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SPEAKER

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TUESDAY, 18 AUGUST 2009

The Legislative Assembly met at 9.30 am.

Mr Speaker (Hon. John Mickel, Logan) read prayers and took the chair.

For the sitting week, Mr Speaker acknowledged the traditional owners of the land upon which this parliament is assembled and the custodians of the sacred lands of our state.

SPEAKER'S STATEMENT

Condolence Motion

Mr SPEAKER: Honourable members, later this morning we will be having a condolence motion for a former minister and member for Gympie, Max Hodges. I point out to the House that the relatives of the late Max Hodges are my guests this morning in the Speaker's Gallery.

PRESENTATION OF APPROPRIATION BILLS

Mr SPEAKER: Honourable members, I have to report that on Tuesday, 11 August 2009 I presented to Her Excellency the Governor the Appropriation (Parliament) Bill and the Appropriation Bill for royal assent and that Her Excellency was pleased, in my presence, to subscribe her assent thereto in the name and on behalf of Her Majesty.

ASSENT TO BILLS

Mr SPEAKER: Honourable members, I have to report that I have received from Her Excellency the Governor a letter in respect of assent to certain bills, the contents of which will be incorporated in the *Record of Proceedings*. I table the letter for the information of members.

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

I hereby acquaint the Legislative Assembly that the following Bills, having been passed by the Legislative Assembly and having been presented for the Royal Assent, were assented to in the name of Her Majesty The Queen on the date shown:

Date of Assent: 11 August 2009

> "A Bill for An Act authorising the Treasurer to pay amounts from the consolidated fund for the Legislative Assembly and parliamentary service for the financial years starting 1 July 2007, 1 July 2009 and 1 July 2010"
>
> "A Bill for An Act authorising the Treasurer to pay amounts from the consolidated fund for departments for the financial years starting 1 July 2007, 1 July 2009 and 1 July 2010"
>
> "A Bill for An Act to amend the Criminal Code, the Public Service Act 2008, the Police Service Administration Act 1990 and regulations under that Act, the Crime and Misconduct Act 2001, the Misconduct Tribunals Act 1997 and the Public Sector Ethics Act 1994 for particular purposes and to amend other Acts mentioned in the schedule to update references to the Public Service Act 2008"
>
> "A Bill for An Act to amend the Iconic Queensland Places Act 2008, the Integrated Resort Development Act 1987, the Liquor Act 1992, the Mixed Use Development Act 1993 and the Sanctuary Cove Resort Act 1985 for particular purposes"

These Bills are 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

Governor

11 August 2009

Tabled paper: Letter, dated 11 August 2009, from Her Excellency the Governor to the Speaker advising of assent to bills [693].

REPORT

Auditor-General

Mr SPEAKER: Honourable members, I have to report that I have received from the Auditor-General a report titled *Report to parliament No. 6 for 2009: Providing the information required to make good regulation—a performance management systems audit*. I have also received an executive summary brochure for report No. 6. I table the report and the brochure for the information of all honourable members.

Tabled paper: Auditor-General of Queensland—Report to Parliament No. 6 for 2009: Providing the information required to make good regulation—a performance management systems audit [694].

Tabled paper: Auditor-General of Queensland—Report to Parliament No. 6 for 2009: Providing the information required to make good regulation—a performance management systems audit, executive summary [695].

SPEAKER'S ADVISORY COMMITTEE

Membership

Mr SPEAKER: Honourable members, I wish to advise that, in accordance with section 9 of the Parliamentary Service Act, I have established a Speaker's Advisory Committee. The committee's terms of reference are to provide the Speaker advice on matters affecting members referred by the Speaker to the committee. The advisory committee is a parliamentary committee and subject to the standing orders of the Legislative Assembly. The only difference to other parliamentary committees is that members are appointed by the Speaker, not the House. Membership of the committee will comprise myself as ex-officio chair; the Deputy Speaker, the honourable member for Cook; the honourable member for Toowoomba South; and the honourable members for Callide, Nanango, Toowoomba North and Kallangur.

MOTION OF CONDOLENCE

Hodges, Hon. AM

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (9.33 am): I move—

1. That this House desires to place on record its appreciation of the services rendered to this State by the late Honourable Allen Maxwell Hodges, a former member of the Parliament of Queensland and Minister of the Crown.

2. That Mr Speaker be requested to convey to the family of the deceased gentleman the above resolution, together with an expression of the sympathy and sorrow of the Members of the Parliament of Queensland, in the loss they have sustained.

The Hon. Allen Maxwell Hodges, or Max as he was better known, was born in Brisbane on 11 February 1917. The great-grandson of William Mitchell, the member for Maryborough in the Queensland Legislative Assembly from 1904 to 1909, Mr Hodges was himself educated in Maryborough. After finishing school Mr Hodges worked in a number of fields, including as a canecutter, a labourer, a store worker, a dairy farm worker and farmer before, like many of his generation, serving with the 2nd Australian Imperial Force from 1941 to 1945. During his military service in which he served our country, Mr Hodges served as a sergeant in New Guinea and Borneo.

After his discharge from the military in 1945, Mr Hodges worked for the railways before becoming secretary manager of the Gympie Fruit Growers Association. It was in August 1957 that Mr Hodges was elected to the Queensland Legislative Assembly by winning the seat of Nash, as it was then known, based on the town of Gympie for the then Country Party. Following an electoral redistribution in 1959 which reverted the seat's name from Nash to Gympie, Mr Hodges was to hold the seat continually until his retirement on 8 August 1979—some 22 years, a very long innings by most standards.

As a member of the Bjelke-Petersen government, Mr Hodges served as Minister for Works and Housing from 1968 to 1975. Most notably, he served Queensland as the Minister for Police for 28 months from 1974 to 1976. He was Leader of the House from 1975 to 1976 and the Minister for Tourism and Maritime Services from 1976 to 1979.

His former cabinet colleague, then health minister and later Liberal leader Sir Llew Edwards, is reported on Mr Hodges's death to have said—

I regard him as one of the most honourable men I have met.

Sir Llew added—

He was an excellent police minister who didn't always get along with the then Premier, but I admired him for the brave way he regularly stood up to the Premier on issues with which he didn't agree.

Max Hodges tried to get the police to work with him to clean up corruption. He and then Commissioner Ray Whitrod set up an anticorruption partnership that was opposed by crooked cops entrenched in the then vice and other squads. He ultimately paid a big price for standing up to a crooked system. Despite being known as a hard worker intent on righting the Police portfolio, he was dumped as minister and just a few months later Mr Whitrod sensationally resigned. The then Premier appointed the relatively junior officer Terry Lewis as commissioner, and we all know the subsequent events from that decision.

I think it is important to recognise today that Max Hodges is rightly best remembered for his integrity and his decency and his courageous determination to stand up for his principles in the face of often powerful opposition. But we also remember today that he was a community minded representative who worked hard for his electorate, for his different portfolios and for our state.

Apart from his 22 years of service in the Queensland parliament, Mr Hodges also served the community as a member of numerous organisations, including as chairman of the State High and Intermediate Schools Parents Association, chair of the Port of Brisbane Authority, secretary of the Water Conservation Committee, vice-president of the Gympie RSL and a member of the Lions Club.

Along with other members today, I take this opportunity to extend my sympathy and that of this House to Mr Hodges's family and friends. As Mr Speaker outlined earlier today, we are joined by some of his family: Max Hodges's son, Russell, his wife, Glenys, and their two sons—Max, who I understand was also christened Allen Maxwell Hodges but like his grandfather is known as Max, and Jack, and several other family members. I understand that the parliamentary precinct is nothing new to them. It was Max Hodges as public works minister who was the minister in charge when the Parliamentary Annexe was built. To Russell, his family and his friends: please accept our tributes to your late father as an acknowledgement of our sympathy and our genuine recognition of the services that he rendered to our state and to his own community.

Mr LANGBROEK (Surfers Paradise—LNP) (Leader of the Opposition) (9.38 am): It is my pleasure to rise to second the motion moved by the Premier for the late Hon. Allen Maxwell Hodges, the member for Gympie from 1957 to 1979. In honouring the life of Max Hodges, I am reminded of the words of James Russell Lowell, who said—

> Compromise is a good umbrella, but a poor roof. It is temporary expedient, often wise in party politics, almost sure to be unwise in statesmanship.

Today we mourn the death and honour the memory of a true statesman. Max Hodges was a man of integrity and conviction. In the words of his son, Russell, and family who join us today in the Speaker's Gallery, he was a gentleman in the true sense of the word.

Allen Maxwell Hodges was born in Brisbane on 11 February 1917 to Arthur John Hodges and Helen Allen Mitchell. Max was born with politics in his blood. His great-grandfather William Mitchell was the member for Maryborough from 1904 to 1908. But that is where the similarity ends. While Max's great-grandad was a member of the ALP, Max joined the Country Party. Max believed in free enterprise, individual responsibility and reward. When asked why he got into politics, Max said matter-of-factly, 'I didn't like socialism.' As a fifth generation Australian and former sergeant in the Army, Max wanted to make a difference—not just for his own generation but for the future of Queensland. In his maiden speech in 1957 he said—

> I am proud to be associated with the new Government because I'm sure that their approach to the many problems will be as statesmen thinking of the next generations, not as politicians looking to the next elections.

Soon after entering parliament Max gained a reputation for being a hard worker. His efforts were rewarded in 1968 when he was made the minister for works and housing. However, as the Premier has mentioned, it was his role as police minister for which Max would be remembered. On looking at the parliamentary record I see that he was the first stand-alone police minister appointed in 1974 until 1976.

Long before he was made minister, Max held great hope for Queensland police. In 1968 he told a graduating class of police recruits that their respected position in the force was far more powerful than their charge book. He said, 'Your uniform is a symbol of authority. It commands respect.'

An example of Max's integrity and respect for police was evident in the way in which he ran his department. He did not seek to interfere with the operational side of policing. While he was very active in seeking reform, he was an inclusive leader who thought that the people best placed to improve the police force were the police themselves. To borrow some words from the member for Murrumba, he was a democratic politician in that he separated his role from that of the commissioner's role.

One of Max's first actions as police minister was to appoint Ray Whitrod to the position of Police Commissioner. Several years earlier, when Max had effective control over the Police portfolio, Max had commissioned a review into the administration, education and training of Queensland police. One of the key recommendations from the McKinna report was to make Ray Whitrod the independent Police Commissioner.

Max Hodges was instrumental in boosting specialist training for police. He personally instigated the establishment of Australia's most modern and advanced police training academy at Oxley. He founded the force's first planning and research unit to tackle emerging challenges in policing and was responsible for establishing an anti-hijacking squad, a police dog unit, neighbourhood police programs and for purchasing Queensland's first police aircraft.

As minister, Max Hodges was committed to boosting police resources to improve the service. On one occasion when he received the department's budget submission he sent it back with the instruction, 'Ask for 10 times more than you want and put in a few reasons as to the urgency of it.' As a result, the Police budget almost doubled during his time as minister.

Max Hodges was police minister for less than two years—between December 1974 and July 1976. Yet his fearless actions and determination in this time earned him respect from all sides of politics, even if it was not immediately forthcoming. The late Kevin Hooper, the ALP member for Archerfield, summed it up when he said—

I regard Max Hodges as the best Minister for Police this Tory Government has had in 19 years of office.

I think it is fair to say that Max Hodges was one of the best police ministers Queensland has ever seen.

In 1976 Max Hodges lost the Police portfolio and took on the role of tourism and marine services minister, during which time he was responsible for getting the Brisbane ports corporation up and running as well as for the first campaign of promoting Queensland to the world. However, his brief spell in the Police portfolio left an indelible mark. As Ray Whitrod put it—

So much of the reform highlights in Queensland were brought about by the actions of the Police Minister, Max Hodges.

Max Hodges worked tirelessly for his state so that his family and families like his could have a better future in Queensland. He took an active interest in every aspect of government. Today, this parliament shows him the respect that he so rightly deserves in title and in character. The Hon. Allen Maxwell Hodges passed away peacefully on 31 July, aged 92. He is survived by his son, Russell, and daughter-in-law, Glenys; son-in-law, Peter; and his seven grandchildren and four great-grandchildren.

Mr GIBSON (Gympie—LNP) (9.43 am): I rise to join the Premier and the Leader of the Opposition in speaking to this condolence motion for Allen Maxwell Hodges. Having never had the opportunity to meet Max Hodges, I wanted to gain an understanding of the man himself in preparing for this speech. After his retirement from politics in 1976, Max moved away from the electorate of Gympie. Although I have heard much about him, for even today he is still spoken of very highly in my community, I endeavoured to draw from a wide range of sources to better understand him.

I wish to thank his son, Russell Hodges, for sharing with me his 'Hodgitations' and Max's extended family for the anecdotes and memories that they have also shared. I would also like to thank members of the community of Gympie for taking the time to share with me their thoughts and memories of Max, and in particular his electorate secretary, Enid Pechey. Enid worked for Max for the last seven years of his service in this House, having commenced at a time when electorate office staff were a new feature to parliamentary life. Words that were consistently used when describing Max were 'a decent man', 'a man of integrity', 'a man with the courage of his convictions', and it is on that theme that I would like to address my remarks in this condolence motion.

Allen Maxwell Hodges, better known as Max, was born on 11 February 1917 to parents Arthur John and Helen Allen Maxwell. Max was the great-grandson of William Mitchell MLA, who was the Labor member for Maryborough from 1904 to 1908. As the Leader of the Opposition said, there is some argument that politics was in Max's blood. Max belonged to a generation that measured men by their honesty and their courage. It was a generation that faced war and Max, like many of his colleagues, enlisted in the defence of this nation on 17 March 1942. Max saw operational service in New Guinea and Borneo as the threat approached Australia's shores. He served in the 17th Field Regiment, the 2/4 Light Anti-Aircraft Regiment and the 2/118 Brigade Workshop. On returning to Australia, Max was discharged on 28 February 1946 with the rank of staff sergeant. Like many of his generation, his character was forged and tested in active combat.

Max had the virtues that come from living in a small country town: sincerity, integrity, a strong work ethic and an ability to tell it like it is. These qualities became a political asset for Max and on 3 August 1957, at the height of the Gair affair with Labor split between the Queensland Labor Party and the Australian Labor Party, Max was elected to this House along with a coalition government that ended more than a quarter of a century of continuous Labor rule in this state.

What made Max's victory even more impressive was that up until that time the seat of Gympie had been a formidable Labor Party stronghold. Indeed, from Andrew Fisher in 1893 through to 1957, Labor had held the seat for 52 of those 64 years. Max was to take the safe Labor seat of Nash, and from 1960 known as Gympie, and remain as its member for 22 years through seven more elections.

It is interesting to read the maiden speech that Max gave in this House on 28 August 1957. The themes that he spoke about were the importance of water conservation, the importance of property rights, the need for an improvement in Queensland's health system, the importance of developing secondary industries in this state and for having a plan for the development of Queensland. These are themes that still resonate today. A quote from Max's maiden speech, shared with us by the Leader of the Opposition, I think sums up best his approach as a politician in that they should be as 'statesmen thinking of the next generation, not as politicians looking to the next election.'

Max held a variety of parliamentary positions. As was indicated, he joined the cabinet in 1968 as the minister for works and housing—a portfolio that he held for seven years. However, it was when he took on an additional portfolio that he became most well known, and that was as minister for police. As has been pointed out already, it was under Max's leadership as police minister that Commissioner Ray Whitrod was appointed and the modernisation of the Queensland police force was undertaken. The Oxley Police Academy was established with a focus on a better educated police force. There was the creation of four new police regions and 28 new police districts for better police surveillance. The force's first planning and research unit was established. Along with the formation of the metropolitan mobile patrol system there was the implementation of the distinctive blue police uniforms that we see today. We have heard about the establishment of the anti-hijacking squad and a dog unit, but there was also the implementation of in-service training courses to bring some of the older policemen up to date and the first police aircraft was brought into service.

As police minister, Max wore the police tie pin and cufflinks with pride. It was in his role as police minister that an example of Max's integrity was shared with me by his family.

Early one morning Max was travelling from Gympie to Brisbane in preparation for cabinet meetings. His niece who was attending college in Brisbane was travelling with him. On this occasion the fog was fairly thick. As they were coming through Yandina, Max was pulled over by a young police constable. The police constable approached Max and, not recognising him as a police minister, indicated that he had been following him for some period of time and observed that he had been speeding. He asked to see Max's driver's licence. Max dutifully presented it. The young police officer's blood drained out of his face as he read the name on the driver's licence and he said, 'Oh my God', to which Max responded, 'And you better not bloody forget it.' Max's integrity was such that he insisted that the young constable issue him with a ticket for speeding and I am told that he diligently paid the fine.

Max's work ethic was well known. Indeed, he is on the record as saying that parliamentarians are not lazy bludgers as most people think they are; mostly they want to help others and they work 12 to 14 hours a day to do that. Max was one who was always on the job. One Friday evening as he was leaving Parliament House and returning to Gympie he recalled that there was a problem at a Spring Hill hotel. Max had serious concerns about the goings-on at this particular hotel and he instructed his driver to stop by that hotel to address those concerns personally before he left Brisbane. That was a trait Max carried in many of the things that he did.

Another story that was shared was when, again as police minister, he received a complaint about an individual police officer's rudeness to the public. Max visited the particular station unannounced. With no ceremony he simply presented himself to the counter and asked to see the inspector. The individual police officer whom he had received complaints about happened to be on the counter that day and the story goes that he proceeded to give Max a gobful saying, 'Who do you think you are wanting to see the inspector?' Max very quietly indicated that he was the police minister. At that point the responsible officer, embarrassed, dutifully escorted Max to meet the local police inspector. Max then personally relayed the concerns that he had received from constituents but also what he had experienced himself and simply said, 'I want the problem fixed.'

In his 11 years as a minister around the cabinet table Max always took the view that he had a responsibility to look after the rest of Queensland and not just Gympie. That meant that as minister he would spend the majority of his time away from the electorate. However, when in the electorate Max would make sure that he visited all of the schools on a regular basis. It was on one occasion when he was visiting the Amamoor Forestry School that Max met a young teacher named Lin Powell. Max inspired him to join the Country Party and Lin went on to be elected to this parliament and became a minister. Lin Powell's lasting memory of Max is one that I believe sums up best how the people of Queensland and the electorate of Gympie in particular remember him. Lin said, 'He was a man of the people. He never sought accolades but he never forgot the people who placed their trust in him.'

I am a believer that God uses good people to do great things. This is evidenced in the life of Allen Maxwell Hodges. Through his service in this House and in government he worked in a bipartisan way to establish the Port of Brisbane, to implement advances within our Police Service and as tourism minister to develop a novel concept of a tourism campaign promoting the state of Queensland outside of Queensland.

Max lost his first wife Rita in August 1969 and his second wife Pamela to cancer when she was only 37 in 1978. Of his three children, Max has one surviving son, Russell, and it is to Russell and his extended family that we extend our condolences. The state of Queensland is a better place because of the service of your father and grandfather. I join with the Premier, the Leader of the Opposition and all members of this House in extending my condolences to the family of Max Hodges.

Question put—That the motion be agreed to.

Motion agreed to.

Whereupon honourable members stood in silence.

Mr SPEAKER: In accordance with sessional order No. 4, the order of business will now resume. Question time will commence one hour from now at 10.54 am.

PETITIONS

The Clerk presented the following paper and e-petition, lodged by the honourable member indicated—

Villa Noosa Hotel-Motel, Trading Hours

Mr Elmes, a paper and an e-petition, from 1,083 petitioners in total, requesting the House to refuse the application of MGW Hotels Pty Ltd for extended liquor trading hours at Villa Noosa Hotel-Motel, Noosaville [703, 704].

Petitions received.

TABLED 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—

7 August 2009—

677 Response from the Attorney-General and Minister for Industrial Relations (Mr C R Dick) to a paper petition (1259-09) presented by Ms Darling from 61 petitioners regarding abortion legislation

678 Response from the Minister for Natural Resources, Mines and Energy and Minister for Trade (Mr Robertson) to a paper petition (1242-09) presented by Mr Rickuss from 28 petitioners regarding the proposal to build a gas-fired power station at the corner of Boland Lane and Mulgowie Road, Laidley South

679 Department of Tourism, Regional Development and Industry—Final Report: July 2008—March 2009

680 Response from the Minister for Main Roads (Mr Wallace) to a paper petition (1240-09) presented by Ms Simpson from 87 petitioners requesting the construction of an entrance from Nerang-Broadbeach Road for the residents of River Gardens and Casino Village Caravan Parks to safely enter their homes

682 Rockhampton Girls Grammar School—Annual Report 2008: Erratum

10 August 2009—

683 Response from the Minister for Main Roads (Mr Wallace) to an ePetition (1214-09) sponsored by Mr Dickson from 174 petitioners requesting the lowering of the speed limit on the Bruce Highway southbound between Maroochydore Road and Caloundra Road to 100 km/h

684 Legal, Constitutional and Administrative Review Committee: Report No. 69—Biannual meeting with the Information Commissioner, November 2008: Government Response

685 Queensland Transport—Final Report: July 2008—March 2009—Volume 1 of 2

686 Queensland Transport—Final Report: July 2008—March 2009—Volume 2 of 2 (Financial Report for the period ending 26 March 2009)

11 August 2009—

687 Response from the Minister for Police, Corrective Services and Emergency Services (Mr Roberts) to a paper petition (1234-09) presented by Mr Johnson from 2520 petitioners requesting the upgrade of the Nerang and Mudgeeraba Police Stations to 24 hour counter operations as a matter of urgency

688 Response from the Minister for Main Roads (Mr Wallace) to a paper petition (1217-09) presented by Mr Cripps from 2869 petitioners requesting funding for the Hinchinbrook Shire Council to provide flood free access for vehicles and pedestrians over Palm Creek and construction of a dedicated emergency accommodation/evacuation centre for Ingham

13 August 2009—

689 Response from the Minister for Community Services and Housing and Minister for Women (Ms Struthers) to a paper petition (1251-09) presented by Mr Choi from 158 petitioners and an ePetition (1238-09) sponsored by Mr Choi from 43 petitioners regarding a proposed housing development project at 35-37 Surman Street, Birkdale

690 Final Report of the Rail Safety Investigation QT2493 into the Fatal Level Crossing Collision, Aerodrome Road, Mundoo, Near Innisfail, Queensland on 1 January 2009

14 August 2009—

691 Response from the Minister for Environment and Resource Management (Ms Jones) to an ePetition (1229-09) sponsored by Mr Sorensen from 256 petitioners regarding the Fraser Island Dingo Management Scheme

692 Department of Local Government, Sport and Recreation—Final Report: July 2008—March 2009

STATUTORY INSTRUMENTS

The following statutory instruments were tabled by the Clerk—

Gas Supply Act 2003—

696 Gas Supply Amendment Regulation (No. 1) 2009, No. 163

Rural and Regional Adjustment Act 1994—

697 Rural and Regional Adjustment Amendment Regulation (No. 3) 2009, No. 164

Integrated Planning Act 1997—

698 Integrated Planning Amendment Regulation (No. 3) 2009, No. 165

Nature Conservation Act 1992—

699 Nature Conservation (Koala) Amendment Conservation Plan (No. 1) 2009, No. 166

State Penalties Enforcement Act 1999, Tow Truck Act 1973—

700 Tow Truck Regulation 2009, No. 168

Transport Operations (Passenger Transport) Act 1994—

701 Transport Operations (Passenger Transport) Amendment Regulation (No. 1) 2009, No. 169

Wine Industry Act 1994—

702 Wine Industry Regulation 2009, No. 170

MINISTERIAL STATEMENTS

Ministerial Office Expenditure; Ministerial Gifts Register

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (9.55 am): I table a report on expenses related to the operation of ministerial offices in the past financial year which, when compared to the budget, shows my government has achieved considerable savings. The global economic downturn means that Queenslanders are tightening their belts and it is appropriate, I think, that members of parliament tighten their own.

The total expenditure for ministerial offices in the 2008-09 financial year was under budget by a total of $5.2 million. That included savings of $1.8 million in ministerial staff salaries with a reduction in staff numbers from 229 to 217. Our overseas travel budget was under budget by some $300,000.

Excluding the additional costs from taking on the Arts portfolio and incorporating the Townsville office, my office would have been under budget by 3.12 per cent. It was under budget by 1.44 per cent when both of those were factored in. However, staff numbers in my office remained constant at 34 despite the Townsville office with two staff and the Arts portfolio being added to my areas of responsibility. Importantly, in the next financial year my office budget is projected to increase by only 1.86 per cent, well below enterprise bargaining increases in that time.

My government will continue to be prudent and look for further savings wherever possible. We have been reducing the size of the MSB government vehicle fleet. Today there are 19 fewer government vehicles than in 2003. The report also reveals that my government is not only cutting down on expenditure but is also playing its part in protecting our environment. We are on track to reduce vehicle emissions by 15 per cent by 2010.

I also table the ministerial gifts register which itemises reportable gifts received by government ministers and parliamentary secretaries for the period 1 July 2008 to 30 June 2009. This register has been tabled annually since 2007 to enhance openness and accountability and will continue to be tabled into the future under my government. As in other years, the number of reportable gifts is relatively small and amounts to just 12 in total for all ministers and parliamentary secretaries. Some of the ministers had a change of portfolio during the year. The register shows the minister, gifts and the relevant portfolio at the time. Members can see from the list that the majority of reportable gifts received were either donated, placed in the ministerial gift store or placed on display. I seek leave to table those documents.

Leave granted.

Tabled paper: Public Report of Ministerial Expenses and Independent Auditor's Report for 1 July 2008 to 30 June 2009 [705].

Tabled paper: Ministerial Gifts Register: Reportable Gifts, 1 July 2008 to 30 June 2009 [706].

Vietnam Veterans' Remembrance Day

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (9.58 am): Today, 18 August, is Vietnam Veterans' Remembrance Day, a day upon which we as a nation stop to reflect and pay tribute to those who served, suffered and died as a result of the Vietnam War. It is now almost 37 years since Australia's 10-year involvement in the Vietnam War formally ended.

Mr Johnson: And who were never recognised.

Ms BLIGH: I take the interjection from the member for Gregory. The Vietnam War conjures up many images in the minds of those who fought in it, who lived through it and have read about and studied it. What should never be forgotten, though, is the heroics of the almost 60,000 Australians, including ground troops, Air Force and Navy personnel, who served in Vietnam of whom 521 died as a result of the war and more than 300,000 suffered injuries.

