR. The way that such benefits are reported within the club's accounts remains a matter for the club and it is not intended to publicly release this information. Benefits given during a financial year which do not amount to a sum to be prescribed will not be required to be reported in this manner. In the first instance, the prescribed amount will be $1,000.

Finally, it will become an offence for the lessor of the club's premises, a person who has entered into a management agreement or arrangement with a club, a creditor of the club or the manager of the club to hold office as a member of the club's management committee or board. However, this provision will not apply where the composition of the management committee or board must, under the licensed club's rules, include persons nominated by a related entity as is the case, for example, in some RSL and football clubs. Further exemptions under this provision may be made by the chief executive on the basis that such an appointment would be in the best interests of the club.

Transitional provisions will enable persons affected by this provision to remain on the club's committee or board until their term of appointment ends.

The assessment of management and lease agreements or any decision to exempt an ordinarily prohibited person under this provision would not preclude the chief executive from continuing the monitoring of private interest involvement in clubs or the taking of appropriate enforcement action available under the Act where such action is deemed necessary.

Notwithstanding these amendments, the negotiation and entering of management and lease agreements ultimately remains the responsibility of the club.

The Bill also provides the opportunity to amend legislation to give effect to the process of continually improving the state's gambling legislation to ensure consistency and maintain best practice.

In this regard, the Bill amends the gaming Acts, other than the Charitable and Non-Profit Gambling Act 1999, to provide for a consistent process for "show cause" action to cancel or suspend an employee licence.

Furthermore, the seven gaming Acts are amended to provide consistency with respect to confidentiality or secrecy by Departmental Gaming Officers, Inspectors, Commissioners of the Queensland Gaming Commission, Licensed Monitoring Operators together with their employees, and other persons.

I will now outline the amendments which are specific to each Act.

Part 2 of the Bill amends the Casino Control Act 1982 to provide for situations where an overpayment to patrons is mistakenly made at a casino by employees of the casino operation.

There have been several instances of overpayment involving large amounts where patrons have refused requests to return the money. These have occurred when patrons are exchanging chips for cash, as well as at tables when exchanging cash for chips. There have also been instances where staff have accidentally paid large amounts to persons they believe were the owner of credits on a machine, only to learn later that they were not entitled to them.

The amendment provides that if a person obtains a benefit from playing a game in a casino in contravention of the game rules or because of an error or oversight in the conduct of the game, the person must not dishonestly keep the benefit. A maximum penalty of 200 penalty units will apply.

Part 3 of the Bill amends the Charitable and Non-Profit Gaming Act 1999 to further enhance consistency with other gaming Acts.

Additionally, Part 3 will amend the Act to provide that an eligible association may conduct a Category 2 or 3 game from outside Queensland, provided its records are kept at a place approved by the chief executive. This amendment is intended to address a situation where a Category 2 or 3 game is intended to be conducted from outside Queensland.

Lastly, Part 3 will amend the Act to extend the existing prohibition on minors entering a game where the prize includes liquor to now also prohibit the participation of minors if a prize includes a gaming product. These amendments arose from public responses to the discussion paper "A Review of the Participation of Minors under the Charitable and Non-Profit Gaming Act 1999", released in November 2001.

Part 4 of the Bill amends the Gaming Machine Act 1991 to provide for such matters as appeals to the Queensland Gaming Commission or to a Magistrates Court and to clarify that the Commissioner of Police may provide criminal history checks for candidates for appointment as commissioners to the Queensland Gaming Commission.

The Gaming Machine Act will also be amended to ensure that any existing operating authorities in respect of premises which are part of special facility premises, will automatically transfer to the new gaming machine licensee upon issue of a new gaming machine licence. This amendment clarifies the fate of operating authorities when there is a change of licensee for special facility premises.

Additionally, the Act will be amended to provide for a number of relatively minor administrative amendments to assist in the administration of the legislation. Specifically, clause 57 will amend section 317(1) of the Act to reinstate an offence for failure to pay the monthly gaming machine taxes, levies and fees with a maximum penalty of 200 penalty units.

This maximum penalty was inadvertently omitted through the Gambling Legislation Amendment Act 2002. Furthermore, Part 4 will provide for a number of transitional provisions in connection with the proposed changes.

Part 5 of the Bill amends the Interactive Gambling (Player Protection) Act 1998 to provide for such matters as appeals to the Queensland Gaming Commission or to a Magistrates Court and to provide for a number of relatively minor administrative amendments to assist in the administration of the legislation.

Furthermore, Part 5 will provide for a number of transitional provisions in connection with the proposed changes.

Parts 6 and 7 of the Bill amend the Keno Act 1996 and the Lotteries Act 1997 respectively to provide for such matters as appeals to the Queensland Gaming Commission or to a Magistrates Court and to provide for a number of relatively minor administrative amendments to assist in the administration of the legislation.

Additionally, Parts 6 and 7 will amend the Keno Act 1996 and the Lotteries Act 1997 to provide that the chief executive may appoint a person as an Inspector for the purposes of this Act, in instances where that person is not already an inspector under another gaming Act. Furthermore, Part 6 will provide for a number of transitional provisions in connection with the proposed changes.

Part 7 of Bill further amends the Lotteries Act 1997 by inserting a new section that facilitates the amendment to the Interactive Gambling (Player Protection) Act 1998 exempting the sale of certain lottery products via a telecommunications device or the Internet. This amendment now explicitly permits the Golden Casket Lottery Corporation limited to accept entries in an approved lottery via the telephone or another communications device, including the Internet.

Additionally, Part 7 removes the reference to the agency payment period that currently limits the time period within which a prize may be claimed from a lottery agent. This will allow for longer time periods for claiming prizes from a lottery agent.

Part 8 of the Bill amends the TAB Queensland Limited Privatisation Act 1999 by removing section 43 in order to activate Part 5 of the Act without the need for Gazettal.

Part 9 of the Bill amends the Wagering Act 1998 to provide for a number of changes that are necessary as a result of the commencement of the Racing Act 2002 on 1 July 2003. It also provides for matters such as appeals to the Queensland Gaming Commission or to a Magistrates Court and to provide for a number of relatively minor administrative amendments to assist in the administration of the legislation. Furthermore, Part 9 will provide for a number of transitional provisions in connection with the proposed changes.

Part 10 provides for a series of minor technical and consequential amendments.

Mr Speaker, this Bill improves the consistency and clarity of gambling regulation in Queensland. In so doing, it maintains the high standards of probity, integrity and community benefit that Queenslanders have come to expect from the conduct of gaming in this State.

Further, the Bill strengthens the power of the regulator to deal with the issue of private sector involvement in clubs.

The Bill also puts in place a new exclusions regime for people experiencing problems controlling their gambling behaviour.

I commend the Bill to the House.

Debate, on motion of Mr Lingard, adjourned.

REVENUE LEGISLATION AMENDMENT BILL

Hon. T.M. MACKENROTH (Chatsworth—ALP) (Deputy Premier, Treasurer and Minister for Sport) (2.08 p.m.), by leave, without notice: I move—

That leave be granted to bring in a bill for an act to amend certain revenue legislation.

Motion agreed to.

First Reading

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

Second Reading

Hon. T.M. MACKENROTH (Chatsworth—ALP) (Deputy Premier, Treasurer and Minister for Sport) (2.08 p.m.): I move—

That the bill be now read a second time.

The Revenue Legislation Amendment Bill 2004 makes a number of amendments to the state's revenue legislation, specifically the Duties Act 2001, the Fuel Subsidy Act 1997 and the Land Tax Act 1915. While all of these changes are important, the majority are in the nature of maintenance and clarification of the legislation to ensure that it operates as intended. A number of the amendments ensure that the duty treatment of certain instruments or transactions under the Duties Act 2001 is consistent with the treatment prior to repeal of the Stamp Act 1894 on 1 March 2002. I seek leave to have the remainder of my speech incorporated in *Hansard*.

Leave granted.

- The bill will make an amendment regarding transfer duty on transfers of mortgages and other securities. Under the repealed Act, duty applied where the security related to any property in Queensland. Under the Duties Act 2001, this has been inadvertently limited to dutiable property. The former position is to be reinstated.
- Grants of mining leases, mineral development licences and mining claims under the Mineral Resources Act 1989 will be exempt from duty from 1 March 2002, consistent with the former assessing practice.
- One of the conditions of the corporate reconstruction exemption for interposing a new company between two or more companies and their shareholders will be expanded to cover indirect, as well as direct, shareholdings, consistent with the position under the repealed Act. As this amendment relaxes the condition, this is beneficial for taxpayers.
- Also, where lease duty applied to a lease or agreement for lease under the repealed Act, that duty also applied to any subsequent instrument which varied the rental payable. This is also the case under the Duties Act 2001. However, there is a gap where the lease was made before commencement of the Duties Act 2001 and the variation occurs after that date.

This gap was closed by the Duties (Transitional) Regulation 2003 which provides that the repealed act applies to the variation instrument. The transitional regulation is to be replaced by a legislative provision in this Bill to the same effect.

The Bill also clarifies how four provisions in the Duties Act 2001 are intended to apply or amend problems or anomalies.

- One of the corporate reconstruction exemptions provisions enables certain trust assets of a corporate group to be aligned into a subsidiary company. One condition of exemption is that the subsidiary company and the trust beneficiaries are both group companies. However, as the shares in the subsidiary must be held on trust for the beneficiary, this condition cannot be satisfied because the group company definition does not cater for shares held on trust. The condition will be amended to ensure that the exemption operates as intended.
- An advance ruling can be sought from the Commissioner of State Revenue on whether or not the corporate reconstruction exemption will apply to a proposed transaction. However, the Commissioner is not bound by the ruling if certain things happen. This Bill will clarify these circumstances, namely, where there is a change in the law, or a court decision is handed down, which would have materially affected the Commissioner's decision to give the ruling, or the circumstances surrounding the transaction change after the ruling is given.
- The Bill also contains provisions to clarify some aspects of the self assessment provisions of the Duties Act 2001. In particular, these amendments set out what is required of a taxpayer who engages an agent, such as a solicitor, to pay duty on an instrument or transaction.
- Finally, where a person received assistance from the Queensland Housing Commission for certain transactions under the State Housing Act 1945, the Duties Act 2001 exempted those transactions from duty. The Housing Act 2003 repealed and replaced the State Housing Act 1945 and also replaced the relevant exemption in the Duties Act 2001. While the new exemption was intended to provide the same relief as previously available, the scope of the exemption has been inadvertently narrowed. The Bill will restore the previous position.

Mr Speaker, on 2 February 2003, I announced that the Government would cease to collect any outstanding succession duty debts. Honourable members will be aware that succession duty was abolished in this State from 1 January 1977. As one would expect, any succession duty liability which arose before that date remained payable. More than 25 years after abolition, small numbers of relatively small debts remained outstanding. It was therefore appropriate to cease collections and an administrative arrangement to that effect has applied since 31 January last year. This Bill will give legislative effect to extinguishment of these debts. As the succession duty legislation has been repealed, the amendment will be included in the Duties Act 2001. The Bill also confirms, for the avoidance of doubt, that no refunds will be made of any succession debts paid before 31 January 2003.

Honourable members may recall that Queensland Transport's conditional registration scheme commenced on 1 May 2003. Changes to the Transport Operations (Road Use Management—Vehicle Registration) Regulation 1999 introduced a new requirement to conditionally register non-complying vehicles which require access to the road network. These vehicles were previously either exempt from registration or unable to be registered because they did not comply with registration requirements. There are important benefits of registration, particularly the benefit of Compulsory Third Party insurance in the event of a crash and greater road safety as affected vehicles must operate under uniform safety standards.

One aspect of the new scheme is that applications to register or transfer registration would be required for these vehicles for the first time. Under the Duties Act 2001, vehicle registration duty applies to these documents. The duty is charged at the rate of 2% of the dutiable value of the vehicle. In many cases, these vehicles are very valuable and the duty would be so significant that it would be an impediment to implementation of the scheme. For this reason, the Government decided that a concessional duty of $25 should apply to these applications for registrations and to transfers of registration. Further, as a transitional measure, no duty would apply during the initial period of the scheme to allow time for industry to come under the scheme without incurring any duty. The new concessional duty will commence upon the commencement of the legislation targeted for 1 September 2004 and the exemption will apply to that date.

All States charge mortgage duty on amounts secured by mortgages. For Queensland, this is a significant revenue source, raising an estimated $180 million in 2002-03. Where a mortgage secures property wholly in Queensland, mortgage duty applies to the full amount secured. However, where non-Queensland property is also included in the mortgage, there are special rules for calculating the duty. These rules are designed to ensure that mortgage duty is not charged by two or more States on the same amount secured by the mortgage. That is, the rules avoid double duty.

For example, if a $1 million advance is secured by a mortgage over Queensland and New South Wales property and each property is of equal value, Queensland will charge mortgage duty on $500,000. Therefore, the dutiable proportion is calculated using the Queensland proportion of the total property values. However, where the other jurisdiction does not impose mortgage duty, the value of property in that jurisdiction is disregarded in the calculation. In the example, if there was also a property in the Australian Capital Territory, Northern Territory or overseas, Queensland would still impose mortgage duty on $500,000. This rule ensures that non-taxing jurisdictions cannot be used to manipulate the Queensland mortgage duty rules to avoid Queensland duty.

Victoria has announced that it will abolish its mortgage duty from 1 July 2004. It is therefore necessary to make some consequential changes to the Duties Act 2001 to deal with situations where a mortgage secures property in Queensland and Victoria. The Duties Act 2001 will therefore be amended to exclude Victorian property from the calculation of the Queensland dutiable proportion of a multi-jurisdictional mortgage. Victorian property is therefore being treated consistently with property in the Territories and overseas. This change will commence on a date to be proclaimed.

The Bill also makes a number of minor technical amendments to the Duties Act 2001. In addition, minor amendments are also made to the Fuel Subsidy Act 1997 and Land Tax Act 1915 to include updated references to the Commonwealth's Energy Grants Credits Scheme and the definition of "retirement village" in the Retirement Villages Act 1999.

Mr Speaker, the Duties Act 2001 has been working well since it replaced the 108 year old Stamp Act 1894 on 1 March 2002. It is easier to understand and has simplified matters both for the community and the Office of State Revenue. This Bill ensures that the Act and our fuel subsidy and land tax legislation continue to keep pace with the changing environment and operate as intended.

I commend the Bill to the House.

Debate, on motion of Mr Lingard, adjourned.

COMMUNITY AMBULANCE COVER AMENDMENT BILL

Hon. T.M. MACKENROTH (Chatsworth—ALP) (Deputy Premier, Treasurer and Minister for Sport) (2.10 p.m.), by leave, without notice: I move—

That leave be granted to bring in a bill for an act to amend the Community Ambulance Cover Act 2003.

Motion agreed to.

First Reading

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

Second Reading

Hon. T.M. MACKENROTH (Chatsworth—ALP) (Deputy Premier, Treasurer and Minister for Sport) (2.11 p.m.): I move—

That the bill be now read a second time.

The Community Ambulance Cover Amendment Bill 2004 provides additional exemptions from the community ambulance cover levy. Most of these exemptions were announced on 11 November last year and have been operating on an administrative basis since then. The community ambulance cover levy commenced on 1 July 2003. Initially, conditional exemptions were provided for pensioners' principal place of residence, farming sheds, pumps, Commonwealth, state and local governments and certain religious and other institutions. Exemptions were also provided to ensure that the levy applied once only to a place of business in a building.

Like any new scheme, there has been a period of bedding down the system and listening to community concerns. The government decided that further changes were needed and announced a range of new exemptions which took effect from 11 November 2003. These exemptions will be given effect in this bill and will apply to—

- stand-alone electricity accounts for hot-water systems;
- multiple electricity accounts for a place of residence in a building provided that it is not used for an income producing or business purpose;
- stand-alone electricity accounts for public park facilities such as barbecues, picnic shelters, walkways, rest rooms and war and similar memorial sites;
- common property electricity accounts—and master electricity supply accounts—of buildings such as retirement villages, home units, attached town houses, flats, shopping centres, offices and industrial buildings where the levy or an exemption already applies to each occupied unit, shop or office;
- stand-alone electricity accounts for security lighting where the levy or an exemption already applies to the premises; and
- stand-alone electricity accounts for certain equipment required by a person because of a medical condition.

In addition, technical amendments have been made to the act to ensure the intent of the exemptions is effected. I seek leave to have the remainder of my speech incorporated in *Hansard*.

Leave granted.

Since 11 November 2003, systems changes have been made by electricity retailers and the necessary forms and information sheets have been made available to enable the exemptions to be processed. Initially the levy continued to apply to exempt accounts on the basis that the necessary adjustments to the account would be made once the systems had been updated to allow administration of the exemptions. That is now happening.

The exemptions apply to accounts issued after 11 November 2003 even where the period of the account started before that date. The Bill will therefore have retrospective effect.

In addition to the new exemptions, the Bill will make an important change to assist building owners and managers with on-supply arrangements. On-supply arrangements exist where a person, such as a body corporate or a shopping centre owner, purchases electricity for a building from an electricity retailer under a master supply account and then on-supplies and sells the electricity to the occupants in the building. These arrangements commonly exist in home unit blocks, shopping centres or office blocks. The on-supplier is liable to pay a levy for each shop, unit or office in the building to which electricity is on-supplied.

Once the electricity account has been issued to the on-supplier and the levies are payable, the on-supplier may recover the cost of the levy for each on-supply arrangement from the receiver of the electricity, the owner of the unit or the tenant. However, the on-supplier is prohibited from exercising this right to recover the levy prior to the issue of the statement of levy liability which is usually included in their electricity account. This causes problems when the receiver, owner or tenant ceases or is about to cease being a receiver, owner or tenant for the premises. This commonly happens when an owner sells a unit or a tenant vacates. In that event, the building owner or manager is unable to finalise the levy liability at that time. As a result, the on-supplier is likely to have difficulty, or incur excessive administration expense, in recovering the levy from the person later, when the electricity account is issued.

The Community Ambulance Cover Amendment Bill 2004 provides for the bringing forward of an on-supplier's rights of recovery before an electricity account is issued in circumstances where the person from whom the levy will be recovered ceases or is about to cease being a receiver, owner or tenant.

The Government is listening to the community about the Community Ambulance Cover scheme. The new exemptions which are contained in the Community Ambulance Cover Amendment Bill 2004 will apply to an additional 50,000 electricity accounts at a cost of about $5 million per year. The Government considers that these changes will help ensure that the Community Ambulance Cover works fairly while providing a reliable funding source for Queensland's world class ambulance services.

Mr MACKENROTH: I commend the bill to the House.

Debate, on motion of Mr Lingard, adjourned.

BIODISCOVERY BILL

Hon. T. McGRADY (Mount Isa—ALP) (Minister for State Development and Innovation) (2.13 p.m.), by leave, without notice: I move—

That leave be granted to bring in a bill for an act about taking and using state native biological resources for biodiscovery, and for other purposes.

Motion agreed to.

First Reading

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

Second Reading

Hon. T. McGRADY (Mount Isa—ALP) (Minister for State Development and Innovation) (2.14 p.m.): I move—

That the bill be now read a second time.

This bill is to establish in Queensland a legislative regime to regulate the access and ecologically sustainable collection of our state's unique biodiversity for the purposes of biotechnology research and development. As members would be well aware, the Beattie government has taken a strong position in advocating the biotechnology industry and the benefits it can bring to our state. The bill before us today has been developed to further that position, building the state's biotechnology potential by combining its research strengths with its biodiversity strengths.

Convention on Biological Diversity (CBD)

The bill has been developed to implement at a state level the requirements of article 15 of the United National Environment Program's Convention on Biological Diversity, or CBD, which was ratified by Australia in 1993. Article 15 of the Convention of Biological Diversity recognises states'—

- sovereign rights over their natural resources;
- their authority to determine access to genetic resources; and
- right to derive fair and equitable sharing of benefits from granting access.

The bill we have before us today is consistent with these principles.

Matching Queensland's biodiversity assets with its biotechnology strengths

Biodiscovery is the search for active compounds in plants, animals and micro-organisms that can be developed into commercial products. Biodiscovery involves collection of only small samples with minimal ecological impact. With its world-class research infrastructure coupled with its unique environment, Queensland is well placed to become a leading international centre for biodiscovery. Queensland boasts an advanced system of education and health care, a skilled work force and internationally recognised scientific capabilities. It is also the most megadiverse country in the developed world that is a signatory to the United National Environment Program's Convention on Biological Diversity.

From a biodiversity perspective, the state is home to—

- vegetation ranging from heaths and temperate woodland to tropical rainforests;
- 19 of Australia's 80 terrestrial bioregions;
- 17 of Australia's 60 marine bioregions;
- five of Australia's 13 World Heritage-listed sites including the Wet Tropics areas, Fraser Island and the Great Barrier Reef;
- over seven million hectares of national parks, conservation parks and resource reserves;
- over 8,000 identified species of flowering plants, gymnosperms and ferns; and
- extensive terrestrial and marine invertebrate and microbial diversity.

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

Leave granted.

To demonstrate that potential, a major source of active pharmaceutical compounds are sourced from flowering plants, of which Queensland boasts more than the entire North American continent.

It is not just drug development that poses potential though—the Australian Institute of Marine Science (AIMS) has developed with commercial partners a sunscreen based on compounds sourced from coral and Queensland biotechnology company BioProspect Australia is developing an insecticide from compounds found in a particular species of eucalypt.

Biodiscovery industry today

Today the Queensland biodiscovery industry is characterised by small to medium sized companies and cooperative alliances between Queensland based research institutions and international bodies.

Two significant alliances are:

- the Natural Products Discovery joint venture between Europe-based AstraZeneca and Griffith University that has resulted in over $100 million investment in biodiscovery R&D in Queensland and the creation of 43 full time jobs; and
- Australian Institute of Marine Science (AIMS) and the United States National Cancer Institute whose five-year collaborative agreement signed at BIO2003 marks a new anti-tumour and anti-AIDS screening initiative. Active participation by AIMS scientists will allow any active leads that may emerge to be processed in Queensland.

Additionally a growing number of small to medium sized enterprises such as EcoBiotics, Xenome, and BioProspect Australia are emerging in or moving to Queensland to capitalise on the State's unique biodiversity and the openness of the Beattie government to biotechnology and innovation.

Features of the Bill

Existing statutes regulating access to the State's biodiversity were designed to regulate land use for conservation purposes and traditional extractive industries such as fisheries or forestry.

These regimes were not designed to regulate the access to and the use of biodiversity for biodiscovery.

In practice, this means a number of regulatory regimes apply to biodiscovery—for example, a biodiscovery organisation wishing to collect a protected plant sample from a State forest may be required to obtain:

- a commercial wildlife harvest licence under the Nature Conservation Act 1992 to collect the material;
- a sales permit under the Forestry Act 1959 to remove the material; and
- a commercial wildlife licence under the Nature Conservation Act 1992 to use the material collected under the wildlife harvest licence.

In any given situation, it can be difficult for biodiscovery organisations to identify the relevant Government agency and necessary approvals required making it difficult for biodiscovery organisations to be confident that they have acquired materials legally.

This situation is not desirable, as biodiscovery organisations have the potential to deliver real benefits to the community.

A vibrant biodiscovery sector requires Government commitment to both the industry and the protection of the resource on which that industry is fundamentally dependant.

For this reason the Biodiscovery Bill 2004 has been drafted to apply only to commercially based activities involving collections that are ecologically sustainable.

The purpose of the Biodiscovery Bill 2004 is to:

- facilitate sustainable access to the State's native biodiversity for the purposes of biodiscovery; and
- ensure fair and equitable benefit sharing of these resources on behalf of Queenslanders.

This will be achieved through:

- a permitting regime involving a single Biodiscovery Collection Authority; and
- a benefit sharing regime based on contractual Benefit Sharing Agreements.

The Biodiscovery Collection Authority will be administered by my colleague the Minister for Environment.

The proposed permitting regime will ensure the collection of biological materials is ecologically sustainable and that assessment of applications is streamlined, timely and comprehensive.

The Benefit Sharing Agreement system will be administered by my portfolio and will apply to those collections sourced from State land and waters.

It will ensure the State captures on behalf of all Queenslanders an equitable share of the benefits arising from biodiscovery.

Mr Speaker, I believe the regime proposed in the Biodiscovery Bill 2004 will deliver the following:

- certainty for all stakeholders through streamlined and clear legislative regulation;
- ecologically sound and sustainable collection activities;
- an equitable sharing of benefits by all Queenslanders;
- increased investment in the State's biodiscovery research and development sector; and
- increased value added research and commercialisation in Queensland; and
- increased knowledge of our biodiversity.

Monitoring and Enforcement

At this time it is proposed that the Biodiscovery Bill apply only to State lands and waters.

This means private landholders will not be affected by the proposed legislation—if a biodiscovery entity can legally gain access to biodiversity on private land that landholder has every right to enter into a benefit sharing agreement over those resources.

As this means the majority of activity will take place in national parks and other protected areas of the State, strong monitoring powers and enforcement provisions have been included in the proposed legislation.

Inspectors will be appointed and backed with strict offence provisions to conduct monitoring of compliance with the provisions of the Bill.

Only those people who can demonstrate the necessary experience and expertise relevant to the monitoring they will be required to perform will be appointed as inspectors.

This means, for example, that a person who holds the appropriate accreditation from the National Association of Testing Authorities may be considered for the appointment as an inspector of scientific laboratories.

Strict enforcement measures are provided for in the proposed legislation to deter biopiracy.

For example, collecting native biological material for the purpose of biodiscovery without the appropriate authority carries a maximum penalty of $225,000 for an individual ($1,125,000 for a corporation).

Traditional Knowledge

The Convention on Biological Diversity contains a commitment under Article 8(j) for respecting and protecting indigenous knowledge, innovations and practices.

It also promotes the wider application of this knowledge with the consent of traditional knowledge holders, and encourages the equitable sharing of benefits with traditional knowledge holders where this knowledge has been relied upon.

Current Queensland Government policy in this area is reflected in Article 11 of the Code of Ethical Practice for Biotechnology in Queensland, and goes further than any other jurisdiction in Australia, stating that:

> 'where in the course of biodiscovery and research we obtain and use traditional knowledge from indigenous persons or communities, we will negotiate reasonable benefit sharing arrangements with these persons and communities.'

The Queensland Government will work with the Commonwealth, international agencies and relevant stakeholders to ensure that the value of traditional knowledge is recognised and protected for the benefit of the knowledge holders.

Conclusion

This legislation, together with the Code of Ethical Practice for Biotechnology in Queensland, will ensure strong regulatory oversight within a transparent and inclusive process.

The Biodiscovery Bill 2004 will facilitate access to and the use of Queensland biodiversity for biodiscovery by:

- minimising duplication of regulation; while
- ensuring consistency with Australia's international obligations; and
- providing a model for a nationally consistent approach to biodiscovery regulation.

Mr Speaker I believe the Biodiscovery Bill 2004 (Qld) is an important part of the Beattie government's Smart State agenda—it demonstrates sustainability and development are not incompatible and will ensure all Queenslanders benefit from our natural assets.

Mr Speaker, I commend the bill to the House and present explanatory notes to the bill.

Debate, on motion of Mr Lingard, adjourned.

PROFESSIONAL STANDARDS BILL

Hon. R.J. WELFORD (Everton—ALP) (Attorney-General and Minister for Justice) (2.18 p.m.), by leave, without notice: I move—

That leave be granted to bring in a bill for an act to provide for the limitation of liability of members of occupational associations in particular circumstances and to help in improving the standards of services provided by the members, and for other purposes.

Motion agreed to.

First Reading

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

Second Reading

Hon. R.J. WELFORD (Everton—ALP) (Attorney-General and Minister for Justice) (2.19 p.m.): I move—

That the bill be now read a second time.

The Professional Standards Bill is the final stage in our government's comprehensive reforms to address the insurance crisis. Our government has responded decisively to these issues. In June 2002 we introduced the Personal Injuries Proceedings Act 2002 and subsequently the Civil Liability Act 2003. These reforms have reduced pressure on insurance premiums and provided valuable protection from the risk of liability for a number of groups, including medical practitioners, community organisations and volunteers.

This bill introduces a scheme that is designed to achieve access to affordable insurance for professionals whilst providing greater protection and certainty for consumers about the quality of professional services. It provides for the capping of liability to apply to members of occupational associations in return for members agreeing to the highest standards of risk management and professional practice.

The bill allows for the approval of schemes which may limit exposure to damages for property damage or pure economic loss to an approved amount of not less than $500,000. This cap on liability will not apply to any claim involving fraud, dishonesty or a breach of trust by the professional. Further, the bill does not allow limitation of liability where there is a personal injury or where a lawyer is negligent when acting in a personal injury claim.

The bill will ensure the maintenance of the highest possible standards of professional practice. As part of an approved scheme, occupational associations will need to implement measures such as codes of conduct, complaints and disciplinary procedures and ongoing professional development. Higher

professional standards will also be achieved through risk management strategies and quality assurance mechanisms. The schemes set up under the bill will also require that professionals have the insurance policies and/or business assets to cover any potential liability that may arise for claims against them. This will help to ensure clients who suffer damage are not left high and dry in receiving compensation from professionals for negligently performed work.

The bill provides that a scheme may set limits for members' liability in a number of ways. The limit may be set by reference to an amount of insurance, or it may be by reference to business assets that will be available to satisfy the amount or maximum amount of liability specified.

It is important to point out that this bill provides a mandatory scheme for all members of the approved occupational association. The bill prohibits members contracting out of the capped liability arrangements. If contracting out were not prohibited, large corporate consumers could use their market power to force small businesses to waive the cap on liability. This would result in a weakening of the professional standards scheme as members might begin to question why they should comply with all the other professional standards requirements if they were not to receive the corollary benefits of the limitation of liability.

However, the bill does provide for flexibility in arrangements. Schemes may provide that professionals may either choose higher limits of liability or seek exemption from the scheme from the professional's association. This type of flexibility will ensure professionals are able to retain a competitive edge in circumstances where levels of insurance are important, whilst encouraging continuing improvement in those services.

The bill establishes the Professional Standards Council, which will be an independent body that has the function of approving and monitoring schemes. The minister will appoint appropriately skilled and qualified members to the council. The bill provides for considered development of schemes prior to approval, as well as ongoing scrutiny after approval. An association will draft a scheme on behalf of its members and will be encouraged to discuss its development with the Professional Standards Council during its formulation.

Council decisions will need to balance the need to limit civil liability of members against the need for consumer protection and also consider the improvement of occupational standards of professionals. The decision-making process will be assisted through public consultation. The council must seek and have due regard to public comment on a scheme prior to approval. This may include public hearings into the impact a proposed scheme will have upon consumers. After public consultation, the council must take account of a wide range of factors in addition to the public consultation before approving a scheme. I seek leave to have the remainder of my speech incorporated in *Hansard*.

Leave granted.

The council will have to consider whether the scheme may result in an abuse of power or market position by either members or consumers.

Factors such as the claims history of the members as a group and the cost and availability of insurance for the members will also be considered.

Importantly, factors such as what risk management strategies and disciplinary procedures are in place will need to be considered by the council.

If the council approves the scheme, the bill provides that the scheme must then be tabled before parliament, who will have the ability to scrutinize the scheme.

This will provide scope for parliament to disallow a scheme if appropriate.

Individuals will also be able to challenge a scheme for non-compliance with the act by applying to the Supreme Court.

In order to ensure that the standards imposed by schemes are up to date, all schemes approved by the council are to be reviewed at least every six years or when requested by the minister.

The proposals in this bill will benefit both the association member and the consumer.

The member benefits, not only through a limitation on liability, but also through the provision of various tools to ensure insurers can readily assess the member's exposure to risk.

This will continue placement of downward pressure upon professional indemnity insurance premium pricing.

At the same time, the member can also market the strategies they have put in place as a member.

The bill is balanced with benefits to the consumer—

1. It provides for a guaranteed level of recovery if an adverse event occurs. This will help avoid situations where a professional is unable to obtain professional indemnity insurance and runs bare—leaving the consumer with no chance of recovery.
2. Consumers will benefit through an increase in professional standards.
3. Further, the reduction in professional indemnity insurance premiums will reflect in savings for all Queenslanders.

Mr Speaker, the bill also provides for clarification of the proportionate liability provisions introduced under the Civil Liability Act 2003.

The amendments provide for a redraft of the provisions in language that is substantially similar to that used in other states.

Our government has been at the forefront of protecting consumers rights.

The revised provisions recognise the necessity for consumer protection. For that reason proportionate liability will not apply to any claim relating to goods or services purchased for domestic household use or consumption or relating to professional advice obtained by an individual.

A greater level of fairness to all parties is introduced with these amendments, to ensure wrong-doers are obligated to provide information to claimants that is relevant to identifying other parties that may be liable.

The new provisions provide a power to the court to sanction parties who do not comply with their obligations under the provisions.

Mr Speaker this bill provides a better deal for Queensland consumers. It will improve professional standards and ensure that all professionals carry a level of insurance which is adequate to cover all claims against them.

The specific consumer protection measures provided in the bill will ensure that this new scheme provides a fair outcome for all.

I commend the bill to the House.

Debate, on motion of Mr Lingard, adjourned.

RESIDENTIAL SERVICES AND OTHER LEGISLATION AMENDMENT BILL

Second Reading

Resumed from 20 April (see p. 174).