It was only recently that it was announced that the remains of the last two members of the Australian Defence Force missing from the Vietnam War had been recovered. Flying Officer Michael Herbert from South Australia and Navigator Pilot Officer Robert Carver from Toowoomba here in Queensland disappeared when their Canberra jet bomber crashed while returning from a mission on 3 November 1970. These officers will now come home and be laid to rest with honour and dignity, thus ending a very long period of uncertainty for their family and friends.

Later today I will join with the Governor, Her Excellency Penelope Wensley, the Leader of the Opposition, members of the Vietnam Veterans Association and military and civic dignitaries in a wreath-laying ceremony at Anzac Square. As we stop to reflect on this Vietnam Veterans' Remembrance Day, let us remember the sacrifice in the service of their country of the two men whose remains have now been found, as well as all Australians and Queenslanders who served during the Vietnam War.

Seniors Week

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (10.00 am): This week is also Seniors Week. It is a week when we come together to recognise and celebrate all seniors in our community. From Kuranda in the north and Barcaldine in the west to the Gold Coast in the south—particularly some from the Gold Coast—seniors are out in force celebrating. Today I am pleased to announce that this year our government will increase its support for the seniors legal service by $1.9 million. Even in the face of the worst economic crisis in 70 years, some things are not negotiable, and that is support for our seniors. The seniors legal service plays an important role in ensuring older Queenslanders have access to professional legal advice. It provides free legal and support services for seniors who have experienced elder abuse—financial, physical or other forms of mistreatment. It ensures their voices are heard.

This afternoon I will also be attending the Premier's Awards for Queensland Seniors. These awards recognise the efforts of seniors who contribute to a fairer and better Queensland. They acknowledge our seniors' well-deserved reputation for generosity. Many of this year's recipients come from all parts of Queensland. About one-third of Queenslanders aged over 60 are volunteers. That is a tremendous effort. The government wants to encourage even more Queenslanders to volunteer, and that is why we have set ourselves the target of increasing the proportion of Queenslanders volunteering in their communities by 50 per cent by 2020. As they have in the past, seniors are leading the way on this front.

I challenge myself and all in this House to learn from our seniors, whose generosity is sometimes taken for granted. We could all take a leaf out of their book. I encourage all Queenslanders to follow their example and volunteer where they can.

Moreton Bay Oil Spill

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (10.02 am): When it emerged that Swire Shipping's legal obligation would not cover the entire cost of the terrible oil spill in Moreton Bay, I had a very clear priority, which was to protect the Queensland taxpayers' interests. The deal that my government and the federal government struck with Swire Shipping earlier this month delivers on that priority. Under the agreement, Swire Shipping will provide $25 million in compensation for valid claims arising from the oil spill. Under the agreement, all valid private claimants and local governments will be given full priority for reimbursement and compensation through a court administered limitation fund. The $25 million offered by Swire Shipping is significantly more than its initial offer of $14.5 million. This means that Queensland will not be out of pocket for the reasonable costs of this incident. This agreement provides the framework for compensating private claimants, the Queensland government and local councils for the impact of the spill. It delivers what I was determined to deliver: no cost to the Queensland taxpayer.

We have estimated that the entire cost of the clean-up could be some $31 million, which would leave a shortfall of around $6 million. Under the national plan covering oil spills such as this, those costs would be reimbursed by the Australian Maritime Safety Authority. The Australian Maritime Safety Authority will recoup any such payments from the shipping industry in the form of a small increase in the protection of the sea levy consistent with the internationally recognised polluter-pays principle.

I would like to thank all parties involved for the maturity shown in negotiating this agreement and inform the House that the whole incident could have far-reaching consequences. As a result of our experience in Moreton Bay, the Australian government has already initiated proceedings with the International Maritime Organisation to increase the limit of shipowners' liability in the future. This could mean that, if an incident like this were to happen again here in Queensland, Australia or indeed anywhere in the world, the shipping company involved would cover more of the costs. I do not think that it is cynical to say that this may well mean that shipping companies will renew their efforts to make sure that oil spills like this simply do not occur.

Australia Pacific LNG

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (10.04 am): I can announce that this morning Australia Pacific LNG has advised the stock exchange that Laird Point on Curtis Island, Gladstone, is its preferred site for a proposed liquefied natural gas plant. Australia Pacific LNG, known as APLNG, is a LNG joint venture between Origin and ConocoPhillips and now is in final negotiations with the state over the purchase of the site. Today the company also released a detailed independent analysis of the economic benefits of the project done by KPMG Econtech.

This project is another boost to the continued economic development of LNG here in Queensland. It is also another confidence boosting indicator of the improving economic situation in Queensland. Today's announcement also reinforces my government's commitment to creating long-term jobs in our state. We are determined to do this in many ways, including the encouragement of the creation of new industries that have the potential to transform Queensland's economy in much the same way as the coal industry did in the second half of the last century.

By selecting its site, APLNG has reached another milestone with its estimated $35 billion investment in Queensland. The KPMG Econtech report found that Australia Pacific LNG will create, directly and indirectly, an average of 10,300 jobs nationally during its 10-year construction phase, with almost 8,100 of those in Queensland. Importantly, the KPMG report states that 7,400 of those jobs will be created by the APLNG project in regional Queensland alone. It estimates that during the four-year peak construction period we could see some 18,600 jobs, of which 13,000 will be in the regions of Mackay-Fitzroy-Central West and the Darling Downs western area.

Origin's managing director, Grant King, said that today's announcement on Laird Point and the KPMG report highlighted just how important the Australia Pacific LNG project and the associated spin-offs were to the future growth of Australia. The selection of Laird Point on Curtis Island is the next major step forward for the Australia Pacific LNG project and highlights that the project is on schedule for selling its first LNG to international markets in 2014. Despite the global financial crisis, it is projects like this, combined with the government's $18 billion works program, that makes Queensland the place to be, even in difficult times. We are driven to meet our 100,000 jobs target and we will do it job by job, company by company, industry by industry, town by town and region by region.

Altruistic Surrogacy

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (10.07 am): Members may recall that earlier this year I announced that my government would decriminalise an antiquated law that prevents Queenslanders who want to have children from seeking the help of a surrogate mother. We will do this because each and every Queenslander who wants to become a parent should be allowed the opportunity to do so. We will do this because anyone who is unable to conceive a baby but who wants to become a parent should know the joy of bringing a child into the world, providing them with life lessons, shaping their future and guiding them into adulthood. We will do this on an across-the-board basis, not shying away from the difficult and controversial choices.

Today I can advise the House that same-sex parents will be included among those who will be affected by the decriminalisation of surrogacy because everyone, regardless of their sexual status or their gender, should be afforded the privileges of parenthood. Throughout Queensland there are literally hundreds of people who want nothing more than to become parents, but for a multitude of reasons they are unable to conceive. By decriminalising altruistic surrogacy in this state, which is where an agreement is reached with a woman to bear a child for another person for no financial gain or profit, we offer those people fresh hope.

Later this morning the Attorney-General will outline for the House precisely how altruistic surrogacy will work for prospective parents, but I can now outline in some detail how Queensland's model for legal surrogacy arrangements will operate. The legislative framework for altruistic surrogacy will aim to achieve a balance between helping childless Queenslanders to become parents and protecting the rights and interests of the child. Queensland remains the only state in Australia where altruistic surrogacy is still a criminal offence. It leaves many people with limited options for starting a family. In decriminalising surrogacy, the government had to consider the question of the legal status of

children born in these circumstances. My government's legislative model for surrogacy will establish a mechanism for the transfer of legal parentage that will mean that intending parents will be able to apply to a court to transfer the legal parentage of a child from the birth mother to themselves.

Any Queenslanders will be able to enter into a surrogacy arrangement and people will be able to utilise any of the various methods for conception, such as in-vitro fertilisation, artificial insemination and self-insemination as well as natural conception. There will be no requirement for any of the parties to have a genetic connection to the child or with each other, although in a number of arrangements it is possible that that may be the case.

A District Court judge sitting in the Children's Court will be given the authority to transfer legal parentage, ensuring that children born in these circumstances will not be legally or socially disadvantaged. We want every child to enjoy the same status and legal protection irrespective of the circumstances of their birth or the status of his or her parents. At the end of the day, we simply want every child to be raised in a nurturing and supportive environment. Once a court has made an order to transfer the legal parentage of the child, intending parents will be able to lodge the order with the Registry of Births, Deaths and Marriages so they can be recorded on the child's birth certificate.

In October last year, the parliamentary Investigation into Altruistic Surrogacy Committee tabled its report entitled *Investigation into the decriminalisation and regulation of altruistic surrogacy in Queensland*, which made the significant and important recommendation that a review be carried out of the legal status of the children of same-sex parents born in circumstances other than surrogacy arrangements. This recommendation made particular reference to the operation of the Status of Children Act, which states that, when a fertilisation procedure is used and where the birth mother is married, her husband or de facto partner is automatically assumed to be the father of the child, regardless of whether he is indeed the biological parent.

The review that was recommended by the parliamentary committee has been carried out by the Department of Justice and Attorney-General and it identifies the important need to consider the issue of same-sex parenting more broadly. I table the research paper as well as the paper that outlines the Queensland government model for the decriminalisation of altruistic surrogacy.

Tabled paper: Review of the Legal Status of Children being cared for by Same-Sex Parents, August 2009 [707].

Tabled paper: Queensland Government Model for the Decriminalisation of Altruistic Surrogacy and the Transfer of Legal Parentage, August 2009 [708].

The core issue outlined in that review is that female same-sex couples may become parents without a surrogate—through artificial insemination or IVF—and it is important to give some legal certainty to children born in those circumstances. Therefore, the government will also amend the Status of Children Act to provide that where two women decide to have a child together both mothers are legally recognised as the child's parents and can be listed on the child's birth certificate.

By decriminalising altruistic surrogacy we will bring Queensland into line with other states, and we will no longer be the only jurisdiction in Australia where such arrangements could land a person in jail. This brings Queensland into line with Victoria, Western Australia and the ACT, where governments have also legislated to allow for a court to make an order for the transfer of parentage of the child to the intending parents.

Importantly, this decision continues the determination of my government to modernise Queensland—to ensure that our laws, our policies and our programs reflect the reality of modern life. In this case the reality is that modern medical technology has made pregnancy and birth possible in circumstances never previously imagined, particularly by our legal statutes.

The government's model includes a range of safeguards to protect the interests of all parties but most importantly the rights and interests of the child. This framework will ensure that Queenslanders who enter into an altruistic surrogacy arrangement will be a legitimate family in the eyes of the law.

I stress that commercial surrogacy—that is, surrogacy done for profit—will continue to be illegal and no financial gain will be permitted other than reimbursement to the birth mother for reasonable hospital, medical and other associated expenses. Similarly, advertising for surrogacy births will also remain prohibited. It is the government's intention to bring this legislation into the parliament by the end of this year. These new laws will offer those Queenslanders unable to conceive a new optimism and the recognition needed to protect the legal rights of all children, regardless of the status or sexual preference of their parents.

Altruistic Surrogacy

Hon. CR DICK (Greenslopes—ALP) (Attorney-General and Minister for Industrial Relations) (10.13 am): The release by the Premier today of the Queensland model for the decriminalisation of altruistic surrogacy and the transfer of legal parentage heralds a new era for many Queensland couples. The fulfilment of our commitment to these important reforms means that many people who once only ever had the dream of being able to start a family will now be able to make that dream a reality.

Furthermore, the proposed changes to the legal status of children being cared for by same-sex parents will ensure that same-sex parents and their children are afforded the same legal entitlements as any other family. These announcements represent significant law reform for our state, and I am very pleased to outline for the House the details of the model we are proposing.

The Queensland model for the decriminalisation of altruistic surrogacy and the transfer of legal parentage is underpinned by the fundamental guiding principle that the best interests of the child should always remain paramount. Once a child is born through a surrogacy arrangement, the Queensland model will allow court ordered legal transfer of parentage to the intending parents to ensure that the people who seek to raise the child can be recognised at law as the child's parents.

To permit the transfer of parentage to intending parents, however, a number of requirements will need to be satisfied. Under our model, surrogacy arrangements will have to be in writing and the arrangement must be made prior to the child's conception. The birth mother, her partner—if there is one involved—and the intending parent or parents will all have to freely consent to the arrangement and must have the capacity to do so. Any payment, reward or other material benefit to either party to the arrangement will be prohibited and will be punishable by criminal penalty. These and other specific safeguards aim to ensure that the best interests of the child are upheld before the transfer of parentage occurs. And, at the end of the day, if a birth mother chooses not to relinquish that child when it is born, she will not be able to be forced to do so.

Certain safeguards will also be built into the court process for the transfer of parentage to protect the rights and interests of the child and ensure that the parties understand the social, psychological and legal implications of the surrogacy. These include a requirement for all parties to seek independent counselling and provide the counsellor's report to the court; a requirement for all parties to obtain separate independent legal advice about the implications of the surrogacy before they enter into the surrogacy arrangement; the court must be satisfied that there is an established medical or social need for the surrogacy; the child must have lived with the intending parents for at least 28 consecutive days prior to the application for transfer of legal parentage being made; the birth mother and the intending parent or parents must be at least 25 years of age at the time; and the application cannot be made after the child is six months old. If the court is satisfied that these requirements have been met, an order to transfer parentage can be made and a new birth certificate issued listing the intending parent or parents.

Surrogacy arrangements and the transfer of parentage are complex issues. We want to ensure that the best outcome for the child is achieved. That is why we have developed a model that will provide protection for children. It is a model that will help childless Queenslanders who long for the opportunity to raise children in a loving family environment to do so. And it will ensure that no child is socially or legally disadvantaged, regardless of their personal circumstances or those of their parents.

Public Hospitals Performance Report

Hon. PT LUCAS (Lytton—ALP) (Deputy Premier and Minister for Health) (10.17 am): Last week Queensland Health released its quarterly report on hospital performance. Under the Bligh government, hospital performance reporting is more transparent and more detailed than anywhere else in the nation. We are more accountable than any government in our state's history.

We do not have comprehensive statistics for cancer treatment waiting times when the Liberals and Nationals were in power because they did not report them; they kept them hidden. As health minister, I have been determined to deliver more transparency and better reporting as a driver of better hospital outcomes. Accountability drives performance.

The quarterly report contained radiation oncology wait times for the first time ever. The report showed that in the June quarter our hospitals were not keeping up with the extra demand on radiation oncology services. As our population ages, our health system has to treat more cancer. In 2008 there was a record 333,745 treatments for cancer, including radiation therapy and chemotherapy. In fact, wait times for radiation oncology treatment have dropped over the past few years despite the enormous growth in demand.

My department has allocated funding for additional shifts of oncology radiation at the PA and RBWH—$3.1 million to run additional shifts at PA and the RBWH will provide approximately 380 additional occasions of service. That will mean 1,500 additional courses of treatment in one year. A new $6.5 million cancer oncology centre is being built as a part of the Rockhampton Hospital's $74 million redevelopment program. This new oncology centre will provide 4,410 extra cancer treatment sessions each year. Secondly, my department has undertaken a throughput efficiency review to ensure that the existing facilities at our public hospitals are being run as effectively as possible and treating as many patients as possible.

Finally, we are investing in new technology and more machines. My department will spend an additional $60 million to increase linear accelerator capacity in our public hospitals by five machines by 2012. The Bligh government is serious about tackling this problem. We have already delivered greater accountability. We have already delivered more funding and more work shifts to treat more patients. Now we will deliver more machines at more hospitals and work smarter to deliver more services.

Queensland Economy

Hon. AP FRASER (Mount Coot-tha—ALP) (Treasurer and Minister for Employment and Economic Development) (10.19 am): In the face of the most synchronised collapse in global demand witnessed in 70 years, the nation's economy continues to demonstrate remarkable resilience. Emerging evidence provides comfort that, at the very least, the decline in prospects has been arrested. This of course does not equate to economic salvation. It does, however, provide evidence that the synchronised efforts of governments and institutions are warding off the full effects of the global economic recession.

The state budget suggested Queensland would maintain positive, albeit marginal, growth in 2008-09. This growth, however, would ensure that the Queensland economy continued to outperform the nation's economy, as it has done for each of the last 12 years and as it is predicted to do into 2009-10. The prospect, however, of weakness into next year remains the dominant concern.

In its quarterly *Statement on monetary policy* released since the last sitting and in subsequent public remarks and testimony, the Reserve Bank has pointed to the resilience being demonstrated in key sectors of the economy and has upgraded its forecasts. It must be cautioned that the revised growth forecast for 2009 by the Reserve Bank is still only half a per cent. On any measure that is marginal, almost anaemic, growth when considered on the national scale. Nevertheless, it represents a significant turnaround from the one per cent contraction previously forecast. As the Reserve Bank Governor and indeed the federal Treasury secretary have warned, this does not represent the end of the challenges before us on either a global or a national scale. The single biggest area of concern remains ongoing weakness in business investment, with the Reserve Bank making specific mention of the difficulties in commercial property financing.

The Queensland economy continues to hold its head above water. The combined efforts of government stimulus, through our building program and the national stimulus injections, and the Reserve Bank's aggressive monetary policy cutting are central to the economy's capacity to withstand the collapse offshore. According to the March state accounts, GSP in Queensland remained unchanged in the quarter to be 0.6 per cent higher over the year. The rest of Australia saw annual growth to the March quarter of 0.2 per cent.

We see elements of resilience in recent data releases. Building approvals data released last week shows the total number of dwelling approvals increased 1.8 per cent in June—an improvement of more than 7½ per cent since the low recorded in February. The seasonally adjusted number of finance approvals for the construction of owner occupied dwellings in Queensland also rose by 4.9 per cent in June to a level 75 per cent higher than the trough experienced in August 2008. More than anything else, however, this acceleration demonstrates the fundamental weakness in evidence 12 months ago, when interest rates were at their peak and prior to the introduction of our pump-priming first homeowner stamp duty reforms and the First Home Owner Boost program.

The abiding concern remains the lack of investor activity, which continues to drive overall weakness in the housing sector. Unit construction remains fundamentally weak, driven in large part by financing issues. Trend private other-dwelling approvals, such as units and town houses, fell over the year to June. Overall dwelling investment in the March quarter remains 14 per cent down on a year ago, with approvals more than 30 per cent lower. A forecast recovery in housing remains likely in 2010-11 as opposed to this year.

The massive hit to household confidence which flowed directly from the collapse in the outlook was the direct target of government intervention. It has been the household television set to whom Glenn Stevens has been talking as he kicked up his commentary to assembled journalists, participants and committees. They appear to have heard. Trend retail turnover in Queensland rose 2.8 per cent in the June quarter—the strongest annual growth in a year. Again, this annual growth tells a story more about the weakness of a year ago than about a return to normal trading conditions. As Ken Henry said yesterday, the massive stimulus injection targeted early and directly to households has had an undoubted impact. We are wise to be cautious about the sustainability of this flowing through beyond this point. The trick remains confidence, and it has been confidence that has been targeted directly since the rug was pulled out of the global financial system. On that front, we see consumer sentiment once again positive, recording 107.1 on the Westpac index—more than 50 per cent higher than the trough from July 2008. This month's figure was a slight moderation, pointing to a fragility of the confidence equation.

External conditions for Queensland have also improved, with revised forecasts for our major trading partners showing that their recovery could be stronger and earlier than first previously thought. It nevertheless remains a changing landscape. However, the abiding concern remains the weakness in private sector investment. Access to finance and constraints on refinancing are strangling productive investment. This represents the biggest nearer-term challenge. Business investment fell 16 per cent in the March quarter, driven by declines in non-dwelling construction, especially commercial property, and a sharp fall in investment in machinery and equipment. Business investment just has to turn around and substantially so before the commentary can meaningfully look to a stable and sustainable recovery.

Our economic strategy has centred on maintaining our building program to support demand and jobs in the Queensland economy. That has necessitated making choices—tough choices. Tough choices need to be made in tough times, whether you are a business, a household or a government. The decision to maintain the building program to support the economy has required the government to chart a course for future recovery. With a $15 billion wipe-out in revenues, that is not an easy equation. We have taken those decisions, as we have demonstrated that we are prepared to challenge prevailing orthodoxies when we face the unorthodox.

Our central task has been to step in to support the economy and support jobs. Governments have acted in concert, and to date the evidence suggests some success in avoiding the depths of collapse that have befallen other parts of the globe. This is not the end but hopefully the end of the beginning. It is a long path to get back to the prosperity of recent years. After all, the harder the hit, the longer it takes to get off the canvas. This, however, is an economy that continues to punch on, and we are in the fight—the fight for jobs—for the long haul.

Cubbie Station

Hon. S ROBERTSON (Stretton—ALP) (Minister for Natural Resources, Mines and Energy and Minister for Trade) (10.26 am): The 'for sale' sign at Cubbie Station in the state's south-west has generated some heated debate and interest this week. This is an important event which will be closely watched by anyone with an interest in the health of the Murray-Darling River system. There is no disputing that environmental benefits would flow if water entitlements were returned to the river. As the Premier said yesterday, we will be talking to the Commonwealth about this issue to discuss any opportunities that this sale brings. However, going it alone and buying the country's largest cotton station is not a priority for the Bligh government at this time and nor should it be. Our priority at this time of economic uncertainty is to keep the economy on track, and we are doing that with our record $18 billion infrastructure program.

It is true that in 2002 the Queensland government proposed the purchase of Cubbie Station in partnership with the former Howard government. But since then the asking price has more than doubled and the priorities of the government have shifted. We are clear with our position and where our priorities lie, unlike the opposition, which has been all over the shop on this issue. For example, Queensland Nationals Senator Barnaby Joyce is calling on Penny Wong to put her money where her mouth is and buy back water from Cubbie for the Murray-Darling system, whereas federal Liberal MP Bill Heffernan believes any government purchase of this property would amount to fraud.

Where does the united LNP stand on this issue? The member for Warrego has been clear that he is opposed to any state or government purchase of these properties. However, his fearless beach-dwelling leader has been less committed. He told journalists yesterday that he wanted environmental concerns addressed and also the protection of jobs. Of course the member for Surfers Paradise would be concerned about jobs at the moment because he is clearly struggling to keep his.

State Schools of Tomorrow

Hon. GJ WILSON (Ferny Grove—ALP) (Minister for Education and Training) (10.28 am): The Bligh government is supporting and creating Queensland jobs by maintaining our $18 billion building program. This includes our $850 million State Schools of Tomorrow program, more than $300 million on new kindergarten services and the rollout of the federal government's BER program in Queensland, which is about $2.4 billion. We have made tough choices to keep these infrastructure programs going. This is not just an investment in providing modern teaching and learning environments; it is an investment in protecting Queensland jobs during tough economic times.

The State Schools of Tomorrow initiative is transforming our schools. Construction is now well underway, with $390 million being invested in schools and school renewal in round 1 projects in the Brisbane bayside, eastern Ipswich, Inala and Innisfail areas. The entire school sites have been transformed through a mixture of new and refurbished buildings and upgraded infrastructure to bring these schools into the 21st century.

In the $134 million eastern Ipswich project, construction is now well underway at Riverview State School. The first renewed classroom blocks were completed last month in the $69 million Inala project, and more new buildings are now under construction. Work is also well advanced on the $150 million Brisbane bayside project, with five primary schools being renewed and a replacement high school being constructed—the Brisbane Bayside State College.

The Department of Education and Training advises that all are on track for completion by the end of 2009. Concept plans have been approved for the remaining three sites—Darling Point Special School, Wynnum State School and Wynnum State High School—with these now moving into the detailed design stage for delivery in 2010.

The Innisfail State College project, worth approximately $36 million, is progressing well with most new buildings at an advanced stage and refurnishment work on the former TAFE buildings underway. The department advises that the project is on track for completion at the end of 2009.

The State Schools of Tomorrow program will also deliver $120 million in maintenance work, $30 million for employee housing and $90 million to schools for the upgrade of external finishes. A further $200 million will be spent on the internal renewal of classrooms, libraries, computer rooms and science laboratories across 298 schools throughout the state. Work on the first 44 of these projects is nearing completion, with the remaining 320 projects to be planned and delivered, the department advises, by June 2011.

More than 1,800 general classrooms, libraries, computer and science rooms in schools across the state will benefit from these projects. We are committed to creating and supporting jobs and providing modern education infrastructure for Queensland.

Building Services Authority, Consumer Protection Program

Hon. RE SCHWARTEN (Rockhampton—ALP) (Minister for Public Works and Information and Communication Technology) (10.30 am): No doubt members would be aware that over the past four months the BSA has been conducting an advertising and media campaign targeted at consumers. This campaign included two television commercials, a self-help brochure insert in the *Sunday Mail*, media releases and advertisements in local newspapers.

The campaign was designed to encourage consumers to support the industry by embarking on building and renovation projects and to ensure that they always engaged licensed contractors to do the work. This campaign has been positively received and is well on the way to achieving a successful outcome.

Already the number of consumers taking out insurance coverage for projects with BSA licensed contractors has jumped. In June there were 7,471 policies taken up. However, in July this figure jumped to 8,193 policies, an increase of 722. It is also pleasing to learn that more consumers than ever are asking contractors to show their BSA licences before engaging their services. Even more gratifying is that I am advised that the BSA has been approached by a number of unlicensed contractors over the last few months seeking a BSA licence as they have been unable to find work as potential customers have refused to hire them.

Clearly, the advertising and marketing campaign is having an impact. The last few months have seen record numbers of new licence applications received by the BSA—788 in July and 833 in June compared to the approximately 600 new licence applications per month usually received. The media and education campaign has also resulted in an increase in the use of the BSA online licence search facility with 358,392 licence searches conducted in 2008-09, up 12 per cent on the previous financial year. The increase reflects greater community awareness of the worth of the BSA licensing system as more and more consumers are checking licensee records online before engaging them to perform building work.

It is essential that members encourage their constituents to perform these online licence searches before engaging contractors to undertake their building project. Consumers also need to take other precautions such as reviewing previous work performed by the contractor, signing a suitable contract and not paying outside the contract term.

In conjunction with the media campaign, the BSA has also increased its homeowner education program, delivering smart building and renovation seminars state-wide. These free shows assist homeowners to avoid building and renovation pitfalls by taking them through the building process step by step, from choosing a contractor and entering into a building contract to maintaining the work after completion. These shows have been highly successful. The BSA will continue the program all year throughout the state.

Victorian Bushfires Royal Commission

Hon. NS ROBERTS (Nudgee—ALP) (Minister for Police, Corrective Services and Emergency Services) (10.33 am): In February Victoria suffered some of the worst bushfires in its history. Some 173 people lost their lives in the Black Saturday fires, with hundreds of millions of dollars of damage to property and infrastructure. Six months on, the royal commission established by the Victorian government to examine all aspects of the disaster has released its interim report with 51 recommendations.

While vegetation and weather patterns are different in Queensland, we can ill afford to ignore the commission, its findings and recommendations. Major themes of the report concern information sharing and community education, identifying bushfire risk, communicating warnings and the use of the standard emergency warning signals and the prepare, stay and defend or leave early policy. Of particular interest are the commission's comments in relation to the stay or leave early policy and its recommendation that the policy be strengthened to highlight the risks of staying and defending and promoting leaving early as the safest option.

The stay or leave early policy was introduced by the Queensland Fire and Rescue Service in partnership with the Queensland Police Service in April 2007. The policy supports the Australasian Fire Authorities Council stance that householders should be able to remain within their properties and defend them should a fire threat occur provided certain conditions are met. I have asked the Department of Community Safety to provide me with specific advice on both the policy and communication implications of the recommendations regarding the stay or leave early policy.

It is important to highlight though that, although the commission suggests a shift in the policy's emphasis, the message of preparedness needs to remain and be strengthened. I can advise that a number of the recommendations made in the interim report are already in place in Queensland or their implementation is already underway. The standard emergency warning signal can already be used to draw attention to broadcast warnings about life-threatening fires and additionally bushfire warning sirens are being trialled on Mount Nebo. Queensland is working with other states and territories to implement a telephone based automatic warning system. This report will require careful consideration and analysis. My department is already reviewing its content and, in particular, assessing the relevance of the recommendations to Queensland.

Traffic Congestion, Heavy Vehicle Response Units

Hon. CA WALLACE (Thuringowa—ALP) (Minister for Main Roads) (10.36 am): Queensland's fight against congestion is about to gain some extra muscle with heavy vehicle response units, or HVRUs, due to hit South-East Queensland roads next month. These Queensland designed and manufactured vehicles are part of the Bligh government's $12.3 million fast incident response plan that we committed to before this year's election.

Yesterday, the Premier, Deputy Premier and I watched a simulation of a real-life traffic accident at Lytton where a truck had rolled onto a vehicle. The new HVRU was able to roll the truck back onto its wheels and push it out of the way. These are the only two vehicles of their kind in Australia that have the capability to roll and push heavy trucks and semitrailers. They were built locally by Ekebol on the Sunshine Coast with the help of Zoomline, which supplied the chassis.

Previously, we had been reliant on owners of heavy vehicles or insurance providers to arrange removal and clean-up of the vehicle and cargo, which could often take longer than three hours. With our new HVRUs we have a target time of clearing these heavy vehicles from our roads within 45 minutes of an accident occurring. This will significantly reduce traffic congestion.

We know that about 25 per cent of congestion is caused by accidents and vehicle breakdowns. In the past 12 months, there have been 175 major incidents involving heavy vehicles in the Brisbane metropolitan area, including 32 truck rollovers. The road network experiences very heavy congestion levels following these incidents, but with these trucks working in tandem with our new open roads legislation clean-up times will be slashed.

These HVRUs will provide quick clearance solutions by responding immediately to incident scenes in South-East Queensland—including the Bruce Highway to Caloundra, the Pacific Motorway to Nerang and the ranges on the Cunningham and Warrego highways. This is just another example of the Bligh government getting on with the job of tackling congestion in South-East Queensland. When combined with our other programs and initiatives to combat congestion, these new HVRUs will make a big difference to the frustrating delays experienced by motorists when heavy vehicles are involved in accidents on our roads.

Hendra Virus

Hon. TS MULHERIN (Mackay—ALP) (Minister for Primary Industries, Fisheries and Rural and Regional Queensland) (10.38 am): I want to update the House on the latest incidence of Hendra virus. At the outset I acknowledge the stress faced by Mr John Brady and others who have possibly been exposed to Hendra virus and now face an anxious wait. My thoughts go out to them. I also recognise the team of more than 40 officers from Biosecurity Queensland who have been working long hours to deal with this case. They are doing an excellent job and I congratulate each and every officer on their efforts. The response was activated on Saturday, 8 August at 10.32 am with two phone calls to our hotline. By midday we had a veterinary officer on the property and it and a neighbouring property were placed in quarantine as a precaution the same day.

Hendra virus has been confirmed in the horse that died on 8 August and another horse that died the day before. The first round of results from all 25 horses on the quarantined property are clear for Hendra virus. This includes tests for Hendra virus antibodies that we have been waiting on and were only received late last night. The horse that showed a positive test result last week and was subsequently retested is included in this initial round of results. However, this horse still remains suspect and will be subject to further testing. Eleven horses that left the affected property before the quarantine have been traced and tested. The results for nine of those horses are negative, one is undergoing further testing and we are awaiting advice on the results from the final horse that was traced to New South Wales. I stress that a further testing of all 36 horses will be required over the next few weeks because the antibodies that demonstrate previous exposure to Hendra virus take time to develop and be measured by a diagnostic test.

Biosecurity Queensland has engaged Dr Nigel Perkins to audit procedures being used as part of the response. This kind of independent evaluation was one of the recommendations from the Perkins review and is a proactive way to make sure that there is continuous improvement of our Hendra responses. But I repeat that, in my view, our officers have been doing a great job. This is only the 12th incident of Hendra recorded since the virus was first discovered in 1994. As we learn more about the virus, our response and procedures will continue to evolve.

Gold Coast SuperGP, Naming Rights

Hon. PG REEVES (Mansfield—ALP) (Minister for Child Safety and Minister for Sport) (10.41 am): Late yesterday I received advice regarding the naming rights sponsorship for this year's Gold Coast SuperGP. The advice I received from Mr Greg Hooten, General Manager of the Gold Coast Motor Events Co., known as GCMEC, reads as follows—

Dear Minister

I am writing to inform you that on 14 August 2009 the Partnership Committee of the Gold Coast Motor Events Company resolved to terminate the Naming Rights Agreement for the 2009 SuperGP event with Nitro Distribution as a result of Nitro's failure to make payments to GCMEC that were due under the naming rights sponsorship agreement.

GCMEC has been in contact with Nitro regarding its failure to make the payments under the sponsorship agreement.

GCMEC has been advised by Nitro that irreconcilable differences between the shareholders of Nitro have resulted in Nitro being unable to meet the full financial requirements of the sponsorship agreement, and that these issues are unlikely to be resolved in the foreseeable future.

Rather than continue speculation on the matter the Partnership Committee has decided to take swift action to remove Nitro as the naming rights sponsor for the 2009 SuperGP event.

The matter has now been placed in the hands of GCMEC's legal representatives.

As you are aware, International Management Group of America as the commercial partner was responsible for sourcing Nitro as the naming rights sponsor for the SuperGP event.

Appropriate due diligence checks were carried out.

At the time of the Partnership accepting Nitro as the naming rights sponsor of the Event there was no evidence in the company and financial background searches undertaken that indicated Nitro would have difficulty in meeting their full financial commitments to the event.

It is important to note that the naming rights sponsorship with Nitro represents a very small percentage of the overall revenue generated by the event.

Consequently the loss of Nitro as the naming rights sponsor for the event will have absolutely no impact on the overall presentation of the 2009 event.

Additionally, you should note that under the terms of the Partnership IMG are responsible for underwriting the event.

The letter continues, and I table a copy of the full letter for the information of members.

Tabled paper: Letter, dated 17 August 2009, from the General Manager, Gold Coast Motor Events Company to the Minister for Child Safety and Minister for Sport, confirming the termination of the naming rights agreement for the 2009 SuperGP event with Nitro Distribution Pty Ltd [709].

This development will have absolutely no impact on the staging of the Gold Coast SuperGP. The Gold Coast SuperGP will generate an estimated 550 casual full-time jobs and an estimated economic benefit for Queensland of over $60 million.

Local Government Regulations, Consultation

Hon. D BOYLE (Cairns—ALP) (Minister for Local Government and Aboriginal and Torres Strait Islander Partnerships) (10.44 am): Undertaking state-wide consultation on exposure drafts of regulations is a strategy not often employed when developing subordinate legislation. However, this is what the Bligh government is doing in releasing three new draft regulations which will complement the new Local Government Act 2009 later this year. We are taking this step to provide the most open, transparent and exhaustive community consultation program possible, giving councils, stakeholders and every Queenslander an opportunity to have their say. Replacing 13 old regulations with three will reduce red tape and increase councils' flexibility to innovate and deliver for their ratepayers. Not only will they be investing in best practice; they will also have the capacity to broaden their horizons and focus even more strongly on delivering infrastructure and safeguarding jobs.

Many aspects of the previous regulations have been superseded by the new Local Government Act 2009, with the three new regulations supporting a modern local government sector. The first of the three regulations is the Local Government (Beneficial Enterprises and Business Activities) Regulation. Importantly, this regulation requires councils to follow National Competition Policy guidelines. Councils will also have improved capacity to develop and tailor services and to partner with the private sector. Also, councils will have greater capacity to develop and invest in enterprises where outcomes deliver a benefit to their communities. For example, councils will have greater capacity to invest in services that, in a decentralised state such as Queensland, are not being delivered by anyone else such as child care or aged care in some cases.

Letters encouraging people to have their say on the draft regulation have been sent to mayors, chief executive officers, Local Government Association of Queensland, Local Government Managers Australia Queensland and unions. The same process will be followed for the remaining two draft regulations—the first of which covers financial management which will be released for consultation at the end of August and the second on council operations which will be released at the end of September. After considering feedback on all three draft regulations, necessary changes will be made prior to their finalisation in December this year.

Planning Laws, Adult Store Locations

Hon. SJ HINCHLIFFE (Stafford—ALP) (Minister for Infrastructure and Planning) (10.46 am): I want to update the House on the review of adult store locations in a land use planning and development context. Last year, after community calls for input on the location of adult stores, the Deputy Premier and then minister for infrastructure and planning instigated a review of current regulations and codes relating to those locations. The review found that Queensland's current planning processes do not include specific provisions to regulate the proximity of adult stores to sensitive community facilities such as child-care centres, schools and churches. A draft state planning regulatory provision that new adult stores cannot be located within 200 metres of sensitive-use community facilities has been notified for public consultation with key stakeholders, community and councils. This regulatory provision will establish state-wide provisions for councils to consider when assessing development applications for these legitimate businesses.

As this is essentially a local matter, local governments will be able to vary those standards if they so choose in response to their local communities. For example, councils may specify a greater or lesser separation distance or add or reduce the list of sensitive uses. This demonstrates the state's interest in this issue through implementing a state-wide position yet allows communities to adapt the provisions to suit local interests. The regulatory provision took effect as soon as the draft was gazetted on 31 July 2009, but public consultation closes on 15 September this year. This consultation will allow communities and interest groups to express their views on the proposed separation distance and that list of sensitive uses. I will consider all submissions before the provision is confirmed, modified or indeed withdrawn. By providing a flexible state-wide standard, Queenslanders can be confident that the location of new adult stores will suit the needs of their communities.

Department of Transport and Main Roads, Learner Driver Logbooks

Hon. RG NOLAN (Ipswich—ALP) (Minister for Transport) (10.48 am): Last Friday, in a front-page splash, the *Courier-Mail* reported that officers from the Department of Transport and Main Roads had been 'secretly ordered' to go soft on learner drivers submitting logbooks that did not comply with the legislative requirement to acquire 100 hours of driving experience before going for their driving test. The Leader of the Opposition jumped on the bandwagon, claiming that the government was 'simply passing laws to look like they are tough without any intention of actually delivering'.

When the issue was raised, I ordered the department to immediately conduct a review of the logbook checks. I have received the following advice—

In May 2009, it was identified by management that some staff were conducting audits/assessments outside of the agreed process.

That included phoning individual learner drivers to discuss administrative errors in the logbook when the process only required that they simply be marked and returned to the driver for rectification. This, I appreciate, may be good customer service, but by introducing a degree of subjectivity into the process it has the potential, in my view, to undermine what must be a cut-and-dried standard. The result of the audit is that absolutely no systemic problem in the checking of logbooks was identified. In fact, more than 5,000 logbooks—almost one in eight—have been checked against the checklist of requirements and sent back as noncompliant.

Too many people are dying on Queensland's roads and it is vital that we continue the fight against needless deaths on the state's roads. Let me be straight about this: the young drivers' measures that the new Deputy Premier introduced in mid-2007 are showing positive trends. Fatalities for young adult road users, drivers and riders are falling. In 2007-08—the first full year of the new scheme's operation—fatalities among young drivers fell by 13.9 per cent compared to the previous five-year average. While we need data over a longer time frame to genuinely analyse trends, the early indication is that this change is preventing young people from losing their lives on the roads.

This system is important and it is important that neither the media nor the opposition should needlessly undermine public confidence in its integrity. As I indicated last week, we will continue to monitor our logbook system to ensure that it is being administered correctly. The government is keeping its commitments. We said we aimed for these changes to make young drivers safe. Now, in delivering on the system, that is exactly what we are doing.

SCRUTINY OF LEGISLATION COMMITTEE

Report

Mrs MILLER (Bundamba—ALP) (10.52 am): I table the Scrutiny of Legislation Committee's *Legislation Alert No. 6 of 2009*.

Tabled paper: Scrutiny of Legislation Committee Legislation Alert No. 6 of 2009 [710].

Mr SPEAKER: Before I call for question time, I acknowledge in the public gallery the following schools that will be visiting us throughout the day: the Birkdale State School in the electorate of Capalaba, North Lakes State College in the electorate of Murrumba and later this afternoon the Sacred Heart Primary School of Toowoomba in the electorate of Toowoomba North.

QUESTIONS WITHOUT NOTICE

Political Donations

Mr LANGBROEK (10.52 am): My first question without notice is to the Minister for Education and Training. Will the minister confirm that the Labor Party accepted a $1,250 political donation from Talbot Group Holdings Pty Ltd at a fundraiser he hosted late last year after Mr Talbot had already been charged with political corruption in relation to former Labor minister Gordon Nuttall?

Mr WILSON: I thank the honourable member for the question. All donations made to me or to the Labor Party by whomever have been properly disclosed under the law as is required and we should expect nothing less than that. What has not been disclosed is who has been paid—

Opposition members: CFMEU.

Mr SPEAKER: Order! Resume your seat. Stop the clock. I will wait for the House to come to order.

Mr WILSON: What has not been disclosed, after quite a period of time in which it could have been disclosed, is the information that the Leader of the Opposition has but fails to disclose. That, honourable members, is the information about who has paid to attend the $20,000 per plate fundraising event. That is what has not been disclosed here. What this government has done—

Opposition members interjected.

Mr SPEAKER: Order! Resume your seat. I will wait for the House to come to order. There is just too much audible conversation to enable me to hear the speaker.

Mr WILSON: I thank the honourable member for the question. What this parliament needs to hear is the position of the opposition on, firstly, banning success fees; secondly, banning political donations; thirdly, banning the business observers function for their party; fourthly, who has paid the $20,000 per plate to attend their fundraising; and, fifthly, we have yet to hear from the opposition their position on all of the vital issues that have been set out in this document, the green paper—

Opposition members interjected.

Mr SPEAKER: Order! Resume your seat again. There is far too much interjection.

Mr WILSON: Mr Speaker, this is an important document that sets the basis for a totally fresh look at the new direction in which the Queensland government and the Queensland community can go forward in ensuring the public, as they are entitled, that there is integrity and accountability in all relationships between politics and business in the Queensland economy. This is the document that we need to hear about from the opposition members, but they are deathly silent on the way in which they would take the Queensland economy and the Queensland community forward on these important issues.

Opposition members interjected.

Mr SPEAKER: Order! There is far too much interjection.

Political Donations

Mr LANGBROEK: My next question without notice is to the Premier. When did the Premier first become aware that her members of parliament were funding their campaigns on the back of funds donated by a company owned by Mr Ken Talbot, a person charged with political corruption at the time the donation was made? Will the Premier now insist that the Labor Party repay the donation?

Ms BLIGH: I thank the member for the question. As outlined by the minister for education, in Queensland there are political disclosure laws that apply to all political parties and all of those—

Mr Nicholls: You're the only one who didn't comply with them.

Mr SPEAKER: Order! The honourable member for Clayfield, I have warned already that there is far too much interjection. The Premier was not referring to you specifically. I will, therefore, say that if you intervene again I will warn you under the standing orders.

Ms BLIGH: As I have indicated, in Queensland there are political disclosure laws that apply to all political parties and all political candidates. I am aware of a range of donations, because they have been disclosed in accordance with the law.

Of course, this is a donation that, if it was made in a federal arena, would not have to be declared because it is under the $10,000 limit that was snuck in just before the last federal election by the former Prime Minister, John Howard, and which is being protected by the Liberal National Party in the Senate, where attempts by the Rudd Labor government to reduce the disclosure limit from $10,000 to $1,000 are being frustrated and opposed by the Liberal National Party—

An opposition member interjected.

Mr SPEAKER: Order! I do not know who said it, but the word 'crook' was used again. If you deal with that in a specific way to a member, then I will ask you to withdraw that comment, because under the standing orders that apply in this House an imputation of improper motive against the member is disorderly. I am after robust debate certainly, but on the other hand I will observe the standing orders.

Ms BLIGH: I am very happy to have a debate about conflicts of interest, because I think there are a number of questions for the Leader of the Opposition on this—

Mr Seeney: This is question time. We ask the question; you're supposed to answer it. You know the rules.

Mr SPEAKER: Order! The honourable member for Callide.

Ms BLIGH: In November 2008, the West Australian Premier signed an agreement with Clive Palmer to amend legislation to expand iron ore projects in the Pilbara.

Mr Seeney: Come on, answer the question. You had an hour for ministerial statements. This is question time.

Mr SPEAKER: Order! Honourable member for Callide.

Mr Johnson interjected.

Mr Lucas interjected.

Mr Seeney: The question was about cash for access.

Mr SPEAKER: Order! Honourable member for Callide, I warn you under the standing orders.

Ms BLIGH: As I was saying, in November 2008 the Western Australian Premier signed an agreement with Clive Palmer to amend legislation to expand iron ore projects in the Pilbara. That agreement includes other Palmer holding companies, one called Anshan Resources. Who makes up the Anshan Resources company? Well, it is made up of the LNP party president, Mr Bruce McIver, and candidate for the seat of Nanango John Bjelke-Petersen. So we have a party president, a businessman and a descendant of the emblem of public corruption in this state all on the board, all influencing a friendly government to do them a favour.

Mr SPEAKER: The honourable the Premier's time has expired.

Hon. JC SPENCE (Sunnybank—ALP) (Leader of the House) (11.00 am): I move—

That the Premier be further heard.

Question put—That the motion be agreed to.

Motion agreed to.

Ms BLIGH: Mr Speaker, I think this raises—

Ms Simpson: She doesn't want to talk about her own minister, does she?

Mr SPEAKER: Order! Honourable member for Maroochydore.

Ms BLIGH: I can only assume that the constant interjection from those opposite means that they do not want to hear what I think represents a very serious matter.

Honourable members interjected.

Mr SPEAKER: Premier, resume your seat. I will ask for order from both sides of the House. I call the honourable the Premier.

Ms BLIGH: In answer to the question, let me just draw attention, as I have said—

Opposition members interjected.

Mr Hobbs: Nobody believes you, anyway.

Mr SPEAKER: Order! Honourable member for Warrego, I warn you under standing order 253.

Mr Lucas: Of all people!

Mr Schwarten interjected.

Mr SPEAKER: Order! The honourable the Deputy Premier and the honourable Minister for Public Works.

Ms BLIGH: So what we have is a party president, a businessman and, as I said, a descendant of the emblem of public corruption in this state—all National Party royalty—involved on a board of a company lobbying a friendly government in their own commercial interests. What it means is that if the LNP had won it would have had a party president and an MP in the seat of Nanango, potentially a rural or a mines minister, all on the payroll of a donor—

Mr Springborg interjected.

Mr SPEAKER: Order!

Ms BLIGH: I think there are a number of questions now for the Leader of the Liberal National Party on these issues.

Mr Springborg interjected.

Mr SPEAKER: Order! Premier, just resume your seat. The honourable the Deputy Leader of the Liberal National Party, I have been tolerant with you. I call the honourable the Premier.

Ms BLIGH: I think the people of Queensland are entitled to know all of the business interests of the president of the Liberal National Party.

Mr Johnson interjected.

Mr SPEAKER: Order! Honourable member for Gregory, I warn you under standing order 253.

Ms BLIGH: I think it is time that the member for Surfers Paradise disclosed all of the business interests, in the interests of accountability and transparency, of the president of the Liberal National Party because we all know that Mr McIver is the real leader of the Liberal National Party, determining policy on accountability and integrity, determining policy on iron ore in Western Australia, determining policy on cotton growing and Cubbie Station, and determining the staff who work in the LNP office. It is time for some accountability over there.

Altruistic Surrogacy

Ms DARLING: I also welcome to the public gallery today teachers and students from St Patrick's College in Shorncliffe. My question without notice is to the Premier. Can the Premier outline why the government's new model for the decriminalisation of altruistic surrogacy and transfer of legal parentage is so important to Queenslanders seeking to become parents?

Mr Springborg interjected.

Mr Lucas interjected.

Mr SPEAKER: Order! I will wait for the House to come to order—both sides. There is too much interjection on both sides of the House.

Ms BLIGH: I understand that this issue will present many people in the community and, indeed, many people in this parliament with a number of confronting issues. I understand that in relation, firstly, to surrogacy as a general rule there will be some people, in questioning themselves about this matter,

who will be disturbed by the idea of a couple seeking the involvement of another person in the formation of a family. I think it is important for us to recognise that medical technology has moved beyond the law. It has moved considerably to allow circumstances where a person can, in fact, bear a child from another—

Mr Johnson: So two women can have a baby.

Ms BLIGH: I take the interjection from the member for Gregory.

Mr Johnson interjected.

Mr Dick interjected.

Mr SPEAKER: Order! The honourable the Attorney-General will cease interjecting, as will the honourable member for Gregory.

Ms BLIGH: I do understand that some people will find that the general issue of surrogacy causes them some moral concerns. I would ask those people to consider that what the government is putting first and foremost here is the interests of the children born in these circumstances.

Mrs Stuckey interjected.

Mr SPEAKER: Order! Honourable member for Currumbin, there is no need for an interjection at this point.

Ms BLIGH: I am also very mindful that for some people the idea of same-sex couples having children causes them some moral dilemmas. Again I make it absolutely clear that it is the government's view that people should put aside their prejudices and act in the interests of those children who are born in those circumstances.

Mr Springborg: This is a smokescreen over corruption. That's all it is.

Ms BLIGH: I take the interjection from the member for Southern Downs because he may recall that this is an issue that has been the subject of a parliamentary committee and now a full review as recommended by that committee and now announced as part of that process.

Mr Springborg interjected.

Mr SPEAKER: Order! The honourable the Deputy Leader of the Opposition.

Ms Simpson interjected.

Mr SPEAKER: Order! The honourable member for Maroochydore.

Ms BLIGH: Because these are issues that will cause some people some ethical concerns, this issue in the Labor Party will be the subject of a conscience vote, but I am confident that people will overwhelmingly support these moves because they are in the best interests of all children and they are matters that I think people should decide without reference to their own personal prejudices.

Political Donations

Mr SPRINGBORG: My question without notice is to the Premier. I draw the Premier's attention to a second election-eve fundraiser for Labor's Bulimba campaign where her Labor Party accepted a $1,200 donation from Talbot Group Holdings Pty Ltd after Mr Talbot had been charged with electoral corruption involving the Premier's very close friend and colleague Gordon Nuttall, and I ask: was it ethical to accept this money from Mr Talbot?

Tabled paper: Invitation to Bulimba SEC annual luncheon and auction [711].

Ms BLIGH: I would remind the member for Southern Downs that the matters to which he refers are matters that are currently before the courts and about which the court has not—

Opposition members interjected.

Mr SPRINGBORG: Was it ethical to accept the money?

Mr SPEAKER: Premier, I will give you a ruling if you like. Clearly, matters before the court are sub judice. However, the question in this particular instance relates to a fundraiser, so there is a difference, and that is the way I will rule.

Ms BLIGH: Thank you very much. I do think it is important for all of us to remember that these are matters before the court. That does not mean that the question is out of order and I am not suggesting that it is, but I do not intend—

Mr Gibson interjected.

Mr SPEAKER: Order! The honourable member for Gympie, you have had a fair go this morning. Therefore, I warn you under standing order 253.

Ms BLIGH: As I said, I do not suggest that this question is out of order, but in my answer I do not intend to comment upon anything that may or may not be of any reference to matters that are before the court. I will say this: I believe that transparency and openness in political donations is absolutely

paramount in a healthy democracy. That is why I have tabled a list of all of the people who attended the Labor Party conferences last year and this year and made donations. I have tabled a list of every business and individual who has donated by attendance at a dinner with myself. I have put into the public realm more information on these issues than any other politician in Australia.

We know that the $20,000-a-head dinner was the most expensive fundraising dinner ever held in Queensland's political history. It was $20,000 and every one of them a secret; every one of them kept close. It is the secret $20,000.

Honourable members interjected.

Mr SPEAKER: Order! There is too much interjection from both sides of the House.

Ms BLIGH: Of course we cannot make judgements about who was at the secret dinner with the member for Southern Downs because he will not tell us. He will not tell the people of Queensland. It cost $20,000 a head and every one of them a secret.

Mr Springborg: What would you say if Joh had got money from Gerry Bellino after he had been charged?

Mr SPEAKER: Order! The honourable Deputy Leader of the Opposition, I know you are getting wound up and I am trying to wind you down.

Ms BLIGH: It is clear that on these issues I lead my party and on these issues the member for Surfers Paradise has been told what to do by Bruce McIver. You do not have the backbone. Ten days ago he said, 'I will reveal it.' Ten days later and we have heard nothing, because you have not got what it takes to stand up to the National Party machine. You simply have not got what it takes.

(Time expired)

Mr SPEAKER: Order! I remind ministers to address their comments through the chair and that way the debate will be depersonalised.

Mr Hobbs: She's done for.

Mr SPEAKER: Order! I warn the honourable member for Warrego. That is your second warning. Next time under standing order 253 you will be gone.