Hon. K.R. LINGARD (Beaudesert—NPA) (2.24 p.m.): The opposition will support the Residential Services and Other Legislation Amendment Bill. The opposition accepts that the intent of the bill is to exempt independently operated student accommodation from the Residential Services (Accreditation) Act 2002. Those of us who have been around for the last 10 years would know the difficulties which have always arisen in relation to boarding houses, supported accommodation hostels and aged rental complexes. Certainly when I was involved with the Department of Families I was aware of the difficulties of providing some sort of accreditation to those hostels—some sort of system by which the government could go around and check on them and certainly try to ensure the standard of these facilities was upgraded.

If one looks at the debate that took place in May 2002 on the Residential Services (Accreditation) Act, one will see that none of us envisaged that student accommodation was to be brought in to that particular legislation. We understood, of course, that there was a reason to ensure that residential colleges, boarding colleges and those sorts of student facilities did have some sort of accreditation; however, we all believed that another act covered that particular area. Quite obviously, the legislation has unfortunately captured room-only student accommodation.

From reading the debate of May 2002 and understanding the minister's intent, it can be seen that there was absolutely no intent at all to capture university colleges and school boarding houses and certainly not room-only student accommodation. This room-only student accommodation is generally operated by industry independent of other educational institutions or funding from the Department of Education and the Arts.

During consideration of the clauses I will ask the minister to clearly define what is room-only student accommodation. When I first read the legislation I thought it may refer to Shafston House. At Shafston—the New England University—the lecture theatres are on the bottom floors and there is single-type accommodation above that. But it is not that sort of accommodation. I will be asking the minister to clearly define what is room-only student accommodation.

We note that independently operated student accommodation is covered by the tenancy rights and obligations established in the Residential Services (Accommodation) Act 2002. We are happy with that.

I note that the details of the bill consider that it is not necessary for student accommodation to be covered by registration and accreditation requirements as it is considered important to retain tenancy rights for students in this type of accommodation so that this sector is not left without basic legislated tenancy protections. The bill therefore amends the accommodation act—we are happy about that—to ensure tenancy rights and obligations are preserved for residents of independently operated student accommodation. The opposition accepts that.

The only other concern we have with the legislation is the use of cross-referencing and signposting. Certainly I was quite surprised when I read this legislation and had to go to two other pieces of legislation to find suitable definitions. I do not think signposting or cross-referencing to two or three other pieces of legislation should be as common as it is in this particular legislation. Clause 4 probably still does the same thing. I will be asking the minister some questions. However, the opposition is happy with the intent of the legislation and will certainly support it.

Ms JARRATT (Whitsunday—ALP) (2.29 p.m.): I am pleased to rise to speak in support of the Residential Services and Other Legislation Amendment Bill 2004. I would like to start by congratulating Minister Keech on bringing this, her first bill, before the House and say how pleased I am to be chair of her caucus committee. I look forward to working with her over the next few years on very important areas within government, not the least of course being tourism, which is very important to my own

electorate of Whitsunday. In this matter we deal with some issues concerning the minister's Office of Fair Trading.

Ms Keech interjected.

Ms JARRATT: Thank you, Minister. I will take that interjection. This bill amends the Residential Services (Accreditation) Act 2002 and the Residential Services (Accommodation) Act 2002. Many people in this House will remember the debate on those bills which occurred, as the member for Beaudesert reminded us, back in May of 2002. The principal policy objective of those two bills was to regulate the conduct of residential services to the most vulnerable in our communities who live in boarding houses, supported accommodation, hostels and aged rental complexes.

This was an important piece of legislation because it aimed to protect the health, safety and basic freedom of boarding houses and supported accommodation residents by encouraging service providers to continually improve the way they conduct residential services. As part of the requirements under the accreditation act, service providers are required to meet minimum standards for building and services that include operator registration and accreditation process. This accreditation process is due to be completed by August of this year, and I understand that this is progressing quite well.

The original legislation contained exemptions—very clearly defined exemptions—from the regulatory regime for student accommodation, including two forms of student accommodation of which I have some personal experience, and that is school boarding houses, where I spent five years of my life, and university accommodation, where I spent a shorter but probably far more enjoyable time at Union College when I was at the University of Queensland.

Ms Nelson-Carr interjected.

Ms JARRATT: And now I have another form of supported accommodation! Student accommodation was excluded largely because, as consumers, this group was not considered part of that more vulnerable group towards whom the legislation was targeted. Despite the best intentions of the minister at the time and the legislation, room-only student accommodation fell outside of these exemptions and this was quite clearly never the intention of the legislation.

Room-only accommodation for students has been, as I said, inadvertently caught up by the accreditation act due to the generic definition of a residential service. This bill corrects that unintended consequence. The Residential Services (Accommodation) Act 2002 provides tenancy rights and obligations for residents and service providers of residential services. This bill ensures room-only accommodation for students is subject to the protections of the accommodation act so that these students are not left without basic legislated tenancy rights.

I commend the minister for responding to industry concerns about the appropriateness of the accreditation act's application to room-only student accommodation through these amendments before the House today. Not only does this amendment ensure that the legislation operates as originally intended by correcting the unintended consequence; it assures the appropriate application of rights for residents and obligation on service providers. In particular, I note that providers of room-only accommodation for students will be subject to the fire safety requirements of the Building Act and the Building Code of Australia and, where applicable, also to local government regulations. So their wellbeing is certainly covered in a number of ways.

At a minimum, fire safety requirements for students of room-only accommodation will be consistent with those for students renting share houses under the Residential Tenancies Act 1994. In addition to this, some room-only student accommodation housing six or more students will also be required to meet further fire protections prescribed for budget accommodation under the Building and Other Legislation Amendment Act 2002.

Again, I commend the minister for bringing this important amendment to the House and for extending the conditions to students in room-only accommodation. I think it is important and I congratulate all who took part in bringing this before the House today.

Ms STRUTHERS (Algester—ALP) (2.34 p.m.): It is a fundamental right and need that we all have to have a secure, safe roof over our heads, and it is very important that we take every step to ensure that no matter what tenure you have—whether a student in student accommodation or someone living in a boarding house or someone renting a private house in the suburbs—you have those basic needs and rights as a tenant, as an occupant of a house, met. I commend the minister for addressing this anomaly whereby student accommodation was inadvertently caught up in the net of the Residential Services (Accreditation) Act 2002.

That does not mean that students in accommodation do not have protection. It is not an unregulated area of accommodation. In fact, students are covered by the same sorts of rights and obligations as everyone else under the Residential Services (Accommodation) Act 2002. In August 2002 the Beattie government introduced a new regulatory regime for the private residential services sector. This was a very important step in bringing a better standard of accommodation to that sector

which includes primarily boarding houses, supported accommodation hostels and aged rental complexes.

This housing sector included some of the most vulnerable people in our community and still does. Advocates, including Kevin Cocks and Ian Boardman—the Public Advocate—and many, many others worked very hard to expose the squalor and substandard conditions that many of these people were living in. They are to be commended for exposing that sort of living and for bringing it to the government's attention. At that time we responded readily and brought in a new regime of regulation.

There are good operators out there and there continue to be good operators, but it is important that we remain vigilant over those who are not doing the right thing. I commend all the advocates in the disability sector who are supporting people in that boarding house sector. They are certainly doing a good job to keep a vigilant watch on what is happening in that sector.

It is important, too, that students living in accommodation have their rights protected. As I have said in this House before, many of those students are international students who are new to our country, but I am pleased to report to the House that student accommodation throughout Queensland is generally of a very high standard. In fact, it is something that we can be proud of, and I think our record in attracting international students to Queensland reflects that.

Griffith University, where I am a member of the council, is in fact a shining light. I am not biased; it is clearly a shining light in the provision of top quality accommodation for students. As a member of the Griffith University council, I have experienced this excellent service first-hand. The high standards of accommodation provided to both international and domestic students is a credit to the uni—so much so that the area responsible for handling student accommodation called Campus Life includes everything from accommodation to sport, recreation and other on-campus activities. I believe Campus Life is indicative of how Griffith views and takes care of its students. Griffith is concerned with providing a holistic learning experience, and it is not just about classes and tutorials; it is about everything from providing a safe home and living environment through to recreational and other activities.

Griffith has about 950 on-campus accommodation spots and places several hundred students in off-campus accommodation, including private rentals and home stays, each year. It is certainly important that the large component of international students who are often here without family support—and at Griffith there are 5,400 of those coming from countries as diverse as Japan, Scandinavia, the People's Republic of China, Canada, the United States, Korea, Brazil, Germany and others—have the support of Campus Life and the related activities that Griffith provides. I certainly encourage all universities and institutions responsible for student accommodation to maintain high standards of support to students, and I commend the minister for rectifying the anomaly in the previous act.

Ms MOLLOY (Noosa—ALP) (2.38 p.m.): The Residential Services and Other Legislation Amendment Bill is a credit to our new Tourism Minister, Minister Keech, and I congratulate her on securing that position and wish her all the very best. I also congratulate her staff, who I know have been extremely supportive and have done a very good job in bringing this bill to the House.

The residential services legislation regulates minimum building and service standards for vulnerable residents in boarding houses, hostels and aged rental accommodation. Room-only accommodation for students has been inadvertently caught by the accreditation act due to the generic definition of 'residential service'. This bill corrects that unintended consequence. The Residential Services (Accommodation) Act 2002 provides tenancy rights and obligations for residents and service providers of residential services. This bill ensures room-only accommodation for students is subject to the protections of the accommodation act so that these students are not left without basic legislative tenancy rights.

Again I commend the minister for amending the Residential Services (Accreditation) Act 2002 to exempt student accommodation. Student accommodation is a rapidly growing sector of the accommodation market in Queensland so an appropriate regulatory environment is required. This market is very diverse, catering to many different ages and types of students with their own particular needs and vulnerabilities. However, unlike the target group of the residential services legislation—that is, the elderly, the physically, intellectually, socially and financially disadvantaged—students cannot be considered vulnerable in the same way nor to the same extent.

Without the exemption, the room-only student accommodation sector would have to incur costs and an administrative burden in meeting legislative requirements that were not intended to apply to the sector. Further, state and local government resources would be diluted and not be as effective at ensuring better standards for those who are more vulnerable, the residents of residential services who are the target group of the legislation.

Vulnerable residents are often those who do not have the wherewithal to manage their own daily lives, their life skills often being severely impaired. So while we have closed the dreadful institutions of the past we have a legacy of homeless people. This is a reflection on us all, I am afraid to say. Those marginally better equipped, instead of living on our streets and in our parks, find accommodation in boarding house settings. In my personal experience of working in the aged care sector, the mental

health area and with people with disabilities, I have first-hand experience of how these groups of people are treated by people who should know better. If abuse occurs across sectors among those who are supposedly trained and best equipped to provide care and protection, one can only imagine the kinds of abuses that occur in the rental accommodation sector. The Federal Budget 2004 handed down by the Howard government does nothing to alleviate the housing needs of these our most vulnerable members of society. Affordable housing is in crisis; crisis accommodation is in crisis. John Howard has turned his back on those most in need in Australia.

This Labor government desperately needs federal government funding to assist us to further help these people. We need more affordable housing to look after thousands of Queenslanders. This legislation addresses some of the needs of these people, thank goodness—with no thanks to the candyman, John Howard.

To ensure the exemption is applied legitimately by industry, the Office of Fair Trading intends to communicate with industry about who is entitled to the exemption and will also monitor the proper application of the exemption by accommodation providers through its compliance program. Such compliance program activities include investigating traditional boarding houses that do not apply for registration by the due date and responding to resident complaints and by information supplied from other state and local government bodies involved with this industry.

During consultation for the bill, industry commented that room-only student accommodation is on the increase. The government, through a program currently run by the Department of Housing, will continue to monitor supply of traditional residential services. Any acceleration in trends to student accommodation will be tracked and will enable reporting of any effects this might have on the residents and operators of traditional boarding houses, hostels and aged rentals. I commend the bill to the House.

Ms LEE LONG (Tablelands—ONP) (2.43 p.m.): I rise to support the Residential Services and Other Legislation Amendment Bill 2004. This bill is aimed at correcting a flaw in the Residential Services (Accreditation) Act 2002 which in practice has been found to inadvertently rope in a sector of the accommodation industry which was never intended.

It is through the generic definition of what is a residential service that student accommodation has been accidentally captured. This bill proposes to resolve the situation by exempting residential service style independent student accommodation services from the Residential Services (Accreditation) Act 2002. This will leave government resources better able to focus on those vulnerable areas of society—that is, those suffering significant social, financial, physical and intellectual disabilities. It will also remove the regulatory burden from the student accommodation sector of the rental accommodation industry. However, I do see in the explanatory notes that only one operator in that sector has made the effort to become registered and none have become accredited.

I am pleased to see the rights of those in the soon-to-be-exempt accommodation are still protected through the Residential Services (Accommodation) Act 2002. I also note from the consultation list that the Beattie government does not appear to have gone to any of the student unions in Queensland. I would have thought that that would have been a logical place to look for input on this issue as well.

However, this bill will help create a more competitive, responsive student accommodation sector, easing as it does the regulatory burden. Youth from the Tablelands electorate who choose to pursue a tertiary education are almost without fail forced to leave their homes, their support networks, their friends and community and to travel away for university. While there is plenty of attention paid to the onerous HECS fees, we all need to remember that for rural students there are the additional costs of living, of finding accommodation and of providing the necessities of life. While an academic qualification is something to aspire to, it is particularly difficult and expensive for the youth of the Tablelands and for much of country Queensland to obtain.

The nearest academic facility for those in my electorate is the Smithfield campus of James Cook University, a very high-quality institution. While just over the hill, it is still far enough away in practical terms to mean that students are forced to move to Cairns to study there. The next nearest is James Cook's home campus in Townsville, some 400 kilometres to the south. A recent proposal by James Cook University to establish a veterinary, tropical, agricultural and aquaculture facility with a presence on the Tablelands is extremely encouraging. I have spoken about that proposal here before and take the opportunity again to urge this government to give all the support it can to seeing it realised. It would be fantastic for my electorate and, more relevantly, it would be an enormous boost for the education opportunities of young Queenslanders. As the proposal also includes Townsville and Cairns it would be hoped that my call for government support for it would win the endorsement of the local members from those areas also.

It is a very different circumstance for those students who already live in a university town. They can choose to remain at home with all their support and economic assistance while pursuing their studies, but for those who need to relocate accommodation is an essential issue. This legislation, resulting from this government's readiness to admit it needs to correct the law, helps in at least some small way to make the student accommodation sector more responsive. On that basis I support the bill.

Mrs REILLY (Mudgeeraba—ALP) (2.46 p.m.): I also rise to support the residential services amendments and I am delighted to be able to speak on the first bill by the new Minister for Fair Trading and Tourism, and I acknowledge and welcome the fact that she is from the Gold Coast. Where else would a Minister for Tourism, Fair Trading and Wine Industry Development come from? At the risk of insulting my parliamentary colleagues, I do think that the Gold Coast was the ideal location from which to choose someone who can very comprehensively consider the needs of consumers and tourists throughout the state.

This bill contains important amendments to ensure the proper coverage of the residents and operators of residential services accommodation. During the consultation process student accommodation providers and university student services who were consulted agreed that the amendments were understandable, practical and met the needs of service providers to the room-only accommodation sector. The exemption applies to accommodation that operates mainly to provide accommodation to students. The use of the words 'mainly to provide' is drafted to reflect the flexibility required by the student accommodation industry to cater for students during peak academic periods but not to be unnecessarily burdened with regulatory requirements in the intervening student holiday periods and at other times where there may be a mix of students and non-students staying at the accommodation. Industry reports that a significant proportion of any non-student residents they might accommodate are normally travellers or backpackers. These types of residents are already exempt under another exemption in the Residential Services (Accreditation) Act 2002.

At the same time the amendments provide a clear definition of what constitutes student accommodation by reference to students studying approved courses under the Commonwealth determination for identifying GST-free education, training and vocational courses. This definition is a national education industry standard, and precludes vague or suggestive notions of the term 'study' that might otherwise allow the exemption to apply to accommodation that is not intended to be covered.

The other reasons outlined for this bill being brought before the House have been mentioned by other speakers and will be detailed by other speakers after me, but I want to briefly concur with the comments made by the member for Algester regarding the high standards of our student accommodation. I myself experienced student accommodation when I lived in at Griffith University's accommodation units for a while—quite a while ago—and I can attest to the high standard and the high quality of these facilities, the unique and enriching experience that they add to the life of a student, and the unique and memorable experience it is to be able to be a student living on campus.

Some students have no choice but to live in this accommodation. I concur with the comments made by the member for Tablelands. Many Gold Coast students choose courses that force them to study away from the Gold Coast, which is a shame. We have two fine institutions on the Gold Coast—Griffith University and Bond University—which do not offer on-campus student accommodation but are working very closely with residential service providers within the local area to provide low cost or affordable housing for students. Students who make a choice to live in on-campus accommodation for reasons other than the tyranny of distance could not be provided with a better experience.

I thank the minister for giving me a more detailed briefing on this issue. I thank her and her staff, particularly Kathy Standen, for that comprehensive briefing. I commend the minister for introducing this exemption and for expediting the bill to prevent the student accommodation sector having to meet the regulatory obligations required by August this year. I commend the bill to the House.

Mr McNAMARA (Hervey Bay—ALP) (2.50 p.m.): I will be supporting the Residential Services and Other Legislation Amendment Bill 2004. At the outset, I offer my congratulations to the minister on bringing her first piece of legislation into this House so early in the term. I am sure there will be many others. I commend the minister for removing the unnecessary costs and administrative burdens on industry through this amendment to the Residential Services (Accreditation) Act.

The accreditation act already contains an exemption for student accommodation services conducted as part of or under an agreement with a school or other educational institution—mainly providing accommodation to students or employees of the school or institution. Also exempt are student accommodation services conducted with financial assistance from the Department of Education, mainly providing accommodation to school students. However, room-only student accommodation services that are operated independently from an educational institution or from the Department of Education and the Arts are not assisted by these exemptions and are therefore caught by the generic definition of a residential service in the accreditation act. This type of accommodation represents a significant proportion of the room-only student accommodation sector.

Hervey Bay has a number of student accommodation developments under consideration at the moment. They are in place to meet the needs of the University of Southern Queensland, which is growing very strongly, and also our hospital which is moving more and more to doing training for nurses and resident doctors. This amendment will assist those projects to go ahead by removing the potential for unnecessary costs and administrative burdens.

It was never the intention of the accreditation act to cover the student accommodation sector. An exemption is therefore required to rectify the situation. Without this amendment, providers of

independently operated room-only student accommodation will be required to meet those regulatory requirements of the accreditation act. This exemption will therefore avoid imposing unnecessary financial and administrative costs on these providers, such as registration fees and accreditation fees, undertaking building upgrades to meet the requirements of part 20 of the Queensland Development Code, and the implementation of administrative systems and the associated additional human resource requirements.

Those protections were certainly necessary to look after residents of boarding houses, supported accommodation hostels and aged accommodation. Those people are among the most vulnerable in our community. They need that protection. However, quite properly, the government recognises that student accommodation is of a different category involving a different class of tenants who have a greater capacity to consider their own affairs and represent themselves. Accordingly, the balance is best struck in this way.

The residential services sector will further benefit from this amendment with the Office of Fair Trading's Residential Services Accreditation Branch being able to more fully concentrate its resources on continuing its excellent work in facilitating better living standards for the vulnerable target group of the legislation—those living in boarding houses, hostels and aged rental accommodation. I congratulate the minister and her ministerial staff and department on bringing this legislation to the House so promptly. I commend the bill to the House.

Mr SHINE (Toowoomba North—ALP) (2.53 p.m.): I rise to support the Residential Services and Other Legislation Amendment Bill before the House. I congratulate the minister and her predecessor on the work done on this very important area of accommodation and housing. I particularly want to take the opportunity to mention the situation regarding a student residential unit in Toowoomba called Kynoch Village.

Kynoch Village was acquired and turned into student accommodation by the Department of Housing. Prior to that, it had been a different form of public housing in Toowoomba in the suburb of Harlaxton. It was turned into student accommodation about 1995—an initiative of a department in the Goss government. It served a very good purpose. It provides 96-bed accommodation for students in Toowoomba from rural and regional Queensland. The proviso is that these students are attending tertiary education or another approved form of training. They might be attending the University of Southern Queensland or the Toowoomba TAFE, which is part of the Southern Queensland Institute of TAFE. They may be in some other form of training—for example, Downs Group Training, which deals with apprentices.

Kynoch Village comprises 96 beds. At the moment, I think there are about 86 to 90 people in residence. It is run by an advisory board in Toowoomba. As the local state member I am on that board. The previous member for Toowoomba North, Graham Healy, was on it prior to me. It has representatives from of the Department of Housing in Toowoomba and the minister's office in Brisbane. Agforce is represented very well by Bill Nicholas. Toowoomba TAFE is represented by one of its staff. It was previously represented by Chaplain Paul Hannigan, who did a tremendous job. Unfortunately, he has moved to Melbourne. The Harlaxton Neighbourhood Centre is represented. The manager of the village, Craig Peut, is also on the board.

The centre has been run quite successfully. The Department of Housing is considering the future of the village in the context of the core responsibilities of that department. The difficulty for that department is that it is not a student accommodation provider. It is looking at the situation to see whether it can continue in that role. It therefore raises concerns about Kynoch Village sustaining itself as a student accommodation centre in my electorate for people coming from all sorts of places around the far and near west of Queensland.

It is debatable whether or not any other state government department might be interested in taking over the running and ownership of the village. The students are there for educational reasons. They are not primary or secondary school students. One assumes the that Department of Education would have little interest in it. Whilst most of these students attend TAFE, others attend USQ and non-TAFE courses. The Department of Employment and Training therefore may not be interested in it.

However, bearing in mind the emphasis placed on this issue—particularly in the last term but continuing on from there—and the importance that Mr Latham and the federal Labor Party place on education and training reforms and the encouragement of more apprentices and trainees in Australia, I am urging both our government and the federal government to somehow or other come to a result whereby the students of this village, who come from all sorts of backgrounds in rural and remote Queensland, can be given the opportunity to avail themselves of the tertiary education which TAFE, particularly, provides. We are going to a lot of trouble and expense with respect to education and training reforms in Queensland. This is an institution in existence at the moment enabling 90 students per year to further their education. That is in line with what the government wants to see happen. It is at risk if this situation cannot be resolved.

It may be that the Premier's Department or a whole-of-government approach might be necessary to solve this problem and to ensure that this village continues as an affordable student accommodation

venue. I commend Kynoch Village to the government for its consideration. I know that the Minister for Housing has taken a lot of time and given the submissions that I have made and others have made on behalf of the village great consideration, and I thank him for that. I also understand his problems in relation to the wider provision of public housing throughout Queensland and the fact that other government departments perhaps should be involved in this as well. I commend what the village does. It is in line with that great social justice reform of the Beattie government—that is, the ETRF reforms. I thank the minister for the opportunity to bring this matter which is of grave importance to me and the people of Toowoomba North to the attention of the House.

Mrs DESLEY SCOTT (Woodridge—ALP) (3.00 p.m.): The Residential Services and Other Legislation Amendment Bill is required as a result of the unintended consequences of the Residential Services (Accreditation) Act in potentially impacting independent student accommodation services. All members recognise the extremely vulnerable group that the original bill was intended to protect—the section of society who may be financially, physically or intellectually disadvantaged and is therefore open to being preyed upon by unscrupulous operators who are only interested in gaining financially without any duty of care. We have all shuddered in disbelief when the elderly and perhaps people with mental disabilities have been discovered living in degrading circumstances in dingy hostels or boarding houses. These people deserve better and hopefully due to the Residential Services (Accreditation) Act 2002 now live in far better circumstances.

Most students are fairly discerning and have good networks to access suitable accommodation. Even though they may not have a great deal of money to spend, nonetheless through various means, including shared houses and units, most find reasonably comfortable living quarters. This sector of accommodation is governed by the Residential Tenancies Act 1994. In this bill, we are concerned with student accommodation on a service style, independent room-only basis. They will gain protection under the Residential Services Accommodation Act 2002.

However, I have entered this debate merely to highlight a vulnerable group who are plentiful in my electorate. The electorate of Woodridge has a high number of young people who are neither earning nor learning. In recent years, this group has become a focus of more and more attention. More of these young people who have either dropped out of school or been excluded are now returning to resume their education and training. Kingston College, through its excellent Community Access School, now attracts between 600 and 700 students each year. Centre Education similarly mentors many young people who simply do not fit into the normal schooling regime. Of course with the education and training reforms for the future, a lot of attention is directed to reclaiming many of these young people.

That brings me to the issue of accommodation. A large number of these young people are no longer living at home. Some of them have established tenancies with friends, some live by moving from friend to friend and sometimes have nowhere to go. The shortage of accommodation for this vulnerable group is acute. I know that many of them are now realising that education is vital to a successful future, and so they have tertiary education, TAFE courses, apprenticeships and other training in mind. They certainly will rise above any early disadvantage and gain self-reliance and independence. I simply bring to the attention of this House that there are some in our communities who require additional support through this period until they reach a level of self-sufficiency. It is worth our while to support these young people during this part of their journey through life. I am happy to support this bill and commend the bill to the House.

Mr LEE (Indooroopilly—ALP) (3.04 p.m.): I am delighted to rise in the House today in support of the Residential Services and Other Legislation Amendment Bill 2004. I note that it is the minister's first bill and offer my congratulations to her and her staff, who I know have worked very hard on preparing this. This very sensible bill basically puts right an unintended consequence of a previous piece of legislation in that it ensures that room-only student accommodation will no longer be included in the Residential Services (Accreditation) Act 2002. I do not think that there are many electorates in Queensland that have as many room-only student accommodation dwellings as the electorate of Indooroopilly, and I am pleased that this bill will rectify a situation where people running this style of accommodation would have been regulated to a much greater degree than students living in share house style accommodation.

I note that the original legislation's intention was to provide some legislative support for people living in boarding houses, who I believe are often among some of the most vulnerable within our society. I think it is quite sensible that university students are not included in that category. However, I do have a couple of comments that I want to make very briefly in supporting the bill about a boarding house in my electorate that I think deserves some mention in the House today. Jarema Court in Central Avenue in Indooroopilly I believe is sailing very close to the wind as far as not providing the level of support and care in accommodation that should be expected of a boarding house. My office has now received complaints not just from local residents who neighbour on Jarema Court but also some recently received and quite concerning complaints from residents. I would implore those residents who have made complaints—unfortunately they do not leave names often and they are very hard to contact at Jarema Court because they do not want to be seen as making waves—to come into my office and to put

their complaints in writing. I thought they raised quite serious concerns about the conditions at Jarema Court, and I hope that we can do something about that.

I note that the University of Queensland Accommodation Services was consulted in the preparation of this bill, and it does an absolutely marvellous job. It is worth members' time looking at its web site at accommodation.uq.edu.au. Members will be absolutely stunned at the way students are able to find rental accommodation courtesy of the University of Queensland nowadays. Gone are the days of pulling pieces of paper off noticeboards. Although that still goes on a bit at UQ, now students can log onto the web, key in the suburb they want to live in or the type of house or unit they want to live in, how much money they want to pay and the style of accommodation and they will be provided with a list of places that match their search criteria. I think it is a great service being provided at the University of Queensland. With that, I am delighted to support this fine bill here today.

Mr FINN (Yeerongpilly—ALP) (3.08 p.m.): I rise in support of the Residential Services and Other Legislation Amendment Bill, and I also congratulate the minister on the introduction of her first bill. The minister should be proud that her first legislation delivers both industry efficiencies and protects the tenancy rights of the low income sector of the community. So congratulations. The introduction of the Residential Services (Accreditation) Act 2002 delivered important standards for boarding houses and similar residential services. This type of accommodation is often the only option available for vulnerable members of the community to live with some degree of independence. People with social, physical and intellectual disabilities frequently have low incomes and minimal family support, and hostels and boarding house styles of accommodation can be the difference between institutional care and independent living. Clearly, these people need to be protected.

Prior to the introduction of the accreditation legislation, hostel and boarding houses were not subject to suitable regulation to ensure the safety of residents. The introduction of the legislation addressed community concern about poor conditions and standards in boarding houses, hostels and supported accommodation by regulating the living environments in these facilities and ensuring, for example, that buildings comply with fire standards to meet the needs of those with limited mobility.

The accreditation legislation remains an important social reform of the previous term of the Beattie Labor government. Whilst the introduction of the Residential Services (Accreditation) Act ensured the demise of shonky operators providing accommodations services to vulnerable people, the act inadvertently captured the providers of accommodation services to groups other than those vulnerable target groups, in particular student residences. The application of the act to these providers meant, for example, that the same compliance regime for hostels, boarding houses and supported accommodation services to people with disabilities also applied to residences where this regulation was excessive to the type of service being provided.

The legislation before the House today provides exemption for independent operated student accommodation providers ensuring that the industry does not incur the cost and administrative burden of meeting the compliance requirements of the accreditation act. However, these providers remain subject to relevant building standards and safety requirements.

This amendment is good news for the independent providers of student accommodation in my electorate who provide essential low-cost accommodation for students attending Griffith University. The exemption provided by this legislation will remove the compliance cost for these operators, contributing significantly to keeping accommodation costs down for this low-income sector of the community.

This bill also protects the rights of students living in this type of accommodation. In developing the bill, the potential for the compliance exemption to result in the removal of tenancy rights for residents was addressed. This bill ensures that students living in these residences will have their basic legislated tenancy rights protected by the Residential Services (Accommodation) Act. These protected rights include written agreements, rules about entry, standard house rules, procedures for dealing with breaches of agreements and dispute resolution procedures. Having worked in student welfare and assisted students living in a range of accommodation situations, I know how important these tenancy rights are. Young people living in a student residence can have different lifestyle ideals from their service provider. These rights provide important protections for these people, many of whom, as I said, are on low incomes and have limited accommodation options.

This legislation improves on the important social reform of the previous government to regulate accommodation provision to vulnerable people. It removes the excessive compliance requirements and costs of providers of student accommodation. It will result in keeping the cost of accommodation down for students and protect the tenancy rights of low-income people. I commend the bill to the House.

Mr NEIL ROBERTS (Nudgee—ALP) (3.12 p.m.): As a member with a fully functioning university in my electorate, I have a direct interest in ensuring that the accommodation interests of students, and many of my constituents, are protected. I am fortunate to have the Australian Catholic University in my electorate, which nationally has about 11,500 students. The Banyo campus has just under 2,700 students. As an aside, the ACU, particularly in its business teaching and nursing courses, really focuses on an ethical approach to business. I commend it for that. It is one of the major focuses of the courses that it runs. With respect to indigenous education, the ACU has a very strong commitment to indigenous

education through its indigenous unit, Weemala. It nationally has 270 students and 128 of those are at the Banyo campus.

This legislation seeks to correct an unintended consequence of the recent passing of the Residential Services (Accreditation) Act, which in itself sought to protect the more vulnerable members of our community from exploitation, mainly in areas such as boarding houses, hostels and aged care rental complexes. The act unintentionally covered room-only student accommodation with the potential to impose significant and unnecessary costs on providers of this accommodation. I think that it is important to say—and other speakers have probably said this—that the removal of this accommodation from the act does not disadvantage students as further amendments ensure that the Residential Services (Accommodation) Act preserves the rights and obligations of students who access independently operated student accommodation services. Also, those students who access residential tenancies in the open rental market will also still have the protection of the Residential Tenancies Act. In closing, this bill is good, practical legislation to correct an unintended consequence of previous legislation. Accordingly, I commend the bill to the House.

Hon. M.M. KEECH (Albert—ALP) (Minister for Tourism, Fair Trading and Wine Industry Development) (3.14 p.m.), in reply: In rising to conclude this second reading debate, firstly I thank all honourable members for their contributions today. As minister, it is particularly exciting to be able to present my first bill to this House. This is a historic day for me personally, for my department and for my hardworking ministerial staff. I thank all government members, the member for Beaudesert, the opposition and also the member for Tablelands for their support.

The bill contains amendments to legislation administered by the Department of Tourism, Fair Trading and Wine Industry Development through the Office of Fair Trading's Residential Services Accreditation Branch, the Department of Public Works, Housing and Racing through the Residential Tenancies Authority and the Queensland Police Service. I would particularly like to thank the Minister for Public Works and the Minister for Police for their support of the bill.

The majority of the amendments in this bill are consequential amendments that are minor and technical in nature. However, there is one substantive amendment to the Residential Services (Accreditation) Act 2002 and that is the one that has been focused on today by the majority of speakers. This is the amendment to exempt some room-only student accommodation services from the operation of the act. May I add that this exemption does not represent any change in government policy. It merely addresses an unintended drafting consequence and ensures that the legislation operates in accordance with the original intention of the act.

The exemption will mean that the room-only student accommodation sector will not have to incur costs for an administrative burden in meeting legislative requirements that were not intended to apply to this sector. It will also mean that government resources can be more focused on the vulnerable target group of the legislation and the particular target group that is the key focus of the Beattie government, that is, those people with limited incomes or who might experience a range of disadvantages, including intellectual and/or psychiatric disability, drug and alcohol problems, brain injury, problems associated with ageing, social and economic disadvantages, and social isolation. As a whole, students do not fall within this targeted group. We have heard some wonderful descriptions of members' student days in today's second reading debate.