Busways

Ms GRACE: My question without notice is to the Premier. Can the Premier update the House on progress on job-creating Brisbane busway projects?

Ms BLIGH: I thank the member for the question. Last week I turned the sod on the next stage of the Eastern Busway from Buranda to Main Avenue. I did that just eight days after buses started to run on stage 1 of the new Eastern Busway. This is a $465 million investment in public transport in our city, which is growing faster than any other city in Australia. Not only is it an investment in public transport but it also protects more than 2,800 jobs and it will be completed by 2012.

More than 50 million trips will be taken annually on our new expanded busway network. Each bus can take 40 cars off the road and it is a key strategy for managing the growth we are experiencing of some 2,000 people a week. South-East Queensland has the most comprehensive busway network anywhere in Australia, with 24 kilometres already built and more on the way. This is all part of our decision to maintain our building program and stimulate the Queensland economy when it needs it most.

This is a conscious choice by our government. Firstly, the building program is keeping Queensland out of recession when other countries are falling into it. It is adding a full one per cent to our annual growth rate and it is why Queensland is growing more strongly than the national average. It is protecting 127,000 jobs and helping us to manage that population growth. It is keeping our unemployment rate lower than that of Victoria and that of New South Wales. This $18 billion economic stimulus package is building and investing in busways, railways, schools and hospitals right across Queensland and is keeping Queensland's head above water at a time when other economies are failing to swim.

Let us contrast that with those opposite. What is their economic strategy? Five weeks ago the Leader of the Opposition gave a speech to the Press Club. On 9 July he said, 'Look, I have lots of ideas. We are working on policies and we will roll them out over the coming weeks.' More than five weeks later we are still waiting. We have heard not one peep on the economy and not one peep on the issues of the day, such as accountability and integrity. We are still waiting.

I suggest to the Leader of the Opposition that he had better hurry up and deliver at least one policy or the only thing he will have to show for his short time as leader is a billboard. I suggest he photographs the billboard as a record of his short time in leadership, because after five weeks we have heard not one policy or idea. We have heard nothing on the big issues of the day such as the economy, climate change, accountability and integrity. He stands for nothing.

Political Donations

Mr SEENEY: My question without notice is to the Deputy Premier and Minister for Health. I refer the minister to the election-eve Labor fundraiser at the Legends Room at the Gabba where he co-hosted a luncheon with then minister for mines and energy that accepted a $1,250 donation from Talbot Group Holdings Pty Ltd. For the benefit of the House I table a copy of the invitation that was sent to the Talbot Group for that function.

Tabled paper: Invitation to Grand Finals Luncheon on Friday, 3 October 2008 at the Brisbane Cricket Ground [712].

Given that the Deputy Premier was the guest speaker at this event, can he tell the House whether he advised his colleague of any ethical concerns in accepting the money from Mr Talbot or did he welcome the cash-for-access opportunity?

Mr LUCAS: If my recollection serves me right, that function was attended by a very large number of people. There were about 450 people at that function. Funnily enough, I did not go looking at who was there at that particular function. That function was generally an open function and those who went there, the contributions and the like have been publicly—

Mr Springborg: After they heard you speak they wanted their money back, didn't they?

Mr LUCAS: Of all the people in this place who should be interjecting on matters of fiscal rectitude and matters of disclosure, the last is the Deputy Leader of the Opposition. This person, during the condolence motion for Bjelke-Petersen, described him as a mentor. In the pantheon of crooks in Queensland, Bjelke-Petersen was the biggest crook of them all. We all know about the brown paper bag that got Bjelke-Petersen a perjury charge. We all know about Luke Shaw, the National Party juror who got him off. What we do not know is who went to the $20,000-a-head dinner. We do know that at this dinner Lawrence was saying, 'I'm ready to govern.' The Deputy Leader of the Opposition was saying, 'I'm ready to govern.' In fact, they contacted the Ministerial Services Branch and told them to have the computers wiped, ready for Sunday morning, because they had the election in the bag.

What did they say at that function? Who was there? One thing that is for sure is that in the 1960s the Labor Party sorted out who ran policy, and it was the parliamentary wing. What the Leader of the Opposition demonstrated the other day, in cooperation with people such as the Deputy Leader of the Opposition, is that the party still runs them.

Mr SEENEY: I rise to a point of order.

Mr SPEAKER: Order! Stop the clock. A point of order has been raised.

Mr SEENEY: I asked a very specific question of the Minister for Health and he has not even begun to answer it. I ask you to rule on the relevance of his answer under standing orders.

Mr SPEAKER: Order! There has been a long-established practice that the answer is entirely the prerogative of the minister. That is the ruling that I intend to abide by.

Mr LUCAS: With his smug cheshire cat grin, the person known as the Leader of Opposition Business in the House lectures everybody about who knows the standing orders and who does not. He knows very well the standing orders with respect to answering. He is a tactical liar. He knows very well what the standing orders provide in relation to answering questions. What we do not know and what we continue not to know is who went to the dinner; they will not disclose who went to the fundraiser. Their side of politics does not want $10,000-a-head donations disclosed. The last time that side of politics was in power, and many of the same people are still here, they wanted to wreck the CMC, or the CJC as it then was. We are happy with our record of integrity. Yours is nonexistent.

Queensland Economy

Mr WATT: My question is directed to the Treasurer. Can the Treasurer update the House on the government's plan to guide the Queensland economy through the global recession?

Mr FRASER: I thank the member for Everton for his question. He, like all members of this government, has his concern and his focus directly on making sure that we do all that we can as a government to support the economy at this time, to support jobs out there in the community. We are seeing the evidence of those efforts, combined efforts of governments and institutions around the nation and indeed around the world, in our ability to ward off the worst of the global recession. We see retail trade growing. We see home finance approvals growing. We see evidence out there in the community of those businesses, those entities, that are keeping people on the payroll because of their participation in our building program and the stimulus efforts of the federal government and taking the benefit of governments that recognise the challenges before us.

A determined policy response to a direct challenge—that is what this government has pursued, and to a person this government continues to pursue that as our No. 1 priority. Of course that is our economic policy. That is our economic strategy. What we do not see from the other side is one ounce of an economic strategy, one ounce of a policy.

It is worth reflecting on the journey of the Leader of the Opposition to this point in time, because ever since he arrived in the job he has argued to, suggested to and primed the people of Queensland that any minute now the policies were going to come. Back in April he said, 'We need to clearly show them'—the voters—'more in terms of policy,' and the people of Queensland stood by. Then on 20 April when asked a question about policy he said, 'On that one it is something that I will be putting my mind to. I just haven't got around to doing it yet.' We fast-forward to May, with the famous 'It's up to the Premier to come up with ideas.' And didn't we see that in evidence last week? The Premier was out leading from the front, leading the nation, and the Leader of the Opposition was not even in the same photo frame. Then the Leader of the Opposition said, 'I've got lots of ideas. We're working on policies and we'll roll them out over coming weeks.' What did the people of Queensland get? Nothing. He went to the press club and promised a policy. What did the people of Queensland get? Nothing. On all of these fronts he has no policy, no ticker and no ability, because he is not really running the show.

A fortnight ago we saw him stand up and say that he would look into releasing the names of people who attended as donors. Then the party president turned up and held a press conference in the parliamentary grounds and said, 'No, we won't be doing that.' Therein lies the issue. Who is running the show here? Is it the Leader of the Opposition or is it the party president? Is it the Leader of the Opposition who is really in charge here or is it the chief benefactor in concert, in business, with the party president, with National Party royalty who are really pulling all the strings here? What we want to see from the Leader of the Opposition is any evidence that he has a policy to put forward or any ability to lead.

Fuel Prices

Mr NICHOLLS: My question is to the Treasurer. According to motormouth.com.au, Brisbane had the lowest petrol price of any capital city in Australia on average in June before the Treasurer's fuel tax. Last Saturday, on 15 August, Brisbane had the highest petrol price. Does the Treasurer accept any responsibility for Queensland families who were deceived at the last election now paying skyrocketing petrol prices?

Mr Rickuss: Take your No-Doz, everyone.

Mr SPEAKER: The honourable member for Lockyer, I warn you under standing order 253(2).

Mr FRASER: I neglected to say that there was one policy in the Leader of the Opposition's speech to the Queensland Media Club and that was that he said that, if there was a solar eclipse, if he crossed his fingers and if a whole series of other things happened, now and then he might think about putting back the fuel subsidy. When he put that forward he was asked about it and he said that it would be easier in the future when they got back into government because there would be electric vehicles. So channelling that great ghost of Sir Joh, who said that the saviour for the Queensland economy was the hydrogen car—the more things change the more they stay the same.

The opposition has no policy to reintroduce the fuel subsidy. Those opposite have said no such thing. They merely pretend that they have that policy. On this front, Mr Speaker, know this: I do take responsibility for our decision to remove the fuel subsidy, which was being rorted every day of the week and that is what the royal commission found. I take responsibility therefore and why do we take responsibility? Because we put forward that decision to keep funding the building program—to keep the building program going to support the economy and to support jobs. We fronted up to that decision and we take responsibility for it. What the opposition has not done is take responsibility for putting forward one policy. Those opposite do themselves and their supporters in this state a great disservice. They do the standard of public debate in this state a great disservice in not putting forward any single policy.

What we have seen in recent times are movements in the fuel prices but, Mr Speaker, you can also see that at relative times, including last week, the price of petrol in Brisbane was in fact below the price in other capital cities. That is what happens in petrol markets. You can pick any day of the week, as has happened for the last 10 years, when someone would be able to say that the price in Murwillumbah was cheaper than the price on the Gold Coast. Let us be clear about this. Let us be clear about the decision we took. We prioritised the building program. We prioritised jobs, and we take responsibility for the decisions that we put in place.

What did the Leader of the Opposition famously say in July when asked about another policy question? He capped it off with, 'I got nothing.' That is what he said on Channel 10—'I got nothing.' And hasn't that been revealed over the last two weeks? This Premier has led from the front. That alternative Premier has ducked and hid and has refused to come forward with who has been at the fundraising events for the LNP, such that the former federal Treasurer, Peter Costello, is holding a cash for access fundraiser next week and who is going along? Are any of the members here going? Is the member for Coomera going along? He is in the federal electorate of Fadden. He used to give some financial advice. Is the former lobbyist the member for Indooroopilly going along? Is the former lobbyist the member for Mudgeeraba going along? Are any of those opposite going along? The answer is we do not know. And why? Because they support cash for access. They will not tell us who went and the question for the deputy leader is: was Ken Talbot at his $20,000 a plate dinner?

Mr SPEAKER: Order! The honourable the Treasurer's time has expired.

Mr Fraser: Was he?

Mr Springborg: No.

Mr Fraser: Well, who was? Prove it! Prove it!

Mr SPEAKER: The honourable the Treasurer.

Mr Fraser: Prove it!

Mr SPEAKER: The honourable the Treasurer.

Mr Fraser: Prove it!

Mr SPEAKER: I warn the honourable the Treasurer under the standing orders.

Invasive Weeds

Mrs KIERNAN: My question without notice is to the Minister for Primary Industries, Fisheries and Rural and Regional Queensland. Have there been any advances in the fight against the spread of invasive weeds throughout Queensland?

Mr MULHERIN: I thank the honourable member for the question. As honourable members realise, the member for Mount Isa is from a rural area and her passion is supporting those rural communities. Invasive weeds in Queensland cost the economy about $600 million each year in lost production and control methods. Currently there are about 1,000 species of invasive weeds in Queensland. Weeds do not just affect primary industries or fisheries. They also affect many sectors including tourism, mines, roads and energy. Those opposite might laugh about weeds affecting fisheries. We have weeds in saltwater tidal lands that do impact on fisheries. So members opposite should take the smug look off their faces. Invasive weeds, as I said, have a detrimental effect on a number of things including the environment. They also reduce water quality in dams—once again, this affects our fisheries. They also affect our rainforests and they also increase the risk of soil erosion.

As part of the ongoing fight against invasive weeds, Queensland scientists are using satellite technology that can see objects on the ground as small as a single tree. This allows them to pinpoint locations of weeds such as prickly acacia, cactus and rubber vine. Weeds, like other objects on the earth, absorb light and reflect sunlight. Satellite images measure the sunlight reflected from objects on the earth's surface. Computerised formulas are then used to search across the satellite image for unique reflectiveness signatures which then can identify the weed specie.

The project is investigating whether the unique spectral responses of each weed allows them to be distinguished from other native vegetation. Already a series of maps of prickly acacia is being developed across the Mitchell Downs region in Central Queensland.

Opposition members interjected.

Mr MULHERIN: Mr Speaker, members opposite always purport to be the friend of primary producers. Here they are laughing about what our great scientists are doing in the area of research which will assist many primary producers, tourism operators, and people in rural and regional areas to improve productivity by attacking invasive weeds and species. They do not want to hear about the good news that research scientists are doing working with primary producers on the land. I see the member for Condamine once again laughing about these matters. He always purports to be the member who has close contact with people on the land—

(Time expired)

Mr Malone interjected.

Mr SPEAKER: Order! The honourable member for Mirani, I have called for order twice.

Gold Coast, Police Resources

Mr JOHNSON: My question is directed to the honourable Minister for Police and Corrective Services. I refer the minister to the Gold Coast's fast-growing reputation of being the drug capital of Australia. Despite that, the Gold Coast region does not have a drug squad, does not have a fraud squad and the Burleigh Police Station has no uniformed police officers. When will the minister take the issue of drug fuelled organised crime seriously and commit the additional resources the southern Gold Coast desperately needs?

Mr ROBERTS: I thank the member for the question. I congratulate the police on the very swift action in apprehending an alleged offender in relation to the recent shooting. The police acted very swiftly and, as the member is aware, apprehended a person within 24 hours, so it was excellent work.

The Queensland Police Service takes its responsibilities on the Gold Coast very seriously. The area of Burleigh is currently serviced by Palm Beach, Mudgeeraba and Broadbeach. As the member would be aware, the Burleigh station currently has a uniformed officer presence during the daytime hours. When the new station was created at Palm Beach some years ago, officers were moved into that location, I am advised.

I am advised by the commissioner that, with the new refurbishment of the Burleigh Police Station which is planned within this term of government, consideration will be given to relocating uniformed officers back into the Burleigh station. Again, that is a matter that needs to be considered by the Police Commissioner.

I might also add in terms of resourcing for the Gold Coast, and particularly the Burleigh area, with those three stations I mentioned—Palm Beach, Mudgeeraba and Broadbeach—being the primary areas of servicing that area, there are 150 police officers allocated to that region. There is an 830-strong police presence on the Gold Coast. The government has funded the construction of a new $3.3 million police station at Robina. There will be 24 officers stationed at that station, I am told, including 10 new positions. In addition to that, as I have indicated, there will be a significant upgrade to the Burleigh Police Station over the next couple of years.

The Queensland Police Service has a range of specialist services. The member has mentioned a couple of those. Those specialist units are not just located here in Brisbane. Those resources are deployed across the state to regions as required and that will continue to occur. Queensland police are very much aware of some of the drug related problems and outlaw motorcycle gang problems on the Gold Coast, and contribute significant resources to resolving those problems.

Again I want to place on record my congratulations to the police in relation to that recent incident—a terrible incident outside McDonald's in the region of Burleigh. I share the concern of local residents, but I can assure them that the Police Service treats their responsibilities on the Gold Coast very seriously and will continue to do so.

Cubbie Station

Mr SHINE: My question is to the Minister for Natural Resources, Mines and Energy. Can the minister please outline the implications of the recent announcement that Cubbie Station is to be sold?

Mr ROBERTSON: I thank the member for the question. He is a member who has had a long-term interest in issues of the south-west. Yesterday the Premier made her government's position on the sale of Cubbie Station very clear, and that is that we will be talking to the federal government about its interest or otherwise in buying it or potentially buying out its water allocations.

The question that arises, however, is whether this is a consistent view across all sides of politics. What we have seen over the last number of years is Cubbie featuring in quite a deal of debates, both in this parliament and in the Commonwealth parliament. In fact, as recently as 2006 the then environment minister, Malcolm Turnbull, when asked about this issue when launching a conditional buyback scheme and offering to buy water from farmers in the Murray-Darling Basin, said, 'All proposals for water recovery, including buying back Cubbie Station, would be looked at on their merits.'

However, the then Liberal environment minister's views do not quite coincide with those of National Senator Barnaby Joyce. Barnaby, who we know lives near Cubbie, out past St George, and who has made numerous comments on Cubbie over many years, had this to say, 'I hope that Cubbie remains as a commercial viable entity into the future.' And why wouldn't he? When you pick up around about $9,000 in a personal donation for your Senate campaign from a commercial entity whose existence you continue to advocate, of course you are going to support that company's continued existence. When you pocket nearly 10 grand into your own back pocket in a personal donation, of course you are going to continue to advocate for their commercial interests. What we have here is a classic case of an individual member of parliament accepting a personal donation and then consistently advocating for that entity's own commercial interests. Yes, it was declared back in 2004, but what Senator Joyce has done consistently since then is advocate publicly, in the parliament and outside, for that particular interest without declaring that he is hopelessly conflicted.

I suggest that what needs to occur now is for Senator Joyce not to participate in this debate anymore and declare that if a vote is held in the federal parliament he will not participate in that vote, such is the conflict that Senator Joyce has in relation to this nationally important issue.

(Time expired)

Gold Coast SuperGP

Mr DEMPSEY: My question without notice is to the Minister for Sport. I refer the minister to his comments on the Nitro SuperGP just 12 days ago in this parliament, where he said, 'To put into question a company like that is quite ridiculous.' Now that Nitro has been cancelled as a major sponsor, I ask the minister: whose financial ineptitude looks ridiculous?

Mr REEVES: I thank the honourable member for the question. If the member looks at what I said in the *Hansard* he would see that I was talking about IMG. I would say that the member has misled the parliament by that question. I will look at it further and maybe refer it to the Speaker.

Mr SPEAKER: Order! That is the correct procedure rather than making an accusation.

Mr REEVES: The member should be aware that I made a full statement to the parliament this morning outlining advice I received late yesterday from the event organisers. This advice was provided to the parliament at my first available opportunity. I received that late yesterday afternoon. There will be no impact on the event itself, which will go ahead in October and provide a massive economic boost to the Gold Coast and South-East Queensland region.

This is an event that delivers jobs for Queenslanders. Once again, we have those opposite who want to bag the Gold Coast. They do not want the Carrara Stadium and they want to continue to knock the Gold Coast SuperGP. We will see what the people of the Gold Coast think about the Gold Coast SuperGP. It will create jobs and it will be great for the economy.

Heading into its 19th year, the Gold Coast event is regarded as one of the major, premier motorsport events, with the inclusion for the first time of the A1GP cars alongside our home-grown V8 supercars. Queensland's contribution to staging the event is $11.6 million. This will be maintained over the next five years. As I said this morning, this event generates nearly $60 million for the Queensland economy. We expect about 173,000 visitor nights.

The opposition has a very short memory. Those opposite obviously forgot what happened when they were last in office. Do they remember that? They completely messed up the naming rights of Indy and signed a sponsorship deal with a company that did not have any money. Remember Bruce Davidson and Sunbelt. Where did the money to cover the loss come from? It came from the taxpayers. Where will this money to cover any loss come from now? It will come out of IMG. The government's commitment is safe. They should remember what they were like when they were in government. Go and check with Bruce Davidson, 'Rhinoman' himself.

International Students

Mr WELLS: Mr Speaker, my question is to the—

Honourable members interjected.

Mr SPEAKER: Order! I will wait for order in the House. There is still too much interjection while you are asking your question. I call the honourable member for Murrumba.

Mr WELLS: My question is to the honourable Minister for Disability Services and Multicultural Affairs. Can the minister provide advice to the House regarding the safety of international students and action taken in this regard by the Bligh government?

Ms PALASZCZUK: I would like to thank the honourable member very much for his question and his interest in this very important matter. The Queensland government takes very seriously the safety of all international students who choose Queensland as their No. 1 destination to advance their education. In 2008 there were approximately 84,000 student visa enrolments in Queensland from more than 120 countries, including more than 13,000 students from India. We are all aware of reports in the media of alleged racist attacks on Indian students in New South Wales and Victoria.

I, like the Prime Minister and so many other political and community leaders, condemn any attacks upon international students visiting Australia. Thankfully, to date this does not appear to be a significant issue in Queensland. This government is being proactive to ensure that the students who come here feel safe and have a very positive experience.

As minister I have taken a proactive approach to this issue and convened a ministerial round table on 17 June at Parliament House. The round table included leaders from the Indian community as well as the Minister for Education, the Hon. Geoff Wilson, the parliamentary secretary for trade, Michael Choi, and the Speaker, the Hon. John Mickel. Also present were representatives from the Queensland Police Service and higher education providers.

We had open dialogue and I was able to reassure the community of the Queensland government's support. The next round table discussion is set down for November. We will build on the great work already done by the various agencies. I have also asked the department to dedicate an officer from Multicultural Affairs Queensland to work closely with the Indian community over the next six months. I can assure the House that this is already happening. The department has reported to me that it has already met with the Global Organisation of People of Indian Origin and the Indian high commissioner and convened meetings with groups of Indian international students. The Department of Communities has and will continue to actively cooperate with other government departments and all levels of government so as to best address any of the safety concerns of international students.

Last Friday, I was pleased to attend the Ministerial Council on Immigration and Multicultural Affairs in Canberra. My state and Commonwealth counterparts and I were keen to discuss developments regarding international student safety. We had cooperative discussions regarding ways we can all make Australia a welcoming place for international students. I also took the opportunity to talk to Senator Chris Evans, the federal Minister for Immigration and Citizenship, about the issue. He has visited India to meet with relevant leaders and talk about their concerns. He said the work we are doing in Australia has been very well received on an issue that has had very wide publicity in India.

We are taking appropriate, proactive action as a state and the feedback we have received from the Indian community is positive. International students are most welcome and are part of Queensland's fourth largest export industry. International students create a positive impact on Queensland communities. Queensland is regarded internationally as a safe and friendly destination and we will ensure that it remains that way.

(Time expired)

Prostitution Laws

Mr DICKSON: My question is to the Premier. I refer to University of Queensland's Professor Schloendardt and his researchers who have found that only 10 per cent of Queensland's sex workers operate in legal brothels. Does the Premier still stand by her answer to my question on the growth of illegal sex industries last sitting when she said that her laws are working? If so, what evidence does the Premier have to refute UQ findings that only a very small slice of prostitution takes place in legal brothels because the state laws are driving more and more sex workers onto the streets?

Ms BLIGH: I thank the member for the question. Frankly, I thank him for his interest in this area of social policy and legislative framework. I would draw the member's attention to a very comprehensive review of Queensland's prostitution laws undertaken by the CMC I think about 18 months or two years ago—I would have to double-check the dates on that—which found that Queensland's legislation is working very effectively, but there were areas where improvements could be made. The government undertook to make those improvements. Members will see the Attorney-General or the Minister for Police introduce legislation later today that will implement those recommendations. I draw the member's attention to those legislative amendments that do implement, as the government said it would, the CMC's recommendation to tighten up the legal framework in Queensland.

Unfortunately, no matter what laws we pass in this chamber there are always those who seek to evade them. There are people who are intent on breaking the law and there are people who find loopholes. If there are loopholes that the member believes could be better addressed then I suggest that he look at the legislative amendments and raise those issues.

As I said, this was comprehensively assessed by a very lengthy examination by the Crime and Misconduct Commission. Its report and recommendations are publicly available. It did actually draw very strong conclusions that the system that operates in Queensland is by and large operating very effectively and doing a better job than those that operate in a number of other states.

There is no doubt that street prostitution is nothing like what it was before our current prostitution laws came into place. As someone who represents an inner city electorate, I can tell the member that it was not unusual, before those laws came in, for people to see street walkers and prostitutes out and about plying their wares on a regular basis. I am not saying that every single person in Queensland in this or any other area is always doing the right thing. I wish they were. But I can say that it is nothing like what it was before those prostitution laws came into place. The recommendations of the CMC report will be implemented. The legislation to do that will be introduced into the parliament today. I urge members to support it.

Policy Development

Mr RYAN: My question without notice is to the Deputy Premier and Minister for Health. Can the Deputy Premier and Minister for Health please inform the House about the importance of focusing on policy issues and policy development?

Mr LUCAS: I appreciate the question from the honourable member. Queensland has an ageing population. Whilst recent Commonwealth data shows that this country has the third longest life expectancy on earth, we have an ever increasing health burden. Our hospitals are treating more people than ever before, but Commonwealth funding has not matched demand. In fact, under Howard the federal share of funding went from about 49 per cent to about 35 per cent, which is an absolute disgrace. At the same time, state health funding grew by 154 per cent.

This debate is about policy. That is why I was delighted this morning to hear on the ABC the Leader of the Opposition indicate, 'I'm more concerned about the issues for the people of Queensland,' when talking about what he was going to do this week. I was very interested in that.

I had a bit of a look around. It is normal when we go to his website to get his glamour pics. There are 194 sometimes, then we get 25 and there are five at the moment. It is a little bit like 'Blue Steel' from Derek Zoolander. He throws a look at the Premier every now and then as his replacement for debating in this place.

There is only one initiative on that website. There is one initiative only—the one related to the fuel tax. Of course that has gone through its different manifestations. The Leader of the Opposition is someone who is absolutely bereft of policy ideas. In fact, when I look at the glamour pics of old curly over there I can only think of that wonderful musical *Annie.* The cast is all there. Daddy Warbucks is Clive Palmer, the Leader of the Opposition is little orphan Annie and the Deputy Leader of the Opposition is the scheming Miss Hannigan who wants to get her hands on the money. In fact, when we actually have a look at the lyrics of *Tomorrow* they could have been written by the Leader of the Opposition. I am looking forward to him performing them—

When I'm stuck with the day,
That's grey, and lonely,
I just stick out my chin,
And grin and say,
Oh, the sun will come out,
Tomorrow,
So you gotta hang on til tomorrow,
Come what may,
Tomorrow, tomorrow, I luv ya, tomorrow,
You're always a day away

That is the way of the Leader of the Opposition. The member for Toowoomba South has been known to put a high value on recreation. That is something that he has done for a significant period of time, and I support him in doing that—because when one has a look at the 2003 Register of Pecuniary Interests they can see that he had a little trip to Paris. Whose unit did you stay at in old Paree? Ah, on the register it says Ken Talbot. Thank you, Ken! In fact, Henry IV said that Paris was worth a mass. We do not know who went to the $20,000 a head dinner for the then Leader of the Opposition. We do not know what that was worth because he will not disclose it!

(Time expired)

Biosecurity Queensland

Mrs PRATT: My question is to the Minister for Primary Industries. Minister, with reference to the review of Biosecurity Queensland offices and the 35 Biosecurity Queensland offices which were earmarked for closure in Queensland during the previous parliamentary term, how many were in fact closed? Have the recent outbreaks of Hendra virus et cetera given the government cause to reconsider these closures?

Mr MULHERIN: I thank the honourable member for the question. In relation to the Biosecurity Queensland organisational redesign, we are implementing a new state-wide operational structure and a simplified management structure to enhance its service delivery to deliver our new Biosecurity Strategy. The main aims of the redesign are to better align Biosecurity Queensland's resources to areas of greatest risk, build expertise in strategic planning, and community engagement and business performance. Phase 1, which was implemented on 1 May 2009, focused on the internal administrative changes to help improve the efficiency and effectiveness of the organisation and to prepare for further works around enhanced service delivery. Phase 2, which is being worked out during 2009, is a longer term project looking at the services which are provided by Biosecurity Queensland against the directions and priorities outlined in the Biosecurity Strategy. A key consideration will be how to service more locations than are currently serviced. Biosecurity Queensland is trialling mobile service vehicles to ensure a more rapid response to biosecurity issues and to reach further into the community, as well as looking at ways to better use the internet and call centres to reach more clients.

Over the next year Biosecurity Queensland will be working with staff and stakeholders to map out where the key biosecurity risks are in the state and what Biosecurity Queensland will be providing and alternative models of providing biosecurity services. It is expected that any transition will be done over a three- to five-year time period to ensure that the individual needs of staff are met and that the service needs of local clients are addressed. Any decision about location will align with the department's wider enhanced service delivery framework.

Biosecurity Queensland is a key agency of government. Our response to the Hendra virus at Cawarral—we have 40 people working there—demonstrates that when incursions occur we are prepared. We have developed flexible models of service delivery. If the member for Nanango would like a briefing on that, she should contact me and I will arrange a meeting for her.

Mr SPEAKER: The time for question time has expired.

MATTERS OF PUBLIC INTEREST

Political Donations

Mr LANGBROEK (Surfers Paradise—LNP) (Leader of the Opposition) (11.53 am): Oh, what a tangled web we weave! This morning we sought answers from the government about donations from someone who had been charged with corruption to attend a couple of functions implicating the member for Ferny Grove, the current Minister for Education and Training; the member for Bulimba, a new member in this place; and the Deputy Premier and member for Lytton. Let us look at a couple of these function details. In October last year there was a function for the Bulimba SEC. Let us have a look at what is on the invitation for the event on 10 October at the Colmslie Hotel at Junction Road, Morningside. It was 120 bucks a head and of course the Talbot Group donated $1,200. The invitation states—

The same great catch-up with mates in the building and construction industry, business and political leaders

Auction and raffles

Your support over the years is much appreciated. We look forward to seeing you again this year.

It sounds like cronyism to me, and that is exactly what we have. The new member for Bulimba is obviously a beneficiary of the largesse of the Talbot Group—headed by someone charged with corruption. Another function was attended by the current Minister for Education and Training, who was then minister for mines and energy, with the guest speaker being the Deputy Premier, who at that stage was the minister for infrastructure and planning and is currently the Minister for Health.

An opposition member: The drawcard!

Mr LANGBROEK: He was the drawcard. Once again, the Talbot Group donated $1,250 to that function. Isn't this outrageous? Today none of those ministers were prepared to answer the questions about the implications contained within but tried to turn it around. They were not prepared to address the ethical considerations that have been clearly raised. There are corruption issues that go to the cabinet table of this government. Can we imagine if back in the time of Fitzgerald, following the charging of Gerry Bellino or Hector Hapeta or Eddie Kornhauser, they had donated money following their charges to the National Party? What on earth would have happened back then? There would have been an outrage, and this is the equivalent.

Mr Springborg: Oh, yeah! Call it piousness!

Mr LANGBROEK: But of course we have got piousness and now piety coming from the government, obfuscating and refusing to answer questions about issues involving dinners here. I offer this challenge to the Premier: tell us about all of the Hawker Britton dinners that you have had in Sydney. Tell us about all of the dinners that Con Sciacca has done. Tell us about all of those particular details. On our side—

Mr Seeney interjected.

Mr LANGBROEK: Exactly! Has the Treasurer been to any of these? From the perplexed look on his face I would suggest that he has! He has been to something with Con Sciacca—the great Labor mate! He has been to something with Hawker Britton. I reiterate that the government tries this spin and this obfuscation and tries to turn the issue around to our issues. Let me make these points: at no stage have I or the opposition refused to provide details of those who donated to a fundraising dinner prior to the state election, because the organisation will do it.

Honourable members interjected.

Mr DEPUTY SPEAKER (Mr O'Brien): Order! The House will come to order!

Mr LANGBROEK: That was a dinner that was hosted to enable my party to balance the union donations to the Labor Party, but a very important point needs to be made. I can advise the House that neither I nor the deputy leader—or any of our staff—keep records of donors, and nor should we. That is the difference between the Premier and me. The Premier keeps records of donors in her office because her government and staff are encouraged to reward donors with preferential access and preferential decisions. That is what we have been able to elucidate over the last couple of weeks. We have been able to work out that that is exactly what is happening.

Mr Fraser: Prove it!

Mr LANGBROEK: The Treasurer cannot disprove it, and that is the point. We have said that we should have a royal commission into this and get it all out in the open—that is, these aspects of lobbyists acting for companies coming to parliament seeking preferable deals. My staff are not encouraged to provide preferential favours and, as such, these records are not kept in our office, nor do we ever seek to have access to them. Where did these recommendations come from? From Fitzgerald! After 20 years, this Labor government has found ways to get around the recommendations of Fitzgerald. In fact, it would not even know what Fitzgerald had recommended. But clearly the outcomes of Fitzgerald and its subsequent committees recommended that MPs remain at arm's length, as much as practically

possible, from proactively seeking to identify donors to their party. That is why when this information is released next Tuesday, 25 August, under the Electoral Act all donations over $1,000 will be declared. That will happen in seven days. I have received confirmation that the LNP will be lodging its electoral returns within the next seven days.

Mr Seeney interjected.

Mr DEPUTY SPEAKER (Mr O'Brien): Order! Member for Callide, your language is unparliamentary. I ask you to withdraw. Your leader is on his feet. I ask you to withdraw.

Mr SEENEY: I will withdraw.

Mr DEPUTY SPEAKER: Honourable members, there is too much audible conversation from both sides of the House. I ask that we maintain some level of decorum in the House.

Mr LANGBROEK: As I was pointing out very clearly, it is all very well for the Premier to say that she is providing leadership on this issue when she selectively chooses what issues she wishes to canvass. As I said, the LNP secretariat will be lodging their electoral returns within the next seven days on time and in compliance with the law.

But let us contrast that with the Labor Party—the only political party not to have lodged electoral donations on time, the Bligh Labor Party which corruptly concealed a donation of just over $225,000 from the CFMEU in the seat of Mirani. Again, that is what this Labor Party has done. The questions just kept on coming over the weekend—questions about $4 million from Labor Holdings. In the last three months, we have had donations of $200,000 from Labor's private business arm. It donated $200,000 on 29 July, $470,000 on 17 June and $3.4 million on 26 May.

When the laws were brought in they ruled that donations had to be declared within 14 days. The Premier said that the new laws were necessary so that Queenslanders could see who was donating and would be able to ask questions why. We are asking those questions on behalf of all Queenslanders. We believe that Queenslanders have a right to know, especially when the Premier is talking about bringing in laws that may bring in new caps on political donations. Clearly, the Labor Party is trying to stock up on cash now. It is still going to take money from the unions, but it may well impose bans on donations on other political parties to give them a rigged electoral advantage at the next state election.

There are questions marks, too, about the board members of Labor Holdings—the investment arm of the Queensland Labor Party that is making these large donations. The board members of Labor Holdings are also government board appointees to GOCs. It begs the question as to what information they have been able to find out. Do they then recommend that Labor Holdings use some of the information received to make investments in things that will then lead to more donations to the Labor Party? These are all questions that have been raised throughout Queensland. Today we have asked questions as well about lobbyists' links.

I want to remind the House that, during the election campaign, the former Leader of the Opposition indicated that he was happy to ask the LNP to provide details of donations made in a fundraising dinner until it was revealed that campaign workers for the Deputy Premier, the member for Lytton—the Lucas Luddites—were actively threatening and boycotting businesses which so much as displayed an LNP sign. That is what happens with the Labor Party. When you donate, you get favours with Labor—

Opposition members interjected.

Mr DEPUTY SPEAKER: Order! Members on my left, I cannot hear your leader because of your interjecting.

Mr LANGBROEK: That is the point with this Labor government. When you donate to the Labor government, you get favours. When you are an LNP donor, it leads to retribution from this Labor government. That is exactly what happens. These Labor tactics that are employed are identical to the tactics that are employed by the most corrupt and ruthless regimes across the world. That is how this government behaves with people who donate to the LNP. We saw it and it was admitted to by the Deputy Premier, the member for Lytton, during the election campaign. They want to stymie democratic expression.

Mr Seeney: He had to apologise for it.

Mr LANGBROEK: He did apologise, but he did so in the typical Deputy Premier's way—apologising but not quite apologising. That is what this Labor government is known for. Today the government refused to come in here and answer questions about accepting money from someone who is implicated in a corruption scandal that goes right to the head of the cabinet table.

Today we have again asked questions and the government now has 30 days to reveal the names of former lobbyists who were in the Premier's office and in the offices of other ministers—the names of staff employed in the Premier's and ministers' officers who have worked for lobbyists in the past three years, the names of firms they worked for and their clients, such as the clients that the Premier's two deputy chiefs of staff represented while they will were employed by a lobbying firm, and what meetings they or the Premier have had with these clients since being employed in the Premier's office.

Finally, when have the ministers and the Premier met with lobbyists run by Labor Holdings board members—the private investment arm of the Labor Party—including Milner Strategic Services and Govstrat Pty Ltd? The questions just keep coming. This government keeps distracting. It is not good enough for the people of Queensland.

(Time expired)

Toowoomba Racing; Cobb & Co Museum

Mr SHINE (Toowoomba North—ALP) (12.04 pm): I want to talk about two important events that were held in Toowoomba recently. On 11 July, Toowoomba's great feature races, the Weetwood Handicap and the Toowoomba Cup, were staged on a new synthetic cushion track. I am proud to say that the Bligh government had made this possible through a $12 million grant towards the $18 million cost of laying three such tracks in South-East Queensland. I had the pleasure of representing the Premier at these events and, in so doing, I publicly extended her regards to the Toowoomba Turf Club chairman, Neville Stewart, and his family on the recent very sad loss of their son, Alex.

When the capacity of the Toowoomba dams fell to nine per cent last year, it was clear that the racing industry in the area faced a crisis. How long could the existing grass courses be maintained? Not long and so a water smart solution was adopted—a synthetic cushion track. But to buy it and install it was an expense beyond the capacity of Queensland Racing and the Toowoomba Turf Club. So with the strong support of the Premier and the Treasurer, Andrew Fraser, the Queensland government stepped in. It was a far-sighted move. Queensland's racing industry accounts for 30,000 jobs, many of them in the state's regions. Job creation and protection is one of the government's highest priorities, especially in these tough times.

Racing has been an industry in Queensland for all of its 150 years. In Toowoomba, the land for the Clifford Park Racecourse was purchased in 1861. The Weetwood Handicap was first staged in 1889 and the Toowoomba Cup in 1919. Clifford Park has a long and proud tradition. It is one of the best tracks in the nation for the punter, the racing enthusiast, the jockey and the all-important owners and trainers and long may it continue. I would like to take this opportunity to extend my wholehearted congratulations to the outgoing chair, Neville Stewart, for his sterling service to Toowoomba and Queensland racing over the past 20 years and to give my best wishes to the incoming chair, Col Zeller; vice-president, Ray Anderson, and treasurer, Tom Warren.

I also recently represented the Premier at a real milestone for Toowoomba, with the turning of the first sod for the $8 million national carriage factory development at the Cobb & Co Museum. The national carriage factory is a key infrastructure project for the Toowoomba region that will create up to 100 jobs during construction and more new jobs with its opening in 2010. This project is also a highlight for the state's arts sector, with the Queensland government investing $4 million to ensure that these wonderful heritage trades, crafts and skills can live on and become trades for future generations.

The 2,000 square metre complex will be the only accredited heritage trade training centre in Queensland. It will feature a purpose-built open plan working area to conduct public workshops and accredited heritage training for heritage building, blacksmithing, silversmithing, felting, leatherwork and equine trades. The training centre will cater for secondary school students through to adult learners. It will position Queensland as a key provider of heritage trades training in Australia and the Asia-Pacific region. A highlight of the new facility will be a shed for retired tradesmen to interact with visitors and to mentor young trainees. The national carriage factory will even produce a line of quality products for sale under the brand Hand Made in Country to effectively support commercial export opportunities. Importantly, the national carriage factory development will bring visitors and tourism dollars to Queensland.

I applaud the Queensland Museum, the national carriage factory campaign committee and the Toowoomba community for its dedication and support. The committee was led by Mrs Mary Wagner and included Bill Armagnacq, Mary Ann Anderson, Clive Armitage, Richard Bowly, Dr Dennis Campbell, Denis Davey, Joy Pugh, David Snow, Ivan Walls, Diana Scott, Deborah Tranter.

Public Hospitals Performance Report

Mr WATT (Everton—ALP) (12.10 pm): I rise to highlight the continued improvement in Queensland's public health services outlined in the latest quarterly Public Hospitals Performance Report which the Deputy Premier and Minister for Health published on Friday. It is fashionable to criticise Queensland's health system as failing to meet the needs of Queenslanders. This report shows that while there is still room for improvement our hospitals are stepping up to the challenge set by the increasing number of Queenslanders seeking health care each and every day. It shows that the government's record investment in the health system in the last four years is paying dividends by delivering more and better health services to Queenslanders throughout the state.

During the June quarter of 2009 our busy emergency departments treated over 378,000 patients. That is a three per cent increase on the same quarter in 2008. A comparison of emergency admissions over the past four years shows there has been a 21.9 per cent increase in emergency public hospital admissions. That is an increase that far outstrips the growth in our state's population in that time. Despite this increase, Queensland's emergency department waiting time performance has improved in all categories.

The report also shows that residents of the electorate of Everton are benefiting from improved performance by public hospitals on the north side of Brisbane. The facilities most accessible to constituents in the electorate of Everton are the Prince Charles Hospital and the Royal Brisbane and Women's Hospital. Together, the Prince Charles Hospital and the Royal Brisbane and Women's Hospital have treated over 26,000 people in their emergency departments in the three months ending June 2009 and admitted just over 26,000 people. At these two hospitals nearly 4,500 people received elective surgery in the three months ending June this year. At the Royal Brisbane we welcomed 1,173 babies into the world. The Royal Brisbane also reported a significant decrease in the number of long-wait patients from 1,335 to 1,209. That is a 10.8 per cent decrease in the number of people who are waiting an unacceptably long time for elective surgery procedures.

This decrease in long-wait patients I think can be linked to a number of strategies that this government has under way, including in particular the Surgery Connect program where we outsource some elective surgery procedures to the private sector to cut the backlog of our public hospital waiting lists, some of the local strategies introduced by some of our hospitals such as improvements to patient flow and bed management, and also the important funding that we have received from the Commonwealth government under waiting list reduction initiatives. Overall, the number of patients waiting over 365 days across all specialties at the Royal Brisbane has reduced by 125 since last quarter from 861 on 1 April 2009 to 736 as at 1 July 2009. The Prince Charles Hospital has also done a fantastic job meeting the health needs of residents of the Everton and neighbouring electorates. The Prince Charles treated 9,439 people in its emergency department, a massive increase of 18.2 per cent, up from 7,986 patients treated in the June 2008 quarter only one year before. There were 7,468 people admitted to the hospital, which is a 7.3 per cent increase from the figure one year previously, and 1,033 people received elective surgery in the three months ending June this year, an 8.7 per cent increase on one year ago.

When one sees figures like these the mind boggles as to how hard our hospitals are working to deliver, to literally thousands of people each quarter, quality health care. I pay tribute to the wonderful health workforce that we have not only at both the Royal Brisbane and Women's Hospital and the Prince Charles Hospital but also at every hospital right around the state.

Despite these improvements in the performance of our hospitals we do know that more can be done. The Bligh government is committed to doing more. I must say that it is refreshing to at last have a willing partner in a federal government that actually wants to invest more in health care for Australians and those in Queensland in particular. I think members are well aware that under the Howard government Commonwealth funding for public hospitals in Queensland decreased from 49 per cent of funding to 35 per cent. That is a $2.6 billion decrease in funding that occurred under the Howard government. That $2.6 billion could have bought 340,000 more elective surgery procedures or 5,200 more beds—beds that were sorely needed in a state like Queensland with its population growing and ageing every day.

The Bligh government has welcomed debate that has been generated by the report commissioned by the federal government on the future of Australia's healthcare system. There are a number of exciting recommendations contained in that report. Obviously the federal government is still in the process of considering those recommendations and consulting with the Australian public on them, but if implemented I think they bode well for Queensland's health system through improved access to emergency departments and elective surgery and overall improved health care for Queenslanders.

Hendra Virus

Mr McARDLE (Caloundra—LNP) (12.13 pm): In 1994 Hendra virus was first detected here in Queensland. Hendra virus is a rare disease that has been contracted by six human beings in Queensland, of whom three have died. Once a person catches this disease their risk of dying is exceptionally high. One of the common factors in relation to all six who were infected is that they came in contact with sick or dead horses. The symptoms do vary but they include influenza-like symptoms which can progress to pneumonia, brain inflammation producing headaches, fever and drowsiness. There is no vaccination for Hendra virus. Brisbane vet, Ben Cunneen, passed away only last year as a consequence of contracting Hendra virus.

Against that background, just over a week ago Hendra virus was detected on a property near Rockhampton. The property manager, Adrian Daniels, is quoted as saying—

The mare sneezed and coughed on us and we had bodily fluids from her on our hands.

Can members imagine the terror in that man's mind when he was told that horses on that property had Hendra virus? Can members imagine what he felt could be the consequences? I table a photograph that appeared in the *Courier-Mail* under which reads—

Stud manager Debbie Brown and fellow worker Adrian Daniels meet DPI officials yesterday as they enter the property for testing.

Tabled paper: Photograph of stud manager Debbie Brown and fellow worker Adrian Daniels meeting DPI officials [713].

The DPI officials are dressed in appropriate protective clothing to ensure that they have the least risk of contracting the Hendra virus. Daniels and Debbie Brown are in their work gear behind the gate. Debbie Brown and Adrian Daniels have been exposed to the Hendra virus, a disease that results in death in one half of those who contract it, and there is no known vaccination. What is the advice that these two people get from Queensland Health as to how best to deal with Hendra virus? The best that Queensland Health can do is to tell them to go and see their GP. Here we have the DPI acting appropriately and Queensland Health befuddling down here in Brisbane somewhere trying to work out what it is going to do. These two people have been exposed to a deadly virus, a virus that has a 50 per cent chance of killing them, and they are simply told to go and see a GP.

The public outcry from such ludicrous advice was heard right across the length and breadth of Queensland. Correctly so, Queensland Health finally apologised and sent a team in to take samples and to discuss any concerns that these two people or others may have. That would have been the right thing to do from the very first second this issue broke as opposed to leaving these people dangling out there not knowing really what to do, not comprehending the implications nor having experts from Queensland Health to talk to and to discuss their concerns.

In the *Courier-Mail* Dr Christine Selvey of Queensland Health said—

It is a huge amount of stress to be thinking that perhaps you've got this really serious disease.

She then says—

I feel for those people because it is a terrible thing to have to go through, waiting for those results and wondering whether that little bit of a dry throat in the morning is the start of an illness or not.

Here is a doctor ranked very highly in Queensland Health advising what should have been told to these people from day 1. What should have been told to these people are the concerns that they faced and that Queensland Health was there to help them. Yet Queensland Health again dropped the ball. It did not protect the public and it allowed these two people to wander around wondering what they should do. It was only because the public of this state caused an outcry that Queensland Health suddenly changed its tune. It does not surprise me with this minister that we have this attitude towards the health system in this state. Do not forget that it was his department who described the Health budget as positive guff.

Hermit Park State School

Ms JOHNSTONE (Townsville—ALP) (12.18 pm): Last Tuesday, 11 August 2009, I spent the morning at the Hermit Park State School. Firstly, I want to say thank you to principal Clayton Carnes and the year 7 students for the warm way they welcomed me to their school. I particularly thank the following students who spent part of their day giving me a fantastic and interesting tour of the school: Chaneil Ditton, Rita Fontaine, Josie Bayley, Chelsea Leet and Ruby Bragg. Hermit Park State School is a school of 400 students. Two years ago the school was chosen to trial one-to-one computing with Intel machines. One-to-one means that every student in the class utilises a laptop. Following the success of the trial, the school is now the only state school in Queensland to be operating a sponsored trial with the use of Acer Netbooks in a year 3 classroom. Netbooks are a smaller version of a laptop and are suited to younger children. Education Queensland has supported the trial by purchasing networking equipment, providing professional development and money for computers. Acer has also supported the trial by providing financial support for the machines. The results are being collated and will be published on a state one-to-one learning website.

Following the success of the original trial, the school is now running a sponsored trial using the netbooks that I have just referred to in Mr Cohey's year 3 class. Early indications are that the current trial will be a success. Students are able to take their computers home at night and can complete their homework on them. Mr Cohey, the year 3 class teacher, advised me that on the Tuesday of the first week students came back to school with all of their homework completed, even though they had until Friday to finish it. Additionally, the one-to-one trial means that parents can play an interactive role in monitoring their child's progress in the classroom. Parents are able to log on to the system at any time to check on their child's progress. As a busy working mum, this was of particular interest to me. This is a fantastic step in the right direction that allows working parents another option to remain connected with their local school and engaged in the education of their children.

In this program students will receive a solid education in the traditional education skills such as writing and the arts, but through this program they will get far greater training in digital and computing skills. One of the benefits is that the teacher can check on the work being performed by individual students at any time because all the computers are networked together. This is an example of the

Queensland government, a private company and a progressive public school working together for better education outcomes for our children. This trial has the potential to bring benefits not only to Townsville children but also to those in other schools in Queensland.

During my visit last week, I was also given an opportunity to learn about the other ways that Hermit Park State School is giving its students learning experiences that cover the basics and, at the same time, catering for differing learning styles and cultural beliefs, while changing parent expectations about the sorts of skills and information we want our children to have to equip them with the skills they need to take them into the future. Not only is Hermit Park leading the way in information technology but the school body is also leading the way in environmentally sustainable practice, teaching and innovation. It has received numerous environmental awards and currently has projects underway that include a science project sponsored by JCU that involves studying the life cycle of the barramundi, including water quality and breeding cycles.

Mrs Sullivan interjected.

Ms JOHNSTONE: It is a great project, isn't it?

Mrs Sullivan: It's fantastic.

Ms JOHNSTONE: They are growing a range of plants and herbs in the school vegie patch. Of particular interest is the banana circle where different banana varieties are grown that students in the school community can use. They have a chicken coop with laying chooks and the tuckshop uses the eggs. They have an Indigenous Australian beehive that produces medicinal quality honey. On the lawn they are trialling a carbon sequestration project. The principal tells me they are planning to use it as a fundraising opportunity by selling sections of turf to offset carbon emissions. They have a butterfly house and a rainforest with a running brook. The school is looking at installing a windmill to pump underground water to the brook. The school plants a minimum of 300 native plants a year and, wherever possible, they plant trees and shrubs that are native to the Townsville region, which is a dry tropics area. They have a range of other recycling, water and energy saving strategies that they implement as a day-to-day part of their school community. I want to say thank you to the school for providing the leadership, skills, innovation and will to challenge boundaries, and for its investment in our children's futures.

Flying Foxes, Mitigation Permits

Mr HOPPER (Condamine—LNP) (12.23 pm): On 1 September last year this government stopped mitigation permits for flying foxes, which meant that farmers could not protect their crops. The mitigation permits were used for scout bats. I am told that scout bats are sent out, and if they do not return to the mob the mob does not follow. Farmers in the Gin Gin area are chainsawing their fruit trees because they simply will not be able to get a crop. They are turning to alternative crops and refusing to grow fruit anymore, because the mitigation permits have been stopped. Last year the Wide Bay-Burnett region produced 83,175 tonnes of fruit. The Darling Downs-Stanthorpe area produced 39,715 tonnes of fruit. That is food for our tables.

Only about 10 days ago, the New South Wales government reintroduced limited mitigation permits. The government in New South Wales is aware that we need to grow food. Instead of letting the bats eat the food and destroy the crops, that government is allowing mitigation permits until some other control means has been proven. Less than one per cent of the flying fox population will be affected. This government must immediately reintroduce mitigation permits to save this year's fruit crop and the fruit growers' future. We must fast track all the research to introduce non-lethal means to protect our crops. We need to fast-track that research. The alternatives simply are not available yet.

Ms Jones interjected.

Mr HOPPER: I can hear the minister squawking away. What has she done? She has sat on her hands and done nothing! She might find it worthwhile to listen. For a property of 20 acres, providing lights will cost $70,000 to $90,000; to provide full canopy netting will cost $300,000 to $400,000; to provide drape netting will cost $70 to $80 per tree; a sound system would cost $30,000 to $40,000. The costs to our growers for alternatives that do not work is simply immense. A fruit orchard can be wiped out in six or seven nights.

Last year former minister McNamara promised $100,000 for industry transition. Where has that money gone? What fruits have we seen from that? We have seen nothing. There are just three months until the next season. We have three months in which to reinstate mitigation permits. We must fast-track the flying fox task force. We have seen the recent outbreak of Hendra virus. Of the six humans who have contracted Hendra virus, three have died. That is a 50 per cent death rate. All cases relate to flying foxes. What is this government doing to remove the colonies that live beside equine facilities? In every case, the outbreak of Hendra virus relates to flying foxes. The afterbirth, urine or body fluids of the flying fox carry the virus, which can be picked by horses when they feed. The horses then contract the virus.