While some students, particularly international students, may have consumer vulnerabilities due to their inexperience, cultural differences or perhaps their language difficulties, these are considered significantly different vulnerabilities from those of the target group under the residential services legislation. Further, unlike the target group, students have greater choice in accommodation options due to a growing and competitive market that specifically targets them and their potentially higher incomes.

This bill also contains amendments to the Residential Services (Accommodation) Act 2002. Unlike students who rent under a lease governed by the Residential Tenancies Act 1994, students living in room-only accommodation do not have basic legislated tenancy rights without the accommodation act. This bill contains amendments that will ensure that such an inequitable situation does not occur by continuing the application of the tenancy rights and obligations of the accommodation act to students of room-only accommodation and their service providers. For these reasons, the amendments are supported by government, industry and community stakeholders.

I particularly would like to make comment on the speeches of particular members this afternoon, particularly that of the member for Whitsunday. I would like to thank her for her support in all aspects of the portfolio. The member is a tremendous advocate, particularly for the tourism industry. Recently I met with Tourism Queensland and their regional tourism organisations. The representative from Whitsunday was singing the member's praises to the high ceilings. So I give congratulations to the member on the work that she does not only for Tourism but also for Fair Trading and, hopefully, Wine Industry Development. The member will have to start getting some wineries up in the Whitsundays. The member for Whitsunday also has an accurate understanding of the residential services acts and realises that student accommodation was never intended to be part of this act. The member also beats a path to my

door regularly on behalf of her constituents, particularly with regard to the tourism operators. As I said, she is a strong advocate for all aspects in her electorate of Whitsunday.

I would particularly like to thank the member for Algester for her support of this bill. The member is well known for her advocacy role in the areas of housing and accommodation, particularly for those in disadvantaged groups. She spoke very passionately when the accreditation bill was debated in 2002, and I thank her for her support.

The member for Noosa pointed out that most students who are accommodated in these facilities are not vulnerable—the situation the original legislation was intended to cover. I take on board her comments in relation to the Howard government's lack of support for housing in Queensland and agree that Mr Howard is turning his back on vulnerable people in our society.

I particularly appreciated the comments of the member for Mudgeeraba with respect to the Gold Coast and the fact that we have a tourism minister from the Gold Coast. I am very keen to work with her and her regional tourism organisation through Ian McFarlane, who was an outstanding choice as CEO down there. She is a great advocate of the Gold Coast, and I particularly appreciate her support for this bill and her support for tourism and fair trading on the Gold Coast.

The member for Hervey Bay made the important point that the exemption will not only help students located in the south-east Queensland corner but also benefit students in regional Queensland. I thank him for his support and contribution. The member for Toowoomba North raised a number of points in relation to the situation in Toowoomba. He is a strong advocate of student issues in regional Queensland, and I hope that this amendment will alleviate some of the workload for council officers that he mentioned.

The member for Woodridge discussed the real intention of the Residential Services (Accreditation) Act and that it is to protect those in society who are most vulnerable. I take on board her point in relation to her electorate of Woodridge, of which she is a tremendous representative, about students resuming studies. I commend her for raising this point. I thank the member for Indooroopilly for his contribution. I note that during the debate in 2002 he raised the issue of student accommodation. I thank him for his contribution today.

The member for Yeerongpilly made an outstanding contribution. I thank him for that. The member plays an important role on my caucus committee and provides me with great support on all issues within my portfolio. I also thank him for assisting in a visit that I and my staff made to an independent student-only accommodation service which was opposite Yeerongpilly Railway Station, which I believe is in his electorate. I have to say that I was very impressed with the owners and the industry stakeholders we met there and the tremendous quality of the student accommodation that they have there.

I thank the member for Tablelands for her contribution and for her support of the bill. I also thank the member for Nudgee for his support. It was great to hear about the development of the Australian Catholic University—a wonderful university. I commend him on his support of this education facility.

I particularly thank my departmental staff. We have the Commissioner of Fair Trading, Matt Miller, here today. Matt is an outstanding commissioner. I do not think I am gilding the lily too much by saying that he is recognised not only by the department but also throughout Australia as being the best commissioner of fair trading in all of Australia. I thank Matt very much for his contribution and his support today. I also thank all the departmental people who are here for their contributions. Also, I thank my ministerial staff of Michael Caldwell, Kathie Standen and particularly David Smith, who have worked extremely hard on this bill. I thank them for their support.

Motion agreed to.

Committee

Hon. M.M. KEECH (Albert—ALP) (Minister for Tourism, Fair Trading and Wine Industry Development) in charge of the bill.

Clauses 1 to 3, as read, agreed to.

Clause 4—

Mr LINGARD (3.25 p.m.): Obviously clause 4 is the main part of the legislation. The minister has said that she visited what she calls room-only supported accommodation. Could the minister give an actual example of what she believes is room-only supported accommodation? Can the minister explain what the difference is with Shafston college? For those people who have never been to Shafston, I will explain that there are two or three lecture rooms down below and then the individual student accommodation on the floors above. But this individual accommodation is all strata title. It is owned by separate owners so that if I as an investor wanted to go in I could buy a room there and then rent it out to students. Why, therefore, does the Shafston accommodation not come under room-only accommodation?

I will outline a scenario for the minister's response. A four-bedroom house very close to St Lucia university is being rented to a family. Suddenly that family moves and it is then rented by four older people, who might come under the previous legislation. Those four people then go and they are replaced by four students. What are the steps of changing the act which covers that particular house? How is the owner, who may have the property listed with a property manager, responsible for changing all of the acts that residence comes under as the accommodation changes?

Ms KEECH: I thank the member for the questions. In particular, I congratulate him on availing himself of a full briefing from the department. I really congratulate him on his interest in this particular bill. The member has asked three questions there, so I will go through them one by one.

Clause 4 talks about the definition of student accommodation. It needs to be comprehensive enough to cover the various forms that accommodation for students can take. However, as the member would be aware, it is not the intention of this bill to affect student accommodation which is already exempt under the Residential Services (Accreditation) Act 2002; for example, student accommodation that is funded by the Department of Education and the Arts. This is something we discussed in the departmental briefing and, as I said, I thank the member for raising it.

Clause 4 is worded so that the application of the accommodation act applies only to student accommodation that meets the following three criteria. The first criterion is that the service operates mainly to provide accommodation to students enrolled in an approved course. The second criterion is that the accommodation meets the definition of a residential service; that is, where the accommodation is provided on a room-only basis to four or more people and where the residents either share facilities or are provided with a meal or personal care service. That probably relates to the member's third question. The third criterion is that the accommodation is not already exempt under the provisions of the accreditation act applicable to student accommodation.

The discussion we had during the departmental briefing was with respect to the technicalities of that particular clause. I have been advised that, particularly without subsections 1(b), 1(c) and (2) of the proposed section 132A of the bill, there is a technical legal argument that the bill would have the effect of making all student accommodation subject to the accommodation act, including those presently exempted under the accreditation and accommodation acts. So these subsections avoid any doubt on this issue. This ensures that those student accommodation providers that are currently exempt remain exempt.

The second question concerned Shafston University at Kangaroo Point. I myself have not visited there, but I appreciate the member's comments with respect to Shafston University. The university there advertises single, double and triple apartment style accommodation for students. The member has advised that the departments are strata titled, meaning that each apartment may be independently owned and operated. Without specific details on how individual apartments at Shafston University Mansions are individually operated—and, as I have said, I have not had the opportunity to visit Shafston—it is not possible to identify all the regulations that might apply to that accommodation service.

However, I can say that Shafston would be exempt from the Residential Services (Accreditation) Act under the existing exemption if the accommodation service is conducted as part of or under agreement with an education institution, and this was a comment that was made in the bill. The Department of Education and the Arts does not regulate student accommodation, but Shafston would obviously be subject to the building standards of the Building Code of Australia, local government laws and fire safety regulations where applicable.

With respect to the member's third question regarding change over a certain period of time—if, for example, a person has a particularly large house and there is a range of people living there, whether students or non-students, I am advised that if it is an operator of a shared house they are required to comply with the Residential Tenancies Act, where there are no registration requirements. If they rent the house on a room-only basis, where the accommodation is provided on a room-only basis to four or more people, the operator will be responsible for registering that accommodation. So the response to the member's question is that it would be the operator who would be responsible for registering that accommodation. I could go on further, but hopefully that has answered those three questions.

Mr LINGARD: I would like when debating clause 7 to come back to the minister's comments about operators and their responsibilities. I warn departmental officers that I would like further explanation of that under clause 7. However, as far as clause 4 is concerned, this is one of the examples of cross-referencing or signposting that has been criticised in this bill. Obviously the bill inserts into the Residential Services (Accommodation) Act 2002 and the Residential Services (Accreditation) Act 2002 definitions which make reference to courses approved in terms of section 569B of the Social Security Act 1991 of the Commonwealth. That provision in turn refers to a definition contained in another piece of Commonwealth legislation—namely, section 5D of the Student Assistance Act 1973. Furthermore, the relevant courses are not specified in section 5D itself but in ministerial determinations made under that section to which readers must again refer.

In saying that to the departmental officers, they verified or stuck up for their decision to signpost the way they have done, but surely there is an explanation of why we cannot have simpler legislation than having to refer to three definitions, and in those definitions two of them are Commonwealth legislation and one of them is subordinate legislation.

Ms KEECH: I thank the member for his question. Certainly to a lay person like me who does not have a legal background and perhaps to the member—we both have in common a background in education and we are proud of that professional background—sometimes the drafting can be complicated and confusing. But my understanding is that it is very important to ensure that all drafting does exactly what it is intended to do. I guess that is sometimes why the drafting may to us seem confusing and complicated whilst we are advised it is important to have it that way to ensure the absolute intention of the bill is adhered to.

With respect to the signposting, this was something that was raised by the Scrutiny of Legislation Committee, of which I am a proud former member. There certainly is an argument that potential infringement exists by defining the term 'approved course' with reference to Commonwealth legislation that the member mentioned and a Commonwealth instrument. The argument runs that such a practice could result in a delegation of making Queensland law to outside bodies. As the minister said, there is also the matter of confusion to the reader.

It is also recognised, however, that there are cases where there are practical arguments in favour of using this particular drafting device. The use of the Commonwealth definition in this exemption is justified for three reasons: firstly, because the practical effect of the current Commonwealth definition is to refer to courses approved by the relevant state accreditation bodies; secondly, unlike Queensland education related legislation, the determination is brief, concise and uses a clear table of all the types of tertiary and secondary courses and institutions that it applies to; thirdly, a change in the Commonwealth definition affecting the scope of the accreditation act is likely to be preceded by consultation with Queensland, allowing time for making any necessary amendments.

I think that response is probably in a little more detail than what the member was looking for, but signposting is something we have done in previous bills and it is something that ensures the intention of the act is adhered to.

Clause 4, as read, agreed to.

Clauses 5 and 6, as read, agreed to.

Clause 7—

Mr LINGARD (3.36 p.m.): I am referring to some of the answers that the minister gave me for clause 4. I take a practical example of an owner—or the minister might call that person an operator—who has a house at St Lucia with four bedrooms and initially rents it to four older people. Therefore, it does not come under this particular legislation. The property is under a property manager and it is then rented out to four students. Once again, I ask whose responsibility it is in that case to advise the authorities that it is now being rented out to four students.

Ms KEECH: I thank the member. It is the operator's responsibility to advise the department.

Mr LINGARD: Say there are three young employed people and one student living in accommodation. It is quite often the case in those sorts of houses, especially when the owner or operator lives away from the city, that they place one person as the person responsible for the tenancy. With the bond that is received, it comes from that one person. Quite often that one person has three changes in the house. They take responsibility for that. Say those four people then become four students who fall under the legislation. Once again, is the government saying that it is the responsibility of the operator or the owner to ensure that this house is then referred to as four students at a university coming under supported accommodation—a single room?

Ms KEECH: Let me be clear about the example used by the member. If it is simply a group of students getting together and renting the house, that does not relate to our legislation. If it is like the service I visited in Yeerongpilly where there are individual rooms—four rooms, for example—but a common area, then certainly it would fall under our legislation and it would be the operator whose responsibility it is to let the department know about changes in the student mix.

We can talk further, if you wish, about the provisions of the act which say 'mainly to provide student accommodation' and this takes into account occasions during student holidays where you have a house where there might be four students, then there is a holiday period and three of those students leave and perhaps a backpacker arrives. We can talk about that issue if you wish, but it really needs to be very clear whether the minister is simply talking about a house, as the member for Mudgeeraba was talking about when she was at university—a group of people who get together and share a house and then go to university—or whether you are discussing accommodation where there is the common provision of, for example, kitchens, TV rooms and so on. Certainly, it is the responsibility of the operator to provide that information.

Mr LINGARD: I thank you for that explanation. There are going to be many anomalies come up in this legislation and it is important for the government to outline what they believe the intent of the legislation is. That is why I have asked you for that explanation. Thank you.

Clause 7, as read, agreed to.

Clause 8, as read, agreed to.

Schedule, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

LEGAL PROFESSION BILL

Second Reading

Resumed from 29 April (see p. 701).

Mr SPRINGBORG (Southern Downs—NPA) (Leader of the Opposition) (3.42 p.m.): This bill repeals the Legal Profession Act 2003, which dealt with admission, national practice, conduct rules, complaints and discipline, financial arrangements and incorporated legal practices. This bill incorporates and updates, in accordance with national model laws developed by the Standing Committee of Attorneys-General, the provisions of the 2003 act and deals with the following additional matters: multidisciplinary partnerships, practice of foreign law by foreign lawyers in Queensland, a national framework for fidelity funds, external administration of legal practices, and statutory basis for the Queensland Law Society Inc.

The opposition in general terms will be supporting the bill, which has the broad support of both the Queensland Law Society and the Queensland Bar Association. However, in my speech in parliament on 26 November 2003 in relation to the 2003 act I did raise a number of concerns. I believe that a number of those concerns are still valid and have not necessarily been addressed in this bill.

I wish to turn my contribution generally to some aspects which do, I believe, require further explanation or further accord of reservation on the record of this parliament. One fundamental question not addressed is just exactly what is legal practice. I generally do not like referring to clauses and sections in the broad second reading speech, but this is one occasion where I will depart. It defines legal practice by referring to a definition in clause 531 for the purpose of proposed chapter 7, part 1, which refers to suitability reports and investigations. Part 2 of chapter 2 deals with the reservation of legal work and related matters and specifically provides in clause 24 that the making of a will by an authorised trustee company employee in the preparation of a contract by a real estate agent is not legal work. However, this begs the question as to what is legal work. Does assisting a person voluntarily to prepare a will, for example at your local church or community welfare group, by using a prepare your own will kit constitute legal practice that must be undertaken by a lawyer? Does assisting someone to settle the terms of a simple contract of sale of goods constitute legal practice? Where and how are the boundary lines to be drawn when one of the objectives of development of the law over the years has been to break down the mystique of the law and make it accessible to ordinary citizens? Are members of citizens advice bureaus and other groups which provide advice and assistance in relation to legal issues now at risk because of the failure of the bill to incorporate a comprehensive definition of what constitutes legal practice?

If anyone follows that convoluted process through, which is laid down in the bill as trying to define what is legal practice, you will see that certainly there are some questions that exist about what is defined as legal practice—and I would like to hear a definition from the Attorney when he summarises later on this evening.

This failure to adequately define legal practice raises real problems as a result of the facilitation by the bill of the incorporation of legal practices and the establishment of multidisciplinary partnerships where the boundaries of the practice of the law by a legal practitioner will undoubtedly come into conflict with the practice of other professional activities and the commercial imperatives of business. It is not clear how these conflicts will be resolved under this legislation and what objective and impartial processes will be in place to determine the boundaries of what constitutes legal practice.

Will it be up to the legal profession itself to determine the boundaries of its own operations and will we in future see a slow but steady expansion of these boundaries? After all, we have previously seen lawyers and the Law Society trying to justify the operation of mortgage lending schemes and other investment practices as part of legal practice.

Regarding the admission of legal practitioners, the schedule in this bill is supposed to relocate the Legal Practitioners Act to this bill by clause 630. However, schedule 3 regarding the relocation of section 58 is to expire one year after the commencement of the section.

There is also a section designed to facilitate the admission as a legal practitioner of persons who have provided service in vital government agencies such as Legal Aid, Parliamentary Counsel, the court registry and so on. The bill will therefore substantially diminish the existing rights of staff within the administrative organs of justice in this state. It will require that such staff who dedicate their career to advancing the interests of justice have to undergo the same admission procedures as those who are admitted as legal practitioners for purely economic objectives.

It thus favours the maintenance of the current monopoly on the process of admission to legal practice. The bill implements the principle that admission as a legal practitioner will only occur following training in university. This consigns to history the many fine lawyers who have practised the law following admission through the examination processes run by the Solicitors Board and the Barristers Board. Applicants for admission as legal practitioners will have to satisfy both the Legal Practitioners Admission Board and the Supreme Court as to their fitness before they are admitted.

Why should this duplication potential occur? Before being able to practise as a solicitor, a person must obtain a practising certificate from the Law Society or, for a barrister, from the Bar Association. Before granting a practising certificate, these regulatory authorities also have the capacity to question whether a person is a suitable person to be granted a certificate. Are we going to have regulatory overkill if a person has to satisfy the Supreme Court, the Legal Practitioners Admission Board, the Law Society or the Bar Association before they can practise in Queensland? The bill entitles an Australian legal practitioner—that is, an Australian lawyer—holding an interstate practising certificate to engage in legal practice in Queensland. Government lawyers engaged in government legal work do not have to be Australian legal practitioners.

What about corporate legal advisers working for a corporation? Arguably, any corporate lawyer must have a practising certificate and meet all the costs associated therewith before they can provide legal services for their corporation. Is this another problem arising from the failure to properly define legal practice? It purports to relieve a corporate lawyer from having to have professional indemnity insurance when working solely for their corporation. Whether this will apply when services are provided to a series of corporations within the one corporate conglomeration is unclear. In-house legal services are provided to many organisations which are not necessarily corporations—for example, social welfare organisations, community groups, unincorporated associations et cetera. Are these lawyers obliged to obtain professional indemnity insurance as well as pay for a practising certificate?

Professional indemnity insurance is to be provided by the Bar Association or Law Society. Given the allegations made in the past about insurance schemes arranged by the Queensland Law Society and certain staff employed there, what guarantees do lawyers have that professional indemnity insurance schemes arranged and the levels of coverage thereunder are structured so as not to disadvantage small practitioners or result in benefits more directed towards the bureaucracy at the Law Society and the Bar Association and the controlling councils and not legal practitioners?

The bill allows any corporation that complies with the requirements of the legislation to establish an incorporated legal practice and thus deliver legal services. These provisions therefore open up the potentiality of large corporations such as banks and financial service providers or commercial enterprises like Woolworths and Coles, with well-developed infrastructure throughout Queensland, commencing to deliver legal services—for example, conveyancing on a mass market basis—to the detriment of small scale legal service providers in suburban areas and regional centres.

I am sure that members in this place who represent suburban areas and rural and regional areas will greatly appreciate the contribution which is made by legal practitioners in those areas. Often the issues with regards to legal profession reform which are important to the one- or two-solicitor firms—and their administrative support—are not the issues which are necessarily important or of paramount importance to the larger firms because there are different imperatives. There are some larger firms and larger entities that do not have the same interest in the maintenance of conveyancing as a province of the legal profession as do small legal practitioners.

There are a number of people in this parliament who were solicitors prior to entering this place and no doubt continue to maintain a practising certificate. If it was not for the presence of those small legal practitioners in some areas then quite frankly we would not have family law, we would not have commercial law, we would not have a range of other essential services such as conveyancing in those communities. I am concerned about the economies of scale and a range of other matters with the potential entry of these larger entities into these multidisciplinary legal practices and where that might ultimately lead. I think it is very hard to define that at this stage. I think it is vitally important that we do value and understand the contribution of those small practices, particularly in the suburbs and the regional and rural centres throughout Queensland.

I do not believe the suggestions I have made are fanciful. Already government is proposing to legislate, notwithstanding national competition principles which have been signed up to, to ban

Woolworths from establishing pharmacies in its stores. Woolworths is still proposing to proceed with the proposal if possible by applying the same principles as this bill applies to incorporated legal practices. It could have one qualified pharmacist present to keep the pharmacy element open in a store. I am concerned that the potential tentacles of that could spread into the legal area.

Has this legislation been prepared in the interests of the big national legal practices without taking into account the interests of the small one- or two-person practices? I have already expanded on that. Will we see in the future these people being forced to mount campaigns, such as in the pharmacy industry, to protect themselves from the depredations of large corporations? Remember that Sears legal, based on the department store chain, has been one of the largest providers of legal services in the United States of America.

The bill fails to address one of the fundamental issues of conflict that arises between the increasing duties being imposed on a director of a corporation to act to maximise the economic outcome for the corporation and its shareholder and the duty that a legal practitioner has to their client and the law. Can both legal obligations always be met at the same time? That is an important question that this parliament has to resolve. Shareholder obligations or the obligations on directors under the Corporations Law are somewhat different to the obligations which have been traditional through centuries of convention and practice for lawyers to have as their primary responsibility their client. I think there is a potential nexus. There is a potential conflict that does need to be properly considered now and in the future.

As an organisation becomes more like a big corporation, who is the lawyer obligated to? Is he obligated to the shareholders or the directors in that multidisciplinary incorporated company or is it the base obligation that has always existed to the client of that lawyer? Another issue that will need exploration is the potential for conflict between the obligations of a lawyer to clients and the further expansion on the corporation to comply with legislation such as the Trade Practices Act and organisations like the Australian Competition and Consumer Commission.

I turn to legal practice by multidisciplinary partnerships. The need for these provisions is open in my mind to real doubt. Originally the development of the philosophy behind these provisions was driven by the major international financial service organisations such as KPMG, Deloittes, Ernst and Young et cetera, which sought to bring professional services together to offer a new one-stop shop to corporations. However, this move has now been reversed particularly since major corporate collapses such as Enron, WorldCom and HIH. Now these organisations are splitting. Even their financial services have separate organisations for auditing as opposed to taxation and other accounting.

They have separate organisations for auditing, taxation and other accounting, and IT consultancy. Many of those which have started legal practices have reduced, closed or spun them off. I believe we need to consider this and keep a watching brief on it. We need to be looking at and following the examples that have happened in other places around the world. Sometimes we do that and we seem destined to repeat the mistakes and the lessons of other places before we wake up to those issues in our own state and country.

These developments point to one of the fundamental problems of multidisciplinary partnerships—namely, the different conflicting professional and personal obligations that can arise. This bill contains only limited provisions as to how these conflicts are to be resolved. We already have a significant number of lawyers who are in jail as a result of their inability to resolve the conflicts posed by their actions as a lawyer and their actions as promoters and managers of various mortgage and other investment schemes.

Mr McNamara interjected.

Mr SPRINGBORG: I note the interjection from the honourable member for Hervey Bay. In no way am I casting aspersions on all lawyers, because I have said in this place in the past that the greatest majority of lawyers are very upstanding and dedicated members of their profession and dedicated to their local community. There is no doubt about that. In actual fact, in some areas of Queensland there may be a greater proportional representation of those areas through the complaints handling process than other areas around Queensland. But I can say that in my electorate I am aware that no complaints have been made against the lawyers who represent the people out there. There are not too many at all.

Mr McNamara interjected.

Mr SPRINGBORG: I am saying that, pound for pound, the job and the contribution that lawyers make to their profession and their community is absolutely outstanding. But there have been some pretty high profile examples. Some of them have been very unfortunate where some lawyers have been unable to resolve the conflicts which have been posed by their actions as lawyers and their actions as promoters, and I talk particularly about the mortgage lending schemes. Fortunately, there have been mechanisms put in place both at a national jurisdiction level and a state jurisdiction level which will overcome and resolve those issues so that they should not happen in the future. There is nothing in the bill that would give any comfort to the general community that these fundamental conflicts have been or can be resolved.

Regarding the fidelity cover, the bill proposes to leave management of the fidelity fund with the Law Society. Given the history of defalcations by solicitors and the problem inherent in the failure of the Law Society to properly investigate and prosecute complaints against solicitors, which has led to much of this bill, is it appropriate that the Law Society continues to manage the fidelity fund? Why has not another body including, for example, community representatives or persons with financial and other skills been created to manage the fidelity fund at arm's length from the Law Society? It is not my conclusion that the Law Society has not handled matters well; it is its own conclusion. That is why past president of the society Mr Sullivan put in place a review process overseen by retired Chief Judge of the District Court Pat Shanahan to resolve those matters. I acknowledge the work that Mr Sullivan did, because I think that he realised that he had a significant issue that needed to be addressed. He did not bury his head in the sand. He is a person of real integrity and real tenacity in what he did. He took that matter forward and put in place an independent process for oversight. The dirty linen was aired as a consequence of former Judge Shanahan's report.

We really have to be concerned about this notion that has historically existed—and the Attorney has used the term as well—of Caesar judging Caesar and the lack of confidence that may exist in the community about the extent to which the Law Society may continue to be involved in some of these areas. I am not saying that there is not a role, but there at least needs to be a greater engagement or involvement from lay people in this process.

Whilst the fidelity fund is designed to protect the loss of trust moneys placed with a lawyer, why are barristers automatically excluded from being caught by this bill? Whilst it is true that at present barristers do not normally handle trust moneys, what is to say that they may not in the future as rules of practice change? They may have a greater role with regard to handling money than they have at the moment. At the moment they do not have a role; I understand that. But what is to say that at some future time there might not necessarily be a role? That is all I am saying. With the potential changing of roles and the way this legislation has been formulated to put in place this brave new world, should that not be facilitated at this stage? That is all I am saying. Perhaps it should be facilitated to include that particular potentiality.

The bill specifically excludes recovery from the fidelity fund of trust moneys received by a lawyer under a financial service licence, a managed investment scheme, mortgage financing or other investment purpose. To recover the money, it must be received in the ordinary course of legal practice and in connection with the provision of legal services. How does the ordinary client, who is unused to the capacity of lawyers to find distinctions in law, separate the provision of legal services from an urging by the lawyer to invest in a particular investment scheme, particularly where it is run by a lawyer? What protections are consumers to get from the actions of unscrupulous lawyers? The numbers who have been jailed over the years, as I have said, prove that not all lawyers are honest and honourable persons, even though I will restate that I believe the greatest majority have been and will always be honest and honourable.

The time limit for bringing claims, which is six months from being aware of the default, is too short for an unsophisticated client who has relied on their lawyer. By 'unsophisticated' I do not mean that these people are dumb. It is just that they are dealing with an element of service delivery which they do not deal with on a day-to-day basis. In my job I come across, as most members do no doubt, new things every day. We engage with professional people with particular knowledge and we rely on them to do the right thing. Unless someone is a specialist in a field, they do not necessarily know what is going on. They are often bamboozled by what is going on, and that can happen at the highest level. When a person is engaging and interacting with a solicitor for whatever reason and something happens, how do they know what to do? One only has to look at the number of people who come to us as members of parliament to make a complaint about a solicitor and we refer them to the Law Society or wherever the case may be. People trying to find their way through the mire and going in the right direction is an extremely difficult thing.

Why should this particular period for bringing claims not be at least three years to reflect time limits in the limitation of action legislation? The capacity for extensions of time is very limited, for the provisions are directed not at whether there is any merit in the claim but merely at whether the funding is going to be sufficient to meet the claim. Obviously the bill gives the image of the Law Society having greater weight than the claims of persons who have lost moneys through the criminal or negligent actions of lawyers. The provision which gives the Law Society virtually absolute power to determine claims and the amount to be repaid places, in my opinion, too much power in the hands of a body which is more likely to be concerned about issues such as the image of the legal profession, the future financial viability of the fund and reduction of financial claims on lawyers than about the merits of the claim of a person who has lost money as a result of a lawyer's defalcations.

In order to exercise rights of appeal, the client who has lost money will have to not only fund the appeal but also get another firm of lawyers who are prepared to bring an action against the decision of the Law Society. Experience indicates that many firms will not act for clients who seek to challenge the actions of the Law Society. The power of the Law Society to approve payments made from the fidelity fund and consider the financial viability of the fund in determining whether to make payments

establishes that the protection provided to consumers of legal services by the fidelity fund and the Law Society is of limited benefit. The bill establishes legal practitioner interest on trust accounts in the accounts of the Department of Justice into which will be paid interest earned on sums deposited in solicitors' trust accounts.

The bill continues the principle of refusing to facilitate the payment of interest earned on these deposits to the persons entitled to them—namely, the owners of the funds held on trust. This can be achieved by appropriate computer programming by the banks. No longer can it be claimed that technology or the onerousness of the task is too great to deny the real owners of that interest moneys the right to it. The bill enhances the capacity of the minister to make payments from this fund to suit the political purposes of the minister of the day. This opens payments from the fund to potential abuse.

The making of the legal profession rules is the responsibility of the Governor in Council. Thus at the end of the day, the legal profession in Queensland is now the creature of the government of the day. If the legal profession offends the government or disagrees with its policy position or any subject, it runs the risk of being the subject of an adverse legal practice rule put through by the government. This changes the psychological balance between a legal profession that traditionally described itself as independent of government and thus free to criticise government decisions and those who control the government from time to time. Whilst the Law Society and the Bar Association may recommend rules, the minister is under no obligation to accept such recommendations.

The bill is designed to facilitate the exchange of information between Queensland regulatory authorities and their counterparts in other Australian jurisdictions and in foreign jurisdictions in relation to the admission and discipline of legal practitioners. The bill gives a very wide ambit as to what can constitute professional misconduct or unsatisfactory professional conduct. Presumably, whether particular actions constitute professional misconduct will be determined by the appropriate decision-making body provided to hear disciplinary complaints.

Complaints are made to the Legal Services Commission using an approved form. The bill regulates complaints to the commission more than three years after the conduct complained about. The commission is given power to dismiss the complaint or refer it to mediation. Matters can be investigated only if the commission considers that it is just and fair to do so or that the action complained about amounts to professional misconduct. There is a real problem with the provisions that empower the commission to dismiss a matter that has been the subject of a previous complaint that has been dealt with. Given that there are numerous people who are deeply disturbed by the cavalier way in which their complaints have been dismissed by the Law Society over the past few years—and I hope that is probably in the past tense following the Shanahan review—and who are hoping that the establishment of the commission will at least provide them with an objective and effective mechanism to resolve what they believe are legitimate complaints against lawyers, this provision will act as a real wet blanket and cause great disappointment. What is the government going to do to provide satisfaction to those people?

There is a real problem with the options available for handling complaints about lawyers by consumers of legal services. The clause that, in effect, applies to all complaints other than those constituting unsatisfactory professional conduct or professional misconduct forces consumers into a mediation process. Given that consumers of legal services are generally less knowledgeable than their legal advisers and without the resources that their legal advisers possess, any mediation process automatically places the complaining client at a real disadvantage when compared to the lawyer complained about.

Mediation provides no independent process for investigation of the complaint by any impartial body, nor can lawyers be forced by that process to disclose any information that they cannot or do not wish to disclose. Mediation can work only when both parties to a dispute are willing to negotiate to resolve the dispute. The negotiation process provided in this bill will inevitably lead to dissatisfaction by the complainants as it is likely that any complaint would ever be lodged with the commission in the first place if the legal practitioner had previously indicated a willingness to negotiate a satisfactory outcome with the client.

It empowers the commissioner to refer complaints to the Law Society or Bar Association for investigation. This perpetuates one of the fundamental complaints about the existing complaint handling methodology, that is, that there is no independent and impartial investigation of a complaint. That leads to the Caesar judging Caesar claim. I believe that that will certainly continue to some extent. The commissioner investigates matters personally only when it is in the public interest to do so. However, given that the commissioner is to be given only limited support resources, the capacity—and thus the willingness—to conduct any form of independent investigation will be limited.

The bill sets out the role of the Law Society and the Bar Association in conducting an investigation of a matter referred to them. The bill contains nothing about providing the complainant with any assistance in presenting the complaint or the capacity to necessarily make any submission to the investigator. The commissioner is empowered to dismiss a complaint following a report from the Law

Society or Bar Association. However, there is no right for the complainant to be advised of the intention to make that decision or to make a submission to the commissioner prior to the decision being made.

The benefits of compensation orders are reduced by providing that a compensation order cannot be made if a complainant is entitled to receive compensation under a court order or from the fidelity fund. However, working out whether such entitlements actually exist will take such a long time to determine that the disciplinary action will often be completed before relevant decisions are made. Appeals to the Court of Appeal about a disciplinary body's decision are unlikely to be of any assistance to a complainant due to their usual lack of resources to pursue litigation.

Why will previous disciplinary proceedings against legal practitioners who currently practise in Queensland not be listed on the Internet disciplinary record? Does the Queensland community not have the right to know the history of people who are holding themselves out to the general populace as offering legal services?

The bill also facilitates cooperation between jurisdictions in investigating complaints about lawyers. The bill contains comprehensive provisions to enable intervention in the conduct of a lawyer's practice by appointment of a supervisor of trust moneys, a manager or receiver. However, it does not apply to a barrister.

The bill outlines the circumstances when external intervention is warranted. Primarily, this is a decision for the Law Society. One issue not addressed in the bill is the issue of the application of the principles of legal professional privilege, which is a privilege possessed by the client of a lawyer in relation to information passed to a legal adviser for the purposes of litigation. When such information comes to the attention of a supervisor of trust moneys who is appointed to a particular practice, is the supervisor bound by principles of confidentiality in relation to information that comes into their possession? If not, why not? Supervisors will not necessarily be lawyers and, therefore, are not necessarily subject to the ethical principles that bind lawyers.

The bill purports to impose a confidentiality requirement on an external intervener in a legal practice, for example, a supervisor/manager or receiver, but does not address any issues relating to legal professional privilege and, indeed, authorises disclosures to a whole range of people and institutions without addressing the issue. Managers step into the shoes of the legal practitioner according to the provision of the bill. I believe that that is inadequate. The provisions relating to receivers appear to be adequate. The bill is also designed to facilitate the practise of foreign law within Queensland by a foreign lawyer, that is, a lawyer registered in and controlled from a foreign jurisdiction. Whilst such provisions can be arguably designed to promote the international trade in services, the bill as drafted does not clearly address issues of potential conflict between the practise of foreign law and the practise of Australian law within one legal firm. Similarly, it is not clear as to how the application of practice standards, that is, ethical obligations, trust accounting, legal professional privilege et cetera, are to apply to a person who is an Australian registered foreign lawyer, a foreign lawyer and an Australian lawyer in relation to matters involving complex foreign and Australian law matters. Not all foreign legal regimes proceed from the same fundamental ethical and legal principles that underpin Australian law. So the potential for conflict is very, very real between Australian law and potentially sharia law.

This may turn out to be a problem only if there is a growth in attempts to practise foreign law in Queensland. These proposals are arguably being introduced in Queensland more from the desire to maintain uniformity with the rest of Australia than from any demonstrated market that is currently unfilled.

Applications have already been called for appointment to the position of Legal Services Commissioner following the passage of the 2003 act. The Attorney-General has announced that he is to make an appointment shortly, probably following the passage of the 2004 bill—in a yet-to-be-determined time frame. Whoever is appointed to the position and the resources provided to them will determine whether the new complaint handling mechanism will in fact work in practice to the satisfaction of consumers of legal services. It is to be noted that the government is continuing its practice of making significant appointments to major positions without consulting the opposition, as recommended by Commissioner Fitzgerald. Accordingly, whoever is appointed will potentially suffer from a lack of bipartisan support for their appointment.

The bill empowers the chief executive of the Justice Department to determine the level of resources provided to the Legal Services Commission, ensuring that the commission remains susceptible to pressure from the government. This raises real doubts about its capacity to act impartially in all circumstances.

The provisions relating to the disciplinary tribunal parallel provisions of the 2003 act. The disciplinary tribunal is comprised of a Supreme Court judge. The question needs to be asked why Supreme Court judges are being forced to adopt the guise of members of a tribunal when it is the Supreme Court which has always exercised the jurisdiction to control legal practitioners. Is the Attorney-General attempting to downgrade the inherent jurisdiction of the Supreme Court in favour of the lower status of a tribunal? After all, it is the Governor in Council—the government—which is going to tell the

Supreme Court judges as a tribunal how they are to conduct themselves through the rules. Normally rules of court governing court practice and procedure are determined by the judiciary themselves.

The concept of helping a Supreme Court judge in hearing and deciding a discipline application is also detrimental to the status of the Supreme Court, in my opinion. Is a Supreme Court judge to vary their view of both the law and the facts in a particular case in accord with the views of either the lay member or a practitioner? As Attorney-General Welford has already called for applications for persons to be appointed to the lay and practitioners panel, it is presumed that they will be created at around the same time as the Legal Services Commissioner is appointed.

The provisions relating to the Legal Practice Committee seem to parallel provisions in the 2003 act and provide for the creation of a practitioner controlled, lower level disciplinary body and some lay representation. They also seem to parallel provisions of the 2003 act which set out the procedures to be followed by both of the disciplinary tribunals. Both tribunals are not bound by the rules of evidence in conducting hearings. The parties to disciplinary hearings are the Legal Services Commissioner and the lawyer complained against. The legal client who has complained has no right to appear before the disciplinary tribunal. There is thus no guarantee that the matters complained of by the original complainant will be fairly or accurately considered by either disciplinary tribunal. It is likely, therefore, that those persons with complaints against lawyers will continue to be dissatisfied by a process which involves only lawyers, apart from lay members of the tribunals, in considering and determining complaints. The granting of leave for a third party to appear should be converted into an entitlement for the original complainant to appear before the tribunals and make such submissions as they think fit to the tribunals in relation to their matter of complaint.

The provisions regarding the Legal Practitioners Admissions Board seem to parallel similar provisions in the 2003 act, which provide for a body to consider issues relating to the admission of legal practitioners. The bill also provides for the continued incorporation of the Queensland Law Society by state legislation. The question must be asked why no such similar provision has been deemed necessary for the Queensland Bar Association, which is incorporated under the Associations Incorporation Act. Given that both the Law Society and the Bar Association are now the bodies that will issue practising certificates, this will make membership of both bodies compulsory for all solicitors and barristers respectively. This in effect creates a closed union shop for solicitors and barristers, who will now find enhanced difficulty in practising their profession if they fall foul of the controllers of both bodies. Given also that both bodies seemingly will have an ability to set whatever fees they like for membership, it seems strange that the Law Society is a body subject to the Financial Administration and Audit Act 1977 and the Statutory Bodies Financial Arrangements Act 1982 and thus audit by the Auditor-General but the Bar Association is not.

The bill provides mechanisms for the obtaining of police reports and health assessment for the purposes of administration of the bill. Clarification is needed, however, as to who can obtain such reports. Relevant authorities for obtaining such reports are the Legal Practitioners Admissions Board in relation to admission to practise and the relevant regulatory authority, that is, the Law Society or Bar Association, in relation to grants and renewals of certificates to practise. It seems to forbid the obtaining of any suitability report in relation to an applicant for grant or renewal of a local practising certificate. There appears, in my opinion, to be a conflict here.

The bill sets out provisions for the appointment of inspectors under the act and their powers to enter and seize material necessary for investigations. No significant problem appears to exist with these provisions. The bill seems to maintain the inherent powers of the Supreme Court in relation to legal practitioners. This seems to sit strangely with the provisions of in effect converting the Supreme Court into a tribunal for disciplinary purposes. I raise that again because I raised it with regard to other matters earlier in my contribution. The suspected offences chapter also contains a series of offences designed to facilitate administration of the act. These do not seem to raise any problem.

Even though I have raised a number of issues, these are not matters which give the opposition cause for concern to the extent that we would oppose the bill before the parliament. However, I think they are matters that deserve to be put on the record of this place, because there is the potential for them to raise their heads as issues in the future. I think we are going into what is relatively uncharted territory here, even though—I am sure the Attorney-General appreciates it—the bill he put through at the end of 2003 is one that had been under consideration for some considerable period of time, with consultation. That was still relatively uncharted territory. We have to wait and see how that in fact will work as all of the various bodies are established. We have the complaints handling process being effectively put in place and the Legal Services Commissioner. We also have all of these new national consistency principles which are going to be placed in this bill. I believe that at some future time there will be cause to amend the bill we are debating, which will undoubtedly pass through this parliament later this evening.

I would like some assurances and some individual and specific comment from the Attorney-General in his reply to the second reading debate. I have previously raised with him—he has written back some letters of assurance—some matters and complaints that have been outstanding. I would like

some comment on those complaints, which have previously been raised but have not necessarily received carriage or serious consideration by the Law Society. How are they going to be dealt with by the new process? I note that the minister has given some assurances with regard to that, but I think there is a very real concern that potential restriction on resources, whether deliberate or otherwise, is going to impede the capacity of those legitimate complainants to successfully have a matter heard and resolved, particularly when it is proven that there has been a deficiency in the complaints handling process in the past. Again, we are generally supportive of this bill and look forward to seeing how it can and will be implemented at some time in the future.

Mr LAWLOR (Southport—ALP) (4.29 p.m.): In 2002 as a result of criticism of its complaint handling function, the Law Society commissioned a report by retired judge Mr Pat Shanahan, and also the Attorney-General and Minister for Justice requested a report from the Legal Ombudsman. These reviews identified the following outcomes as being desirable: a consistent national approach in relation to the admission of legal practitioners, a statutory basis for the regulation of barristers, facilitating legal practice by interstate legal practices in Queensland, and the setting and enforcing of a higher level of professional ethics and standards, greater independence, accountability and transparency in the complaints and disciplinary processes for lawyers.

The Legal Profession Act 2003 went a long way towards achieving those objectives, and the Legal Profession Bill 2004 completes that process. This is the second round of reforms to the Queensland legal profession. These reforms follow those introduced last year in the Legal Profession Act 2003 in the areas of admission, national practice, conduct rules, complaints and discipline, financial arrangements and incorporated legal practices. The bill includes the provisions of the Legal Profession Act 2003, which, with the enactment of this bill, will then be repealed, and it updates, to ensure consistency with the latest version of the national model, laws developed by the Standing Committee of Attorneys-General.

In addition to the reforms introduced by the Legal Profession Act 2003, the bill includes further parts from the national model laws dealing with, firstly, the introduction of and regulatory matters concerning multidisciplinary partnerships. These provisions correspond with those applying to incorporated legal practices and will allow lawyers to operate with other professional service providers—for instance, accountants, IT experts and so on.

Safeguards are also incorporated to protect against obvious conflicts. There are also provisions for the application of professional standards, trust accounts and complaints and discipline. I think we used to call it discipline and bondage. I was not into bondage so far as the Law Society was concerned, thank God. In 25 years of practice I did not receive their adverse attention. It is expected that the ability to conduct a practice as a multidisciplinary partnership will benefit rural and regional areas by reducing the cost associated with professional groups running their businesses separately. The Leader of the Opposition has raised that issue as a concern. As I think he suggested, we will have to wait and see. From my knowledge of small legal practices in the country, I think it would be an encouragement and an inducement for them to stay. If you can share the overheads—the accountant, the real estate agent and so on—then there is a greater possibility that those services will be retained in those towns. I think his concerns are misplaced.

Secondly, it includes participation by Queensland in the national scheme for registration of foreign lawyers and recognition of foreign lawyers who are registered in other states and territories. Australian registered foreign lawyers will be subject to the same professional obligations, complaints and disciplinary processes and professional indemnity insurance and trust account requirements as local practitioners.

Thirdly, it includes a consistent national framework for determining the fidelity fund that is liable in the event of a claim, including where defaults affect a number of jurisdictions, and ensuring a consistent cover and exclusions from claims. That is also critically important because a couple of years ago now we had the example of a practitioner by the name of Harry Smith who practised both in northern New South Wales and also in Coolangatta. There was a default situation with Mr Smith which apparently amounted to some $10 million, and approximately half was incurred in New South Wales and half in Queensland. We had the ridiculous situation that those who had a claim in New South Wales were subject to different rules and regulations than those in Queensland. So this will ensure that those situations do not eventuate with the cross-border jurisdictional issue.

Fourthly, it includes the external administration of law practices where the appointment of a supervisor of trust moneys, manager of the practice or receiver is warranted—for instance, due to the insolvency of the practice or the death of a practitioner. Fifthly, there were changes which relate to the Law Society, and the bill makes provisions relating to the establishment of the Law Society to the new act and provides for the following changes requested by the Law Society in relation to its council. The membership of its council is to be reduced to no more than 12 and no less than seven. The council is to meet no less than six times per year. The meetings are to be held in the manner determined by the council and will allow for phone and video conferencing, which is simply making use of the technology that is available in this day and age which I will avail myself of shortly, I hope—maybe in the next life. It

enables the council to delegate its functions. It also makes the immediate past president an ex officio member. There is an extension of the term for the current council for an extra year to facilitate smooth transition to the new regulatory arrangements.

The Leader of the Opposition also referred to the Solicitors Board in his contribution. I qualified as a solicitor through the Solicitors Board because I had three young kids and a mortgage and a wife, and I could not afford to go to university. I could not possibly afford to go to university. The only avenue available to me was the five years articles and to work part time at pubs and all that sort of stuff. To my knowledge that was scrubbed about 15 years ago. So that is no longer available as far as I am aware. With regard to the issue of barristers and the fidelity fund, they simply do not handle trust account moneys, and in the event that they do I would imagine the act would have to be revisited. It is not really an issue. I have never struck anyone who was even desirous—

Mr Springborg: I can appreciate that.

Mr LAWLOR: Well, there are all the audit requirements, and one of the advantages of being at the bar is that you do not have the administration overheads that a solicitor does. Finally, the Leader of the Opposition mentioned—and I know he was fairly gentle about it—crooked solicitors. It brought another example to my mind. You get crooked people in all sorts of professions—even farmers.

Mr Springborg: I agree.

Mr LAWLOR: Years ago I was acting for a lady who had a claim against the fidelity fund and she had invested money with a Mrs Wigley from Warwick—I think in the Leader of the Opposition's electorate. The interesting point about that was in my dealings with the Law Society investigators approximately $5 million was claimed from the fidelity fund in those days. According to the Law Society investigators, that was just the tip of the iceberg. I said, 'How is that so?' Apparently they said that Warwick in those days—it must have been going through some sort of a boom—was awash with a black economy, cash money. They were giving their cash money to Mrs Wigley to invest and were not getting a trust account receipt. They were getting a receipt but not a trust account receipt, and when they were interviewed by the investigators as to whether they wanted to make a claim they said, 'No, we do not.' We are talking about a lot of money in some cases, but they did not want to draw the attention of the taxation department to their businesses. The point that the Leader of the Opposition makes could be made about any occupation he would like to name.

Mr Springborg: I do not disagree with that.

Mr LAWLOR: It was an interesting example. It just happened to be in his electorate, that is all. It is not peculiar to his electorate.

Mr Springborg: It actually predated me, but I am aware of it because people still talk about it.

Mr LAWLOR: I am sure they do. They are probably still kicking themselves that they gave the money to Mrs Wigley. In any event, I commend the bill to the House.

Mr McNAMARA (Hervey Bay—ALP) (4.38 p.m.): I will be supporting the Legal Profession Bill 2004 before the House. I congratulate the Attorney on what is the continuing reform of the Queensland legal profession. The bill obviously covers a number of areas which have been foreshadowed and which have been talked about for a long time in the legal profession. Multidisciplinary partnerships were being talked about when I was a young articled clerk and are certainly a welcome reform. The national scheme for registration of foreign lawyers and the new national framework for determining the fidelity fund are both welcome. The reforms to the external administration of law practices are similarly welcome.

People go on about globalisation in this place. It is a topic that warms the hearts and occupies the minds of some to a great extent. But people sometimes forget that globalisation does not only affect canegrowers or dairy farmers; globalisation has had enormous impacts across all industries, and I would go as far as to say perhaps none so much as the legal industry. The changes which have happened due to globalisation are enormous and overwhelmingly beneficial. Globalisation as a concept that gets a lot of bad press; it is a bit like the 20th century with which it is associated. The 20th century saw some bad things happen—a couple of world wars and attempts at genocide in Rwanda and Europe.

Ms Nolan: And there was 32 years of National Party government.

Mr McNAMARA: There was 32 years of National Party government, but there were some really good things that came out of the 20th century and out of globalisation. For the first time ever we have a worldwide consciousness about the need to respect the environment. For the first time ever as a result of globalisation and the 20th century we have a recognition of the value of universal education and that education is something that should be accorded not only to men and boys; women are entitled to that as well. The concept of human rights came out of the 20th century and globalisation has taken it to all parts to the world.

Globalisation has produced many, many good things. One of those good things is the concept of competition and effectiveness which has infused all manner of business and trade right across the

world. The legal profession now bears almost no recognisable traits with the legal profession that I first saw. Over the last 20 years issues such as professional standards, timeliness, price competitiveness, fee transparency—all service standards—have improved out of sight. Whereas once upon a time the legal profession was a very slow moving, cumbersome, impenetrable business, that has now changed and it has changed for the better. Those national service standards, those international competitiveness regimes which have come through the legal industry have, in my view, resulted in a legal industry which provides a far better, a far more efficient, a far cheaper service. It is still possible these days to get conveyancing done more cheaply than I used to do it 20 years ago—considerably cheaper, I might add—and, indeed, in my view, by more highly trained, more qualified lawyers working with much greater attention to continuing legal education and improving legal standards.

Mr Springborg: Technology has also improved.

Mr McNAMARA: Absolutely. I know that the Leader of the Opposition was at pains to point out that he was not suggesting that the legal profession was full of crooked lawyers. We all accept that it is not. In my view there are a lot more bush lawyers in jail and certainly a lot more clients of bush lawyers in financial trouble than there ever were lawyers in those circumstances.

A government member: And in parliament too.

Mr McNAMARA: We have a few bush lawyers in the parliament and I do not recommend that they try their hand outdoors. Nevertheless, this is an excellent bill. I congratulate the Attorney. He has worked relentlessly to improve the legal profession—to make sure that the legal profession in Queensland is well and truly nationally benchmarked. We are up there with what is going on. We are a modern, efficient, transparent, accountable legal profession. I congratulate him, his ministerial staff and his department. I commend the bill to the House.

Mr WILSON (Ferny Grove—ALP) (4.43 p.m.): It is my pleasure to speak in support of the Legal Profession Bill 2004 and I, too, want to join my colleagues in congratulating the minister, the Attorney-General, for bringing this legislation forward.

My colleague the member for Hervey Bay mentioned how much the profession has changed in 20 short years. Indeed, about 23 years ago in 1981 I was admitted as a solicitor in New South Wales and then later as a barrister. A lot has changed since then. In those days the legal profession not only in New South Wales but in the other states—you would not have, in fact, called it a legal industry in those days—was overwhelmingly a state based industry. Indeed, if you wanted to practise in the other jurisdictions, as I wanted to in the Federal Court and in the ACT, I had to go and get admitted in the ACT to practise, as I did. The regulation of the profession was done at a state level. The education system was predominantly at a state level. Admission was regulated at a state level and the law societies and bar associations of the states regulated the industry.

Whilst you had large capital city firms, there was not so much interconnection between those city firms throughout the nation or, indeed, internationally: Europe, North America, let alone in Asia. Twenty-odd years later there has been a remarkable transformation of the industry. It is now recognised by the Australian Bureau of Statistics as the national legal services industry. In 2001-02 the ABS figures on the industry nationally showed that the added value from the legal services industry was about $7.7 billion. Income going to solicitors in that year was about $8.3 billion and income going to those at the bar in the industry nationally was about $1.2 billion. The total employment for legal services practices and organisations at the end of June 2002 was about 93,700. That consisted of about 36,000 solicitors and 57,600 other staff. Solicitor practices accounted for about 85 per cent of the total employment in the legal profession and barristers for about 6.3 per cent, the remaining being in government or in community legal centres or in other places.

It is interesting to look at the situation of the 20 largest law firms in the country. For the last five years the *Business Review Weekly* has been conducting an annual survey of the 20 largest national law firms. Indeed, the fact that that very significant economic journal has been doing that review for the last five years itself is a reflection of the fact that the legal services industry has become a national industry. The top 20 law firms, for example, generated $3.4 billion of revenue. They had 2,194 partners, 6,340 solicitors and 1,612 articled clerks. We had about 11,750 partners, solicitors and articled clerks and support staff employed in just 20 law firms. The review that the *BRW* has done over each year for the last five years shows that those 20 law firms, save for two or three that have moved in or out of the top 20, have been essentially very, very stable.

The first stage of the legal reforms for the legal profession were, as others have indicated, introduced last year, and addressed principally the complaints and disciplinary processes for lawyers. Just by brief summary, that act set up a new legal services commissioner to handle complaints about lawyers; set up a legal practice tribunal to deal with professional conduct of a serious nature by practitioners; established a public register setting out the findings of professional misconduct; appointed a legal practice committee to hear less serious professional conduct breaches; and, interestingly, established a requirement for barristers to have practising certificates and be subject to the statutory requirements of the complaints and disciplinary regime. This addresses an anomaly which I regret to say one of my constituents experienced through the work of a barrister some years ago acting for her.

When she complained to the Bar Association, the Bar Association simply responded by saying, 'Well, sorry, we cannot do anything because he is not a member of our association.'

Finally, this bill provides for the rearrangement of the trust accounts of solicitors so that they are managed by the Department of Justice and Attorney-General rather than the Law Society directly. The second stage which this legislation principally introduces for the first time, although it re-enacts the first stage so that all the reforms to date are contained in the one bill, addresses the reality of the national legal services industry that has emerged in the last 20 years. I spoke of that earlier and indicated some of its features.

For a number of years the Australian Standing Committee of Attorneys-General has been meeting to develop a national model. It is that model of regulation for the legal profession that is implemented in this bill. The key points are that there are uniform requirements for admission of lawyers introduced, there is a nationally consistent set of rules governing professional conduct, there is recognition of disciplinary action taken in any one jurisdiction as having effect in all jurisdictions, so that a single practising certificate—such as in my time in New South Wales back in 1981—would suffice for practice in other Australian jurisdictions and there is a consistent approach to rules regarding management of trust accounts.

The final observation I make in support of this legislation relates to the complaints and disciplinary processes. Although those new processes were enacted last year and reinstated in this bill, that, in my view, still remains a key part of the law reform that is being introduced at the moment. The fundamental objective of this legislation is not only regulating the internal affairs and relationships between different practitioners and different professions associated with the law within the industry but also, importantly, maintaining a high public confidence in the legal profession. That is an obligation that the legal profession has not always discharged with the speed and effectiveness that the public are entitled to expect.

In the last few years in Queensland we have seen the Law Society being fairly ham fisted in the way in which it has dealt with quite legitimate complaints by members of the public and concerns generally expressed about the way in which it has dealt with allegations of professional misconduct. It is important to see that we have turned the corner here and that the public can have confidence in the legal profession in Queensland. It will be especially so because of the new complaint and disciplinary regime introduced in this bill.

I think it is fair to say that the same level of dependency that a patient has on a doctor can often be experienced by a client in their relationship with a lawyer. There is an extraordinary power imbalance. One obviously has all of the professional knowledge and expertise upon which the other has come to seek assistance. The experience of ordinary people in the street just does not equip them very well to deal with the complexities of the legal system, just like the medical system.

It is extremely important that the profession maintains high public confidence. As in any profession, regrettably the public perception that is often acquired is a product of a minority. From time to time, I have constituents who make complaints to my office—and I refer them to the Law Society—about the conduct of solicitors. It is good to see that there will be a far more effective process in place to deal with those complaints.

It might be thought that the complaints and disciplinary processes are simply a machinery part of the new legislation, important as it is. In my view, if we have a liberal democratic society that is founded on the view that the rule of law must be what governs our relationships one to another, institution to institution within our society, then from the point of view of ordinary people in the street they must have reasonable and affordable access to justice. They must have a system like the one that I think is being introduced now, which ensures that there is a high level of accountability of practitioners to the consumer or to the public generally so that the rule of law is actually of any great meaning to ordinary people in street.

Thousands of people buy or sell a house during the year. They will predominantly go through a solicitor to have their transaction handled. There are many other instances like motor vehicle accidents, personal injuries litigation—a whole range of circumstances—in which people in the street unavoidably need to access legal services. They must be affordable and accessible but, ultimately, accountable to them as consumers in the public domain. I commend the bill to the House.

Mr McARDLE (Caloundra—Lib) (4.55 p.m.): I rise to advise the House that my party supports this bill. I commend the Attorney and his staff for the work they have undertaken in preparing the documentation. Before considering the terms of the Legal Profession Bill 2004 we should give some brief consideration to the history of the profession in Queensland insofar as the Queensland Law Society is concerned.

The society was formed initially at a meeting of 15 legal practitioners on 7 August 1873 at the Supreme Court in Brisbane. Its objectives were stated to be: firstly, to protect the public by suppressing dishonourable practice among legal practitioners by the rigorous prosecution of any offenders against whom a case could be made; secondly, to advise the government on amendments to the law; and,

thirdly, to facilitate the amicable settlement of professional differences so that legal practitioners could present a dignified image to the public.

By 1883 interest in the Queensland Law Society had all but disappeared and concerned legal practitioners then created the Queensland Law Association. In 1927, the Queensland parliament passed legislation that saw the creation of the current Queensland Law Society Inc. The society has had a lengthy and, in my opinion, overall honourable life within Queensland. The society has assisted and guided both young and more experienced practitioners in many areas of their professional life and, in many cases, helped the public in many ways to deal with the minefield of legislation that is the by-product of our current society.

There are many who condemn the legal profession out of hand without acknowledging that, on the whole, they are honest, hardworking men and women who have entered their profession with the belief that they could and would make a difference to the society in which they reside. In most cases, legal practitioners do exactly that—they dispense legal advice, perform the duties of social workers and provide solace when clients face very difficult decisions or hurdles in their lives. I do not believe any person would care to face serious criminal charges or complicated legal proceedings on their own.

It is in those circumstances that people often engage the services of legal practitioners. Again, I stress that, on the whole, such practitioners provide value for service and take time to assist clients not only on a practical but also on an emotional level. There are many instances when clients engage legal practitioners yet in fact that engagement entails engaging mostly a social scientist. It is this role which is equally critical to resolving the client's dilemma. Certainly, in the arena of family law where I practised, I found this to be the case.

Additionally, legal practitioners have been and, in my opinion, will continue to be leaders in the community, as are people in many other occupations. It would be wrong to condemn legal practitioners as a consequence of the actions of a few. However, it cannot be argued that the legal profession has maintained the standards demanded by a modern society. There are a number of other professions and occupations facing a similar crisis. The legal profession, given its pivotal role in the way in which our society conducts itself, is one of the most visible.

The bill has been many years in coming, and again I congratulate the Attorney and his staff on the terms. The bill has two elements that I want to make comment on, the first being the multidisciplinary practices allowed within the terms of the legislation. The bill does not provide guidelines as to whether the act, when it comes into effect, will impose requirements as to other occupations practitioners can or cannot enter into to form a new relationship. I wonder if the minister is able to provide details with regard to that point. What the bill does do, however, is this, and in my opinion it is critical: it provides legal practitioners who have for many years attempted to enter larger scale business operations the chance to do so. It has, in my opinion, given legal practitioners a clear guideline to determine whether they wish to be businesspeople in the modern context of that phrase or maintain their title as legal practitioner. It is an opportunity for legal practitioners to broaden their horizon and, in my opinion, it should be grasped at every opportunity.

However, I understand that there is no incentive by way of stamp duty relief to be given to permit current practices to unravel their current legal positions, thus enabling the new form of practice to be established. In that regard, I note that one of the benefits of the legislation is to allow clients to be provided with myriad advices at one source—that is, the one-stop shop—yet the impost of additional stamp duty and other government charges would be and will be a hindrance to successfully achieving that goal.

Secondly, the bill deals with the heated and emotional question of the Law Society losing its control of prosecuting practitioners who breach their ethical standards as required by our society. This is an issue that has been floating for many years. It must be made quite clear that no legal practitioner should be entitled to practise law either in this state or any other state if they have failed to meet rigorous standards of ethical practice. It is unfortunate that the Queensland Law Society failed to deal with this issue many years ago when there were clear signposts which, if they were ignored, would result in this bill being introduced into the House. As a consequence, the bill removes the right of the society to judge its own, and that again is one more instance of our modern society setting its own standards. This is the position that my party has always maintained—that is, that the profession should not judge its own.

If I may quickly turn to clause 209 of the bill, I note that it refers to payments being made from a fund. In particular, it states that the chief executive may make certain payments from the fund—that is, the fund that holds interest on trust accounts—to certain bodies and for certain other reasons. Is the Attorney able to advise whether the chief executive in consultation with himself under clause 210 will be making payments to each of those bodies or funds referred to in clause 209(1) if requested or whether the ultimate decision will lie with himself with the real risk that certain bodies, groups or other funds will not be receiving funding as requested? Secondly, is there a time frame within which the regulations referred to throughout the bill will be introduced?

This bill provides opportunities for both sides of the debate. For many years now, the Queensland public has demanded the legal profession be more accountable, be more open, be more transparent

and also be answerable to it for its transgressions. This legislation provides exactly that. It should not be viewed as a negative by the society or the profession. In fact, it provides both the society and the profession with a new opportunity and in fact embarks on new grounds which should be taken up, as I stated earlier, as quickly as possible. The time for this bill is long overdue. The opportunities are available to all who wish to take them on board, and I commend the bill to the House.

Mrs MILLER (Bundamba—ALP) (5.04 p.m.): I rise to support the Legal Profession Bill 2004. The bill has two main purposes: firstly, to regulate the legal profession; and, secondly, to protect consumers of legal services. I must say that I am very pleased that there has been extensive community consultation on this bill. There was a discussion paper in 1998, a green paper in 1999, the government announced its proposals in 2000, and an NCP issues paper was released in 2001 and also on the Legal Profession Bill 2003. The professional bodies have been consulted, as has the Queensland Law Society in relation to its constitution. Also, several government departments have been consulted on this bill.

The bill includes further parts from the national model laws dealing with the introduction of and regulatory matters concerning multidisciplinary partnerships. It also includes participation by Queensland in the national scheme for registration of foreign lawyers and also the recognition of foreign lawyers who are registered in other states and territories. The bill also includes a consistent national framework for determining the fidelity fund that is liable in the event of a claim. The bill establishes external administration of law practices where the appointment of a supervisor of trust moneys, the manager for the practice or the receiver is warranted. This may be in relation, by way of example, to the death of a practitioner. The bill also deals with the statutory basis of the Queensland Law Society. The size of the Queensland Law Society Council will be reduced from 17 to a maximum of 12 as a result of the changes to the complaints and discipline processes made last year.

I am very pleased that the opposition and the Liberal Party will be supporting the bill. I think that is absolutely great. In relation to the Department of Justice and legal matters, I want to take this opportunity to say a great thankyou to the JPs in my electorate, because they do an absolutely fantastic job. There is a list of JPs on the department's web site and there is also a list in my office window. That is probably the most frequented access area in my office in that people come down to write down the names of their JPs in their particular suburbs and their phone numbers. They then ring the particular JPs and arrange an appropriate time to meet with them to have their documents witnessed.

Departmental updates are always very well received in my electorate which are attended by the Attorney-General with experts in his department to discuss legislative updates. We also had a justice of the peace (qualified) tour of the Ipswich Magistrates Court and the Ipswich District Court a little while ago. The registrar of the Ipswich Magistrates Court, Nev Bawden, updated our justices of the peace (qualified) on that particular tour. The JP (qualified) course has been conducted at the Dinmore Murri Baptist Church, and I am pleased to advise the House that all of the participants did very well in that course with most of them now having applied to the Department of Justice to be registered as justices of the peace (qualified).

I am also very grateful to the Attorney-General for approving a special Samoan JP (qualified) course. On behalf of the Samoan Advisory Council, which operates out of my electorate, it would like me to pass on its very special thanks to the Attorney-General for offering this course to my Samoan community. I understand that up to 50 Samoan people will be enrolled in this particular course. They are looking forward to undertaking it and passing the JP (qualified) exam in due course. The Legal Profession Bill 2004 is one of the most positive bills to come before this House. It is great. As the member for Caloundra said, the profession should look at this bill in a very positive manner. I commend the bill to the House.

Mr LEE (Indooroopilly—ALP) (5.08 p.m.): I am delighted to rise in the House today to speak in support of the Legal Profession Bill 2004. I am pleased that this piece of legislation continues the Beattie government's wonderful reforms of the legal profession. I am delighted, too, that this piece of legislation has been introduced after what has been quite extensive consultation over a lengthy period of time. I note also that it takes into account a report handed down by retired Chief Judge Pat Shanahan on behalf of the Law Society, and I think it is in that regard quite sensible.

I know that most of these reviews have identified a number of factors in common and have suggested that there are a number of quite desirable outcomes that any changes to the legal profession should make note of. These include having a consistent national approach to the administration of legal practitioners. I think one of the craziest things about Australia is that for so long we had so many different schemes operating in different states and territories, particularly in relation to the law.

I am delighted that there will finally be a statutory basis for the regulation of barristers. I think that it is very important that we endorse a high level of professional ethics and standards in the legal profession. I just want to say that one of the things that I think gets overlooked quite frequently when we examine the law is that nowadays there are many, many young newly qualified solicitors who are working harder than young newly qualified solicitors have ever worked before. Most of the solicitors who graduate from what I think is the state's top law school at the University of Queensland within my electorate are working exceptionally long hours and they are not necessarily receiving particularly high

rates of pay. From chatting to them, I have found that there is a considerably high rate of burnout among them. I think that something that needs to be addressed in the near future is why we are making young solicitors work so exceptionally hard. Recently someone said to me that a law firm in Brisbane gives new staff a laptop computer—not unlike what happens here. They think that that is a wonderful thing because it means that they can take their computer with them wherever they go. But a solicitor said to me, 'Yes, but by the same token, all that means is that the work does not have to stop when you go home. You can literally work all day and all night.' I think that we should think about that issue because it is going to become something that we really have to think about in the future.

I want to thank very briefly the justices of the peace who work so hard within my electorate. I want to single out Brian Webb, who lives at Indooroopilly and has worked incredibly hard for the community. I know that he is regularly at the Toowong library on Saturday offering JP services. He has never once knocked my office back when we have need some JP services. I think that the work that he does really ought to be commended. I am delighted with this legislation and I thank the Attorney-General for bringing it before the House. I will be absolutely delighted to vote for it.

Mr HOOLIHAN (Keppel—ALP) (5.11 p.m.): It is with pleasure that I rise to speak to the Legal Profession Bill although, as a lawyer, I have some concerns about the final effects of certain of these changes. I congratulate the Attorney-General and his officers on the bill, which is a major plank in the reform of the profession. In common with those other speakers who are, in fact, lawyers I realise that consumerism has caught up with our profession.