I congratulate the DPI on how it has handled the recent outbreak. It is good to see how quickly it moved. I congratulate the 40 officers who are now working very hard and spending a lot of time on this. When a horse gets sick, its owners have to care for it. That involves handling the horse and being in contact with the horse. Everyone loves their horse. But then they find out that it has Hendra virus.

Mr Reeves interjected.

Mr HOPPER: I challenge every member opposite to sit in the park at Charters Towers. The member for Dalrymple, who is sitting beside me, has spoken about this issue many times in the House.

Mr Reeves interjected.

Mr HOPPER: The member might laugh, but if a child with a cut foot happens to walk barefoot through a park and stands on faeces from flying foxes, he is open to calicivirus and other diseases. It can be deadly. These animals are vermin and their welfare is being put before human life. This government must act immediately and do something about it before someone else dies, and their blood will be on the government's hands.

Royal Australian Regiment, National Memorial Walk; Vietnam Veterans' Remembrance Day

Mr FINN (Yeerongpilly—ALP) (12.28 pm): The Royal Australian Regiment's National Memorial Walk at the Gallipoli Barracks at Enoggera is a special place and an important memorial to the contribution of our veterans community. Last week I visited the memorial, which is managed by the RAR Association, an organisation of past and present infantry servicemen who have served or are serving in an infantry battalion of the regiment. I acknowledge the member for Ashgrove, as the Gallipoli Barracks are in the electorate of Ashgrove. When I visited there, it was clear that the member for Ashgrove was well known by the RAR Association.

Our infantry battalions are our front line, and I acknowledge all those who have served in the Royal Australian Regiment. The RAR Association was formed 30 years ago with aims including perpetuating the close bonds of comradeship and esprit de corps in the regiment; preserving the memory of those who died in service; assisting the sick, wounded and needy who have served in the regiment and the widows and children of deceased members; and maintaining the regiment's memorials.

The association's National Memorial Walk is an impressive example of its efforts to achieve those aims. It is a tribute to those soldiers who have died while serving in the regiment overseas. A living memorial, the walk is composed of over 1,000 trees; a contemplation hall; a gathering area for visiting families, aptly named Digger's Rest; and a time line of the battles which have involved the RAR since its creation in 1948. The memorial traces through each of the theatres of operation which have involved the RAR, with a grove of Australian native trees for each location in which the regiment has fought. At the base of 695 of the trees, plaques memorialise the details of the individual soldiers of the regiment who have died in service. Most importantly, the memorial has provided a place of quiet contemplation for the more than 10,000 people who have visited the walk to remember their loved ones and acknowledge their contribution to our nation.

I was fortunate enough on my visit to meet 'Dad's Army' of volunteers who maintain the walk and the grounds and keep them in pristine condition for visitors. It is no stretch to say that volunteering makes the impossible possible. This government is committed to increasing volunteering in Queensland through the Q2 plan, which targets an increase in the proportion of Queenslanders involved in their community as volunteers by 50 per cent by 2020. We know that volunteering improves the quality of life in our communities and improves the lives of volunteers by creating friendships and networks, staying active, keeping healthy and sharing skills. This is alive and well in the RAR Association.

I would like to place on record my thanks to Mr Ted Chitham, the President of the RAR Association, for inviting me to visit the memorial, as well as Mr Kiwi Gibbons, the memorial's curator, and his wife, Margaret, for the wonderful work they do in coordinating the maintenance of the site.

Today is a particularly important day for our veterans community as it is a day to acknowledge the importance of the contribution of our service people in Vietnam. The importance of our war memorials are very special on days like today that acknowledge service in Vietnam.

Vietnam Veterans Day was originally marked to commemorate the Battle of Long Tan, the largest single unit battle fought in Vietnam by Australian troops. The date of 18 August was declared Vietnam Veterans Day by then Prime Minister Bob Hawke in 1987 following the welcome-home parade for Vietnam veterans in Sydney. The Battle of Long Tan itself was significant as the first major conflict involving Australian troops in Vietnam. Delta Company from the 6th Battalion of the Royal Australian Regiment were ambushed by thousands of enemy soldiers in the rubber plantation called Long Tan. The Australians were outnumbered by a ratio of almost 20 to one. Yet, from the afternoon of the 18th to the morning of the 19th, and in torrential rain, that small company of Australian soldiers held off thousands of enemy combatants. Eighteen Australian troops were killed in the ambush, and nearly 1,000 of the enemy died.

Today we remember all those who fought and died in Vietnam. We must always remember that it is governments that make the decision to send Australia troops to war and it is governments that should lead the way in working to improve the quality of life for veterans and memorialise their outstanding contribution.

Road Toll

Ms SIMPSON (Maroochydore—LNP) (12.33 pm): Firstly, I table a document that my colleague the member for Condamine meant to table with regard to the damage created by fruit bats in the agricultural industry.

Tabled paper: Photographs of fruit bat damage [714].

I want to address a most serious issue—that is, the deaths occurring nearly every day on our roads. More than one person a day dies on Queensland roads, with 229 killed in 228 days up to 16 August this year. That figure is up 24 per cent on five years ago. With 44 more deaths on our roads than for the same period five years ago, it is time for a full and thorough review of road safety, in consultation with industry experts, on the best ways to cut the carnage.

This toll is totally unacceptable. The loss of life and the high rate of injury that also accompanies these accidents is one of the most serious issues facing this state. It has a devastating impact not only obviously upon those whose lives are taken or injured but also upon their families and the wider community as well as our emergency services personnel who attend to these victims.

Minister Nolan and the government are ignoring their responsibility. Every single life lost is a tragedy, not just for the family but also for the wider community. Road safety comes down to three equally important aspects: safe roads, safe drivers and safe vehicles. We need to ensure that all aspects are properly addressed. Thus it is a disgrace that parliament's highly respected Travelsafe Committee has been scrapped by this government. It is time for a far-reaching review of road safety, and this review should have parliamentary oversight. This full review must look at all factors leading to this appalling road toll.

It is now over 12 months since the first of the young drivers obtained their provisional P1 licences under the new learner driver training system. We know that there are some major questions being asked about how this system is being monitored and implemented. Across this parliament we want to make sure, and we should ensure, that these systems are not just a policy on paper but monitored and reviewed along the way to ensure they deliver the outcomes that we have been promised they will.

Concerns were being raised last year about the implementation of this system. When I raised the concerns of driver trainers with the then transport minister, I asked about what reviews were being done into these processes because of the large number of driver trainers who were leaving the industry. I will table the then minister's response. The then minister advised that a three-year independent evaluation of young driver initiatives was planned for 2009, but there really should have been a review process into these factors well before then. I know that aspects of this program are now fully implemented, but there have been warning signs for some time and concerns about the logbooks.

The minister today has said that they have launched an internal review of the process and that everything is fine, but still concerns keep coming forward from parents and driver trainers that more can be done. That is why this issue, as well as the other serious issue of the road toll, must be addressed. I table the minister's letter as well as a question on notice that I asked about this issue.

Tabled paper: Letter, dated 25 September 2008, from Hon. John Mickel MP, Minister for Transport, Trade, Employment and Industrial Relations, to Miss Fiona Simpson MP, member for Maroochydore, relating to feedback about the performance of the learner driver system [715].

Tabled paper: Question on Notice No. 1229 asked on Tuesday, 9 September 2008 by Miss Fiona Simpson MP to Hon. John Mickel MP, Minister for Transport, Trade, Employment and Industrial Relations, along with answer provided [716].

With regard to the fact that many people across all age groups are continuing to die on our roads, there are questions that need to be asked about the safety of our roads and how much that is contributing to the situation. We know from this document about the Queensland road toll, which I will also table, that there are significant issues other than speed—and speed is important—that must be addressed, such as the road conditions and driver awareness. These issues must be addressed because, as this toll now stands, nearly one person a day is dying on our roads. The road safety campaign is not doing enough to address this serious toll. This parliament and this government have a responsibility to address this. That is why we are calling for a full review of road safety issues and for overview by the parliament of those matters, because every life is precious. I table that document.

Tabled paper: Queensland Road Toll, Weekly Report No. 604, Comparative Queensland Road Toll, year to date to Sunday, 16 August 2009 [717].

Translational Research Institute

Ms JARRATT (Whitsunday—ALP) (12.38 pm): I rise today to expand on the recent announcement by the Premier that, in a consortium with Atlantic Philanthropies, the University of Queensland and the Commonwealth government, the final $100 million in funding has been allocated to the $354 million Translational Research Institute.

Before expanding on the subject, however, I would like to take this opportunity to correct the parliamentary record in relation to a speech I made at the last sitting regarding the Hub for Sustainable and Secure Infrastructure. In that speech I indicated that the hub was being funded through a $35 million contribution from the Queensland government, $34 million from the Queensland University of Technology and $34 million from Atlantic Philanthropies. For the record, the correct funding for the hub in fact comprises $35 million from the Queensland government, $25 million from Atlantic Philanthropies and $43 million from the QUT. I apologise to the House for this oversight and, again, commend the hub as a cutting-edge Queensland research institute that will drive innovation in relation to the challenges that confront our built environment in a carbon constrained future.

I return to the topic of this address, and that is to inform the House of progress on another of Queensland's significant research facilities—the Translational Research Institute, which is based at the Princess Alexandra Hospital campus. It will not surprise anyone in this chamber to hear that one of the key policy challenges to this government, and indeed to all governments in the developed world, relates to the management of chronic disease. Too many Queenslanders die prematurely from preventable diseases each year. We have the highest rates of death from skin cancer and the second highest from heart disease and stroke in the nation.

The overall burden of preventable chronic disease in Queensland is predicted to rise by more than 20 per cent between 2006-16. Major increases in type 2 diabetes are fuelling much of this growth. It is sobering to learn that one in four Queenslanders aged 25 and over either have type 2 diabetes or prediabetes, and children as young as five now have type 2 diabetes. Only a decade ago this disease was considered an adult condition.

Sadly, 4,300 Queenslanders die prematurely each year from preventable diseases. Governments around the world, including and especially the Queensland government, will be expected to provide effective treatment and management of chronic diseases as we stare down the barrel of an ageing population. The Translational Research Institute is an investment in the capacity of medical researchers to better understand, better diagnose, better treat and better manage the burden of chronic disease.

Translational research is a recognition that our medical science has progressed to a complexity where we no longer simply treat the symptoms of an acute condition. It is a recognition that medical treatment into the future will be about therapies for conditions such as cancer and diabetes combined with better rehabilitation and less invasive treatments. The medical complexity of the issues confronted by the population require our research methods to change, and that is why translational research aims to integrate research into the how and why a disease initiates or worsens, with an understanding of the mechanics of a condition as well as research into the treatment and management of a condition.

The Translational Research Institute is based on a recognition that there can be sufficient synergies between the research into the mechanics of a medical issue and the development of therapeutic treatments. It will link the research of world-leading scientists and researchers like Professor Ian Frazer with the means to develop and deliver new therapeutics to Queenslanders and indeed to the world. The institute will create around 2,000 jobs during the construction phase and when complete will house between 500 and 700 researchers and be co-located with one of the largest hospitals in Queensland, which itself is expected to provide a further research efficiency dividend.

This arrangement will link medical research directly with a world-class healthcare facility, theoretically minimising the time between a laboratory discovery and its effective application in a clinical setting. We are incredibly fortunate to have a cutting-edge facility like the Translational Research Institute established in our state. I, for one, am confident that, if not me, then certainly my children will reap the benefits of the government's investment. Like the Labor government's investment in prep, clean coal technology and wild rivers, our investment of taxpayer funding into this institute exemplifies our forward-looking vision and absolute desire to give Queenslanders every advantage in the times ahead.

Nanango Electorate, Upgrade of New England Highway

Mrs PRATT (Nanango—Ind) (12.43 pm): There is a stretch of road on the New England Highway between Hampton and Geham which has fairly recently become known locally as 'Cathedral Drive' for its beautiful arch of huge old trees that form a shady canopy over the road. Many of us would have travelled down a road similar to this in various areas, and they are beautiful tracts of road. In spite of its beauty, this road is fast becoming a dangerous road as the old trees—and I believe this is due to Main Roads' neglect—have grown ever closer to the road's crumbling bitumen edge. Consequently, and due to the nature of these trees, large and not so large branches fall onto the road and any vehicles which

may be travelling along at the time. Just last week there was another accident whereby a person swerved to miss a fallen branch and ran into a tree. Fortunately, they were not hurt but this ongoing situation saw Main Roads undertake steps to resolve the situation.

The RACQ has ranked the safety rating of this road as one of the worst in Queensland—that is, a low level 2 on a scale where 1 is the absolute worst and 5 is the highest safety rating. Everyone wants the safety rating on this road to be raised and for people to be safe as they travel this major thoroughfare—the New England Highway—but the manner in which this safety upgrade should be achieved has divided the community. There are those who want minimal roadwork done so that the maximum number of trees can be saved, and a group calling themselves SAVE has been formed. This group advocates that traffic should be slowed, the trees monitored, dead branches trimmed, and wire rope railings erected instead for the more solid forms. SAVE also advocates the saving of animal and bird habitat trees, which we would all support, but unfortunately the habitat trees are dead trees. Dead trees are fragile and fall, and many dead branches and trees threaten the drivers along the road, so I support the removal of those particular trees.

Those supporting Main Roads' proposed upgrade are equally adamant that the proposal should go ahead and have become increasingly vocal as they endeavour to match what they call the minority view of the members of SAVE. The Main Roads proposal, for the parliament's interest, is to upgrade the road not to an RAQC safety rating of 5, which is the highest rating and which would necessitate clearing up to nine metres from the shoulder edge of the road, but to an RACQ rating of 3. This is one level above what it currently is. To raise it one level, they advocate that the road would have a 1½ metre shoulder and then clearing only 2½ metres from the edge of the road.

I would like to read into the record one of the most recent emails that I downloaded this morning. This gentleman is a local and he and the members of his family travel this road every day. He writes—

> We are writing to you today to object to the group calling themselves SAVE. This group has been saturating the airwaves, an unfair perception of the feelings of most of the locals. As locals, we are fully aware of the dangers of this highway, specifically the section Hampton to Geham. At the present time it can be very hard to pass a vehicle safely due to lack of passing lanes. We only have to have a storm and people are stopping to remove litter from the road and big branches ... and even my son and I have had to remove various bits of debris to travel safely. These are never reported to RACQ and usually are never reported to the council or Main Roads. In the last week alone there have been two accidents. We fear that the longer this project is delayed, the moneys allocated for this upgrade will be used for another project. We currently have a petition circulating to counteract SAVE.

The community, as you can see, is well divided over this earmarked upgrade. Unfortunately, and it is sad to hear, this upgrade is planning to remove roughly 1,400 trees over quite a few kilometres. The proposal upgrade is needed but to what extent? I have received correspondence equally from those for and those against. I know that the minister has put the matter on hold while further investigation takes place, and I thank him for that. It is going to be a very difficult decision and not everyone will be happy with the result, but the ultimate outcome is the safety of people on the road. If there is an alternative to cutting down the trees that will provide the same degree of safety for motorists, then I am all for it. I would encourage Main Roads to do the utmost to investigate any other possibility, but this road definitely needs an upgrade.

St Benedict's Primary School

Mr HOOLIHAN (Keppel—ALP) (12.48 pm): On 27 July 2009 it was with great pleasure that I attended St Benedict's Primary School, north of Yeppoon, for the official opening. This is the first new Catholic primary school in the central region for nearly 20 years. It is a purpose-built school for prep to grade 7 and has sufficient area to allow for expansion. I congratulate the committee, which worked with Tony Madden Architects on design and construction by Landsdeane Constructions to provide a modern and functional school.

Stage 1 construction includes two preparatory classrooms, five general learning classrooms, a library initially housed in a classroom, a learning support classroom, administration, canteen and covered lunch area, student amenities and stage 1 car park. The Bligh Labor government contributed the amount of approximately $3.8 million in construction costs and $0.6 million in roadworks to assist the Queensland Catholic Education Commission and the Catholic Education Office in Rockhampton to complete the school. The CEO contributed $770,000, and the new school has a very energetic P&F to work with the school to ensure its success.

It is a good example of state and private education providers working together for the benefit of our community. I just calculated that there will now be about 22 schools in my electorate. The planning and construction of the school has been on the drawing board for some years but only came to fruition over the last two to three years. The land was purchased some years ago by the then Bishop of Rockhampton, Bishop Wallace, because he saw the value in forward planning.

I have also had the pleasure of working with the various members of the planning committee to try to overcome some of the difficulties with the design requirements of government departments. There were difficulties particularly with road design and construction, but the needs of the children and the community have been met.

The school opened in January with 107 pupils and has now risen to 120 pupils. The principal who was actively involved in the planning and opening of the school is Tim Collins. He is a dedicated and respected teacher in Central Queensland who knows the value of education for children, having six of his own. His team, which includes his wife, Melissa, has quickly made their mark on the educational calendar in Central Queensland, even taking two first prizes in the recent Rockhampton eisteddfod.

One was for verse speaking which involved the whole school. The children performed their presentation for the guests at the opening. It was no surprise why they won first prize. If ever members get half a chance to hear a school do a verse speaking contest of a verse called *Jeremiah Jones* I suggest they sit and listen to it if the kids do it well.

After recognition of the joint work of the school and the local Darumbal people the opening was blessed by our local bishop, Bishop Brian Heenan, together with the parish priest, Father Brian Hanifin, who is the chaplain at the school. They also took part in the opening ceremony. It was also pleasing to join with Mr Mike Byrne, Executive Director of the QCEC, and Ms Leesa Jeffcoat, the Director of the CEO in Rockhampton, because of their commitment to working with the government to provide quality education, in performing the opening on behalf of the Minister for Education, the Hon. Geoff Wilson.

Our society comprises a good mix of quality state schools and Catholic and independent schools. The funding of this school by the Bligh government adds to that mix. The Bligh government also recognises the growth of the Capricornia Coast community and the need for the new school which was planned by the CEO.

The present Sacred Heart School at Lammermor had reached its capacity and the majority of development on the Capricornia Coast in recent years has been north of Yeppoon surrounding the new school. It is anticipated that by next year the enrolments at St Benedict's will be around 170. I think it will go on to bigger and better things.

Madam DEPUTY SPEAKER (Ms van Litsenburg): Order! The time for matters of public importance has expired.

PROSTITUTION AND OTHER ACTS AMENDMENT BILL

First Reading

Hon. NS ROBERTS (Nudgee—ALP) (Minister for Police, Corrective Services and Emergency Services) (12.52 pm): I present a bill for an act to amend the Prostitution Act 1999, the Criminal Code and the Child Employment Act 2006 for particular purposes. I present the explanatory notes, and I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

Tabled paper: Prostitution and Other Acts Amendment Bill 2009 [718].

Tabled paper: Prostitution and Other Acts Amendment Bill 2009, explanatory notes [719].

Second Reading

Hon. NS ROBERTS (Nudgee—ALP) (Minister for Police, Corrective Services and Emergency Services) (12.52 pm): I move—

That the bill be now read a second time.

I introduce a bill into the House today that continues to reflect the Bligh government's commitment to prostitution law reform in Queensland. This bill is a direct result of the October 2006 Crime and Misconduct Commission review *Regulating Outcall Prostitution*. The bill puts into legislation the outcomes of the review of outcall prostitution from licensed brothels and independent escort agencies, part regulates the social escort industry and creates further disincentives for those who engage in the business of unlawful prostitution.

This bill continues to support the five guiding principles regulating prostitution in Queensland: ensuring quality of life for communities, safeguarding against corruption and organised crime, addressing the social factors that contribute to involvement in the sex industry, ensuring a healthy society and promoting safety. Prostitution in Queensland is legal in two ways: licensed brothels can provide legal incalls from rooms within the licensed brothel and sole operators can provide legal incalls from their own home and legal outcalls to another place.

While the CMC has highlighted the need for the legal industry to remain competitive and sustainable in a way which would not lead to an overall increase in the industry, it also recognises that further deregulation by legalising outcall services would not achieve this and may in fact leave the legal industry open to those who seek to legitimise their illegal activities through legal means.

The government is committed to implementing the recommendations contained in the 2006 CMC report. Sixteen of the 23 recommendations are implemented through this bill by amending the Prostitution Act 1999 and the Criminal Code and the Child Employment Act 2006. The bill inserts a new section 8B into the Child Employment Act which provides that an employer must not require or permit a child to work as a social escort. This amendment was recommended by the Crime and Misconduct Commission in its report and received general support from stakeholders consulted by the CMC. The government believes this provision will protect vulnerable young people from the pressures and situations that may arise in providing social companionship to adults.

One recommendation from the CMC report is yet to be finalised, with a protocol to be developed between the telecommunications industry and the Queensland Police Service to allow advice to be provided by police to telecommunication carriers about individuals or businesses that breach prostitution advertising guidelines and action taken to prevent their continued use of the telecommunications network for that unlawful purpose. The remainder of the CMC recommendations have already been addressed through non-legislative means.

This bill will create a framework to part regulate the social escort industry by restricting the manner in which these businesses advertise and by creating offences for social escort providers who carry on the business of illegal prostitution. Currently in Queensland there are no restrictions on the manner in which social escort providers advertise their businesses. Advertising is unregulated both in print and on the internet and has resulted in the publishing of large provocative style advertisements which look like advertisements for prostitution. As a result, social escort services have maintained a competitive edge over the highly regulated legal prostitution industry.

The bill remedies this by amending the act to ensure social escort services comply with the same advertising restrictions as legal prostitution providers. Social escort services will be limited on the size and content of their advertisements and will be required to inform that sexual services are not provided. The Prostitution Licensing Authority will have the power to issue guidelines and approve advertising for social escort services in the same manner as advertising for prostitution.

The obligation to inform is a continuing theme of this bill. Amendments to the act will require employees of social escort services, social escorts and social escort providers to inform clients or prospective clients that prostitution is not provided, prior to any booking being made or any service being rendered. Failure to inform will result in penalties of up to $7,000.

Social escort providers will also be held accountable for the actions of employees or social escorts who do not inform clients or prospective clients that prostitution is not provided, unless it can be proven that appropriate instructions were given regarding the obligation to inform and that despite all reasonable precautions being taken, the social escort provider did not know an offence was committed or could not have prevented the offence from being committed.

For the purposes of clarity, the bill will define who a social escort and a social escort provider is. These definitions will be referred to in the act and subsequent amendments to the Criminal Code. The Criminal Code contains a number of offences dealing with prostitution. These offences are designed to target illegal brothels occurring at a specific place. However, illegal prostitution providers who masquerade under the guise of a social escort agency often rent office space to undertake business activities other than the provision of prostitution. Prostitution services are provided elsewhere, limiting the ability of police to effectively target and prosecute illegal prostitution providers.

Further, the penalties associated with these offences are not reflective of the crime. A person who runs a million-dollar illegal prostitution business is subject to the same penalty as a person who drives a sole operator prostitute to a legal outcall appointment. This bill amends the Criminal Code to directly target those people who carry on a business of unlawful prostitution in Queensland. New penalties will fit the crime including asset confiscation and terms of imprisonment of up to seven years.

To support the new carry on a business offence the bill will introduce additional provisions aimed at those who engage in or obtain prostitution services through an illegal business. While these provisions are aimed at sex workers and their clients, a certificate of discharge will be available in exchange for evidence relating to the illegal prostitution business. These new offences send a clear message that illegal prostitution will not be tolerated in Queensland.

This bill also addresses the ongoing safety concerns held by sole operator prostitutes when attending calls for service. Currently a sole operator can employ one person to act as a bodyguard. This person must be appropriately licensed and only act in that capacity for that sole operator. A bodyguard cannot drive the sole operator to outcalls nor can they or any other person take messages for or from a sole operator. To enhance the safety and welfare of sole operators the bill will amend the Criminal Code to allow for the employment of a driver and to allow a person to take an advisory message from a sole operator. A message taker under this provision is not a receptionist.

New evidentiary provisions will support amendments to both the act and the Criminal Code. Under the act published advertisements will be evidence of an advertising offence while advertisements and records of employment and telecommunications will be used as evidence for a carry on a business offence. However, in the interests of public health and safe sex practices, condoms and other safe sex materials will not be evidence of an offence under the new provisions.

I am confident that members of the House will agree this legislation is consistent with the five guiding principles regulating prostitution in Queensland. Further, that this bill creates an appropriate balance between the need for strict legislation and the need to address social factors that arise from prostitution. The Bligh government has and will continue its commitment to prostitution law reform in Queensland. I commend the bill to the House.

Debate, on motion of Mr Dempsey, adjourned.

Sitting suspended from 1.01 pm to 2.30 pm.

VICTIMS OF CRIME ASSISTANCE BILL

Message from Governor

Hon. CR DICK (Greenslopes—ALP) (Attorney-General and Minister for Industrial Relations) (2.30 pm): I present a message from His Excellency the Acting Governor.

The Deputy Speaker (Mr Wendt) read the following message—

MESSAGE

VICTIMS OF CRIME ASSISTANCE BILL 2009

Constitution of Queensland 2001, section 68

I, PAUL de JERSEY, Acting Governor, recommend to the Legislative Assembly a Bill intituled—

A Bill for an Act to declare and implement principles of justice for victims of crime, to provide a scheme to give financial assistance to certain victims, and to amend the Acts mentioned in chapter 7 for particular purposes.

(sgd)

ACTING GOVERNOR

17 August 2009

Tabled paper: Message from His Excellency the Acting Governor, dated 17 August 2009, recommending the Victims of Crime Assistance Bill [720].

First Reading

Hon. CR DICK (Greenslopes—ALP) (Attorney-General and Minister for Industrial Relations) (2.31 pm): I present a bill for an act to declare and implement principles of justice for victims of crime, to provide a scheme to give financial assistance to certain victims, and to amend the acts mentioned in chapter 7 for particular purposes. I present the explanatory notes, and I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

Tabled paper: Victims of Crime Assistance Bill [721].

Tabled paper: Victims of Crime Assistance Bill, explanatory notes [722].

Second Reading

Hon. CR DICK (Greenslopes—ALP) (Attorney-General and Minister for Industrial Relations) (2.31 pm): I move—

That the bill be now read a second time.

The Victims of Crime Assistance Bill is the most significant reform in the protection of and assistance provided to victims of crime for over a decade. The bill has been prepared as a result of the Bligh government's comprehensive review of the needs of victims of crime in Queensland. The Bligh government is committed to improving the delivery of services to victims of crime in Queensland. The purpose of the new scheme is to assist victims of crime in recovering from the consequences of the act of violence in a timely fashion while minimising the stress and trauma that may be involved in the process. The bill establishes the financial assistance scheme component of the reforms and sets out the fundamental principles of justice to be applied in the treatment of victims.