From the first time I had any input into the law—and I commenced work in the courts system—I acknowledged the practise of law as a profession. Practising lawyers have now been reduced to the level of being a seller of legal services. I believe that some of the concerns expressed by the member for Southern Downs, particularly about large corporations, including national legal firms, are valid, particularly in relation to incorporation of practices. Regrettably, the rights given to interstate lawyers under mutual recognition rules and a national scheme may cause the same difficulties for small practices. I have some difficulties with mutual recognition and the issue of a practising certificate to interstate lawyers, which I will deal with later.

In relation to the training and admission of legal practitioners, there is no justification for concerns for persons working in government service not having a career path. The member for Southport mentioned training under the Solicitors Board. I undertook my training under that board as well, but that method of training disappeared, I think, some time at around about 1985 and now all persons to be trained in the law are required to undertake a university degree, whether full time, part-time or externally.

It may surprise some persons inside and outside this House that the procedures of concern to the Opposition Leader for admission as a lawyer have existed for many years. Although undergoing full-time study, a qualified person still needs the approval of the Solicitors Board before admission as a solicitor by the Supreme Court. Even that admission does not give the person the right to practise law in their own right. They still have to undertake two years articles and undergo a legal practice course before they can obtain a practising certificate. Hopefully, they are finally then able to provide good legal advice after all that study and review.

This procedure for Queensland lawyers is the basis for my concerns about mutual recognition. Any lawyer from interstate who holds a practising certificate in their own state can apply for a certificate in Queensland and secure that certificate. This can put people who have no training or knowledge of Queensland legislation in practise in Queensland, although they will have training in those areas of law which are the preserve of the Commonwealth. Some requirement for study of Queensland legislation should be a prerequisite for a practising certificate in Queensland.

It has always been of annoyance to me as a practising lawyer that we, as a profession, were unable to utilise the benefits of incorporation in the operation of a practice. We get no benefits of using a business structure that would allow superannuation benefits to be provided through that structure. The profession has never received the benefits of limited liability. In reality, incorporation does not now grant any lawyer that benefit, as they attract liability for not only their own action but also any other person who is involved with a multidisciplinary partnership or an incorporated entity. This bill overcomes that annoyance in relation to the operation of a business structure.

Most reputable lawyers have never had any difficulties with the disciplinary procedures undertaken by their society. If they were a bad egg, they were ousted from the profession. When the complaints procedure was expanded to include a lay observer, it was noted by the observer that the profession was substantially more harsh than what a court would impose on any other malefactor.

Most clients of lawyers have never been aware that banks have paid a rate of interest on moneys in trust accounts in any event. That interest is now paid to, and controlled by, the Queensland Law Society. This bill will formalise that arrangement and give control of those moneys to an independent entity and the value of those moneys will go to legal aid and public defence. No-one would certainly argue with that course of action.

I have some difficulties with the investigative powers set out in clauses 540 to 578 as they do not seem prescriptive enough of the inspectors. The concerns that I have relate to the confidentiality of any documents or detail held in files and, more specifically, files that may not be part of the investigation but could be caught up in it. The inspector can seize any items and there is no procedure that can protect the confidentiality of those innocent parties, which has always existed between solicitor and client. I commend to the Attorney-General some review of the investigative powers granted under those clauses.

Many of the members of the Queensland Law Society will realise that the changes made to their council will give a recognition of the reduced oversight that will result from the changes secured under this bill. It should become a more effective society on behalf of its members without the other obligations of disciplining the profession. The appearance of Caesar appealing to Caesar will disappear.

I have no major concerns about the bill. Once again, I congratulate the Attorney-General on its overall thrust. Maybe to be dragged kicking and screaming into the 21st century will cause some heartache for those who appreciated the professionalism of the law, but we all realise that at least some national standards need to be achieved. The national model rules in this bill will certainly go a long way to achieving those standards. I commend the bill to the House.

Mr LANGBROEK (Surfers Paradise—Lib) (5.17 p.m.): I am pleased to support the member for Caloundra in rising to speak to the Legal Profession Bill. In doing so, I note that there has been much interest in this bill by the profession. It has been expressed to me that many of the reforms are long overdue. I would like to speak on three main aspects of the bill: firstly, the lack of safeguards in this bill to protect the independence of the legal profession with regard to multidisciplinary partnerships; secondly, the lack of certainty with regard to the time line on which the provisions in this bill will becomes functional, in particular the dates on which practices will be able to incorporate; and thirdly, the effect of the independent commissioner and the benefits that that will have for the legal provision.

The concern that I wish to raise with reference to multidisciplinary partnerships—or MDPs—is the distinct lack of regulation for a practice that could easily be manipulated. Knowledge of the practise of law would tell members that the logical partnership for an MDP would be lawyer and accountant, lawyer and financial consultant, or lawyer and real estate agent. However, there is no limit as to the professions that can be invited so close to the inner sanctum of the legal profession. I am sure, though, that the imagination of the members of this House could rove to explore the possible combinations that could arise. My point is simple. The legal profession needs, by its very nature, a certain level of independence. The burning question that must be answered is: will the privilege at the essence of client communications be guaranteed while there are other professionals involved in such communications? Unfortunately, this bill does not address this question at all. There are no provisions in this bill to prevent the breaching of the sanctity of client communication. Rather, the only safeguard from the client's side is that in the event of something going wrong in the partnership the full burden of liability falls on the legal practitioner, not on any of the other parties.

While this is designed to give a greater element of control to the legal practitioner, it also provides a great risk. As such, it is likely that very few legal practitioners will find a partnership in which they are comfortable enough with their partner to be willing to place their professional future in their partner's hands. In this way the benefits of MDPs are perhaps lost. Some protection for legal practitioners by this bill would mean that more and more legal practitioners would be likely to branch out into MDPs. In its present state, though, the many benefits of MDPs to the profession will not be as great as they could be with only slight amendments to the bill.

Secondly, I would like to express grave concerns about the ambiguity over when some provisions, namely the incorporation provision, will come into effect. From talking with industry professionals, particularly those in newer practices, I have found that their eagerness to incorporate as soon as possible is evident. Those in the profession have not been notified as to when this very important provision will be able to be utilised. I ask the minister to provide the public with a time frame for such provisions so that businesses can function without such uncertainty.

The incorporation provision is a very important provision. It is one that has been a long time coming. It staggers me to think that, for a government that prides itself on being the first to do everything, this is just another example of where other states are waiting for us to catch up. It was expressed by profession representatives in New South Wales during the preparation of their equivalent legislation that other states, of which Queensland was one, were dragging the chain in their non-implementation of this provision. It is good to see that only four years has elapsed for the Smart State to take action.

The benefits of incorporation are great. It places legal firms on a level playing field with other businesses and enables them to operate. Incorporation gives legal practices the opportunity to compete in the international market. As a result of this, they will be able to become leaders in the Australasian region. Moreover, firms will be able to raise venture capital in a bid to expand their legal service capabilities.

Lawyers have for many years been providing legal services—vital services—to our community. This provision gives lawyers the option of enjoying some of the benefits of the commercial intercourse other professions enjoy. The only question is: why did it not happen sooner? Perhaps the reason it did not happen sooner was the slow uptake of the incorporation provision in other states, in particular New South Wales. I do not really take this point with much weight. In New South Wales there are a number of very large, well-established firms. These firms would find the burden of stamp duty and other incorporation procedures too onerous. If one looks at the rate at which smaller firms have taken to the incorporation process in that state, one sees that it is much like a duck to water. I have no doubt that a similar thing will happen in Queensland. For the benefit of our growing legal industry, it is imperative that we give newer firms the chance to incorporate and expand. As the member for Southern Downs said, these are the firms—the smaller ones—which provide the great coalface and work in many regional and suburban areas. Anything we can do to help them progress is vitally important.

Finally, I would like to commend this bill for the way it puts in place an independent commissioner. The previous situation saw the Law Society judging its own—Caesar judging Caesar, if you will. This had the potential to lead to some cases being run on a personality basis, or at least the accusation of such, by the lawyers involved. The new set-up will not see the Law Society holding up trophies of its own conquests. However, as the Law Society itself says, it will provide more scrutiny over the action of lawyers. The independent commissioner, by its nature, will be able to apply greater scrutiny of the profession from the outside looking in. It will be very interesting to see the types of people appointed to this role. I can assure the Attorney-General that the Liberal Party will be watching these decisions closely.

This bill has been a long time coming. It will be interesting to see the outcome of the very easy provisions governing multidisciplinary partnerships. Also, I urge the minister to state as soon as possible the date that firms will be able to incorporate. I conclude, though, by saying that the bill is good in its overall appeal. As the member for Caloundra stated, the Liberal Party will be supporting this bill.

Mr ENGLISH (Redlands—ALP) (5.24 p.m.): We see numerous examples in society of where the behaviour of a small group of people taints the larger group as a whole. I would like to give a couple of examples. We see the disgraceful behaviour of the members of the National Party in this House taint all members of this House. In the late 1980s and early 1990s we saw the disgraceful conduct of some members of the Queensland Police Service unfortunately taint all members of the Queensland Police Service. Just as the Fitzgerald inquiry and subsequently the CJC were the result of that small band of corrupt police, the bill before us today responds to the behaviour of a handful of corrupt and inappropriate solicitors. This is the response by the government.

The government of the time established the CJC because the police internal investigation system at that time had no credibility in investigating their own. It had been so badly discredited that the wider community had very little faith in both the Queensland Police Service generally and the ability of the Queensland Police Service to investigate its own. Unfortunately, over the last few years this same stench has begun to surround the legal profession. That is a great tragedy because the majority of lawyers in Queensland are honest, hardworking members of society. However, the behaviour of a small group has badly tainted the profession. The wider group of solicitors embrace these reforms because they understand that they will bring back public faith and confidence in the legal profession.

The creation of an independent body to oversight or conduct investigations into complaints against the legal profession is a direct parallel to the CJC. The police internal mechanism was discredited. Therefore they had to create an independent, external investigation agency. We have done the same with the legal profession. No longer will we have Caesar judging Caesar.

These reforms have been embraced by the Queensland Law Society and the Queensland Bar Association because they understand that they have a problem. This is an attempt to rebuild the trust of the Queensland people in the legal profession. It is sad that it has come to this; however, I applaud the Queensland legal profession for acknowledging that it has a problem and embracing these reforms in an attempt to weed out those rotten apples within its industry and to rebuild the confidence of the Queensland population in Queensland lawyers. I commend the bill to the House.

Mrs CROFT (Broadwater—ALP) (5.27 p.m.): I rise to speak in support of the Legal Profession Bill 2004. In doing so, I commend the Attorney-General for his ongoing commitment to ensuring that the concerns and expectations all Queenslanders have of our legal system and services offered in this state are responded to and are held to the highest standards. The minister has introduced sweeping reforms that address the many concerns residents have raised with me about the legal profession. These reforms will go a long way to ensuring Queenslanders can feel confident that they will receive the fair, honest and professional legal advice and services they expect.

The bill before the House today is the second round of Beattie government reforms to the Queensland legal profession. This bill incorporates and updates the Legal Profession Act 2003. Key aspects include the provision of greater independence, accountability and transparency in the complaints and disciplinary process for lawyers. This objective is delivered by the provision of an independent statutory office of the Legal Services Commissioner to receive and manage the

investigation of complaints against lawyers and prosecute professional conduct charges where necessary. I am pleased that the minister has ensured that the position of the commissioner is given full investigative powers, with staff to assist. The bill states that minor professional conduct breaches will be heard by the legal practice committee and more serious matters involving possible suspensions, striking off or serious fines will be heard by the legal practice tribunal.

The bill provides for a much more accountable system for the management and allocation of interests on solicitors' trust accounts. Previously, funds were managed by the Queensland Law Society. This bill determines that such funds are managed through a government-held fund that is allocated in the public interest such as the Legal Services Commission and Legal Aid. This bill also provides for Queensland's participation in the national legal profession scheme. There are a number of changes introduced as part of the national legal profession scheme, including the point that lawyers admitted into other jurisdictions will be able to apply for local practising certificates without having to be first admitted in Queensland.

Before closing, I wish to briefly comment on the inclusion of the professional provisions for multidisciplinary partnerships. The ability that will be provided to solicitors who work alone or in law partnerships will enable them to form firms with other professional services such as accountants, valuers, surveyors or financial planners. It provides for a one-stop shop approach to legal and related professional services, and I am confident that this will assist all consumers in being able to get the relevant service that they want but also reduce the time and the money that they spend on getting that service that they need. I am pleased that the bill adequately provides the safeguards, however, that consumers would obviously expect such as disclosure requirements.

In closing, this legislation represents the serious commitment this government places on the importance of the public confidence in our legal system. It introduces changes that will hopefully improve the services offered and ensures that services delivered are made accountable and can be scrutinised by the most appropriate and effective complaints and investigative measures. I congratulate the minister and his staff and commend the bill to the House.

Mr FENLON (Greenslopes—ALP) (5.31 p.m.): I rise to speak in support of the Legal Profession Bill 2004. The legal profession sits among those professions in our society which often have the most significant responsibility of holding the life of a person essentially in their hands. They do so as an advocate, as an adviser, as a counsel, to a citizen who requires those services. Whether by error or omission or incompetence, mistakes can be made which affect people's lives in significant ways—by way of their finances, by way of their liberty and by way of their security. This is an extremely important piece of legislation because underpinning this legislation is essentially the intent of providing good service to the community in terms of the veracity of services provided by the legal profession.

I would like to touch on a couple of specific elements. This is a piece of legislation that is impelled by the same forces that are sweeping through many of the laws that we have seen passed in recent years in this place. They have been impelled by reforms at a federal level, the desire to provide uniform approaches to services nationally and to provide a uniform approach in terms of legal provisions. This is a piece of legislation which seeks to achieve those ends.

One particular element that I would like to mention is the concern with the multidisciplinary practices that will be allowed under this legislation. I think this is a good initiative because again it will assist the consumer of legal services in the sense that we can have a one-stop shop for various services. I can see particularly the field of accounting being an immediately compatible area to fit into this new form of service organisation.

There are a couple of important considerations here that will have to be monitored closely in the future and which are contemplated under this law. The first of those is to ensure that we do have a very clear declaration of when legal services are being offered and when they are not. We certainly do not want the situation where someone enters such a practice thinking that they are being provided advice by a legally qualified person when they are not. As a community we are going to have to be very vigilant about that if these services are provided.

This is a challenge for the other professions as well in that they will have to very clearly state the professional foundation and the ambit of the services that they are able to provide. The other element to this is to ensure that conflicts of interest do not occur. For example, legal advisers could provide advice in a chain of other advices that are provided by other professionals and there could be conflicts over the nature of that advice and the services provided.

Another issue that I would like to touch on very briefly is one which I have discussed with the Attorney-General—and I am very grateful for his time in discussing this with me—and that is bar board students at law and the arrangements that will be made in future for admissions and for people who are currently enrolled as students at law. I understand that transitory provisions will be put into effect, and I think it is important that the people who are currently enrolled are provided early advice about their future—for example, what sort of transition arrangements can be made. I would also raise with the Attorney-General whether more specific statutory provision may have been required to deal with the change when those particular persons had enrolled with specific expectations of the subjects that they

needed to undertake to complete that course. But that is another specific matter that might be contemplated in future.

This is a very good piece of legislation. It will provide very strong guarantees to the wider community in terms of the standards of legal practice. It will give the community various options—powerful options—in the future to seek recourse to complaints, and it will provide a clear foundation for the legal profession to develop in the future. I commend the bill to the House.

Ms NOLAN (Ipswich—ALP) (5.38 p.m.): I, too, rise to speak in support of the Legal Profession Bill and commend the Attorney-General for his ongoing reform and modernisation of this important profession. Much of this reform has been well and truly due, and legislation such as this bill, which establishes a genuine process of review for the legal profession, is warmly welcomed in the community.

For some years the Law Society has been in the privileged position of being the only body empowered to sit in judgment of consumer complaints against lawyers. The Law Society may have kept that privilege had it used it widely, but unfortunately over many years the society proved itself unable to make the tough judgments when it came to its own. The Law Society's frequent failure to appropriately discipline legal practitioners who had exploited rather than served their clients, most notably with the Baker Johnson case last year, led to a widespread public perception that the Law Society was an old boys' club. The other factor that leads to the old boys' club perception is the fact that the profession is still overwhelmingly dominated by men.

It is my suggestion that now that the Law Society has time to spend on matters other than professional regulation, it might turn its attention to substantially overcoming its old boys' club image by genuinely promoting the advancement of women.

For 20 years Australian universities have churned out equal numbers and a better than equal quality of women law graduates. Despite this supply of women, only two of around a dozen members of the Law Society's council are women and, significantly, female senior counsel and female partners among the major city firms continue to be a rarity. With seven out of 17, Queensland has the highest proportion of women on the Supreme Court bench of any superior court in Australia, but still we are not halfway there. We are far in advance of New South Wales where women make up only 8.5 per cent of the Supreme Court bench; South Australia has seven per cent, and the Family Court has 27 per cent. Sadly, that is probably a reflection of a widespread community view that women can do family law matters, but not the hard commercial stuff.

In this regard the greatest outrage was perhaps the Howard government's decision last year to replace the only woman on the High Court bench, Mary Gaudron, with a man—and a capital C conservative one at that. There should be no doubt about the benefits that women can bring to the legal profession. In 1994 a senate committee looking at gender bias in the legal profession argued, firstly, that public confidence in the ability of the profession to do justice would only be maintained if the profession were seen to genuinely reflect the community and, secondly, that women would bring different decision-making styles to the law and hence broaden the decision-making base and bring better decisions.

Similarly, in 1997 Justice Mary Gaudron, until recently the only woman—now there are none—on the High Court bench, said —

> I believe that having acknowledged and asserted their difference, women lawyers can, with the assistance of feminist legal theorists, question the assumptions in the law and the administration of the law—

and make it work better.

Despite these arguments, however, the Queensland Law Society, the profession's peak body, has never set targets or made a concerted effort to ensure the promotion of women through the profession's ranks. There is no mentoring program and no policy position on matters like the absence of equal pay or paid maternity leave which hold women back.

Today, as the Law Society turns an important corner, I call on the society to get serious about women. They should set targets for the number of women partners they would like to see in Queensland, they should consult with their members about the matters holding female members back and they should develop policy in that regard. They are in a prime position to implement programs like mentoring across the profession to ensure a path for women. The advancement of women in the law could not just create a better profession for those women, it would allow the profession to genuinely and meaningfully cast off the old boys' club tag and, as Mary Gaudron said, it would provide a timely challenge for the assumptions that underpin the law and, sadly, which tend to occasionally exclude those it is meant to protect.

In the Queensland parliament with an active promotion of women we have changed the culture and the public perception for the better. It is time for the Law Society to do the same. I commend the bill to the House.

Mr WELLINGTON (Nicklin—Ind) (5.42 p.m.): I rise to participate in the debate on the Legal Profession Bill 2004. In speaking to this bill I also echo the sentiments that we have heard this evening from many people speaking in support of this bill. I also support this bill because in my mind the current

system is simply not working effectively to a standard expected by our community today. Unfortunately in all professions there are always some rotten apples. I hope that this bill will protect Queenslanders from those rotten apples better than the current system we have in Queensland.

The Attorney-General has certainly demonstrated a flair for this portfolio during the last government and this government. It has been enlightening to see the minister prepared to take the difficult decisions and introduce bills into this House to improve the state of law for all Queenslanders. I certainly take my hat off to the minister. This is another good bill he has introduced and he certainly has my total support. I commend the bill to the House.

Ms MOLLOY (Noosa—ALP) (5.43 p.m.): I would like to congratulate the Attorney-General, the Hon. Rod Welford, for preparing this legislation and bringing it to the parliament, as well as his staff who have obviously worked diligently on this bill. The main purposes of this legislation are to promote the administration of justice; to provide for the protection of consumers of legal services and the public generally; to regulate the legal practice in this jurisdiction, including the practise of foreign law by foreign lawyers; and to facilitate the regulation of legal practice on a national basis. I know my constituents are highly appreciative of the attention the Beattie Labor government gives to providing legislative frameworks such as this that give greater assurance to consumers. I have no doubt this bill will help improve the reputation of lawyers that over the years has been sullied by the less ethical practitioners.

Having looked at the main aim of this legislation, I will next focus on chapter 2. This section proposes to underpin the aims of the legislation by providing that: a legal practice is engaged in only by persons who are properly qualified and hold current practising certificates, and only people who are eligible and suitable for admission are admitted under this legislation as legal practitioners; an Australian lawyer may obtain a local practising certificate from the Law Society or Bar Association and become a local legal practitioner; a corporation may engage in a legal practice as an incorporated legal practice while it has a legal practice director; a partnership consisting of at least one partner who is not an Australian legal practitioner may engage in providing legal services in this jurisdiction if there is at least one legal practitioner; a fund is established and maintained to provide a source of compensation for defaults of law practices; accounts are to be kept by solicitors and interest payable on those accounts is to be treated in a particular way; rules about engaging in legal practice are to be made by the Governor in Council after a process involving the Law Society or Bar Association; and the regulation of legal practice on a national basis is promoted by providing for interjurisdictional provisions regarding admission and practising certificates.

I hold up the bill before members. It is a hefty read in anybody's terms. I believe it has been created to the utmost benefit of Queenslanders. I have just read the amendments which set out clearly the areas that the bill intends clarifying. This bill in its entirety is encouraging accountants and solicitors to work side by side, especially in regional areas, and it also must surely give consumers greater confidence in the disciplinary actions to be taken when a solicitor has had complaints made against him or her.

As the member for Southport noted, there are crooks in all walks of life and those of us who appreciate this fact all know that the greater majority of lawyers are there with the best intentions to provide and facilitate just outcomes and protections for their clients, the environment, families and the list goes on. This bill is another great initiative of this Attorney-General to provide national benchmarks and greater transparency of the legal profession in the state of Queensland. I commend the bill to the House.

Mr SHINE (Toowoomba North—ALP) (5.47 p.m.): I just want to make a few comments in relation to this bill, though it is an important bill. As a member of the minister's backbench committee and as an admitted solicitor of the Supreme Court of Queensland I think it appropriate to say a few words. Certainly I am proud to be a member of that profession, and despite comments made tonight that the profession has been sullied and that a level of stench is associated with it, I must say that from my observation, having been in the profession for a long period of time, that is not in accordance with what I have seen on a day-to-day basis. The great majority should not be judged by the actions of a few.

I congratulate the leaders of the profession on their cooperation with the minister and his department in bringing about these reforms. I was quite surprised that the profession and the profession's peak body had come so far over the years such that the opposition to this reform was minimal, if at all. In that regard I congratulate the current president, Glenn Ferguson, and immediate past president, Tom Sullivan and, of course, the minister himself on the way in which these reforms were negotiated and the consultation that took place that resulted in this amicable outcome.

Honourable members before me have spoken at length in terms of what is encompassed by the legislation overall and bearing in mind the rules against repetition in this place I am not going to risk infringement. I believe that the thrust of reforms dealing with the regulation of the conduct of practitioners and the regulation of trust moneys will not affect most lawyers, particularly solicitors, on a day-to-day basis. Most lawyers, like most doctors or dentists or any members of a profession or trade, are scrupulous in their conduct and are honest. There is very little reason, therefore, for most to be at all concerned about how the bodies controlling their disciplinary procedures will be set up.

Whether one will be dealt with by a statutory committee, tribunal or commission seems to me to be fairly irrelevant to most members of the profession. I support the reasons for the changes to disciplinary matters. I regret that there is a great deal of disquiet in the community concerning consumers' dealings with the profession. This was highlighted in Pat Shanahan's inquiry.

Law is a profession that has always attracted and, regrettably, will always attract discontent. When people lose cases they tend to not necessarily acknowledge the insufficiency of their own case but point fingers at the lawyers who represented them, sometimes unfairly. I think that applies to other professions such as medicine.

I deal now with the conduct of the profession with respect to the investment of trust funds. That has been transferred from the Law Society to the Attorney-General. Again, on a day-to-day basis, that would be totally irrelevant to most lawyers. I can remember the days, when I was an articled clerk, when no interest was earned on a solicitor's trust account and the money was pocketed by the banks. We are moving to a different situation.

I am concerned that the legal aid scheme, which is financed from the interest from solicitors' trust accounts, will not be impeded in any way in doing its great work. There are provisions in the legislation for solicitors to practise outside Queensland and solicitors to practise in Queensland. That will be the result of recognition being given to other jurisdictions. In the past, this has been more of a problem for barristers rather than solicitors. The acceptance of this is a recognition that in the 21st century we are all part of one country and that federation comes to the legal profession, like any other, even if it has taken 104 years.

With respect to multidisciplinary practices, I recall that the concept of a one-stop shop was advocated many years ago at Law Society annual conferences. The idea of lawyers setting up business with accountants, town planners, financial planners and so on could make a lot of sense. It could make it more efficient and cheaper for the consumer. Time will tell how that operates in practice. I commend the Attorney for bringing in this reform. I think the demands are there from consumers that this be available. I think people are very annoyed that they have to go from one profession to another in order to achieve a particular business result. In this way it can all be done by one firm. I think it is high time that this happened.

With respect to legal practitioners admission, I want to touch on the question of articles, which still exist. I would certainly recommend to those who will be involved in the future in determining whether or not the system of articles be retained that it should be retained. I know for young people in Toowoomba, or any other regional centre in Queensland, that it is impossible to entertain practising law or studying law unless they can achieve that by doing five-year articles or two-year articles via university. I personally went through that way. I certainly did not have the financial ability to go to university full time and I certainly would not have been able to become a lawyer if it were not for the system of articles. The system should be retained for people who are away from universities who have law degrees and those who are unable, because of their financial circumstances, to do law. I support the comments by the member for Southport in that regard.

The honourable member for Southern Downs made some comments that he regretted the fact that, notwithstanding the recommendations in the Fitzgerald inquiry, he or the opposition is not consulted when judges are appointed. I merely point out to him that that is how it has operated on both sides of the political fence since the Fitzgerald inquiry. I recall on the eve of 1998 election that the new Chief Justice was appointed. I am sure the honourable member could confirm that that was without any consultation with the opposition.

The honourable member for Hervey Bay made reference properly, I think, to the fact that the performance of the legal profession has improved immensely from what he and I would regard as the old days. When I set up practice in Toowoomba in 1976 legal firms opened at nine and shut at five. If people were not there between those hours, it was too bad. There was little recognition of a duty to consumers, a duty to the client. Self-interest ruled the day. Those days are gone. Lawyers have to be very competitive. There is nothing wrong with that. There is nothing inconsistent with the profession remaining noble and honourable by the people in it to being competitive.

The honourable member for Ipswich made an interesting contribution, as she always does in these debates. She referred to the old boys' club and the lack of women in the profession. Her comments will not apply in years to come, I believe. I understand that the great majority of students at universities these days studying law are women. Just by the force of numbers, the imbalance, in terms of the leadership of the profession, will change in time. It is probably unfair to pick on the legal profession in that regard. Is the medical profession any different? Are specialities like orthopaedics any different? In fact they are a lot worse. Dentists, surveyors and so on are the same. I think the legal profession has come a long way. Sure it has a way to go, but that will happen.

Finally, I want to refer to the unfortunate attack earlier today by the Leader of the Opposition on the ALP and the Law Society in terms of the Auditor-General's report and the complaints about expenditure of $20,000 on wine by the Law Society and a $1,700 donation or fee payable to the ALP. I will not bore the House with the response from the Law Society, but I refer honourable members to the

response to the Auditor-General's report by the president of the Law Society. I seek leave to table that response.

Leave granted.

Mr SHINE: I commend the bill to the House.

Mr NEIL ROBERTS (Nudgee—ALP) (5.59 p.m.): I want to make a very brief contribution on another very progressive reform introduced to this parliament by our Attorney-General. It follows on from some major reforms which were introduced into the parliament last year, and I specifically refer to the 2003 Legal Profession Act which, amongst other things, established a new independent office of the Legal Services Commissioner who will be responsible for receiving and managing the investigation of complaints against lawyers. It also introduced for the first time a requirement for barristers to hold practising certificates and also hold professional indemnity insurance. Additionally, the act facilitated Queensland's participation in the national legal professional scheme which covers issues such as the use of practice certificates issued in other states.

There is one particular issue in the bill that I want to make some positive comments about, and that is on the ability of lawyers to enter into multidisciplinary practices with other professions which I believe is a very progressive step forward and one which will be very well received by consumers. This one-stop shop approach, as it has been referred to by other speakers, has the potential to provide significant benefits not just to consumers of legal and other professional services but also for those legal practitioners who enter into those arrangements. I believe it will provide opportunities for significant cost savings in those practices in areas such as administrative support, bookkeeping and so on, and front office support. It has also been said that it is probably of more benefit to people in regional areas, but I believe that this type of practice will also provide significant benefits in city areas.

With the opportunities of such practices to save money, we look forward to those practices passing on those cost savings to consumers. It in fact will provide in some instances a competitive advantage to them, and one would hope that at least a share of that advantage will be passed on in terms of lower prices for some of their services. For practices that do enter into these arrangements, the bill does provide additional protection to consumers. For instance, legal practitioners in those services would be responsible for the standards of all legal services provided by the practice and additionally will be ethically responsible for the conduct and suitability of other non-legal partners who will be offering other types of services. Customers must also be given full disclosure of the services being provided and the person providing those services. Some additional regulations will be developed prior to the implementation of those particular provisions.

I also want to make a very brief commentary on the contribution that many solicitors and lawyers in fact make to the community in a range of areas. There is a tendency at times to criticise the legal profession for some of the stances it takes on particular issues, but I know of many people in the profession who do in fact give a lot back to their local communities in what is referred to as pro bono work—in essence, they provide free legal services. I particularly want to recognise those legal practitioners who work week after week in a local free legal service in my electorate, the Nundah Community Centre Legal Service, which provides free preliminary advice to constituents on a range of matters. I have had the opportunity since I was elected to refer to this service many people who simply could not afford the up-front fees that might be required to get some basic legal advice or indeed those who just wanted a little bit of basic guidance and may not have had the confidence or knowledge of how to approach a lawyer in full private practice.

I want to recognise and thank those many legal practitioners who support in particular the Nundah Community Centre Legal Service and hope that that service will continue to provide good service to my constituents. This bill does continue down a path of progressive reform of our legal profession and, accordingly, I commend the bill to the House.

Mr BRISKEY (Cleveland—ALP) (6.06 p.m.): The Legal Profession Bill provides some major changes for the legal profession, and change, as we all acknowledge, is a frightening thing for many. But the sky will not fall as a result of these changes. The changes embodied in the bill follow on from those contained in the Legal Professions Act 2003 which dealt with complaints against lawyers and the disciplinary process that is involved if complaints are found to be valid. Some within the legal community were fearful of the changes within that act, and they now find that their fears were unfounded. Likewise, the changes within this bill before the House tonight are feared by some, but they will be found to be good for the profession.

One of the important initiatives of the act passed last year was the establishment of the independent office of the Legal Services Commissioner. I am aware that the Attorney is presently involved in selecting a person for this position. I look forward to his announcement of who will fill this position, as do those in the legal profession as this person will have the responsibility for investigating complaints against lawyers. Of course, lawyers who do the right thing by their clients have nothing to fear. This of course accounts for the overwhelming majority of lawyers. However, when a lawyer acts in a way that is detrimental to his or her client, the commissioner will have the power to investigate the matter and will also be able to ask the Queensland Law Society and the Bar Association of Queensland

for assistance with that investigation. Importantly for members of the general public, who often have no idea about whether a legal professional will be the right advocate for them, they will now be able to access a register which will indicate when lawyers have been found guilty of professional misconduct.

Another first provided by this bill is that the rules which set down the standards that the legal profession must abide by will be by way of subordinate legislation of the parliament of Queensland. Interest of solicitors' trust accounts will now be paid to the department and kept in the legal practitioners interest on trust accounts fund. Allocations from this fund will be made only after recommendations to the minister and only if the allocation of funds is provided for by section 127 of the act. This will ensure that allocations from the fund are accountable and transparent.

One of the most important changes within this bill is that it permits lawyers to enter into partnerships with other professions. In other words, it provides for multidisciplinary partnerships. The most obvious is partnerships between lawyers and accountants. Frankly, I cannot think of anything more frightening than to be in the same room with a lawyer and an accountant at the same time. However, such partnerships make sense and provide a one-stop shop for consumers. The bill provides safeguards for consumers who seek advice from these one-stop shop providers. As I said at the outset, these changes provided for in this bill will not mean that the sky will fall. They are changes for the better, especially for the general public. With the passage of time, they will be accepted and the Attorney will be applauded for their introduction.

Mrs LIZ CUNNINGHAM (Gladstone—Ind) (6.08 p.m.): I rise to speak to the Legal Profession Bill. Many aspects of the bill have already been commented on, but there are a couple of local issues that I want to raise. The relationship between a client and their lawyer, solicitor or barrister is one of almost total dependency in that the knowledge that the lawyer or solicitor has to express is usually foreign to anyone not trained in legal procedure. It therefore makes it all the more difficult to accept when solicitors, lawyers or barristers act without good faith towards their client, and usually the clients do not realise until it is too late—that is, either the matter that the solicitor was handling for them has been ruled against them or a financial cost has been attended to them.

There have been a small number of incidents in my electorate where solicitors have acted perhaps not in good faith towards their client. It is very difficult for that client to prove, and the one or two who did go to the Law Society were not happy with the result and were not happy with the total process either. The appointment of the Legal Services Commissioner will engender a little more confidence in the community in the process. I would hope that those complainants with genuine issues of concern will see an independent arbiter as somebody who looks into the issues objectively and gives an assessment of the situation that is unaffected by other relationships, whether that is work relationships or the fact that Law Society reviews were seen as Caesar judging Caesar.

The member for Southern Downs raised an issue in his contribution that I wish to comment on. I am looking forward to the Attorney-General's clarification on this matter. The member for Southern Downs indicated that, with the changes that are proposed in this legislation, there could be a growth in large corporate legal firms. I assume that includes the development of multidisciplinary partnerships. Over the past few years, I think for all of us in our electorates, we have had visits by a number of legal practitioners to discuss the downside of the changes proposed by the current and previous Attorneys-General. They have pointed out, and accurately, that the type of competition or the type of entities that are being proposed—the large corporate firms developing—will over time undermine the viability of small legal services. It came up also in the conveyancing issue when it was being discussed in the community. Those of us who live in rural and regional Queensland rely on the services of individual solicitors, often working either by themselves or in small partnerships. I am very interested to hear the Attorney-General's response to the risk that the member for Southern Downs raised. For all of us, to see the limiting of the availability of legal services or a monopoly situation developing where the ability to choose a lawyer to represent you and the possibility of cost differences being limited would be a backward step.

I would also like to put on the record my appreciation of a small group in Gladstone who offer free legal advice to residents, the legal aid office in Rocky, and also the legal advice that comes through the Neighbourhood Centre and through Women's Health. For many people who are in fairly desperate circumstances, the opportunity to spend several hundred dollars on solicitors fees is beyond their ability to pay. Yet their need is no less important and no less integral to their peace of mind. So I place on the record my appreciation of those services. A young solicitor who was working through Women's Health was brilliant not only in her knowledge but also in her attitude towards women who were in difficult circumstances. Kylie was her name and she was an excellent lady and a great support for a lot of women who were going through significant difficulties.

The role of solicitors is really important. There is a huge disparity between the positions of power between the solicitor and the client. It is essential that integrity and trust remain or be built up in legal services where it has been undermined. I trust that this legislation will continue to build that integrity and confidence, particularly in the separation of the review of complaints in terms of the Legal Services Commissioner. I look forward to hearing the Attorney-General's response.

Hon. R.J. WELFORD (Everton—ALP) (Attorney-General and Minister for Justice) (6.13 p.m.), in reply: I would like to thank all members for their contribution to this important debate on the Legal Profession Bill 2004. Members canvassed a wide range of issues arising out of the comprehensive reforms that this bill heralds for the regulation of the legal profession and the structure of legal professional practice that will be possible as a result of this bill.

I will turn firstly to the issues raised by the Leader of the Opposition as shadow minister. He raised an issue relating to uncertainty around the definition of 'legal practice'. Consideration was given to whether we would list precisely those forms of legal practice or types of legal practice that fall within the definition. In the end, I formed the view that there were more problems in trying to define 'legal practice' than in leaving it without statutory definition and leaving it to the common law. Of course, if areas of uncertainty should emerge, then they will be addressed by regulation. In a nutshell, anyone who in the course of an ongoing business provides professional legal advice is taken to conduct a legal practice. If the predominant purpose of their ongoing commercial activity is to provide legal advice, then members can safely assume that they are in and they conduct legal practice. But as I say, if some uncertainties at the margins arise in the implementation of the bill, then I will be happy to look at further refinement perhaps by regulation.

The Leader of the Opposition also raised what arrangements are in place for public servants, who accumulate 10 years experience in the Public Service, for recognition under the bill. After one year, transitional arrangements will be in place to deal with this under the admission rules. At some stage people who want to make the transition to legal practice will need to meet the national standards for national practical legal training—practical legal training of the kind currently provided by QUT or ANU—in order to practise or obtain a practising certificate.

The Bar Board exams will at last be put out of their misery. The member for Greenslopes also raised what the transition arrangements will be for the Bar Board exams. The simple fact is that they will cease to be recognised as a qualification. Everyone will simply need to come on board with the new university academic qualifications. Those who are part way through the Bar Board exams process will be able to make arrangements with universities to complete their outstanding subjects through universities. The exams for which people have already qualified will be recognised or, indeed, if they want to proceed to get a degree, then they may be able to obtain some credit for the exams that they have done through the Bar Board.

There are a number of implications of incorporated legal practice and multidisciplinary partnerships. The member for Gladstone and the Leader of the Opposition raised the potential impacts of these arrangements. I am not entirely clear on how the members thought that multidisciplinary partnerships would limit the availability or diversity of legal advice available in regional areas. The idea of a multidisciplinary partnership is that a legal practitioner can enter into a partnership with other professionals or service providers in areas other than legal practice. It does not mean that there will necessarily be an amalgamation of legal practices in regional areas so as to reduce the pool of alternatives available. So I do not see that to be a major issue.

I think that the more likely difficulties are the potential for conflicts of interest to arise between a legal practitioner who has a certain set of duties as an officer of the court to advise a client candidly and honestly and the conflict that that may generate with the partner in the multidisciplinary partnership who may give certain advice that a lawyer, subject to their duties to the court, would perhaps counsel against. Those issues will simply need to be worked out in practice. Obviously, the bill provides that I can make regulations to prohibit certain types of activities entering into partnership with legal practitioners where I believe that would not be in the public interest.

We will monitor those things as these issues pan out and make sure the consumer ultimately is protected in the way these practices or partnerships develop. The purpose, of course, is to try to enhance the flexibility available to legal practitioners to provide and promote their services and improve the accessibility to, in a sense, one-stop shop access to information and advice that is potentially beneficial to consumers. But we do need to, I think, monitor the way in which some creative or innovative people may exploit this flexibility in ways that may be detrimental to consumers. We will be alert to that. Obviously the new Legal Services Commissioner will play a role in monitoring public feedback or complaints that might arise out of those circumstances.

The fidelity fund was raised by the Leader of the Opposition as a fund that should be controlled by an independent body. It needs to be remembered that the fidelity fund, while provision is made for it in statute, is in a sense a voluntary fund of the profession. No other profession provides for a fidelity fund. Indeed, in the formulation of this legislation there was some debate about whether we should retain it at all. My cautious view was that it was better to retain it and that, in a sense, there was some moral obligation for the profession to retain the fund as an added protection for consumers of legal services on the basis that legal advice carried with it a special obligation perhaps less inherent in other forms of advice that various service providers might give. We are, however, going to put in place measures to provide for a more consistent approach to the approval and assessment of claims. I will be monitoring the administration of the fund, which of itself is not a major issue—monitoring the way in which

assessments of claims against the fund are made. If necessary, we will take further steps down the track.

The Leader of the Opposition correctly recognised that interest on trust accounts is ultimately money that belongs to consumers. That is true. That is why they call them trust accounts: the money is held in trust for consumers. But it is not practical to pay all that money back to consumers in the way that trust accounts are operated, and the administration costs of assessing the proportionate payments that should be made and then repaying them might well in some cases outweigh the value of doing so. The important thing, I think, in relation to trust account moneys is that we recognise that, to the extent that those moneys are accumulated and available, they should be allocated for purposes which are in the interests of legal consumers. That is precisely the range of purposes which the bill itself identifies as being available for me to allocate those moneys between. Legal Aid is probably the primary example, but there are a range of other functions and grants that can be provided—for public education and so forth. I do not think it is practical for trust account moneys to go back to clients, but what is important is that that money is properly used for purposes that are for the general benefit of legal consumers and the public interest in making legal information more readily available.

The fact that legal profession rules are going to be approved by Governor in Council, on my submission to Governor in Council, does not represent a significant difference to the way they are done now. It is true that the Law Society currently formulates its rules and then they are taken to Governor in Council. The only added flexibility of the new arrangements is that I can take rules to Governor in Council other than ones the Law Society formulates. For example, if I get advice from the Legal Practice Committee—a committee that of course considers the less serious types of indiscretion by lawyers—based on its experience of complaints coming before it that there is a need for a new practice rule, then I can make it, even if the Law Society does not think it is necessary. I think that is an added protection that the Attorney-General of the state, regardless of who the incumbent is, can exercise to ensure that the public is protected, even when the professional body does not necessarily see that sort of intervention being desirable.

The issue relating to supervisors and receivers and their appointment is not altogether clear to me. Supervisors, receivers and managers are subject to the usual requirements of confidentiality that the law applies to receivers and managers. Legal professional privilege applies to the advice they obtain, as it does to anyone else under the normal common law rules relating to legal professional privilege; that is, the rule of evidence relating to legal professional privilege. So I do not see that there is any particular change to the law in that respect triggered by the provisions of the bill as they stand.

The Leader of the Opposition is mistaken in thinking that membership of the Law Society or Bar Association is compulsory. It is not. The Law Society and the Bar Association will administer the issuing of practising certificates, but any member is entitled to apply to obtain and receive a practising certificate according to the qualifications that are required, regardless of whether they are a member of the Law Society or the Bar Association. The difference the practising certificate makes is that currently you can choose to be a member of the Bar Association or not, but if you are not a member of the Bar Association there is absolutely no mechanism by which you can be disciplined, because the only mechanism currently available is the discipline of the association on its members. So if you cease to be a member you are free of any discipline. By introducing the practising certificate arrangement to barristers, both barristers and solicitors will be subject to the discipline of being required to have a practising certificate and being disqualified from practice if that certificate is not provided to them. The practising certificate, while issued by the professional bodies, will be issued according to established practice and rules that do not allow them to act only in the interests of members. So compulsory membership is certainly not one of the things intended or effected by this bill.

The member for Caloundra expressed support for the bill, as did the member for Surfers Paradise. I appreciate the support they have expressed for the reforms this bill brings about. There are no immediately identifiable aspects of multidisciplinary practice which will be excluded. All options are currently open but, as I indicated earlier, as we see this flexibility pan out in practice there may be circumstances in which I will need to bring a regulation to parliament to prohibit certain businesses becoming associated with multidisciplinary practice. As the Leader of the Opposition pointed out in relation to mortgage schemes that were run by solicitors, I do not think there will be much support for those sorts of schemes to be run as a multidisciplinary practice with legal practice, and certainly I would not support that.

In terms of how trust account money will be distributed, a query raised by the member for Caloundra, I can confirm that that responsibility now rests with the Attorney-General or the minister administering the legislation, whereas previously it rested with the Law Society. It is very important, I think, that there be a more clear delineation between funds available to the Law Society to perform membership services and funds available to the Law Society to perform regulatory functions, and that delineation will be able to be more effectively delivered by the funds being administered separately to the Law Society.

I also thank all members of the government who contributed to the debate. Members of the government made some significant and positive contributions—in particular the members for Broadwater and Ipswich, who raised issues relevant to women and issues relevant to consumers. The interests of consumers are some of the primary reasons for the reforms being introduced in this bill, and the reform of the profession as a whole to serve consumers better will undoubtedly be served by the profession taking account of the issues raised by members of the government. I commend the bill to the House.

Motion agreed to.

Sitting suspended from 6.31 p.m. to 7.30 p.m.

Committee

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

Clause 1, as read, agreed to.

Clause 2—

Mr WELFORD (7.31 p.m.): I move the following amendment—

1 Clause 2—

At page 32, line 7—

omit, insert—

'(1) If the date of assent for this Act is on or before 25 May 2004, the following provisions commence on 25 May 2004 but, if the date of assent for this Act is not on or before 25 May 2004, the following provisions commence on the date of assent—

- chapter 1, other than the provisions that are in force
- sections 83 and 213
- chapter 2, part 9, division 3
- chapter 6, part 1, part 2, divisions 1 to 3, part 3, divisions 1 to 3 and part 5, divisions 1 to 4
- sections 586 and 587
- chapter 8, part 3 and part 5, division 1
- sections 602, 605, 610(3) and (6), 613, 617 and 638
- chapter 8, part 5, divisions 13 and 14
- schedule 5.'.

Amendment agreed to.

Clause 2, as amended, agreed to.

Clauses 3 to 9, as read, agreed to.

Clause 10—

Mr WELFORD (7.31 p.m.): I move the following amendments—

2 Clause 10—

At page 35, lines 30 to 32—

omit, insert—

'(2) A government legal officer is **"engaged in government work"** when the government legal officer is engaged in legal practice in the course of the officer's duties for the entity in relation to which the person is an employee or appointee.

Example of "engaged in government work"—

A public service employee employed by the Department of Justice and Attorney-General who is engaged in legal practice at the Department of Education and whose duties for the Department of Justice and Attorney-General while working at the Department of Education include providing advice to that department as a client of the Department of Justice and Attorney-General.'.

3 Clause 10—

At page 36, after line 21—

insert—

'(8A) A government legal officer who is an Australian lawyer but does not hold a current local practising certificate may—

(a) if the officer was admitted as a barrister before the commencement of section 25[1] or engages in government work in the manner of a barrister—call himself or herself a barrister or another term that describes the way the officer engages in government work; or

(b) if the officer was admitted as a solicitor before the commencement of section 25 or engages in government work in the manner of a solicitor—call himself or herself a solicitor or another term that describes the way the officer engages in government work.'.

[1] Section 25 (Prohibition on representing or advertising entitlement to engage in legal practice when not entitled)

I table the explanatory notes for the amendments. A number of amendments are proposed to the bill. Some of these changes are as a result of consultation with the Queensland Law Society and the Bar Association. Most are for the purpose of facilitating the smooth transition to the new regulatory arrangements provided for in the bill. Some are to provide for the different arrangements for solicitors' and barristers' practising certificates in the transition year.

More specifically, the amendments provide for those sections of the bill proposed to have effect from the later of the date of assent and 25 May 2004 to clarify a provision relating to government legal officers; to provide for certain information to be publicly available in a physical form or on the Internet; to clarify the powers of a regulatory authority to set fees; to allow for a barristers' rule to prohibit a barrister from being a legal practitioner/partner of a multidisciplinary partnership; to clarify that an administration rule is a statutory instrument; to limit the power of the disciplinary body to impose costs in connection with interlocutory or interim proceedings; to provide for the different arrangements to apply for practising certificates for solicitors and barristers for the 2004-05 financial year; to repeal provisions relating to the Legal Ombudsman further to the appointment of the Legal Services Commissioner and to ensure that the commissioner can review files handed over by the Legal Ombudsman and do preparatory work on any complaint made before the commencement of the relevant provisions of the bill. It also makes some transitional minor technical amendments.

Amendments agreed to.

Clause 10, as amended, agreed to.

Clauses 11 to 37, as read, agreed to.

Clause 38—

Mr WELFORD (7.34 p.m.): I move the following amendment—

4 Clause 38—

At page 52, after line 25—

insert—

'(5) Subject to the admission rules, the Brisbane registrar may give written directions to any other registrar about keeping the local roll.'.

Amendment agreed to.

Clause 38, as amended, agreed to.

Clauses 39 to 47, as read, agreed to.

Clause 48—

Mr WELFORD (7.34 p.m.): I move the following amendment—

5 Clause 48—

At page 58, after line 10—

insert—

'(8A) If an applicant was, immediately before the commencement of this section, lawfully engaged in legal practice in the manner of a barrister or solicitor, for subsection (2) (b) the applicant is taken to be an Australian legal practitioner at the time the person makes the application.'.

Amendment agreed to.

Clause 48, as amended, agreed to.

Clauses 49 to 52, as read, agreed to.

Clause 53—

Mr WELFORD (7.35 p.m.): I move the following amendment—

6 Clause 53—

At page 62, after line 13—

insert—

'(4) A regulatory authority's power to impose a condition mentioned in subsection (3) is not limited by, and does not limit, the regulatory authority's power to impose a condition under an administration rule of the type mentioned in section 226(2) (b), (c) or (d).[2].

[2] Section 226 (Rules other than legal profession rule)

Amendment agreed to.

Clause 53, as amended, agreed to.

Clauses 54 to 78, as read, agreed to.

Clause 79—

Mr WELFORD (7.35 p.m.): I move the following amendment—

7 Clause 79—

At page 77, lines 9 and 10—

omit, insert—

'(c) the regulatory authority believes there is any ground mentioned in section 67[3] for which the local practising certificate is likely to be cancelled or suspended under section 68.[4]'.

[3] Section 67 (Grounds for amending, cancelling or suspending a local practising certificate)

[4] Section 68 (Amending, cancelling or suspending local practising certificate)

Amendment agreed to.

Clause 79, as amended, agreed to.

Clauses 80 and 81, as read, agreed to.

Clause 82—

Mr WELFORD (7.36 p.m.): I move the following amendment—

8 Clause 82—

At page 79, lines 31 to 33—

omit, insert—

'(3) A regulatory authority must ensure that an up-to-date version of its register is available, without charge, for public inspection—

(a) at the authority's principal place of business during normal working hours; or'.

Amendment agreed to.

Clause 82, as amended, agreed to.

Clause 83—

Mr WELFORD (7.36 p.m.): I move the following amendment—

9 Clause 83—

At page 80, lines 4 to 10—

omit, insert—

'(1) A regulatory authority may charge fees for services that it provides, including, for example, the services provided by the authority as part of performing its functions under this Act.

Example of a service that a regulatory authority provides as part of performing its functions under this Act—

Granting or renewing a practising certificate.

'(2) The fee for a service must be reasonable having regard to the cost to the regulatory authority of performing all of its functions under a relevant law and the funding that the authority has received under this Act, and a fee for a service is not unreasonable only because the particular fee is more than the cost of providing the specific service.

'(3) The fees set by a regulatory authority must be included in an administration rule.'.

Mr SPRINGBORG: I seek some further clarification from the Attorney on this amendment. I note that a number of amendments were circulated during the course of the day. It is undoubtedly a very complex piece of legislation. Some of it is administrative in detail and I suppose we could expect some amendment. Whether it is reasonable to have the number we have had is a matter of some debate.

With regard to amendment No. 9, the explanatory note indicates that this amendment clarifies that a regulatory authority in setting fees may have regard to its general regulatory costs and funding under the act and that a fee is not unreasonable only because it is more than the cost of providing a specific service. I ask for the Attorney-General's explanation about why this is necessary. I would have thought there is nothing unusual about this regulatory authority setting a fee, but one would have thought that that fee should reflect the cost of providing a specific service.

I am very concerned that when we provide an open-ended head of power it basically gives a regulatory authority the capacity, if it so wishes, to set a fee higher than the actual cost of the provision of the service. The suspicious element of me raises the question: is this revenue raising? Why is it deemed necessary to provide such an authority with the opportunity to set a fee higher than the cost of providing that service but then give it the out by saying it is not unreasonable to set that fee because it is over and above it? I would like an explanation as to the reason that this amendment No. 9 has come into being. What sort of consultation was there? What can the Attorney hope to achieve by providing the regulatory authority the head of power to set fees over and above the cost of service provision?

Mr WELFORD: Section 83 simply provides a head of power that enables fees for practising certificates to be set. If there is a fee for the practising certificate, there has to be a head of power that allows the fee to be set. The scale of the fee, that is, the size of the fee, will be determined in consultation with the Attorney-General from time to time. The Attorney-General will agree to a fee commensurate with what is sufficient and necessary to cover the regulatory functions that the society has, for example, the costs of administering the practising certificates and the costs of the provision of management of the fidelity funds, and some of the costs that the society incurs for investigations supplementary to or under the supervision of the Legal Services Commissioner. So the intention is that practising certificate fees should substantially meet the regulatory costs of the society.

Separate to that, the interest on trust accounts will be used to fund the Legal Services Commission. It is true that the clause does not specifically limit the practising certificate fee, but the fee will be set in consultation with me and I can override the fee that is set by regulation if necessary.

Mr SPRINGBORG: I thank the Attorney-General for his explanation. I take it then that this was at the request of the Law Society, or was it done in consultation with the Attorney-General, the Law Society and other representative bodies? To define the Attorney-General's points of clarification, is it going beyond the actual cost of that specific service which is delivered at that time, that is, the practising certificate, because those bodies foresee the possibility that the regulatory oversight provisions and the day-to-day operations may very well necessitate a greater amount of money needing to be raised, if that can be justified?

The Attorney-General has provided an explanation, but it does seem to be a peculiar provision. There may be quite a number of examples in other legislation that I have not come across, but it does seem to be peculiar in its open-endedness. I take it that the Law Society or another body will come to the Attorney-General and say, 'This is our proposition for a fee', and the Attorney-General has to make a value judgment based on the material before him as to whether or not it is justified.

Have any concerns been expressed to the Attorney-General by the representative bodies during the course of the drafting of this amendment about where it may lead? For example, what does the average solicitor practising in Queensland think about this? Is there any concern? Notwithstanding the Attorney-General's intentions and assurances, I do not want to see it grow like topsy. It will rely upon the Attorney-General exercising a value judgment. I would simply like to know how it came about; have any concerns been expressed in the consultation process with the Law Society or other groups about this; and have any other issues come forward from day-to-day practising solicitors? What does the Attorney-General envisage their views may be about this amendment?

Mr WELFORD: Firstly, the practising certificate fee is set by the Law Society now. We are not changing any of that arrangement. The member will note that this regulation requires that the fee be set having regard to the regulatory functions that the society will have. In other words, it cannot set the practising certificate fee and skim money off to provide member services. It can only set the practising certificate fee having regard to the cost of providing the regulatory function specifically allocated to the Law Society under this bill.

As I say, I can override it, but I do not think there is much likelihood of the necessity to do that because, under the national practising certificate regime whereby being issued with a practising certificate in one state allows one to practise in any other state, the fact is that the Queensland Law Society will not want to set a practising certificate fee that is higher than in other states because then, theoretically, people can register in other states and get their practising certificate there. There are in-built mechanisms in the way that the national scheme will run to ensure that the society does not set excessively high practising certificates. The advice that they have given to me is that their concern is that they are going to have difficulty setting a practising certificate fee at a level to sufficiently cover their costs because of the need to keep it at or under the fees set by other states.

Mr SPRINGBORG: I request one further point of clarification from the Attorney-General. He mentioned, of course, that at the moment the Law Society has the power to set its own fees. To illuminate the matter for me, I ask: does this provide the Attorney-General with a power that he does not currently have, that is, the chance to have an oversight of the setting of that particular fee? It is a check that he will be providing himself?

Mr Welford: Yes.

Amendment agreed to.

Clause 83, as amended, agreed to.

Clauses 84 to 208, as read, agreed to.

Clause 209**—**

Mr WELFORD (7.46 p.m.): I move amendment No. 10—

10 Clause 209—

At page 147, line 4, after 'association'—

insert—

', including costs associated with implementing this Act whether incurred before or after the commencement of this section'.

Amendment agreed to.

Clause 209, as amended, agreed to.

Clauses 210 to 216, as read, agreed to.

Clause 217—

Mr WELFORD (7.46 p.m.): I move amendment No. 11—

11 Clause 217—

At page 151, after line 3—

insert—

'(c) being a legal practitioner partner in a multi-disciplinary partnership.'.

Amendment agreed to.

Clause 217, as amended, agreed to.

Clauses 218 to 225, as read, agreed to.

Clause 226—

Mr WELFORD (7.47 p.m.): I move amendments No. 12 and No. 13—

12 Clause 226—

At page 155, lines 8 to 10—

omit, insert—

'(g) setting fees, contributions and levies, other than levies imposed by the law society as mentioned in section 157,[5] the payment of the fees, contributions and levies including the levies imposed by the law society under that section, and other matters relating to payments, including the timing and way of making payments;'.

13 Clause 226—

At page 155, after line 34—

insert—

'(6) To remove any doubt, it is declared that each administration rule is a statutory instrument under the *Statutory Instruments Act 1992*.

Note—

Under the *Statutory Instruments Act 1992*, sections 24 and 25,[6] an administration rule may provide for a fee in relation to specified exceptions and factors or different persons or matters.'.

[5] Section 157 (Levy for benefit of fidelity fund)

[6] *Statutory Instruments Act 1992*, sections 24 (Statutory instrument may be of general or limited application) and 25 (Statutory instrument may make different provision for different categories)

Amendments agreed to.

Clause 226, as amended, agreed to.

Clauses 227 and 228, as read, agreed to.

Clause 229—

Mr WELFORD (7.47 p.m.): I move amendment No. 14—

14 Clause 229—

At page 157, lines 24 to 26—

omit, insert—

'A regulatory authority must ensure that an up-to-date version of each administration rule is available, without charge, for public inspection—

(a) at the authority's principal place of business during normal working hours; or'.

Amendment agreed to.

Clause 229, as amended, agreed to.

Clauses 230 to 285, as read, agreed to.

Clause 286—

Mr WELFORD (7.48 p.m.): I move amendment No. 14A—

14A Clause 286—

At page 190, lines 22 to 25—

omit, insert—

'(3) Without limiting subsection (2), a disciplinary body that makes an order under section 284 may make a further order requiring an Australian legal practitioner, in relation to whom the order under section 284 relates, to pay costs in relation to the order.'.

Amendment agreed to.

Clause 286, as amended, agreed to.

The TEMPORARY CHAIRMAN (Ms Male): As there is no other member wishing to speak to any further clauses or amendments, I am proposing to put them en bloc. Do I have the committee's agreement?

Honourable members: Yes.

Clauses 287 to 643—

Mr WELFORD (7.49 p.m.): I move amendments No. 16 to No. 27—

16 Clause 336—

At page 221, line 11, 'authorise'—

omit.

17 Clause 527—

At page 305, line 17, '; and'—

omit, insert—

'during normal working hours; or'.

18 Clause 602—

At page 349, lines 10 to 22—

omit, insert—

'(1) The main purpose of this division is to provide for the transition from the system operating in Queensland before the commencement of this section to the system that is to operate after the commencement of chapter 2, part 4, namely before the commencement of this section—

(a) persons who practised in the manner of a solicitor (**"solicitors**") were required to hold practising certificates under the Queensland Law Society Act, as in force immediately before the commencement of this section, that were issued, generally speaking, for a financial year; and

(b) persons who practised in the manner of a barrister (**"barristers**") were not required to hold any practising certificates.

'(2) The main purpose is to be achieved by making different arrangements for solicitors and barristers, including, for example—

(a) provisions that require a solicitor's practising certificate, issued under the Queensland Law Society Act as in force before the commencement of section 603, relating to the financial year starting on 1 July 2004 to be taken to be a local practising certificate under this Act; and

(b) provisions that commence on the commencement of this section that will allow persons who wish to obtain a practising certificate from the bar association relating to the financial year starting on 1 July 2004, to apply before the commencement of chapter 2, part 4 and for the application to be dealt with under that part despite the fact the part has not commenced.

'(3) To achieve this purpose, until the commencement of section 508,[7] a reference in a provision of this Act to the law society, or to a regulatory authority that includes the law society, includes the law society as established at the time of the commencement of this section, if the context permits.'.

[7] Section 508 (Establishment of Queensland Law Society)

19 Clause 604—

At page 351, line 4, after 'section,'—

insert—

'relating to the financial year beginning on 1 July 2004'.

20 Clause 604—

At page 351, lines 18 to 22—

omit, insert—

'(5) Within 28 days after the commencement, a person mentioned in subsection (1) must give the law society a written statement—

(a) about any show cause event in relation to the person that happened after the person was first admitted as a barrister, barrister and solicitor, legal practitioner, solicitor or solicitor and barrister, under an Act of this or another jurisdiction; and

(b) explaining why, despite the event, the applicant is a suitable person to hold, or continue to hold, a local practising certificate.

'(6) Subsection (5) applies whether or not the person has been granted a practising certificate, the person's practising certificate has been renewed, or the law society must continue to deal with the person's application.

'(7) The law society must give a copy of a statement under subsection (5) to the commissioner.

'(8) A contravention of subsection (5) is capable of constituting unsatisfactory professional conduct or professional misconduct.'.

21 Clause 605—

At page 351, lines 24 to 29 and page 352, lines 1 to 14—

omit, insert—

'(1) The purpose of this section is to make arrangements in relation to the grant of practising certificates by the bar association that are different from the arrangements for the law society under sections 603 and 604 by, for example—

(a) allowing persons who wish to obtain a practising certificate from the bar association relating to the financial year starting on 1 July 2004 to apply for the grant of a practising certificate before the commencement of section 44;[8] and

(b) persons who apply before that commencement, and other persons who apply before 28 days after that commencement for the grant of a practising certificate from the bar association relating to the financial year beginning on 1 July 2004, to practise as a barrister until this section provides otherwise or expires.

'(2) Without limiting the *Acts Interpretation Act 1954*, section 17[9]—

(a) a person who wishes to apply, before the commencement of section 44, for the grant of a practising certificate from the bar association relating to the financial year starting on 1 July 2004 may do so under chapter 2, part 4[10] even though that part, other than section 83,[11] has not commenced; and

(b) the bar association may deal with the application under chapter 2, part 4 and do other things for the purposes of dealing with the application even though that part, other than section 83,[12] has not commenced.

'(3) Despite the commencement of sections 24 and 25,[13] on and after the day of commencement of those sections (the **"commencement day**"), those sections do not apply to a person who, immediately before the commencement day, lawfully engaged in legal practice in this jurisdiction as a barrister, if the person—

(a) has applied to the bar association for a practising certificate at any time before 28 days after the commencement day, whether the application was made before or after the commencement day; and

(b) the person engages in legal practice only to the extent that a person who is, after the commencement day, a barrister under this Act could engage in legal practice in this jurisdiction under this Act.

'(4) A person who has applied for the grant of a practising certificate as mentioned in subsection (3) (a) is, on and after the commencement of section 44, taken to be the holder of a current practising certificate from the bar association until the earliest of the following happens—

(a) the bar association grants a practising certificate to the person;

(b) the bar association refuses to grant a practising certificate to the person;

(c) a regulation, made under section 643,[14] provides subsection (3) no longer has effect.

'(5) This section expires 6 months after section 44 commences.'.

8 Section 44 (Main purposes of ch 2, pt 4)

9 *Acts Interpretation Act 1954*, section 17 (Exercise of powers between enactment and commencement)

10 Chapter 2 (Engaging in legal practice other than by Australian-registered foreign lawyers), part 4 (Legal Practice by Australian Legal Practitioners)

11 Section 83 (Regulatory authority may charge reasonable fees)

12 Section 83 (Regulatory authority may charge reasonable fees)

13 Sections 24 (Prohibition on engaging in legal practice when not entitled) and 25 (Prohibition on representing or advertising entitlement to engage in legal practice when not entitled)

14 Section 643 (Transitional regulation-making power)

22 Clause 610—

At page 354, lines 24 to 28 and page 355, lines 1 to 21—

omit, insert—

'(1) This section applies to the rules of the law society as in force immediately before the commencement of this subsection, including rules made under the Queensland Law Society Act, section 5A or 46,[15] as in force immediately before the commencement, including the indemnity rules.

'(2) Subject to subsection (5), the rules continue to have effect as subordinate legislation made under this Act and the Queensland Law Society Act even if the rules would have otherwise expired under the Queensland Law Society Act or the *Statutory Instruments Act 1992*, but the rules as continued may only be amended or repealed as mentioned in subsection (4).

'(3) After the commencement of this subsection and despite the *Queensland Law Society Rule 1987*, rule 100(4), there is no need for a certificate issued and signed by autographical or mechanical means, as mentioned in the rule, to be initialled by the secretary or deputy secretary in order for that certificate to have full force and be valid.

'(4) A regulation made under section 643[16] may—

(a) provide for the way a particular provision of the rules operates under this Act; or

(b) amend a provision of the rules; or

(c) repeal the rules, or part of the rules that continues to have effect under this section.

Note for subsection (4)—

When a legal profession rule, administration rule or law society rule is made about a matter, a regulation may need to be made to amend or repeal a provision of the rules that is continued and deals with that matter.

'(5) Without limiting subsection (4)—

(a) the *Queensland Law Society Rule 1987*, sections 82, 83, 114 and 121 are repealed; and

(b) a reference in the *Queensland Law Society Rule 1987* to a practising certificate includes a practising certificate that, as mentioned in section 603,[17] is taken to be a local practising certificate.

'(6) The following rules made under the Queensland Law Society Act, as in force immediately before the commencement of this subsection, do not stop having effect on 30 June 2004 but continue to have effect, despite section 5A(9) of that Act and the *Statutory Instruments Act 1992*—

(a) the *Queensland Law Society (Indemnity) Rule 1987*;

(b) the *Queensland Law Society Rule 1987*.

'(7) This section expires 1 year after subsection (1) commences.'.

[15] Queensland Law Society Act, section 5A (Rules) or 46 (Governor in Council may make rules for purposes of this Act)

[16] Section 643 (Transitional regulation-making power)

[17] Section 603 (Actions before commencement that continue to have effect)

23 Clause 613—

At page 357, lines 3 to 9—

omit, insert—

'(1) The purpose of this section is to provide for the commencement of chapter 6, part 1[18] before the commencement of section 256.[19]

'(2) This section applies to the following—

(a) a complaint made by a person under the Queensland Law Society Act before the commencement of this section, including a complaint mentioned in section 6AF of that Act, that has not been finally dealt with before the commencement of this section;

(b) a complaint made after the commencement of this section and before section 256 commences about a person who engages in legal practice in the manner of a barrister or solicitor.