The review recommended the repeal of the current compensation schemes under the Criminal Offence Victims Act and chapter 65A of the Criminal Code. The review also recommended the establishment of a new financial assistance scheme under one piece of legislation. These two

recommendations have been adopted in the bill. The bill also implements the recommendation that the new scheme be based on a financial assistance model rather than a compensation model. A financial assistance model provides a tailored, needs based response and allows for earlier intervention in a victim's recovery rather than the provision of a general award of compensation based on the type of injury a victim suffers. The primary focus of the government is to ensure that victims are provided with assistance appropriate to progressing their recovery from the crime rather than giving victims lump sum compensation. There are tangible and intangible benefits to the victim, government and society from the early intervention approach under the new scheme. Victims groups and government departments were involved in and support the change in focus towards early support and treatment and away from purely lump sum payments.

Eligibility under the new scheme is linked to an act of violence and the injuries sustained rather than on the conviction of the offender. Rather than applying to a court, the new model involves an administrative application process. A Victims Assistance Unit will be created in the Department of Justice and Attorney-General to implement the new scheme. The new unit will employ staff in five key areas: financial assistance; service coordination; Victims LinkUp and referral service, including website; training government and non-government service providers on the needs of victims of crime and compliance with the principles of justice to ensure fair treatment of victims; and practical court support. The unit will provide a one-stop shop to assist victims of crime. This will allow for linkages with other parts of the justice system and relevant government agencies to provide victims with the benefits of a properly integrated justice and human services response to their needs.

The team of assessors employed in the Victims Assistance Unit will process the financial assistance applications and will ensure claims are finalised in a timely manner. This will make the process easier for victims and less daunting than current arrangements. It will remove the requirement for victims of crime to appear before a court again just to apply for compensation.

There will be three types of victims catered for under the new scheme: primary, secondary and related victims. Primary victims are entitled to a maximum amount of financial assistance to the value of $75,000, the same as the current scheme, and will apply to a broader range of victims. For example, victims of offences that are dealt with by the Magistrates Court are included in the new scheme.

Secondary victims are a new category of victim. Parents who are injured as a result of their child being injured will be entitled to seek financial assistance for goods and services such as medical and counselling expenses and other expenses as set out in the bill. Assistance can be granted up to the value of $50,000 to be shared between the parents. Witnesses of serious acts of violence such as murder and manslaughter will be entitled to seek financial assistance for goods and services and other assistance set out in the bill to the value of $50,000. Witnesses of other acts of violence will be entitled to seek financial assistance for goods and services to the value of $10,000. The Criminal Offence Victims Act currently provides for dependants of a person who has died to share a maximum amount of $39,000 and other family members to share a maximum amount of $9,000.

Under the new scheme 'related victims'—that is, close family members or dependants of a person who has died—will be entitled to seek financial assistance for goods and services and other assistance as set out in the bill. There will be a pool of $100,000 of assistance for related victims, with a maximum amount of assistance of $50,000 per victim.

Under the bill, a victim can apply for interim assistance of up to $6,000 prior to the final award of assistance being made. In addition to interim expenses, the new scheme also allows the payment of up to $6,000 in funeral expenses incurred as a result of the death of a primary victim.

The scheme is designed to enhance services to victims by complementing current services such as counselling offered by community groups, medical treatment provided by the public health system and insurance schemes such as WorkCover and private health funds. It is not designed to replace or reimburse these services.

The Queensland government is serious about recovering financial assistance paid under the scheme from offenders. As a result, the bill contains a strong mechanism to recover financial assistance paid to victims of crime from convicted offenders. Any unpaid debts can be referred to the State Penalties Enforcement Registry for enforcement.

The bill also sets out the fundamental principles of justice for victims of crime. These principles originate from the United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power and were incorporated into the Criminal Offence Victims Act when it commenced in 1995. The victims of crime review recommended maintaining these principles and introducing a mechanism for resolving complaints where departures from the principles occur.

The bill achieves this, firstly, by including a revised and modernised version of the principles existing under the current act to ensure that they are relevant and functional for victims and the agencies that are to implement them. The principles will underlie how government entities and their employees treat victims who have suffered harm because a crime has been committed against them. Secondly, the bill achieves the recommendations from the review by creating a complaints mechanism.

Victims can complain to the new unit or directly to the entity if they consider government entities and their employees have breached the principles. Through the complaints mechanism and the new role of the Victim Services Coordinator, an officer within the Victims Assistance Unit, the government aims to strengthen the principles and improve the current response to victims.

Despite the challenging economic environment, the funding to operate the new scheme will increase to $28.8 million by the 2011-12 financial year. This is an additional $7 million per year over and above the current criminal compensation scheme. I am grateful for the ongoing support and input from key stakeholders and community groups into the development of the new scheme. My department is committed to building relationships with the community and continuing to work collaboratively with stakeholders to ensure quality services to victims of crime in Queensland. I commend the bill to the House.

Debate, on motion of Mr Springborg, adjourned.

ADOPTION BILL

Second Reading

Resumed from 6 August (see p. 1577), on motion of Mr Reeves—

That the bill be now read a second time.

Ms NELSON-CARR (Mundingburra—ALP) (2.39 pm): I rise to speak in support of the Adoption Bill 2009 and, in doing so, I want to concentrate on the adoption orders that are made by the courts. But before I do that, I want to mention briefly the ethical dilemmas that we continue to face in line with globalisation and our changing society. This bill contains major adoption reforms, such as open adoption, which will allow a child's birth and adoptive family to know each another from the time of adoption or to choose to have a closed adoption; the eligibility to lodge an expression of interest to adopt will be extended for married couples to de facto couples who have been in a relationship for at least two years; access to information that will provide changes made to the adoption laws will be made a lot fairer, ensuring that all persons have the same rights to access information regarding their adoption regardless of when an adoption took place; and adoption orders now will be made by the court, which is what I will now speak to.

Queensland is the only Australian jurisdiction in which a court does not make adoption orders. Currently, Child Safety Services makes all of the decisions about, and arrangements for, the adoption of a child. Those decisions include whether the adoption is in the best interests of a particular child; getting all of the consents necessary for the child's adoption, including being satisfied that all consents are fully informed and have been given voluntarily; and selecting the people to be a child's prospective adoptive parents. At the end of those arrangements the director-general of the department makes an adoption order for the child.

Adoption has important legal consequences because it permanently changes the child's legal identity and legal relationship with his or her birth family. In recognition of that significant and serious change to a child's life, it is therefore appropriate and necessary for the adoption of a child to be decided by the courts. This bill provides for that, bringing Queensland into line with every other Australian jurisdiction. The court is an independent body that scrutinises the department's decision making before an adoption order is made.

The new laws will also specifically require the Children's Court to take into account the views of the child about the adoption if the child is old enough to understand the adoption arrangement and to form and express views about that adoption. If the court considers it necessary and in the child's best interests, the court may then order that the child be separately represented by a lawyer and make any orders necessary to secure separate legal representation for that child. The court may also order the chief executive to appoint a qualified person to support the child, if necessary.

Adoption can mean lifelong, mutually loving relationships when a child becomes part of another family. It is also a legal way of creating a relationship between people who are not related by blood. The adopted child is legally entitled to the same privileges as the natural child of the parent. That is why it is important for a court of law to make that adoption order.

I am happy to support this legislation and I want to place on record my admiration for the former minister for child safety who came to embody this legislation. The member for Albert spent much of her life researching and working on this reform with both her department and her interstate colleagues to open up the adoption processes and to provide this much-needed change. Although these changes are a new beginning, I am sure the legislation will give rise to the possibility for further reform.

In my view, the ethics of adoption are important, especially if we consider that so much of the personal impact of adoption is beyond the reach of law—and, indeed, regulation and policy. That impact presents obvious challenges and perhaps we will never get it all right. Family rights and privacy, for instance, present judicial barriers, particularly when emotional ethics come into play. Impartiality and

detachment do not mix at this value-laden level. In other words, policy cannot guarantee personal happiness any more than money can. This is the dilemma for decision makers. In considering the ethics of adoption we need to consider the values at both the individual level and at the systems level. That means the consideration of truth and respect as well as fairness and equity, to give an example, bearing in mind that the impact on individual lives is highly variable.

Having said that, we must do the research regarding adoptive practice in order to effectively connect the policy with the personal. It is my hope that eventually we will be able to establish a balanced provision for the personal, institutional and legislature levels to work while at the same time recognising the needs, interests and aspirations of all participants.

There is no doubt that some community sectors have strong and opposing views on the more sensitive issues of adoption. At this stage there has been no way to reconcile those opposing views. The government has made its position clear throughout the consultation process and, as I said, the reforms being made are extremely worthwhile. But adoptive processes should be part of community, that is lives together, and that means that the significance of a closed system by definition has to be biased towards those who are suffering.

Of course, the current ethical issues are moving fast and are increasing—race and culture, the right to genetic identity, parental rights and adoptee rights to name a few—but one thing is certain, and that is that we must embrace difference and that means creating a moral space so that we do not rely on nature or nurture alone to settle the debate. That means engagement and a deeper understanding of each other and of others.

In solving ethical dilemmas like these—the ability to adapt policy and not be bound by some of our outdated motivations—we have to fulfil our primary obligation, which is to care for those individuals whom the adoption process affects the most and we must not abandon them to a new set of policies. For instance, some mothers may feel incapable of ever meeting their child. They have no support because their secret is not even known among their closest friends. This bill is the beginning of the transformation of our current laws for the better and we can only do that by honouring the past, acknowledging the present and transforming the future.

Ms GRACE (Brisbane Central—ALP) (2.45 pm): I rise to speak in support of the Adoption Bill 2009. I am quite proud to rise to speak to this bill because, as an adoptive parent, I have firsthand knowledge of some of the changes that are being embraced in this legislation. I welcome many of the changes that have been put forward in this bill today.

There is no doubt that adoption is a journey for life. Having been on the waiting list for nine years and seven months before our wonderful daughter arrived, we know only too well of the gruelling wait, the processes you go through with questioning and the assessment processes that are part of adoption, as well as, of course, the joys that come when you finally receive that phone call to say that your child is ready to be picked up. I will never forget my husband, Michael, on the day we had our interview before we were able to go and pick up our daughter. The whole house was open—the windows, the doors; the whole thing was a very welcoming situation. The department worker came in for the final assessment and discussion before we were able to pick up our wonderful daughter. To say that we are still absolutely and totally besotted I think goes without saying. It has been one of the most remarkable experiences of our lives. It is a wonderful joy for couples and people who cannot have their own children to be able to adopt under the Queensland general adoption list. It is a great benefit and it is a wonderful experience. So I welcome the changes that are incorporated in this bill.

I welcome them for a number of reasons. When we adopted our daughter, it was post 1991. We were involved in the north Brisbane adoption family support group. As convenor and co-convenor of that group, we were very much involved in the discussion that took place post 1991. The significant change that occurred back then was that the whole level of secrecy that existed in Queensland before that time was lifted. When you went into adoption post 1991, you knew very well back then that at some point in time you would be able to obtain identifying information from both sides of the parties involved in adoption, that is, both the birth mother and father and the adopted child and the adoptive parents.

Can I say that, for Michael and I, that was for us one of the motivating factors of pursuing adoption. We were much more comfortable going into the process knowing that at some stage in the future our daughter would be able to obtain that identifying information if she so chose and knowing at the same time that it is a journey, it is not something you can hide, it is not something that is secret and it is not something that is not going to affect you for the rest of your life. It is going to affect you for the rest of your life.

I have thought about the changes that we are now embracing in this legislation. I myself would have loved to be able to embark on an open adoption process, had my husband and I had that opportunity. I welcome it. It is a system whereby one can plan meetings throughout the adoption journey and the plan can be changed at any time. It is the adoptive parents who will have the control. It is a system that constituents of mine have been lucky enough to engage in and one from which their child has benefited greatly, not so much in the contact with the birth mother but with their siblings. It has been

a remarkable journey that they say has transformed their family and assisted them in their life. I very much welcome this legislation that is opening adoptions up so that there is contact throughout this journey through a contact plan that can be embarked upon by the parties to that adoption.

I also very much welcome the situation whereby courts rather than public servants are making adoption orders. This is in line with other states and territories. It is a very sensitive and very significant issue in one's life. It actually quite amazed me that it was a public servant making the order and not the courts. What we have done is bring Queensland up to contemporary community standards, and I welcome this particular change.

I also welcome changes to the expression of interest register. Having been on the register for many years and having heard nothing for a number of years, I think the government is committed to introducing greater certainty for couples who are interested in adoption as a means of forming or adding to their family. The new adoption laws provide for the expression of interest register to generally remain open so that people will be able to lodge expressions of interest at any time. Couples will no longer have to wait for expressions of interest to be called or have to lodge their expression of interest before a particular closing date. They will be able to express interest when they are ready, willing and able to actively proceed through the adoption process should they be eligible and suitable to be prospective adoptive parents and have a child placed with them.

It will still be possible to close the register or part of it if the number of persons listed, having regard to their profiles, is significantly higher than the number needed to meet the anticipated need for adoptive parents. Unfortunately, as we have heard in this House before, there are a lot more adoptive parents on the register than there are babies up for adoption. The majority of adoptions now are intercountry adoptions or adoption of stepchildren by step-parents. The babies who are on the general adoption waiting list can be numbered in the teens.

It is good that the director-general will make the decision to close the register or part of it to reduce the likelihood of unnecessarily raising the expectations of some people that they will be able to adopt a child. As well, it will mean the privacy and personal affairs of people who are not likely to be required to meet the needs of children requiring adoption will not be intruded upon unnecessarily, given the intrusive and personal nature of the expression of interest and assessment processes. There were questions that we were asked during the processes that I never thought I would be asked.

The bill clearly states that inclusion of a person's name in the expression of interest register does not give them the right to be assessed to see if they are suitable as an adoptive parent. It is a privilege and not a right, and the legislation reinforces that. I believe that it is a step in the right direction. The bill provides that a person's name will be removed from the expression of interest register after two years if the person has not been invited to move through to the next stage of the adoption process, which is the assessment. I think this regular contact is terrific. It is something that was lacking when we went through the process and I think it shows that the process is actually working. The fact that the person has not progressed to the next stage indicates that they have not been required to meet the placement needs.

The current expression of interest register contains names of people who have deferred consideration of their expression of interest while, for example, they continue with fertility treatment. Their expression of interest may also be inactive if they have been successful in conceiving a child naturally but they have neglected to withdraw their expression of interest. I know that that has happened in the past. However, a person may lodge a new expression of interest and in so doing demonstrate their ongoing commitment to the process. This system guarantees that people reconsider their decision to pursue adoptive parenthood at regular intervals. It also ensures that the expression of interest register contains only the names of people who are currently committed to the adoption process. In recognition of the automatic expiry of expressions of interest after two years there will no longer be a fee payable to lodge an expression of interest, which I also applaud.

Eligibility is also extended in this bill to de facto couples. I believe that this is an enormous step in the right direction. I do not agree with some comments from other members of this House expressing concern about de facto couples being able to adopt. I believe that if they have been together for two years the simple fact that they have not decided to marry will not make them any better or any worse parents. There is a process that has to be gone through and there are assessments that need to be made, and I believe that a couple who demonstrates that they have been together for two years and are committed to raising a family should not be denied that right simply because in our view or in some other people's view their values are not as high because somehow they have not made that marriage commitment. I totally refute that way of thinking. It has almost been cruel to deny people in the community who are de facto couples this right. I applaud the move to extend this to them.

I have had many representations in relation to the Adoption Bill, particularly from the LGBT communities in my electorate. I must admit that they have put forward some very strong cases about their ability to adopt. We have had some very good discussions, and I very much thank them for coming to see me. I respectfully say that I fully understand their views and all of the issues that they raised. However, this bill does not provide for the ability for LGBT community members to adopt. When I spoke

to them, what I saw to be more important to them was the ability to have co-parenting rights. Can I say how much I applaud the statements made in this House today with regard to what will be changes to the surrogacy law which will give same-sex couples the ability to engage in altruistic surrogacy and also implement a system of co-parenting rights. I fully support them. I would like to see the detail of that legislation. I welcome this for the LGBT communities that are a big part of my constituency. I think they deserve it. I think the children also deserve to have the same rights as other children in our society.

I also thank PFLAG, the Parents and Friends of Lesbians and Gays support group, and in particular the president, Shelley Argent OAM, who just this week wrote about same-sex co-parenting rights. I will be very happy to respond to that letter to let them know what we as a government intend to do to give them those co-parenting rights.

One of the issues in the legislation that is controversial, and probably one that I have had the most representation on, is access to identifying information. I have respectfully listened to all sides of this debate and I have welcomed members of my constituency plus the various groups who have come to my office to discuss their concerns about this issue. The views on this issue are very polarised. Just this week a letter came to my office urging me to support the changes and expressing—

Words cannot describe the torment and frustration I have experienced in my 17-year search for self identity. Now, almost two decades later, the only thing that has changed is a deepening of my resolve, if that is possible.

That is one side of the debate from a person who wants this removed and wants identifying information open, but I get the exact opposite of that from those who are very strong about keeping the records closed, about wanting to maintain a register where there is no contact and wanting to ensure that is honoured by the government.

I think we have the balance right. It is a very difficult, very complex issue and I understand both sides of the argument. In the early 1990s when we were advocating for an open adoption process—one without secrets—for me one of the main motivating factors was my own daughter. I thought about my daughter turning 18 and having a desire to find her roots and to get identifying information, and how cruel it would be if someone had put a 'restricted' or 'closed to identifying information' process in place for the duration of her life. She would never have been able to have obtained that information. I cannot help but think how cruel that would have been.

I understand the people who want things to remain as is and I welcome that objections will now be known as contact statements. People say making it an offence to contact when there is a statement in place does not go far enough, that it will not be a deterrent and that people will breach it if they so wish. However, we are legislating to ensure that we get the balance right. The people who have put contact statements in place and those seeking information will be interviewed. Department people will assist them. They will be able to obtain signed documents and they will be informed of the necessary conditions of the legislation about an offence that will carry a penalty of 100 penalty units or $10,000, or imprisonment for two years.

I respect the views of those who have come to see me. However, I think the legislation is a step in the right direction. In circumstances where quite clearly it would be detrimental to release information, the Children's Court will be able to make an order directing that Child Safety Services not release identifying information. This could be done in the rare circumstances where there is an unacceptable risk and the release of the information would put the safety of the person who is identified at risk.

I also welcome in this legislation the establishment of a dedicated postadoption support service for Queensland. I believe the service is much needed and it will give those involved in the adoption process the ability to obtain government services and assistance through what can be a very long, arduous but totally fulfilling part of one's life. Having said those words, having listened to all of the arguments put before me and having respected and understood all of the issues that have been put to me from both sides of the debate, I am very proud to commend the bill to the House.

Mr WELLINGTON (Nicklin—Ind) (3.02 pm): I rise to participate in the debate on the Adoption Bill 2009. I thank the member for Brisbane Central for sharing her story with us in this debate. I do not intend to take a lot of time in my contribution. I will be supporting the bill. I will read into the *Hansard* record a letter that I have received from one of my constituents to share with members her experience. Before doing so, I must say that I am a little disappointed in one aspect. We are extending the opportunity for de facto couples who have been in a relationship for at least two years to express an interest in adopting a child. However, that de facto couple has chosen not to demonstrate their commitment to each other through marriage. I believe the act of marriage is a significant commitment that people make to each other. I would have thought that would be a significant criterion that would need to be considered to see if they are worthy of adopting a child. I imagine the process that de facto couples will have to go through will address that commitment and their capacity to provide for the future child. I would hope that perhaps in 12 months we will see a report to the House on how the legislation is operating in Queensland and we can then evaluate the effectiveness of this significant change.

I have received a number of submissions, which other members have also referred to, from the Adoption Privacy Protection Group Inc. I have received two letters. I will table those. Like other members, I have received submissions from Family Voice Australia. This letter is dated 10 July this year. A further letter I have received is from John Telfer of Carseldine, dated 14 May this year. I understand other members have referred to those. I will table those for the benefit of the official record.

Tabled paper: Bundle of letters in relation to the proposed changes to adoption legislation [723].

The one letter that I wish to read into *Hansard* is from Therese Hawken of Nambour. She asked if I would read her letter in parliament. I asked whether she wanted me to identify her and she said, 'Yes, I am more than happy for you to do that.' She has travelled to parliament a number of times, waiting for this bill to be debated. I am not sure if she is in the gallery. I know she will certainly be looking at the parliamentary record to see if I was able to read her letter into the *Hansard* record. She states—

I am writing to you in relation to Adoption Bill 2009.

I applaud the Qld Govt for bringing it to the table again. There is an issue that I feel has not been addressed in the proposal and that is in relation to Birth Certificates for adoptive people.

I am a N.S.W. adoptee and a Queensland Birth Mother. I was told at the time of my Son's Birth that I could not put my Son's name for him on his Birth Certificate by my local Court House as this piece of paper was torn up and a new Birth Certificate issued with his new name and his adoptive parents name on it. As I am an adoptee I know that my adoptive parents had named me and I had never seen any paperwork in relation to my adoption. At that stage I believed what I was told by the adults at the Court House, as I was only 17 at the time.

I found out years later that I was given the wrong information. When the laws changed in 1991 my fears of my Son getting his original certificate with 'name: UNKNOWN' Baby Boy and feeling I did not care about him, not even enough to name him surfaced. As an adoptee I know how important it is to feel that you were cared about in some way. My main fears were for him of his feelings at reading that and how that would impact on our reunion process.

I am one of the lucky Mothers who has had a successful reunion but two key factors contributed to that.

1) He was not a secret in my life.

2) All my family and friends referred to him by the name I had named him at birth. So he knew he was loved and had always been a part of me.

I have talked to the Queensland B.D.M. on the phone some time ago and they have told me I cannot put his original name on his original certificate and he cannot do it either. I find it perplexing that the father can get his name on the certificate if he owns up, now. I was told 'we cannot rewrite history.' My response was 'so the world is still flat'.

The Hague Convention states that a child has the right to have a name from Birth, it does not seem to discriminate between children.

I have not put all the dates, copies etc because I feel at this point it would cloud what I am wanting you to look at—this issue as a whole—because I am sure there are and will be other peoples Birth Certificates in this state of incompletion.

Adoption papers seem to talk about the best interests of the adoptive person throughout their lives. The childs name is a tangible link to the childs family of origin and to the childs culture and country of origin.

Whether it be old paper work or not, it is all important to an adoptee as it is all that links—that ties us—to our genealogy.

I hope you will be able to have a look at this issue I have raised and that the situation can be addressed. Education on the adoptive process I know was a hit and miss affair years ago but I hope as we learn from our mistakes that things like this do never happen again.

I realise your job with Adoption Act 2009 is a huge task to be addressed.

Kind regards

Therese Hawken

Mrs Therese Hawken.

I will resume my seat and look forward to the bill proceeding to the consideration in detail stage.

Mr McLINDON (Beaudesert—LNP) (3.09 pm): I rise to make a contribution to the debate on the Adoption Bill 2009. As a prospective adoptive parent, I must say from personal experience that the department of child safety and the public servants involved in the adoption process are extremely professional. I would like to acknowledge and congratulate them on their compassion, friendliness and understanding which has made it that much easier for my wife and I as we go through this uncertain chapter in our lives.

The main point of contention, and I would suggest a very obvious one at that, is the area of eligibility expansion. Not only is this an unnecessary amendment given the existing backlog in prospective parents in waiting; it is an amendment which fails to cater for the interests of the child. However, many of the speakers we have heard on the opposite side have significantly failed to address the focal point of the whole debate—that is, the child. If we are really in pursuit of the most ideal environment for the child, then I see no reason to amend the status quo with the addition of de facto couples.

The minister's second reading speech stated that the eligibility to lodge expressions of interest to adopt will be extended from married couples to de facto couples who have been in a relationship for at least two years. This is a drastic amendment. The current law is that you have to wait until you have been married for two years and we all know that marriage does not happen straightaway unless you have had a big weekend in Vegas. You need a couple of years to lead in to marriage, which means that you would probably have been engaged in a commitment of anywhere between three or four and up to

10 or 15 years. This amendment significantly dilutes this commitment into an express lane of nothing more than the length of a mobile phone contract. The minister's second reading speech also stated that it will enshrine that the child's wellbeing and best interests, both through childhood and into adulthood, are paramount in all of the department's deliberations.

While I have heard the benefits for de facto couples in allowing them to adopt, I have not heard one plausible benefit for the child in allowing de facto couples to adopt. The government has clearly embarked on a politically correct agenda with complete disregard for the wellbeing and stability of the child. Indeed, many of us may have had partners for two, three, four or five years before being with our current partner. Two years is certainly not a gauge that things will work out in the long run. Whilst common sense would suggest that, I will be using statistics in my speech today to back that up. On 1 July in the *Brisbane Times*, in an article written by Conal Hanna, the minister states—

In an environment when you have such a small number of babies and such a large number of couples seeking to adopt, the onus is on the state to make a judgement about the best possible placement for a child ...

So here we have the minister acknowledging that there is a small number of babies and such a large number of couples in waiting and, therefore, adoption is primarily open to the most stable of family environments. Why would we then open the barriers for something which is a diluted version of an ideal environment that we are in pursuit of? I think it is cut and dried—if two parties cannot commit to each other then it certainly creates a very grey area in bringing a third party on board.

Mr Reeves: Are you in the year 2009 or 1960?

Mr McLINDON: Speaking of the year 2009, clearly the minister and the government do not understand that two years is not a very long time. In fact, this policy is something dragged out of the 1930s. I take the minister's interjection. If he wants to talk about going back to the past, if people stayed together for two years back in the 1920s and 1930s we could probably have given them a 95 per cent chance and bet $10 that they would stay together. Clearly the minister and the government do not understand generation Y or the generation to come. The government is clearly disengaged from them, and that is reflected in the House today.

In the July 2002 adoption legislation review, it states time and time again that the policy should be child focused and in the interests of the child. Those words appear four or five times in the consultation paper. Generation Y is often accused of being self-centred and selfish. Unfortunately, the bill perpetrates that self-centredness in expanding the eligibility to de facto couples. It clearly disregards the child, even though it says time and time again that all facets of the child should be taken into consideration. Even marriages are hard work, let alone a de facto relationship. De facto relationships may or may not work. That is not the debate. The debate is whether or not it is the most ideal environment for a child. Common sense tells us it is not.