'(3) Before the commencement of section 256, as the commissioner considers appropriate, the commissioner may—

(a) do any preparatory work in relation to a complaint mentioned in subsection (2); and

(b) for a complaint mentioned in subsection (2) (a)—perform functions and exercise powers under the Queensland Law Society Act, part 2B as if that part had not been repealed and a reference in that part to the legal ombudsman were a reference to the commissioner.'.

[18] Chapter 6 (Establishment of entities for this Act, and related matters), part 1 (Legal Services Commissioner)

[19] Section 256 (Making a complaint)

24 Clause 614—

At page 357, line 16, after 'Act'—

insert—

'but, subject to a regulation under section 643,[20] the commissioner may change the way the commissioner deals with the complaint if—

(a) the commissioner considers the change appropriate because the complaint was made before section 256 commenced or applied to conduct that happened before that commencement; and

(b) the change is to prevent duplication or unreasonable delay.'.

[20] Section 643 (Transitional regulation-making power)

25 Clause 617—

At page 360, line 8, after 'commencement'—

insert—

'of this section'.

26 Clause 638—

At page 368, lines 12 and 13—

omit, insert—

'(1) The Queensland Law Society Act, part 2B, is repealed and, on the repeal, the legal ombudsman goes out of office despite section 6AJ[21] of that Act.'.

[21] Queensland Law Society Act, section 6AJ (Duration of appointment)

27 Clause 643—

At page 369, lines 15 to 22—

omit, insert—

'(a) for which it is necessary to make provision to allow or facilitate the doing of anything to achieve the change—

(i) from the operation of a relevant law, or another Act in relation to the legal profession, as in force before the commencement of this section to the operation of a relevant law, or another Act in relation to the legal profession, as in force from time to time after that commencement; or

(ii) from the operation of a relevant law, or another Act in relation to the legal profession, as in force from time to time after the commencement of this section to the operation of a relevant law, or another Act in relation to the legal profession, as in force from time to time after that commencement; and

(b) for which this Act does not make provision or sufficient provision.

'(1A) Without limiting subsection (1), the power to make a transitional regulation includes the power to provide for changes under this Act to the law at different times.'.

Amendments agreed to.

Clauses 287 to 643, as amended, agreed to.

Schedule 1, as read, agreed to.

Schedule 2**—**

Mr WELFORD (7.49 p.m.): I move amendment No. 28—

28 Schedule 2—

At page 399, line 7—

omit, insert—

' 'before the commencement of section 628[22]'.'.

[22] Section 628 (Main purposes of ch 8, pt 5, div 11)

Amendment agreed to.

Schedule 2, as amended, agreed to.

Schedule 3, as read, agreed to.

Schedule 4—

Mr WELFORD (7.50 p.m.): I move amendments Nos 29 and 30—

29 Schedule 4—

At page 403, line 14, 'in this Act'—

omit, insert—

'under this Act, including in rules continued in force under the Legal Profession Act, section 610,[23]'.

[23] Legal Profession Act, section 610 (Continuation of rules of the law society)

30 Schedule 4—

At page 406, line 12—

omit, insert—

Amendments agreed to.

Schedule 4, as amended, agreed to.

Schedule 5, as read, agreed to.

Bill reported, with amendments.

Third Reading

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

ADDRESS-IN-REPLY

Resumed from p. 1103.

Mr MALONE (Mirani—NPA) (7.51 p.m.), continuing: I continue on from where I left off at the lunch adjournment today. I urge the department to expedite the construction of the new facility at the Alligator Creek school as quickly as possible. The school is growing quickly and there is a real need for that infrastructure. I mentioned a project undertaken at Sarina. I commend Richard Churchman from the Brisbane office of Education Queensland and Ron Lohse from the Rockhampton office of Education Queensland who have been a magnificent asset in pulling that project together.

I would like to mention the Kickstart to Literacy project at Mirani State High School. I spoke last parliament about this excellent project. It encourages young people, particularly boys, in the cluster schools around Mirani to come together to work on small motors. In actual fact it is a literacy program. I

congratulate and support the teachers—Cath Jeffery, Yvonne Lee and Lyn Egan—who have brought this magnificent project to a successful conclusion. I was very pleased to see it extended this year to include 10 of the cluster schools within the Pioneer Valley.

It was heartening to see the change in those young boys who undertook the program in 2003. I actually attended one of the classes. They demonstrated pride in what they were doing. There was a definite increase in their self-confidence. They were eager to learn about what they were doing. There was overall enthusiasm for school generally. That was certainly a great turnaround for most of the boys. It is a vital and very worthwhile program.

It is pleasing to see that the majority of the boys who participated in the program in 2003 will continue their involvement in 2004. I was also pleased to see partnerships developing between the project participants and the wider business community. As members would understand, it is a small motors program so members of the community were dropping off their whipper snippers and motor mowers and the boys were pulling these down, ordering the parts, putting them back together, writing reports on how they did it and presenting bills. It had a huge impact on their lives and gave them a real indication of what they are really at school for.

This project delivered some huge results for the community. As one who has lived and worked on the land all my life, the development of literacy and numeracy skills for boys through hands-on activities such as those offered by the small motor repair program certainly appeals to me. It was a terrific program. It was with pride that I actually became the patron for the project.

Since last year the federal government has recognised this as a very meaningful project. This year it is contributing $75,000 towards stage 2 of the project. Mirani High School was one of only 38 schools throughout Australia to which funding was allocated. The project was entered into the annual Showcase Awards being held this week in Mackay. Unfortunately, I cannot make it to that. It is certainly a fitting project to receive due recognition.

I was pleased to see a promise made by the government that it would build a police station at Sarina. I have been raising this issue in parliament for many years. The facility got the dump of the month by the Police Union some time ago. Certainly, that was not uncalled for; it is an absolute disgrace. I have been calling for the rebuilding of the police station for some time. It was to incorporate a courthouse. Unfortunately, there was no mention of the courthouse in the promise to build a police station. I think it was always designed that it would be in the next term of parliament. I am looking for a commitment fairly quickly in that respect. I encourage the Attorney-General to come to Sarina and see the court facilities we have there. I am sure he would understand the problems we have. There are no facilities for people outside the court. They virtually stand out on the street. Whether it is hot or raining, people stand out under the trees. That is really not acceptable in this day and age. It is long overdue. We need to move forward on that issue. The police officers in Sarina work under very difficult conditions. I commend all police officers—not just those in Sarina but right throughout the electorate—for the work that they do, sometimes under fairly difficult conditions.

I have spoken previously in the parliament about the issue of the road between Malborough and Sarina. It is probably the most accident prone road in Australia. I mentioned in this parliament only a few days ago that I think audible lines up and down the highway could make a difference to that fatigue zone. We seem to regularly see single-vehicle accidents on the road. The causes cannot be readily addressed in most cases. It is hard to determine whether it was an accident or people simply fell asleep due to fatigue.

I mention a small school I have in my electorate. Milman is just north of The Caves and just north of Rockhampton. It is a great school. The unfortunate part is that they have no water. For the last four or five years the Department of Education has been spending $10,000 to $12,000 hauling water to Milman school. They have a very limited supply out of a small bore. They virtually cannot wash the pavers or irrigate any of the yard. They cannot have a garden. It is very difficult. The P&C applied for a gaming grant to do some drilling in the school grounds. They were unable to get a decent supply of water, but they went a kilometre up the road on crown land and they were able to get a bore that is running at about 5,000 to 6,000 gallons an hours with excellent water. The real problem is that they need about $17,000 to put a pump on, get power to the site, run a pipe down the side of the road and connect it all up.

As I said, the school is about $17,000 short of a $30,000 project. That money could be recouped in about three years in that Education Queensland would not have to cart water. I am talking to the minister about trying to expedite that issue as quickly as possible. In actual fact, water is being carted to the school even as we speak. This week that school took a consignment of two loads of water to try to keep the school going.

At the top end of the Pioneer Valley to the west of Mackay there is a little township called Finch Hatton. The Mirani Shire Council looks after the water supply to that town. There were problems in 2002 in terms of supplying water to the town. In October 2002 a total sprinkler ban was implemented. In December the local council applied for an urban water supply scheme to sink new bores in the township at a cost of about $70,000. The Minister for Local Government approved approximately $57,400 for the

scheme. Test drilling took place. After the drilling of six bores, the council was unable to secure any production bores and the one that showed promise failed in quality and quantity. Basically, they all failed. On 25 June 2003 a moratorium on groundwater in the whole of the Pioneer Valley was introduced. The council was in the process of preparing an application for test drilling on the old Finch Hatton mill site when the moratorium was introduced. Essentially, the council missed the cut-off date by just one week.

Initially the council was of the view that it would not be affected by the moratorium as the notice circulated stated exceptions to the rule such as town water supplies for local government. Discussions between council staff and representatives of the Department of Natural Resources and Mines subsequently resulted in that department advising that the exemption did not apply to council and that it could only drill within 20 metres of existing bores. The story is that it was not able to drill that bore. The council has been told that it has access to water from the creek nearby, but unfortunately it has to treat that water and the cost of the water treatment plant is $435,000. However, after discussions with locals in Finch Hatton and representatives of Mackay Sugar, there was adequate anecdotal evidence to suggest that there is an adequate water supply at the old mill site at Finch Hatton and that test drilling could be undertaken to locate a suitable supply. The estimated cost of that is around $70,000.

In January 2004 I wrote to the Premier, the Minister for Local Government and Planning and the Minister for Natural Resources seeking urgent intervention with regard to the moratorium on water for the whole of the Pioneer Valley. On 6 February the Minister for Natural Resources responded saying that the published notice did not provide an exemption for town water supply. Departmental records of bores in the vicinity indicated that they are generally low yielding and there is a low probability of the council finding a reliable supply. The council was told that it had up to 75 megalitres per annum of surface water to be pumped from Cattle Creek, and that could be used. Unfortunately, we are still up for the cost of the treatment plant. To this day Finch Hatton remains in the same situation as it was in two years ago—that is, it is lacking water because it is in the middle of a drought again.

Further to the west is the water supply from the Eungella Dam that basically supplies most of the water to the mining companies to the west. There are five or six major mines that rely on Eungella Dam. Currently, its capacity is down to about 20 per cent and dropping quickly. Indeed, the worst case scenario could be that the mines will run out of water before the end of the year. That will be a huge cost to the state and is totally unacceptable.

Mrs ATTWOOD (Mount Ommaney—ALP) (8.04 p.m.): I congratulate the Speaker on his appointment this term. It is great to be back to serve the community in the Mount Ommaney electorate for a third term, and I thank residents for placing their faith in me again to work hard for them and to represent them in this parliament. It is an honour and a privilege to be reinstalled as their elected member. I also appreciate the great support given to me by over 120 volunteers who collectively assisted me in my campaign to increase my vote in this seat. I would also like to thank the Premier and the Deputy Premier and cabinet for their ongoing support for the electorate of Mount Ommaney. I will take this opportunity in my address-in-reply to speak about a number of issues that are currently of great importance to the residents in my electorate of Mount Ommaney.

People living in the Centenary suburbs and Sinnamon Park are keen to learn details about the proposed upgrade to the Boundary-Kelliher Road intersection and the upgrade of the Centenary interchange. This has been a major traffic issue for some years, and it is continually getting worse. Traffic backs up to Sumners Road in my electorate at peak hour in the mornings and afternoons at the Centenary Highway-Ipswich Road intersection. The Centenary Highway and Western Freeway run through four state electorates. Even though I have a small section of the highway in my electorate from the Centenary Bridge to Sumners Road, I continually lobby the Minister for Transport and Main Roads with regard to all matters that are raised by residents of my electorate.

As a result of my representations to the minister over a number of years, I can announce that a number of matters have been resolved. The $4.3 million for asphalt on resurfacing of the Centenary Highway between the Ipswich Motorway and the Brisbane River is scheduled for completion at the end of June this year. A $10 million solution to the congestion at the Boundary Road-Kelliher Road intersection is jointly funded by the state government and the Brisbane City Council. This new two-lane link will be built between the Ipswich Motorway and Centenary Highway roundabout to Garden Road at Richlands. It will deliver massive benefits to the local community, which is frequently experiencing major traffic congestion during peak hour.

The minister advised in his correspondence that as this joint project is led by the Brisbane City Council it has formed an alliance with a private engineering consultant company and a private construction company to carry out this project. The Department of Main Roads was recently invited to participate in this alliance. Planning is under way and should be completed by mid-year, with design and construction to follow. It is expected that the project will be completed by the end of 2006. As the Brisbane City Council leads this project, the minister has also referred my correspondence to the Lord Mayor of Brisbane for more detailed advice on this project, including time frames. The Lord Mayor has

recently acknowledged my correspondence and stated that it is his highest priority suburban road project.

The Minister for Transport has also recently advised me that the federal government has announced details of a $66 million safety upgrade of the Ipswich Motorway, a federal government funded National Highway. Some $1.5 million of this funding will be for improvements to the Centenary Highway interchange. I understand that additional capacity will be provided at the east to south off-ramp to remove queuing traffic from where it currently backs up on to the Ipswich Motorway. Tenders were to be called for this project in April this year, and it is expected to be completed by January 2005. Congestion on the Western Freeway is affected by roads that come under the jurisdiction of both the federal government—Ipswich Road—and the Brisbane City Council—Kelliher Road and Milton Road—affecting roundabouts at both ends of the Centenary Highway. Consequently, finding solutions to traffic congestion on the Western Freeway requires a coordinated and planned approach from three levels of government and involves more than just building new roads such as the Western Bypass.

Before measures like a western bypass and an alternative to the Ipswich Motorway can be considered, the Ipswich Motorway itself must be upgraded. This falls within the jurisdiction of the federal government, and currently no funding has been provided for the bulk of this crucial project, including funding for an alternative route. The Ipswich Motorway forms part of the National Highway system and is therefore subject to federal funding. Investigation of western Brisbane transport options is included in the state government's *Transport 2007* document. The government recognises that a planning study needs to be scheduled to determine if another road corridor is appropriate. This study will also consider issues such as improvements to the Toowong roundabout and the possibility of transit lanes on the Western Freeway.

The state government, however, has been managing the growing traffic in Brisbane's west through a number of measures. These include state-of-the-art technology on the Western Freeway where $475,200 is being spent to streamline traffic management. Video surveillance cameras and vehicle detector sites relay information to the Department of Main Roads's Traffic Management Centre at Woolloongabba along an optical fibre cable. This allows Main Roads to monitor the flow and manage incidents immediately. A variable message sign to be installed later this year will alert motorists to the traffic conditions ahead, warning them of delays. There will also be $2.3 million to fill the missing link on the Centenary bikeway; $2.434 million for drainage works to improve safety along the Centenary Highway; and improvements to south-east Queensland public transport from 1 July through the implementation of a new system known as TransLink, which will offer more integrated services and integrated ticketing. Under this system, there will be one ticket per journey regardless of how many forms of travel one takes.

In the 2001-02 and 2002-03 financial years, $557 million was spent on roads in south-east Queensland by the state government. An amount of $690 million—an increase of $133 million—will be spent in 2003-04 and 2004-05. I personally lobbied for many of the improvements to the Centenary Highway and Western Freeway since I was elected in 1998. I will continue to make sure that Brisbane's western suburbs receive their fair share of government funding for improvement to infrastructure. The state government is committed to planning ahead for the best solutions to growing Brisbane traffic and I will ensure that my constituents continue to be consulted and involved in decisions about these traffic solutions. I have organised a briefing with officers from the Main Roads Department to provide an update on the Centenary interchange and the Boundary-Kelliher roads projects. I will raise concerns about disruption to the Centenary Highway during the construction phase with the DMR officers. However, I think that these concerns would be best directed to the Brisbane City Council, which is leading this project.

In addition to the extensive allocation of funding to address transport and traffic issues that I have outlined, I have also been successful in securing funding since first elected in 1998 to a number of other areas to improve the services provided in the Mount Ommaney electorate. The following is not a complete list, but some of the funding achievements: $1.5 million for a disability and platform upgrade of Oxley Railway Station; $180,000 for an upgrade of platforms and the subway at Sherwood Railway Station; additional car parks at Darra and Oxley railway stations and security cameras; $4 million in funding for an upgrade to Corinda Railway Station; a bus link to Yeerongpilly from Corinda Railway Station; CityTrans services to Darra from Sinnamon Park and the Centenary suburbs; the establishment of the Oxley police beat; increased police numbers, including a 14-officer Tactical Crime Squad and 46 additional police officers for the district; an upgrade of Sherwood Police Station, additional staffing and hours; increased hours at the Mount Ommaney Police Station; $350,000 to fund a police beat for the Jindalee Home Base and surrounds; the preservation of 119 hectares for recreational and environmental purposes at the Oxley Creek Common site and $2 million allocated for infrastructure; 47 hectares of land at Wolston Creek handed over to the Brisbane City Council for parkland; the preservation of 5.6 hectares of parkland on the old hospital site; and the relocation of wallabies at Edenbrooke. To date, one wallaby has been relocated and the Queensland Parks and Wildlife Service is continuing to monitor and attempting to relocate them to Moggill.

In Education, there has been stage 2, 3 and 4 of the Centenary State High School and stage 1 modifications; the renewal of the Corinda State High School, including the repainting of school buildings and reticulation works and pocket PCs for teachers; the painting of the Corinda State School arts facilities; a major resource centre upgrade for Jamboree Heights State School, and a tuckshop upgrade, a pool electricity supply upgrade, the repair of basketball courts and classroom partitions; the construction of the Corinda State Preschool and a new car park; the extension of the Middle Park State School library, a new after-hours school care building, and the buildings repainted; the Jindalee State School car park, bike compound, water reticulation works, and new toilet facilities for the hall; the repainting of classrooms at the Mount Ommaney Special School, the painting of the pool and rectification works, and airconditioning; at Saint Aidan's, the construction of classrooms, amenities and headworks; at Saint Joseph's and Good News Lutheran School block grant funding and funding for outdoor play areas; and electricity upgrades for Jindalee, Jamboree Heights and Corinda state schools.

In Emergency Services there has been the construction of a new ambulance station for Centenary suburbs, 24-hour operational staffing and a new ambulance vehicle. Mount Ommaney station received an upgrade of amenities and a new fire truck worth about $480,000. In Health and other services there has been funding to upgrade disability facilities and equipment; a war memorial has been constructed by Q-Build apprentices for Centenary suburbs; Montrose Access disability funding; the Corinda Community Health Centre and a respite centre. In Public Works and Housing, there has been funding for public housing, upgrades and maintenance across the electorate. There is always more that needs to be done and I am working closely with the community to prioritise our future needs.

My vision for my electorate and for the government of Queensland is to establish closer links between community needs and government policy. There are always better ways to ensure that the needs of families in Queensland are met through sound policy directives and more efficient administrative measures. Funding should be clearly focused on addressing the real issues and enhancing the lifestyles of all Queenslanders. I look forward to assisting residents with their issues and ensuring that the government meets its policy objectives over the next three years.

Mr PEARCE (8.14 p.m.): In rising to take part in the address-in-reply debate, I recognise the beginning of another term of Labor in government in Queensland. Under the leadership of Peter Beattie, the people's choice, Labor in government promises to deliver on the commitment given during the campaign leading up to the 7 February election. I take this opportunity to congratulate all members on their election to the 51st Parliament of Queensland, in particular, those sitting in this place for the first time. I wish them all well in their representation of the people who have given them the opportunity to hold what is a most honourable position.

The member for Keppel has deservedly been elected and joins the Labor team working for central Queensland. I want to say: well done, Paul. I know that Robert Schwarten and I are both honoured to have him here. With Robert as a cabinet minister, we have a very strong ability to be able to do the right thing by the people whom we represent. I also want to take the opportunity to wish Vince Lester and Mary well, particularly Vince, in his retirement. We had a good working relationship in central Queensland, and I see the minister nodding. Vince has a lot of respect in the area and he will be remembered for a long time.

In the run-up to the recent state election, the end of what I said was another three-year term and the beginning of a new one, as always I let the central campaign led by the Premier focus on the big-picture issues such as health, education, law and order and the environment. As the leader of the Labor Party, the Premier has that difficult task of selling our policies and convincing the people of Queensland that his team is the best credentialled for the job. As the candidate for the Fitzroy electorate, I then had the task of convincing voters of the need to re-elect me so that they will have a voice in government—a representative who will work for the electorate to win local projects and grants and, most importantly, someone who will be there to make sure that the electorate and the people win positive outcomes from those commitments given by the Premier. I must say that the Beattie government has a proud record of delivering on promises made during election campaigns. I make that point sincerely, because I know that it is true. Over the term of the 51st Parliament, I will be monitoring progress on a number of committed projects as well as doing the hard yards to ensure that grassroots people are heard by the government. I owe that to the people who I work for—the people who elected me to this place.

In the lead-up to the election, a big project commitment for Fitzroy was the $1.5 million contribution towards the $2.125 million Austadium project, which is to be built adjacent to the new selling complex at the Gracemere Saleyards. Given that the minister is present in the House, I must acknowledge and express my appreciation to the minister for the help that he gave me in making sure that that project came to fruition.

Mr Schwarten: Not a bad team, is it.

Mr PEARCE: It is a good team. Austadium is an 80 by 40 square metre indoor arena that will have a seating capacity of up to 5,000. When it is constructed, it will provide a major attraction for some of the country's largest and most prestigious horse events. The venue will be world class and will potentially be the best equestrian venue in Australia outside the one at Homebush. I know that my

colleague the member for Rockhampton recognises the potential benefits that this project will deliver to Rockhampton and the surrounding district. As I said before, his support was instrumental in securing funding for this project. Austadium will provide the perfect venue for what is virtually an untapped participant and spectator market, particularly for central Queensland. National championships of horse sports such as cutting, reining and dressage have the potential to attract thousands of visitors to the city for each event. Quarter horse events, horse breed shows and rodeo championships all have the ability to attract capacity crowds. Entertainment such as live bands will add to the value of what will be a magnificent venue. With Austadium meeting the needs of sports participants and spectators, Rockhampton's accommodation and food outlets will enjoy increased demand, which means more jobs and more cash flow in the local economy. I look forward to watching this project come to fruition.

I turn now to Mount Morgan and major commitments that have been secured for that town. I know that residents are pleased with the promised $500,000 for a new police station at Mount Morgan. We have had two options available for improving the police facilities that are currently housed at the rear of the town's 102-year-old courthouse. There was a lot of feeling in the community that we should renovate the courthouse, but there were other strong feelings about actually having a stand-alone police station.

It was thought that having the station in the courthouse would be one way of keeping the building accessible to the public and in the long term provide that care and maintenance for one of the town's most historic buildings. The other option was a stand-alone police station. I recently surveyed the town because of the interest in both proposals and gave the people of Mount Morgan a say as to what they thought would be the best for the town. From a six per cent return of survey forms, 80 per cent of respondents supported a new stand-alone facility. This is what we will now work towards.

Mount Morgan's open-cut mine has long been a concern for not only the local residents but also land-holders and communities downstream from the mine. A significant rain event could lead to contaminated water flowing from the open-cut mine into the Dee River. Over many years, the Wowan Dululu Landcare group has diligently lobbied both state and federal governments for funding to establish and maintain a system that would see the contaminated water treated and released into the river. The state and federal governments have just recently provided $2 million—$1 million each—for the design and construction of the plant. In the lead-up to the election and just after the election, the Beattie government committed a further $700,000 a year for the operation and maintenance of the plant. This massive cost burden has been left to the Queensland taxpayers today because governments of the past did not have in place environmental management laws that ensured mine operators were responsible for the consequences of their activities. As was the case with tree clearing, governments encouraged an open-up, vandalism type approach to mining. The people of today are now paying for the consequences of that approach.

Road funding has always been an issue for me. I was pleased to see dollars approved for a number of road upgrades under programs administered by the Department of Main Roads. These projects include $100,000 towards sealing a section of the Mount Stewart-Bedford Weir Road and 50 per cent of a $150,000 project to seal a section of the Blackdown Tablelands Road, which will be an important thing for the Duaringa shire. On the Dawson Highway there is $2.4 million for the Expedition Range, $714,000 to upgrade a 3.3 kilometre section east of Spotwood Creek and $914,000 for the first stage of a $2.67 million project to widen and seal the highway between Oakland Park and Carramar.

Within the Fitzroy shire there is some $440,000 for the upgrade of Gavial Creek-Gracemere Road between the Bruce Highway and Gavial Creek and $135,000 to seal a section of the Stoneware Waroula Road. As well, there is $39,500 for jointly funded projects with Fitzroy Shire Council for bikeways at St Paul's, Waraburra and Bouldercombe and Bajool schools and bus set-down area improvements at the Ridgelands school. Within the Mount Morgan shire, $850,000 has been approved to complete the Burnett Highway upgrade, including overhead lighting at Dee River; $409,000 to widen Poison Creek Bridge; $80,000 towards the cost of upgrading Byrnes Parade; and $10,000 towards the cost of footpaths in James Street.

In the area of education, funding from the Cooler Schools program will ensure that airconditioning will continue to improve the learning environment for schools in the Fitzroy electorate. Allenstown school is to get $450,000 for a new administration building. I think that is not too far off getting under way. Woorabinda school is in the process—the building is almost completed—of replacing a building that was destroyed by fire in May last year.

Together with these specific projects there are many additional benefits which will flow to central Queensland under the good management of the Beattie government—extra nurses in the system and extra funding for dental care, elective surgery, cardiac services, cataract operations, joint replacements and orthopaedic surgery. These are all important things to the people in the Fitzroy electorate in central Queensland.

I could go on talking about how the state's budgeted moneys are delivering services for the people of the Fitzroy electorate and the people of central Queensland, but the short time allowed prevents me from covering all the positive quality-of-life outcomes for the area of which I speak.

Mr Schwarten: They will never get a better member for it, though.

Mr PEARCE: Thank you, Minister. I would like to spend several minutes covering some important issues which I gave commitments to the electorate to pursue in the lead-up to the election. For example, workplace health and safety is a matter about which I have spoken often in this place. I will continue to raise issues on behalf of workers and families in the region.

Workers in this state must be able to go to work confident that the government has used or is using its legislative powers and workplace inspection powers to monitor the behaviour of employers who lack that genuine commitment to ongoing workplace health and safety. The Mines Rescue Service and the attempts by some to allow the rescue capability of the service to go into decline was a great example of what can happen if we get slack and lose sight of what we are about. People in the coal industry—the workers, who could at some time put their lives in the hands of mines rescue teams—the rescue team volunteers themselves and their families are the only ones who understood what was happening to the service and the need for it to refocus.

With the establishment of a new advisory committee to advise the Queensland Mines Rescue Service board of management, we now have a more open and accountable process—a process with integrity and one that will ensure that training and equipment are of the highest standard and capable of meeting the demands of a major mine incident. I am not saying that everything is as yet absolutely the best, but there has been a major turnaround. I thank all stakeholders, including the Queensland government and the mining industry council, for their involvement. I encourage all to continue working towards having the best mines rescue service in the world.

I want to remind honourable members at this time that we are fast approaching the 10th anniversary of the Moura No. 2 disaster of 7 August 1994, when 11 miners were buried underground after an explosion at that mine. I remind honourable members that those miners are still entombed in that mine. We must do everything that we can to make sure we never have a disaster similar to that again.

Mr English: Lest we forget.

Mr PEARCE: We must never forget.

In the lead-up to the election I gave primary producers three commitments. The first was to raise the issue of the definition of 'regrowth' under vegetation management legislation. I must say that, with the passing of recent vegetation management legislation, the issue of regrowth management has been addressed. While the definition of 'regrowth' continues to be somewhat confusing, I believe that the intent of the legislation is much clearer and gives landowners security over lands cleared previously for agricultural purposes.

Another issue for rural producers is security of tenure for graziers over leases that include state forests. This is a real issue of concern for many long established grazing families who could be forced off land because leases that include state forests will not be renewed as government is forced by the conservation movement to increase areas set aside as national parks. I want to say that the conservation movement has accomplished significant environmental outcomes in reversing or halting many of the trends that would have led this nation to an environmental catastrophe. But I hope that, because of the good job done, it does not step over the line and attempt to achieve outcomes that will effectively shut down areas important to the sustainability of this country's current and future food supply demands. I know that all reasonable people want positive environmental progress, but there must be serious debate about how far we go, for the sake of coloured areas on a map, in clawing back lands important to maintaining our clean, green food supply.

I believe that there is sound argument for supporting landowners who have a proven record of sustainable management practices. The way I see it, if the land in question has been used for up to 150 years and is still capable of carrying the same number of livestock per hectare and still responds to the weather events in the same manner it has over the last 150 years, then the users of the land are doing something right and they deserve credit, not condemnation or labelling as environmental vandals. Surely as long as the land use is not to the detriment of the environmental sensitivities of the area the community and land-holders should be able to work in partnership in the use and management of lands that have been leased to these people.

Another issue of concern to rural producers is the mandatory introduction of the national livestock identification scheme. Some are saying that this is the biggest issue to face the cattle industry ever. I do not have enough time to go into detail, but let me say this: I believe that in time, with improvements to technology and appropriate education and training, an electronic trace-back system will be accepted, but what is currently being proposed will, and is, being rejected. The technology is not proven to the level that gives it the integrity that it must have. There are establishment costs and ongoing cost burdens. There are no recognised benefits to justify those costs, and there is a strong resentment towards the mandatory introduction of this scheme.

Popular comment to me as I get around the electorate is that, if it is as good as what the pro lobby group claim it to be, then let the system be voluntary and allow the market to determine its future. I will continue to put forward the concerns of grassroots industry stakeholders on this issue because at this

time I believe they are being forced into accepting a system that is not yet proven, has unknown costs and does not have fully explained benefits to producers and the long-term sustainability of industry.

Tonight I want to give recognition to the Primary Industries Minister, Minister Palaszczuk, for the way in which he has made himself available—and the DG as well—to the people I represent. The minister has demonstrated that, as always, he is prepared to listen and, most importantly, he is prepared to follow up on commitments given to people one takes along to speak with him. I am very appreciative of the attitude of the minister in dealing with me on this particular issue.

Over recent months I have had to talk with key people in Mount Morgan and Queensland Health about the town's hospital. I believe it is time we assessed the current facility and its suitability for today's health demands and the ongoing maintenance costs of a building of this size and age. I am of the opinion that Mount Morgan should have a modern, purpose-built facility to meet the changing health needs of Mount Morgan and district. We need a facility that meets the needs of the Mount Morgan community. I want to say quite clearly—and I accept that there is no magic bucket of money and that any decision to upgrade is more likely to be in the long term rather than the short term—that it has to be put on the agenda. I have done this with Queensland Health, and I will continue to pursue that issue.

I want to make it very clear that there has been no commitment, no promise, nothing more at this time other than putting the issue on the agenda. There is also a need for governments to look closely at the issue of a proper, efficient and effective sewerage scheme for Mount Morgan. Ratepayers currently rely on septic systems which are considered to be past their use-by date. This high cost scheme would require a major capital investment from government because the shire's small rate base would demand an out-of-reach financial contribution from local ratepayers. Again, I am putting this issue on the agenda knowing full well that there may well be no fast or short-term outcome, but we have to start talking seriously about this issue. I can report to the House that there have been some preliminary discussions in recent weeks but again no decision made. We have just had some discussions.

In closing, I would like to mention the importance of securing a bitumen upgrade of the 30-kilometre stretch of gravel road between Woorabinda and Bauhinia on the Fitzroy Development Road. I have given a commitment to continue to pursue this issue, but the state cannot go it alone and it would be great to see the federal government contribute money to these works. It should be noted that the National Party has a powerful voter support base in this area, but the National Party continues to ignore the simple demands of that support base. As their Labor member, I acknowledge and understand the needs of the people in that area. I have lifted the profile of the road but admit that alone I am struggling to convince government ministers to redirect funding from areas of greater need. If the federal government were prepared to get involved to commit dollars through constructive and meaningful consultation with the state, I am sure we would have a chance to make this project a reality.

Mr ROWELL (Hinchinbrook—NPA) (8.34 p.m.): The Hinchinbrook electorate predominantly is a rural electorate. It stretches from the Black River area through to Innisfail. It is quite an important electorate as far as rural pursuits are concerned. I would like to acknowledge the support I received from booth workers and certainly the staff who worked with me during the period prior to the election, because it was extremely important to have very good staff. I would like to acknowledge Leisa Menegon and Jess Exelby, who did a tremendous amount of work in the office and continue to do that. Jess has recently had a baby and we have a new member of staff in the electorate office.

I would like to recognise the support that I received during the election campaign from Nat La Sana, the electorate council chairman. Without his support, it would have been extremely difficult to have the degree of success that we had. If we compare the 2001 election with the 2004 election, we got an excellent result. I would like to commend all those involved, whether they were handing out how-to-vote cards, whether they provided financial support or whether they were staff who over a long period of time have worked with me—some for three years, some for longer. It really is to their credit that we were successful in the last election.

The southern sector of the electorate is oriented around Thuringowa and Townsville. It is difficult for people who live in those areas who feel—and they did feel, I am certain, during the 2001 election—disconnected from Thuringowa. However, during the period of time for which the area north of Black River has been in my electorate, we have had a good association with many groups there and I would like to acknowledge the work that they do for their communities.

The northern sector is very much oriented around the growth of bananas and sugarcane. Many organisations, whether they are associated with the industry or manufacturers or repairers, do an excellent job supporting those industries. The northern beaches have become very popular. Areas such as Mission Beach and Etty Bay, which is a beautiful little beach, have become very popular with people moving up from down south. What we have seen is the price of land and houses increase in value considerably over the last 18 months. I must acknowledge the popularity of those areas and the lifestyle that they provide for people—some of them who go into retirement; some of them who live there and work in the towns. It is a very popular place to live. If you are a fishing enthusiast, there are some great opportunities there.

Ms Nelson-Carr: It's a beautiful part of the world.

Mr ROWELL: Yes, I have to agree with what the member is saying. It is a great part of the world.

I would like to very briefly discuss the sugar industry, because 20 per cent of Australian sugar is grown in the electorate. It has a high exposure to world markets at this present time, as we know. We have to compete against bodies like the EU which puts something like $11 billion into subsidising its domestic industry and exports. That is what we are competing against, and it makes it very difficult. As we see in the US, its growers are paid something like 22c as against 6c a pound for what we produce. So our producers do extremely well, and I would like to acknowledge their efforts and the contribution they make not only to the electorate but also to Queensland and Australia. They have suffered some very adverse conditions over the last six years, and I do not think any industry can absorb those levels of problems that they have had and still remain buoyant. What we have seen in the last two or three years is an extremely difficult situation for many growers.

In addition to the sugar industry, the banana industry is important in the electorate. It is worth something like $200 million to the electorate. About two-thirds of the Australian crop is grown there. However, since 1999 prices have consistently reduced and plantings have increased. A lot of that is related to the problems associated with the sugar industry. As people in the sugar industry look for a cash flow, they are moving into industries such as bananas, thus increasing the level of plantings and increasing production. That means that the prices that they are receiving are probably a lot lower than five and six years ago. That is becoming a major problem within the industry, irrespective of the problems associated with sugar.

From 1995 to 1998 the horticultural industry generally, and certainly the banana industry, went through the papaya fruit fly episode. The eradication of black sigatoka in commercial plantations was a world first, as was the papaya fruit fly outbreak. Once again, those were world firsts. I really have to commend the industry on the great discipline that it demonstrated during that period to comply with the protocols that were so necessary to deal with the eradication programs. It simply shows that, if an industry is prepared to put its shoulder to the wheel in adverse situations, in some instances funds will be provided, as will expertise. Of course, I have to commend the DPI for the work that it did during that period. Without the help of the DPI, it would have been extremely difficult to successfully launch those campaigns.

The impact of the Philippines import application for bananas could be extremely detrimental to the industry if it were allowed. At present, we have a controversial situation developing with Biosecurity Australia. Twenty months ago it said that there was no way in the world that we should allow bananas to come in from the Philippines because of the risks associated with diseases such as moko, black sigatoka, which we already have to clear up, banana bracts, mosaic virus and freckle. There are a range of pests and diseases in the Philippines that we have either successfully cleared or do not have. Of course, if it becomes necessary for us to combat those pests in the future, that will be an added burden and cost. That is why the industry is absolutely adamant that it does not want bananas from the Philippines.

Biosecurity had a problem in relation to its modelling for risk. That issue is now being reviewed by the Senate inquiry. Two DPI scientists formed part of the panel that investigated the matter. We are not clear as to whether they supported what was supposed to be, in accordance with biosecurity, a unanimous decision. It is quite clear that it was not unanimous. I was at the Senate inquiry that was held in Brisbane only about a month ago and it was quite clear that it was not a unanimous decision. Since then others from New South Wales have said quite clearly that they raised dissenting issues to the report that Biosecurity said was unanimous. A reassessment will have to be carried out. The industry has put an enormous amount of effort, time and money into this, and now it is in the process of refuting a lot of the information that has been put forward.

Another issue that I would like to cover in relation to the agricultural industries is vegetation management. Over a period, a number of people have brought property in the Ingham district, the Cardwell area and around Innisfail and they wanted to clear that land. They paid very high prices for the land because at that time the cane industry was doing well. They believed that they needed to expand and, of course, the get-big-or-get-out philosophy was very evident. People paid fairly high prices for land, but they thought that they were doing the right thing. In some instances they wanted to enable the younger generation, their sons and daughters, to carry on with their farming operations. However, they bought land with trees on it and that created a problem because, of late, they have not been able to get permits to clear the land, even to grow crops other than sugar. Overall, that has been extremely detrimental. I do not know what they will get in terms of compensation, but I can be absolutely certain that it will be nowhere near what they paid for the land.

Mr Malone: It will be bugger all.

Mr ROWELL: As the member for Mirani said, it will be a very small price.

I move onto roads, which is an important issue. Indeed, we held a debate on roads on last week in the House. Improving roads throughout the electorate would require something like $15 million. It would affect parts of the Johnstone shire, the Cardwell shire, the Thuringowa City Council and the Hinchinbrook shire. They all have special needs as far as roads are concerned. However, their rate

base is having problems at the present time as people are finding it difficult to pay their rates due to low returns from predominant industries such as sugar and bananas. They are having a difficult time in making sure that they do the right thing by the councils in paying their rates. I know that a number of people are finding it extremely tough. I can only hope that they will be able to find sufficient funds to ensure that the work forces within the councils are able to provide a satisfactory road system, because that road system is also used for the haulage of crops such as sugar and bananas. In some areas, the increased demand on the old wooden bridges has reached the point where those bridges will need to be replaced. In addition, issues such as B-doubles travelling on roads with school buses create a fairly merry mix as far as the sugar and the banana industries are concerned.

I also acknowledge what is happening with tourism in the area. There has been an increase in the number of caravans touring the area, particularly during the autumn period. Australia is a safe place within which to travel. Following September 11 and the current turmoil that is occurring overseas, a lot of people, particularly from the southern parts of Australia, are travelling to north Queensland, especially during autumn. They travel in caravans and they make use of the caravan parks. For four or five months of the year they really enjoy that lifestyle. They find that it is a great place to be during that period.

There are some excellent opportunities for tourism on the coast and the hinterland. We would like to see the complete sealing of the Wallaman Falls Road, which has the longest single drop in Australia. We need a link road with Mount Fox and improvements made to a number of the western roads. There is great diversity in this part of the world that I come from. We have the rainforest, tropical islands and high mountain ranges up to places such as Paluma and Mount Fox. Once one crosses the mountains, one comes to areas such as Hidden Valley which have a marvellous climate because they are much drier. Those places provide great contrasts for people who want to travel through that part of the world and engage in a range of activities.

I acknowledge what is happening at Port Hinchinbrook where Keith Williams is doing an excellent job. When this development started, it was very controversial. In the early days, some people said quite clearly that it would be detrimental to the area, but it is proving to be nothing like that whatsoever. A range of tradesmen are involved in building houses and complexes, and it has really cushioned the effect of the downturn in the rural industries.

A similar thing is happening at Hinchinbrook Marine Cove. At present Bill Bursill is also building little huts and 'boatatels'. People are coming to an area that they did not realise existed. At Dungeness there are problems with the tides and getting boats in and out. Apart from that, it is a great little spot to go up the Hinchinbrook Channel. At the other end there is a great marina built by Keith Williams. People can have a very enjoyable time under fairly safe boating conditions.

I want to acknowledge what has happened at the Lucinda Hotel. A couple have come from Melbourne and have improved the Lucinda Hotel considerably. It is a very enjoyable spot to have a night out. It is those sorts of things that really make tourism in the Ingham district and further afield.

There is a range of local festivals throughout the year. We have the feast of the three saints. The Sicilian people brought from St Alfio some 54 years ago the statues of the three saints that they hold dear. They actually have a parade through the streets of Silkwood. Despite the fact that this is an extremely wet area, it never rains. These people have a strong belief that the saints protect them, and that has happened.

In Tully we have the Golden Gumboot and Tully Rain festivals. In Ingham we have the Maraka Festival in October. Recently we had the Australian-Italian Festival, which was a spectacular success. Some 25,000 people came to feast on the pastas—spaghetti, ravioli and so on. They were entertained by some very professional people over the three days of the festival. The festival only lasted for three days, but the activities lasted for a full week.

Ms Nelson-Carr interjected.

Mr ROWELL: We have the Northern Beaches Festival, which I am sure the member for Mundingburra would know about. She is very vociferous in the House. It does not mean that she does not think that the Northern Beaches Festival is not a good festival; she knows it is. That festival will take place shortly. The beaches from Bushland Beach to Toolakea to Saunders Beach to Mystic Sands will be alive during the 25 days of festivities for the Northern Beaches Festival. There is a small group of people who work very hard to put on that festival. I commend them for their activities.

I turn now to aquaculture, because it is an industry with enormous potential. We have seen people investing considerable amounts of money in this. One person has invested something like $6 million in ponds. Unfortunately, what we are witnessing at the present time is imports from China, Thailand, South-East Asia and Indonesia. This is certainly reducing the prices in the supermarkets and making it particularly difficult for these businesses to compete. If this sort of thing is going to go on, what we should have is country of origin labels on prawns that come in from areas so people can make a conscious decision whether or not to support Australian industry.

The catch in the wild is also being affected very badly. There are fewer operators because of the east coast trawl plan. Those who are left did it tough over a period of time. In some instances, they

bought other licences out to build up their businesses. Now they are finding that they are getting a reduced price for their prawns.

Barramundi farming is also being carried out in the northern sector of the electorate near Liverpool Creek. That enterprise is actually producing something like 1,000 tonnes of plate size barramundi. Leading-edge technology is involved in the processing of the barramundi. It is of great benefit in terms of jobs. It trades with people down south. I know that it has been engaged in overseas and export trade as well. The ethanol trials in Ingham—the E10 trials—are running particularly well.

Time expired.

Debate, on motion of Mrs Carryn, Sullivan, adjourned.

ADJOURNMENT

Hon. R.E. SCHWARTEN (Rockhampton—ALP) (Minister for Public Works, Housing and Racing) (8.56 p.m.): I move—

That the House do now adjourn.

Queensland Nickel Expansion

Mr ROWELL (Hinchinbrook—NPA) (8.56 p.m.): The recently publicised go-ahead for the north Queensland nickel extension project at Yabulu has been well received by north Queensland. The planned development will result in increased job opportunities in north Queensland—approximately 400 jobs in the construction phase and 90 permanent positions at Yabulu.

The expansion of the Queensland Nickel refinery is planned to commence in late 2004 and the production capabilities of the refinery will be increased by 29,000 to 70,000 tonnes per annum. The project will also extend the future life of the Yabulu refinery for approximately 25 years. The Yabulu extension project valued at some $500 million is part of a larger proposed development by BHP Billiton for the construction of a mine, treatment plant, associated utilities and infrastructure at Ravensthorpe in Western Australia. The combined value of the project is approximately $2 billion or $US1.4 billion.

The expansion project will place BHP Billiton and, therefore, Australia as one of the foremost world suppliers of refined nickel and cobalt products. It is yet another example of large-scale international and Australian business whose interests can contribute to the future development of the state of Queensland and the overall economy of Australia.

The Ravensthorpe project will produce a nickel cobalt hydroxide product, known as MHP, which will be shipped through the Western Australian port of Esperance to the Queensland Nickel refinery at Yabulu. At Yabulu, future refining will convert the product into high-value nickel and cobalt products used in many international industries, including the defence, aerospace, marine, medical, computer and telecommunications industries. The future of the expansion project looks very promising with the international price of nickel alloy presently quite high, having doubled during 2003 as a result of a worldwide decrease in production.

The fact that the project will build upon existing facilities also minimises investment risk usually associated with new large-scale projects. It is anticipated that the flow-on effects for the development of the Yabulu refinery will provide overall benefits to the Queensland and Western Australian economies. The Queensland nickel industry has a history of assisting the surrounding communities by providing amenities and it recognises the needs of many areas, particularly those adjacent to them.

Time expired.

State Education Week

Mrs CROFT (Broadwater—ALP) (8.59 p.m.): This week is State Education Week. State Education Week provides parents in the wider community with the opportunity to celebrate excellence in state education and to find out more about the important changes to Queensland's education system. Indeed, state schools are great schools, and the schools in the Broadwater electorate are no exception.

I am pleased to inform the House about the activities being undertaken by state schools in the electorate of Broadwater to help celebrate State Education Week. I am aware that Coombabah High School's string sextet will be performing at a government business conference at the Gold Coast International Hotel on Thursday, 20 May. I understand that this is actually the second year running the group has been requested to play. On this day also the stage band will combine with members from the Robina and Southport high schools in a one-day workshop at Labrador Primary School followed by a performance at the Broadbeach Blues Festival on Friday, 21 May. The opening night for the school's musical *Calamity Jane* is 26 May, with performances also on 27 and 28 May, and I certainly look forward to attending.

On Wednesday I will be attending a school expo at the Coombabah Primary School that features a musical performance, displays and the presentation of the school's triennial school review. The evening program will showcase to parents and citizens the school's achievements, outcomes and future direction with the focus areas including the gifted and talented programs and the Special Education Unit. Labrador Primary School has prepared a full week of activities for students and parents, starting off with a week-long display at Australia Fair Shopping Centre outside Flight Centre. Each day various year levels will be having open classroom times for visiting parents and potential parents, and there are a number of activities outside the school for school students to participate in, including a demonstration lesson by the SEU students and staff at Australia Fair's centre stage on Wednesday.

The academic and social development of young Queenslanders is a responsibility the teachers and support staff in our state schools are dedicated and committed to. In each of the schools in the Broadwater electorate I know that the best learning environments committed to by those schools are achieved by the efforts of all of those working and involved in our schools. Therefore, I want to take this opportunity in State Education Week to thank the principals, the teachers, the teacher aides, the administration staff, the groundspeople, the janitors, the crossing supervisors and the wonderful volunteers who help out in the tuckshops, uniform shops or on the P&C committees.

On Friday I will demonstrate my support for State Education Week and the innovative and excellent learning environments offered by our state schools by heading back to school as shadow to the Acting Principal of Labrador Primary School, Mrs Sharon Cummings, and her deputy, Mrs Michelle Brown. I am certainly looking forward to this opportunity. State schools are the backbone of our education system. It is important that communities get behind their schools to celebrate the great work they do. I look forward to visiting the great state schools of Biggera Waters, Labrador and Coombabah primary schools and Coombabah High School in the Broadwater electorate.

Time expired.

Mareeba Wild Animal Park

Ms LEE LONG (Tablelands—ONP) (9.02 p.m.): The opening of the Mareeba Wild Animal Park was long awaited in far-north Queensland, and when it finally did it proved very popular. Some 12,000 people visited on a single weekend when free entry was provided to thank the region for its support. But then it was raided by nine state government officers and others and the public was incensed. It did not object to the park being investigated but does remain outraged at this government's methods. In several years of dealing with Mr Gill, I have found him to be forthright, enthusiastic and direct.

There have been repeated references to the supposed dangerous animals involved, particularly cheetahs, yet in Canberra the National Zoo and Aquarium advertises 'meet the cheetah' experiences. People go inside the cheetah enclosure to have hands-on contact, pat and play with them. It also offers hand-feeding experiences with tigers, lions and bears. Perhaps they are not so dangerous after all. Mr Gill has a separate facility in England, South Lakes Wild Animal Park, which has been referred to both in this place and outside, in particular the quality of its operations. In England the local council issues permits and monitors and enforces conditions.

In this case, the Barrow Burough Council and its land manager, Mr Phil Newton, say that David Gill and South Lakes are 'very, very good on the animal side'. He said that where there is disagreement it is always able to be resolved by finding a middle ground. Mr Newton described Mr Gill as one who 'successfully brings animals closer to the people'. He went on to say—

> There are other ways to safely contain animals without big walls and enclosures and things like that.

The council has renewed Mr Gill's licences twice over nearly a decade without any major safety concerns. None of the requested improvements 'needed to be done yesterday' but were simply 'ongoing improvements as time goes by'. He described South Lakes as—

> Excellent. About the biggest visitor attraction in all of the area and generally well run.

South Lakes has been a member for the past eight years of the European Association of Zoos and Aquaria. It is a Felid Taxon Advisory Group Committee member for all cats, a Geoffroy's Cat Endangered Species Program Coordinator, a Primate Taxon Advisory Group member, a Lar Gibbon program manager, a European studbook manager, and a Marsupial Taxon Advisory Group committee member. Mr Gill manages seven kangaroo and wallaby endangered species programs and stud books. South Lakes is listed by the International Species Information Service as being in the top five per cent in the world for documentation and data standards. Not one Australian zoo makes it onto that list. It has won Top Large Visitor Attraction for Excellence Awards in 1999 and 2000 and the Gold Award for Excellence in 2002 from the Cumbria Tourist Board, the second largest tourism region in the UK after London. It begs the question why Mr Gill had so much trouble in Queensland when it seems clear that he really does know his business.

Time expired.

Cooroy Woodworkers Festival; Federal Budget

Ms MOLLOY (Noosa—ALP) (9.05 p.m.): I have said on many occasions that the Noosa electorate is made up of hundreds of community groups. Of those, I want to mention the Cooroy Woodworkers who host a two-day festival on an annual basis in the Cooroy Memorial Hall. I was invited to open the festival, which I deem a great honour. There of course I met many of my constituents who had travelled from all around the Noosa electorate. Whilst opening the festival, I spied Barbara and Frank Twigger in the crowd—great Croquet Club members from Noosa. As I completed my official duties, I was able to move around the hall and talk to the stallholders and purchase some lovely little keepsakes to give to friends and family.

President Colin Shakespeare has done a great job with the assistance of his committee, and I know he will be sadly missed when he leaves to look after his family in New South Wales. I believe life throws us the challenges that we can overcome, so, Colin, all the best and we wish you well on your next endeavour. We also hope the sacrifice that you are now about to make will lead to greater depths of life's rewards in the knowledge that families such as yours are always better off for having loving and supportive members. Good luck.

The festival got under way early in the morning with the doors open and the community's expectations again surpassed by the quality of the woodwork and other magnificent handicrafts. I was made to feel so welcome it was quite overwhelming. The craftspersonship was truly a sight to behold in the woodwork, and I have no doubt that next year promises to be another wonderful display. Of note was the age group and gender mix of these artists. Some of the blokes were quite elderly, and there was a good showing of ladies participating in both sewing and woodwork. Of course there were the old mill workers but also people who have retired to the area and found undiscovered talents—a most enriching life experience. Woodworkers from as far north as Rockhampton and as far south as the Tweed had their work on display.

The handicrafts section was extremely interesting in that the folk prepared for this festival and pursued their hobbies in sewing, cross-stitching, painting and card making all year long to bring their crafts to this festival. I doubt if people living in the urban sprawl could imagine the warmth, the kindness and the sense of community that is generated by these unadulterated community get-togethers. This festival retains that community feeling so often lost when the marketers who traipse around from market to market and end up commercialising the community event. While people came from near and far to the Cooroy Woodworkers Festival, it has not lost its heart. If anything, it seems to be growing bigger. Congratulations to the Cooroy Woodworkers and thankyou for the charity work and the services you offer to our community.

It is communities such as the Cooroy community, many of whom are retired folk living on pensions, who will be most disadvantaged by the Howard government's 2004 budget—the budget that ignores the majority of people living in the Noosa electorate. So Howard is going to put some money into cash strapped nursing homes. It is too little too late. This funding has been withheld from the aged care sector for literally years. It is no surprise that the Salvation Army has had to close down some of its facilities. In Noosa there is a nursing home that has started to cut back on cleaners' hours and make cuts to nursing shifts by half an hour—

Time expired.

Longreach Cattle Drive

Mr JOHNSON (Gregory—NPA) (9.08 p.m.): This morning I heard the Minister for Aboriginal and Torres Strait Islander Policy announce in the parliament the cattle drive from Julia Creek to Longreach with Aboriginal stockmen. The Lawn Hill and Riversleigh Pastoral Co., Morr Morr Pastoral Co., Calton Hills Pty Ltd in association with Centacare Employment of Mount Isa are the sponsors of this initiative of the Lower Gulf Indigenous Beef Alliance.

This is a magnificent initiative. It is one that has a lot of purpose and will bear a lot of fruit. Under the guidance of boss drover Pic Willetts, these Aboriginal stockmen will be taken on the road. In the past, Aboriginal fellows who worked in the pastoral industry were some of the best stockmen that this country has ever seen. When it comes to managing cattle, they are naturals. When it comes to horses, they are naturals. When it comes to handling and breaking in horses, they are also naturals. As I see it, we should be seeing more of such initiatives. Mr Deputy Speaker, people like you, me and a couple of other members in this parliament who represent indigenous communities would certainly like to see black, white and brindle working together to get outcomes that will be advantageous to indigenous people.

While this cattle drive is on, I believe that people such as Pic Willetts, as the custodian of this drive, will certainly be teaching these young people the real life basic skills of being a ringer and a drover. He will also teach them the discipline of looking after stock, looking after horses and looking after themselves. I come from that industry myself and I know full well what it means to me.

This initiative will bring long-term benefits to the Aboriginal people in the gulf area in relation to their cattle management practices. I also believe that it will show that Aboriginal people can be employed in the cattle industry in conjunction with their white counterparts.

These Aborigines own and operate many of these places in the gulf region. This inaugural cattle drive will be under the stewardship and the hard work of Boyd Curran, who is another very successful businessman in Mount Isa, and the Lower Gulf Indigenous Beef Alliance. I believe that all of these people should be applauded. I am looking forward to these cattle being delivered to Longreach and their sale in Longreach, because at the end of this exceptional drive, we will see real, positive outcomes.

Queensland Youth Volunteer Awards

Ms STONE (Springwood—ALP) (9.11 p.m.): In common with many other members of this House, I often hear from the community that young people just do not volunteer. That simply is not true. According to the ABS statistics for 2000, the biggest growth area in volunteering between 1995 and 2000 was youth, an increase in participation from 16.6 per cent to 26.8 per cent. So it is only fitting that the Queensland government recognise the efforts of our youth aged 25 years and under in our community.

The Queensland Youth Volunteer Awards acknowledge the achievements of those young people who donate their skills and valuable time to communities throughout the state. I was very happy to attend the ceremony at Parliament House where Rochedale South resident Andrew Budge-Bicknell was honoured for his outstanding volunteering efforts. The Minister for Communities, Disability Services and Seniors, Warren Pitt, presented Andrew Budge-Bicknell with a certificate of achievement and a cheque for $2,000 in recognition of his contribution to the community. Andrew is the activity leader at the Rochedale Baptist Church and is also the youth facilitator and activity organiser at Rochedale State High School and Rochedale South and Springwood Road state schools.

People generally associate volunteering with an older generation, but Andrew is one of the many Queensland youths out there who are really making a difference for no financial reward. Young people are essential to volunteering in Australia. I want to take this opportunity to thank Andrew for his selfless efforts and his invaluable role in the Rochedale-Springwood community

Ms Nelson-Carr: Bravo to Andrew!

Ms STONE: Absolutely. Bravo! I would also like to take this opportunity to congratulate Steven Scharengiuvel of Logan city who also received an award for his work with the Create Foundation. I know that the member for Woodridge, Desley Scott, who is sitting here, is sending her congratulations also. Steven works as an advocate for young children and young people in care. Steven has also contributed to the development of a web site dedicated to youth activities and views in the Logan community.

It is without doubt that volunteers, whether young or old, make our communities better places in which to live and many vital organisations would simply be lost without them. The Queensland Youth Volunteer Awards provide an opportunity to honour the significant contribution that young people are making to our society through volunteering. I am very pleased that Andrew and Steven were recognised through these awards.

I have some amazing young people in my electorate. Some of them have been very busy learning about our democratic processes and all levels of government. Students from Calvary Christian College, Springwood Central State School and Shailer Park State High have all toured Parliament House this year. In June John Paul College students will tour. I love coming in with the students and joining them on their tour. I am very impressed with the quality of questions that students ask me during their tour. It is obvious from these questions that they are definitely thinking quite a lot about government.

Students from the Springwood Central State School chose a very special day to visit. They came for the swearing-in ceremony of the 51st Parliament and I was extremely pleased to have the students here. It certainly made the moment that I was sworn in a very special one for me. I also thank the students from Calvary Christian College who sent me thankyou cards and letters for calling in to see them while they visited. Some schools will hold elections and debates before or after they visit. It was at high school that I became interested in politics, and I am sure in the future we will hear how young politicians see Parliament House as a future.

Swell Currumbin Sculpture Festival; In the Bin Short Film Festival

Mrs STUCKEY (Currumbin—Lib) (9.14 p.m.): Currumbin is an innovative and vibrant electorate. A wonderful example of this is the forthcoming Swell Currumbin Sculpture Festival. Currumbin's picturesque foreshore will play host to this open-air exhibition that will be held along Currumbin's ocean walkway from 16 September to 23 September 2004.

Currumbin is well known for its natural attractions and scenic beauty and has managed to maintain its sense of rural tranquillity. This is largely due to its national parks and powder white beaches that surround the suburb on three sides. The Swell Currumbin Sculpture Festival will showcase around

40 of Australia's leading sculptors using all mediums including steel, sandstone, glass and bronze. This year's event will include a display from an international sculptor, children's interactive sculpture activities, live music as well as wine, cheese and coffee tasting. This festival is a unique cultural event for southern Queensland, attracting both locals and tourists to the area. It is expected that the festival will attract around 10,000 visitors throughout the seven-day period.

The Swell Festival coincides with the ever popular In The Bin Short Film Festival, which is held on the weekend of 17 September to 19 September. The film festival attracts many families. A Swell sculpture garden, displaying works from the exhibition, will be located in the internationally renowned Currumbin Bird Sanctuary for three months starting from September. The sanctuary has approximately 150,000 international tourists a year. This exhibition will add even more value and enjoyment to an outing at the sanctuary.

Last year's inaugural event was extremely successful. However, I am pleased to inform honourable members that this year the number of entries has doubled to 40 artists and 50 pieces. It will be held over seven days compared to the two days of the 2003 festival. With this growth comes the need for extra funding. Both the Minister for Tourism and the Minister for the Arts have been approached to provide funding for this unique event. It is my hope that they consider the request favourably. I definitely recommend that anyone who is interested in the arts and who enjoys taking part in community activities takes up this invitation to visit the festival in September. Not only will they be amazed by the sculptures that will be on display but also the natural beauty of the Currumbin foreshore is a site certainly worth experiencing.

Mrs J. Miller; Nundah By-Election, 13th Anniversary

Mr TERRY SULLIVAN (Stafford—ALP) (9.17 p.m.): I wish to speak about two celebrations tonight: the life of one of my branch members and a personal milestone. June Miller was born on 7 June 1932 and died on 12 May this year. She was the loving wife of Bill and the mother of Will, Grace and Peter. Her funeral mass was held this morning at Our Lady Queen of Apostles Church, Stafford. I was pleased to be there along with her twin sister, Olive.

June was a salt-of-the-earth person: a helper, a worker. She was involved in the Girl Guides and was made a life member. She received an award in the International Year of the Volunteer for her many contributions to groups such as the St John Ambulance, the Australian Red Cross, the Commonwealth Games, the Masters Games, and the Mayne AFL Club. She was an SES volunteer for 10 years. She worked for 12 years for Valleys Juniors, where she worked beside her husband, Bill, on the ground at the canteen and the bar. For four years she and Bill went on camps for the Lions Club of Brisbane with people who were handicapped. June was also a long-time member of the Australian Labor Party and one of the good, solid branch supporters.

I pay tribute to Bill and to June for the work that they have done in their community. They lived in humble surrounds. Bill, of course, still is and June was good, decent, honest folk from my local suburbs. I pay tribute to June, who was one of those people whom we all loved to know and relied on.

The other celebration is a personal one. I am celebrating 13 years today since the Nundah by-election. By a strange twist of fate, with the sudden and unexpected departure of the then sitting member, my life and that of my family changed dramatically. I thank the number of people who are still in this chamber who worked on the Nundah by-election and who secured the vote by a good 120 votes at the time. Those 13 years have seen highs and lows—the highs of the election victories, the lows of losing government.

Mr Johnson interjected.

Mr TERRY SULLIVAN: There are some painful times, like having to listen to the member for Gregory as he rants like a wounded bull, but there are other times when he can smile and take a joke at himself. They are the decent times.

I would like to thank the constituents of three electorates—Nundah, the redistributed Chermside and now the redistributed Stafford—for their support over that time. I would like to thank family, friends, supporters and the ALP members from the local area who have contributed so much over that time. Most after all, I want to thank Trish, Katie, James, Dan, Dom and Paddy. Without their love and support I could not have done the things I have done. I look forward to many happy years continuing with this work.

Lockyer Valley Safe Driver Training Program

Mr RICKUSS (Lockyer—NPA) (9.20 p.m.): I rise to draw to the attention of the House the high casualty rate from motor vehicle accidents in the three local shires in the Lockyer electorate. The shires of Esk, Gatton and Laidley have a very high casualty rate in comparison to Ipswich, for instance. Over a five-year period Ipswich had a casualty rate of 43. This is too high, but the casualty rate in the rural

shires surrounding Ipswich—Esk, Gatton and Laidley—was in excess of eight times that of Ipswich when compared to population.

The committed community group the Lockyer Valley Safe Driver Training Program has drawn these matters to my attention. It has instigated a program to have as many new drivers as possible do a safe driver program at Willowbank training centre. The Lockyer Valley Safe Driver Training Program has recently put a lot of young people through the training program; however, this committed local group wants to provide safe driver training to the full spectrum of new drivers. It wants to target all year 12 students from the four state high schools and one private high school that service the Lockyer electorate and any other TAFE students, apprentices and new licence holders who would wish to take the safe driver training program—approximately 500 new drivers per annum.

The president of the Lockyer Valley Safe Driver Training Program, Roz Flanagan, and I have met with staff from the office of the Minister for Transport and Main Roads—Lisa Knight and Graham Fraine. They have been most helpful. Graham is going to look into the statistics that have been collected. The department is also going to advise if these statistics could explain why the casualty rate in the rural shires around Ipswich is so high.

This program could be fully funded for three years for around $200,000 to put 500 new drivers per year through the safe driver program. The program is tailor-made to be incorporated with the work being completed by Travelsafe. It would be ideal to study the results of this program. As members can see from the statistics I quoted, there are definitely some problems in our shires.

These proactive people from the Lockyer Valley Safe Driver Training Program are to be commended for their efforts to do something positive to help rectify the problem of our high number of road casualties. I hope that the Minister for Transport and Main Roads will approve this project. It will be good for our new drivers and our youth to do this safe driver program and to realise that they are not bulletproof.

Death of Mrs D. Hazelden

Mr LIVINGSTONE (Ipswich West—ALP) (9.23 p.m.): I wish to bring to the attention of the parliament the passing of a great Australian, Dulcie Hazelden—a lady who was a quiet achiever who battled for the battlers all of her life. Dulcie loved politics and took a very keen interest in all levels of government. Because of her devotion to politics, it is fitting that she be remembered in parliament today.

Dulcie was born at Victoria Park in Perth on 25 May 1927, the daughter of Lawrence and Catherine Joyce. Dulcie had two brothers, William and Steven. Her brother Steven and his family were present at her final journey. Unfortunately, her other brother, William, who lives in Victoria, could not be there because of ill health.

During the war their family left Perth and went to Broome, where Dulcie's father worked on building a very significant jetty, which was the main loading facility for Broome during the war. Dulcie left school after completing sixth grade to become a telephonist with the PMG. After the war Dulcie moved back to Perth and then on to Northam as a telephonist. It was there she met her first husband, Thomas Vivian Gorton. They had three children—Margaret, Pamela and Paul. Sadly, Dulcie came home one evening and found her husband had died of a massive heart attack.

Dulcie was a passionate badminton player, competing in pennants as well as playing socially. It was through badminton that she met and married Ron in Victoria Park on 25 August 1962. They would have celebrated their 42nd wedding anniversary later this year. They had two children, Karen and Ron. In total they have 15 grandchildren and three great-grandchildren. In 1968 they moved to Broadmeadows, Melbourne. Ron was at the RAAF stores depot at Tottenham. However, because of extreme cold affecting Dulcie's health, Ron was posted to the RAAF base at Amberley in 1970.

After leaving the Air Force in 1974, Ron became interested and involved in politics and joined the Australian Labor Party in 1976. Ron stood for the state seat of Somerset in 1977 and Dulcie stood by his side and also became so deeply involved that she also joined the Australian Labor Party in 1982. Her family and friends will remember Dulcie for being a great wife and a loving mother and grandmother, and also for her great love of the Australian Labor Party, of which Dulcie was a life member.

I got to know Dulcie and Ron fairly well through our involvement with the Labor Party. Dulcie worked on all the campaigns—folding letters, working the phones and looking after the offices in general. She was always a fighter for the underdog and a great believer in justice and honesty. She despised hypocrisy and always set a very high standard.

Dulcie accepted the secretary's job of the Rosewood branch of the Australian Labor Party on the understanding that she would only do it for a few months until someone else was found. That was in 1981, and 23 years later Dulcie was still secretary until her death. Dulcie was also a member of the Red Cross and a social member of the Ipswich United Services Bowls Club. She spent hundreds of hours knitting batches of bears, which she paid for herself and then sent through the Rosewood Ambulance to the hospital in East Timor. She also made knee rugs for the hospice and the Ipswich Hospital.

Dulcie was a kind and thoughtful person—always thinking of other people before herself. She was always prepared to work tirelessly day and night and in return asked for nothing. If politics and kindness was an Olympic event, Dulcie would have played for Australia. May I say to all of Dulcie's family: if the compassion of friends can be of any consolation, be assured that all who knew her share in your sorrow. Dulcie will be sadly missed by everyone who knew her.

Motion agreed to.

The House adjourned at 9.26 p.m.