Ms Croft: So what happens if a married couple adopt and then divorce?

Mr McLINDON: I take the member for Broadwater's interjection. As I said, marriage is not even a very stable environment. But if that is the most stable environment that we can pursue then surely that is all we should be entertaining considering that there is a waiting list.

I refer to a submission to the Senate Standing Committee on Legal and Constitutional Affairs and its inquiry into the Family Law Amendment (De Facto Financial Matters and Other Measures) Bill 2008. The submission is from the Australian Institute of Family Studies, prepared by Lixia Qu and Dr Rae Kaspiew and authorised by Professor Alan Hayes, Director. That submission, under the heading 'How cohabiting relationships unfold', states—

The period of cohabitation tends to be short-term. Most cohabiting couples either marry or separate within a few years of the start of their union. For example, less than 20% of men and women who started living together in the early 1990s were still cohabiting after 5 years, while 38% had separated and 43% had married ... In contrast, less than 10% of marriages registered in the mid-1990s had ended in divorce after 5 years. Thus, cohabitation is much less stable than marriage.

So there it is. While it may or may not work, if we are seriously here for the child's interest in the pursuit of an ideal environment, research and common sense shows—yet the government is not up with the times in 2009 to realise this—that for my generation and the generation to come two years in a de facto relationship is not even a litmus test. Under the heading 'Socio-demographic profiles of married and cohabiting parents, the submission goes on to state—

The authors also examined family stability across two years and found that children living with cohabiting parents were more likely to experience parental separation compared with those with married parents ... which suggest that children living with cohabiting parents tend to do less well developmentally and have access to more limited economic resources than children with married parents.

Ms Croft: That is just so out of touch. You should be ashamed of yourself. Are you saying I am a bad parent?

Mr McLINDON: I take the member's interjections. We need to take the emotion out of the debate. Clearly we are here for the child. I am speaking on behalf of all those children who, just like any one of us would appreciate, will reach their potential, as the research suggests, in an ideal environment. Unfortunately, the social policies of this government have been extremely unjust. I have never seen so much social injustice than in the last five months by this government in this chamber. This is yet another example where the child is being completely disregarded.

Ms Croft: You're so out of touch.

Mr McLINDON: I take the member for Broadwater's interjection. I understand that she is emotive about this. I highlight once again that this government is out of touch because it does not understand that two years in a de facto relationship in 2009 does not mean that the relationship will last. As I said, common sense says it and the research says it. The government should get with the times and put the children's interests first.

The irony is that the majority of us in this chamber have been raised by a married man and woman. In fact, a majority of us, from looking through the profiles on the parliamentary website, are now married. If we are meant to be a reflection of the majority, then why are we completely disregarding that and putting the child in a vulnerable environment? I think it stinks of selfishness and of a self-centred generation that needs a moral compass and a set of guidelines.

Mr Watt interjected.

Mr McLINDON: I understand that I have surprised the member for Everton. I finish with a quote in 1990 by Alvaro de Silva, who wrote—

As we turn the leaf of another century, we get closer to the conditions depicted in Aldous Huxley's cautionary tale of horror 'Brave New World'. Indeed we have left 1984 behind.

The family is recalled as obsessively as the name of a lost paradise, a bad joke or an obscenity. Perhaps today the family is all three: something lost, laughed about and abused. But the moral and social desolation produced by its decay could bring about a newer and deeper appreciation of its relevance.

I speak on behalf of those children who are looking for an ideal environment.

Ms DAVIS (Aspley—LNP) (3.18 pm): I rise to make a brief contribution to the Adoption Bill 2009 debate, which was reintroduced into this House by the Minister for Child Safety, the honourable member for Mansfield, on 22 April and to which the shadow minister, the honourable member for Bundaberg, has outlined the opposition's concerns. I do agree that after 45 years it is appropriate to see the Adoption Act reviewed and to be considered in a more contemporary light. Amongst other things, the bill seeks to repeal the Adoption of Children Act 1964, provide for open adoption practices, expand the category of persons eligible to lodge expressions of interest to adopt a child and to give adopted people and birth parents access to identifying information regardless of when the adoption occurred.

I understand that the initial review was suggested back in 2001 and undertaken in 2002, and a report was finalised in 2003. It is disappointing that the government let the report sit on a shelf until 14 July last year, when proposals were finally released by the Premier. The Premier at that time also announced another review—*Balancing privacy and access: adoption consultation paper 2008*. What is also disappointing is that there was only a two-month consultation period for people to lodge submissions to this new review, which seems a highly inadequate length of time for consultation given the contentious and emotive nature of the proposed changes, in particular access to identifying information.

The first comments I have relate to giving adopted people and birth parents access to identifying information regardless of when the adoption occurred. Like many other honourable members, I have been contacted by and have spoken to a range of stakeholders who hold very diverse opinions on the proposed changes to accessing identifying information. I would like to thank them for sharing their stories and for their contribution to the debate. As is understandable, there are birth parents and adopted people who do not wish to have identifying information released. Many people, particularly those for whom the adoption order was made before 1 March, believed that they would have the right to privacy even after their death.

It is clear that some birth parents and adopted people are fearful of unknown persons turning up unannounced. Some are concerned about the impact on their current relationships if their family does not know about the adoption, and for others they simply do not want to be reminded of the circumstances surrounding the adoption. Conversely, there are people who have been refused identifying information who are disappointed that they have been denied the opportunity to explain the circumstances of, or learn the circumstances about, the adoption. Some have expressed frustration that there was an assumption that in accessing identifiable information they would intrude upon other persons' lives, and there are others particularly anxious about not having access to medical information.

As I understand it, the bill aims to ensure that when an objection to the release of information is already in place it automatically becomes a contact order. For people involved in an adoption before 1991, if a contact order is broken the offender faces a maximum penalty of two years imprisonment or a $10,000 fine. Whilst this is a heavy deterrent and the statistics seem to show that this does stop people indiscriminately flouting the law, it would be naive to believe that some people will not disregard objections and seek to make contact even if a contact order is in place. I note, however, that this penalty does not apply to people adopted after 1991, so there remains one rule for one group and another rule for others.

The second part of the bill that I wish to speak to relates to expanding the category of persons eligible to lodge expressions of interest to adopt a child. The bill seeks to include de facto couples who have been in a relationship for over two years as eligible to adopt in Queensland. Currently, expressions of interest can only be received by couples who have been married for two years. There are sectors of the community who hold very strong views in support of married couples being best suited to be parents of adopted children. They believe that marriage between a man and a woman demonstrates the commitment of the couple to a long-term relationship and offers the best family structure for a child to be raised. I am married, and my husband and I consciously chose to raise our three children as a married couple. However, we do live in a society where de facto relationships are accepted as family units, and all across Queensland there are children raised by loving parents in de facto relationships.

I would question, however, not the quality of parenting that a de facto couple can provide an adopted child but the commitment to the relationship that can be demonstrated in just two years. Given that step-parents must wait three years before adopting children, surely it would be appropriate for this criterion to be applied to de facto couples. It would seem that this amendment is not just about reflecting contemporary societal relationships by allowing access to adoption by de facto couples but about paving the way for open adoption and the implementation of the government's One Chance at Childhood initiative. While I agree with the intent of the initiative—and that is to find loving, stable adoptive parents for children who tend to float between birth parents and numerous foster-care placements—there are many welfare advocates and child-care workers who are not convinced that the current system has the capacity to deliver this initiative in a manner that meets the needs, dreams and aspirations of all of the stakeholders who would be involved in the adoption.

I am concerned by the government's decision to give foster carers the first preference in adopting children. I would like to place on record that I acknowledge and respect the great contribution that foster carers provide at-risk children. I also acknowledge that many foster carers, particularly those who have cared for children since birth, frequently express a desire to adopt children. However, I do not believe that this should be an automatic transfer. The adoption needs to be in the best interests of the child, and there are examples where members of parliament have been approached by foster carers who have felt pressured by the department to take on another child to care for. I have recently had a conversation with a former foster-parent who left the system for that very reason.

I fear that some foster carers may feel pressured into adopting children, and without carer payments and support from the department they would struggle to care for the children long term. Already concerns have been raised about foster carers who have become legal guardians of children, despite battling to meet all of the child's needs. These foster carers take children into their homes as they truly want to help children in need. However, I fear that their good nature could be taken advantage of as this state government seeks to dramatically reduce the number of children in care.

On the other side of this decision to give foster carers first preference is that parents on the adoption register may miss out on adopting a child. I recognise that no-one has the right to adopt a child, but surely the quality of life a committed married or de facto couple who meets strict requirements can offer should be given equal consideration when a decision is being made as to where to place a child for adoption. I support the intent of this bill, and I believe that with appropriate amendments this Adoption Bill can improve the lives of children and parents wishing to adopt. I commend the bill to the House.

Mr FOLEY (Maryborough—Ind) (3.26 pm): I rise to participate in this very important debate today on adoption. When I was growing up, a very close family that I spent a lot of time with had an adopted daughter. I had no experience of adoption until then. That particular child was greatly loved and we just thought of her as our sister. She still maintains a wonderful relationship with the family. She has gone on to have children of her own. I think adoption is a marvellous thing. I wish there were enough babies for everyone to be able to adopt children regardless of whether they are married or de facto.

The thing that really distresses me is that in the 2005-06 year there were only 82 babies available for adoption in Queensland. That is not the alarming bit of the statistic. The alarming bit is that there were only eight babies available for general adoption. Of that 82, there were eight general adoptions, 13 relative adoptions and 61—by far the largest—foreign adoptions. I also think this is a wonderful thing, as there are children in very poor parts of the world who have very little hope. I am sure there are many members in this House who, like I and my family do, sponsor children through organisations like World Vision. If there is foreign adoption available, then childless couples in Australia do the world a great service by providing a home and a family for these children.

The thing that really distresses me is that, whilst there were only 90 babies available for adoption, including eight who were general adoptions, there were also 10,000 abortions in Queensland last year. Whilst I will defend forever the democratic right of women to choose their own destiny in terms of those very difficult decisions, to me it is just such a tragedy that there are so many people wanting to adopt and so few babies available for adoption. There have been traditionally vast numbers of couples on the adoption list.

I remember some very close friends of mine whom we had known for 25 years who were desperate to adopt children, and they had to wait for so long on the adoption list. We journeyed through the tragedy every time another young couple had a baby. With all the joy surrounding that birth, you could see the strain and the disappointment on the faces of this particular couple. I will not use their names in this chamber, but at one stage my friend was taken off the adoption list because she was deemed to be too overweight to have a child. This is a few years ago. I have to tell you, that is just disgraceful. What that did to her emotionally I would not want to repeat in this House.

Society's woes have been dramatically exacerbated by moving away from the traditional family unit allowing for nurturing and love and caring. I am a father of six kids. We still have five with us. We lost a child at three in a road accident. I would do anything for my children; I love them. Every one of us as members of parliament sees the fallout in our offices of dysfunctional family units. We see the poor little kids who get abused and tossed from parent to parent. Often intergenerational inadequacies in parenting get passed down. We have kids raising kids and so forth. It really beggars belief.

I served on the parliamentary committee on altruistic surrogacy. Let me tell members, that was an eye-opening experience as we listened to the tragic stories that people told us. Childless couples talked about the struggles they had.

I guess there is a parallel if we look at, say, a mental health unit in an area. If it has 20 beds available it can really only house the 20 people most desperately in need of those services. I think what happens is that when we have so few babies available for adoption then the criteria has to be so much tighter. Imagine if there were any number of babies available for adoption. Obviously the criteria in terms of people's suitability to be parents would have to be met, but we would not need stupid things like bumping people off an adoption list for being overweight.

I believe that the more we drift away from traditional family values the more we become like a boat adrift on a sea of ideological relativity. Before the mid-1970s unmarried pregnant women were strongly encouraged to release their babies for adoption by infertile married couples. A lot of people do not realise that adoptions of Australian children reached a peak of nearly 10,000 in 1971 but declined dramatically shortly afterwards as abortion and government support for single mothers became so readily available. Adoptions declined further in the 1980s after anti-adoption campaigners publicised the cruelty of some past practices. The 'adoption is bad' message was so effective that by 2006-07 only 59 Australian children were adopted by nonrelatives. I guess for me the wonder of adoption is one family taking on a child and providing that parenting and family nurturing in an incredibly unselfish and altruistic manner.

The bottom line is that, despite widespread sex education, unmarried teenagers will continue to get pregnant. Despite widespread over-the-counter sales of contraceptives and morning after pills, over half of these teens will abort their babies while the others will opt to raise the child, usually as a single mother or sometimes in an unstable relationship.

I believe abortion increases the risk of mental health in the mother and can effect later pregnancy. Unstable or lone parent families are associated with high rates of child sexual, physical and emotional abuse and neglect. As I have said, as members of parliament we have all seen examples of that in our offices. By far, the saddest issues I ever deal with in my office are issues of child safety. To me that is the most distressing part of our role. So often I just want to pick up these kids and take them all home and have them live with us, but that is not possible, unfortunately.

However, there are two other options rarely canvassed today. Adoption is probably the peak of the triangle. Research overwhelmingly shows that adoption is beneficial for the child if it is well managed. Adverse outcomes from adoption could be reduced by better counselling and proper screening and placement protocols which, I believe, are firmly in place now.

I read an article by a man called Tom Frame. He says in an article based on his new book *Children on Demand*—

> The need to relinquish children is always and everywhere regrettable, but it is preferable to abortion, which is always and everywhere harmful. One way of reducing the incidence of abortion is to promote the alternatives.

We have to properly support young mothers who may be willing to give that wonderful gift to people who so carefully and so heart wrenchingly want children and cannot have them. He continues—

> In my view, adoption is much better managed now than when I was adopted 45 years ago.

This gentleman was the subject of an adoption himself. Clearly, the issue of information and the right of access has been a very contentious one. I am sure that every member of parliament will have had significant lobbying on both sides of the argument. I received a letter from a friend of mine Dr Trevor Jordan from an organisation called Jigsaw Queensland. He stated—

> Jigsaw believes that the changes in the Bill represent a giant leap forward in adoption practice in Queensland. As well as bringing the outmoded and somewhat jerry-built current legislation into the twenty-first century, the new Bill creates the genuine possibility for greater harmonisation with practices in other states.

Jigsaw is particularly pleased that the proposed Bill addresses the long-standing issue of a person's fundamental right to access basic information about their origins or the fate of a child to whom they gave birth. We believe there has been extensive consultation on this issue over the past eight years and the majority of Queenslanders clearly support this right. On average, nearly ten people every week apply to Adoption Services in Queensland for information about a birth relative.

Whilst there are contrary views on this particular subject, I guess for each one of us we would like the opportunity to reconnect with our parents. There was one thing that was particularly distressing when we lost our child Joshua. We donated his organs and they went to 10 different children. I would have loved the opportunity of meeting those families and meeting those children and seeing the good that our unfortunate tragedy gave rise to. That option is just not available.

I do not have too much more that I want to add to this particular debate, but I would really urge people to be supportive of adoption, to look at increasing ways of making babies available for adoption and to continue to open their hearts and their homes to these children who so need their protection.

Ms BATES (Mudgeeraba—LNP) (3.37 pm): I rise today to make a contribution to the debate on the Adoption Bill 2009 following extensive consultation with members of my community. It is their views that I am representing in this chamber today. The objective of the bill is to provide for the adoption of children in Queensland and for access to information about parties to adoptions in Queensland in a way that promotes the wellbeing and best interests of adopted persons throughout their lives and supports efficient and accountable practices in the delivery of adoption services and complies with Australia's obligation under the Hague Convention on Protection of Children and Cooperation with Respect to Intercountry Adoption.

The bill seeks to repeal the Adoption of Children Act 1964 and seeks to provide a more contemporary process for adoption of children in Queensland. Queensland, the so-called Smart State, has lagged behind the rest of Australia in adoption reforms. Consultation on reform began in 2001 and now eight years later we are finally debating this bill in this place.

This piece of legislation has taken eight long years to get here. A cynical person may well ask whether the government has an ulterior motive for this legislation. Given the economic black hole this government has sunk us into, the fact that this legislation will allow children currently in care to be adopted means the government does not have to fund their upbringing and therefore gets them off the books.

We must ask ourselves whether saving a few dollars against the best interests of our children and communities is really what we want to achieve for our state. What is in the best interests of the child? This is the core ingredient of this legislation that needs to be focused on and indeed should form the basis of any child safety policy.

Is it in the best interests of a child to have their future decided by a chief executive officer and not the Supreme Court? A chief executive officer will make their decision by relying on reports and/or investigations from his departmental officers who are not trained investigators. This is a decision that, if not based on accurate and thorough information, could have a profound and long-lasting effect on the child concerned.

The department is already chronically understaffed, with its workers throughout the state going on strike as those opposite want to cut back their funding. This is a department which is struggling to cope as it is with the number of notifications—

Mr REEVES: I rise to a point of order. What the member is saying is untrue and I ask that she withdraw it.

Mr DEPUTY SPEAKER (Mr Pitt): Will the member withdraw those comments?

Ms BATES: These are facts taken from resources. This is a department which is struggling with the number of notifications and intakes. Innocent children are suffering from neglect or abuse throughout Queensland because overworked case workers missed the signs or cannot get to an at-risk child in time. How can we guarantee that those who will be affected by this adoption legislation will not have to wait weeks, months or—worse—years before a decision is made on their family unit? How can a change of legislation which has been left in the wilderness by this government for far too long but has urgently needed to be addressed be right in some ways yet be so wrong in others?

Where is the equality when de facto partners are able to adopt after residing together for just two years yet step-families must wait three years? What is more stable—a step-family who have confirmed their commitment to each other and their family unit or a couple who have lived together but not made their habitation legal? The best interest for any child is to be raised in a stable, loving home with strong family values. The latest statistical data on the comparative stability of marriage and de facto relationships indicates that marriages are 5.53 times more stable than de facto relationships. But let us take a step back and look at the big picture. It is time to recognise that we have failed as a community when there has been an increase of nearly 20,000 children coming into contact with child protection authorities since 2005.

This legislation will allow the chief executive officer to make a decision to allow an adoption by a person with a serious criminal history if they are satisfied it is an exceptional case. As pointed out by the shadow minister, the member for Bundaberg, how satisfied exactly does the chief executive have to be? A person who has been convicted of an offence by their peers in a court of law can now go ahead and apply to adopt a child. A serious crime may include rape, arson or paedophilia. Can the minister categorically state that this would be in the best interests of a child? Widespread consultation has not been ongoing as stated by the Queensland government. Why have the 1,168 birth parents and 1,719 adopted people who have registered objections to the release of identifying information and/or contact not been notified?

The government claims that this bill has been put forward to modernise the adoption process. This bill will introduce extremely harsh adoption laws that will allow the Department of Child Safety to apply to the court to remove consent of birth parents in the adoption process that will allow for the forced adoption of a number of children in long-term foster care. As stated previously, the high staff turnover and relatively inexperienced staff levels within the department give rise to questions as to whether Child Safety staff are best positioned to be making judgements as to who is a fit parent when the department has minimal early intervention processes in place to judge whether the parents of children in foster care have been given enough support to correct their situation.

With more than 25 per cent of children in foster care identified as Aboriginal or Torres Strait Islanders, there is some concern that Labor's approach to adoption could lead to a new stolen generation. The bill paves the way to enact the Labor government's One Chance at Childhood policy. This will see Child Safety putting more children who are in foster care up for adoption so that it can clear the books of children currently in care. Of further contentious concern is the move to open adoption whereby information on adopted children and birth parents will be more freely available to other parties.

The protection of Queensland's children is of paramount importance and there is a need to establish the necessary framework to achieve the intentions of this bill. The Adoption Bill 2009 seeks to rectify the legislation that currently makes Queensland the most restrictive regime of all Australian jurisdictions when it comes to the release of identifying information. As the public consultation paper *Balancing privacy and access: adoption consultation paper* states, the government's goal in reviewing this section of the bill is to give all people the same access to information about their family history while maintaining the right to privacy. The amendments in this bill take this principle further by omitting the two different laws for people adopted before 1 June 1991 and after and applying the same standard of legal protection for people who do not wish to be contacted by either an adopted child or a birth parent.

In summary, whilst the LNP supports the government's attempts to modernise the adoption act, there remain serious questions regarding the eligibility process for adoption and indeed the protection of privacy for those individuals who have no desire to have their past revealed. I commend the bill to the House.

Mr DEPUTY SPEAKER (Mr Pitt): I call the member for Sandgate.

Ms DARLING (Sandgate—ALP) (3.43 pm): I am sorry, Mr Deputy Speaker. I find myself so flabbergasted by the conspiracy theories of the member for Mudgeeraba that I was temporarily speechless. This afternoon I am pleased to support the Adoption Bill 2009. Previous government speakers have discussed the contemporary reform introduced by this bill to widen eligibility to lodge expressions of interest beyond married couples. Opening eligibility to de facto couples who have been in a committed relationship for at least two years is a change that recognises the changing attitudes to family life. However, the bill also makes other changes to the eligibility criteria that are worthy of note.

A couple will be eligible to lodge an expression of interest in adoption only if the female partner is not pregnant, couples are not undergoing fertility treatment and have not undergone fertility treatment within the previous six months before they lodge their expression of interest, and they do not have custody of a child aged less than one year or a child who has been in their custody for less than one year—other than children of whom the person is an approved foster carer under the Child Protection Act 1999. These criteria relate to matters that are already taken into account by the department when selecting a person to be a prospective adoptive parent for a child.

The criteria are indicators of a person's current ability to focus their attention primarily on an adopted child for at least the first 12 months of the placement. We know through research that it is a critical time for an adopted child and their adoptive parents, and again these criteria go to Adoption Services Queensland's unwavering dedication to the needs of the child. This does require prospective adoptive parents to understand that it is the child requiring adoption and that child's needs that is the focus of adoption decisions. But prospective adoptive parents can be assured that by including these criteria the bill provides an expression of interest register that only contains the names of people who are immediately ready to proceed through the assessment and adoption processes. The register will be kept at a manageable size and will more accurately represent the people who are committed to participating in the adoption process at a particular time. As such, the register will remain open indefinitely rather than open periodically. The fee for joining the register will also be removed to ensure

that parents are not penalised for opting in and out as their situation changes. These changes will make it easier for people to consider adoption as an alternative in the long run and ensure the register contains only those couples ready and able to proceed with an adoption should they be found suitable for a child requiring adoption.

I consider myself very blessed and very lucky to have two beautiful children. I have never had to personally experience the struggle with infertility. I want to particularly thank some people very close to me who have helped my understanding of the issues as I have considered the Adoption Bill. First of all, I am the very proud aunty of a beautiful niece who my brother and sister-in-law adopted from Romania just over 12 years ago. It was very interesting to go on the journey with them both as they prepared for their beautiful little girl to arrive. It was an eye-opener for me to see the real connection with her culture from Romania and how important it is to talk to her about her country of origin and her culture, and they have been able to plan—hopefully—a return to Romania at some time. It was part of the international adoption program that they prepared themselves in a lot of ways for adopting a child from overseas. It was also fairly traumatic, as the rules of other countries changed along the way. They were lucky to have a beautiful 3½-year-old daughter. They were expecting a six-month-old daughter, but the rules of Romania changed whilst they were on the waiting list. I very much understand the painful wait for a child when a couple has decided that that is what they would like to complete their family. We love her dearly. My children are absolutely besotted with their big cousin. I thank my family for helping me understand about the adoption process.

I also want to thank the beautiful member for Brisbane Central, because she is a good friend and colleague. One only needs to set foot in the Grace family household to see the absolute joy of that family. They are wonderful people to be around. I still have to take the member for Brisbane Central up on a promise of one of those beautiful Italian dishes that she makes, but she and her husband absolutely adore their family situation. However, we did have the opportunity to talk about the decisions leading up to that and the frustrations of the register and the waiting list. I listened to the member's wonderful contribution. I hope all members of this House take the opportunity to read the contribution by the member for Brisbane Central. It is heartfelt. It is real. She has actually walked the walk, not just talked the talk. It should give people a bit more of an understanding of some of the issues that confront the members of this place.

I also want to acknowledge some very brave couples who presented themselves to the committee investigating altruistic surrogacy. They told some very personal stories of their infertility. I will leave my comments on surrogacy for when that bill is introduced into this place. Of course, adoption is one of the options for consideration when faced with infertility. By the time you reach the decision to go ahead with surrogacy with someone who loves and supports you, my word you have been on a tremendously emotional journey. You tend to have started with the realisation of your infertility, tried different ways of falling pregnant and then moved through to trying adoption. It seems that every time a door is slammed you are left with people whose desire for a family and to care for and nurture a child is very strong. I thank those people for being so brave as to really lay bare their personal lives and tell us their stories.

I also refer to all of the people who took the time to write to members of parliament. I think every member of parliament received various correspondence. That correspondence showed us that there is absolutely no black and white. There is no classic scenario for adoption. Everybody is different. Everybody has feelings. As the member for Brisbane Central said earlier, this bill does achieve a balance. A lot of people's needs have to be taken into consideration but always paramount are the rights of the child.

I also thank the member for Albert, who, when she was the minister, put in a lot of work, research and heartfelt time listening to people with regard to adoption reform.

Ms Grace: She did a great job.

Ms DARLING: A brilliant job. I also thank the current minister for bringing this bill into the parliament. I heartily support the bill.

Mr GIBSON (Gympie—LNP) (3.51 pm): I rise to speak to the Adoption Bill 2009. I note that it repeals the Adoption of Children Act 1964, provides for a more contemporary process for the adoption of children in Queensland and results from the government's desire to make the state's legislation reflect contemporary community standards.

I have listened with some interest to this debate. Like many in this House, I received many representations from the community presenting both sides of the argument and their concerns about this bill. I note that the bill provides for open adoption practices, which enable the child's birth family and adoptive family to know each other's identities from the time of adoption. I will speak a little more about that in a moment.

The bill also incorporates the principles and obligations that are relevant to adoption consents that are contained in the United Nations Convention on the Rights of the Child and the Hague convention which are, of course, currently reflected in Queensland adoption practice but not in our law.

The bill also expands the category of eligible persons to lodge expressions of interest to adopt a child to include de facto couples who have been in a committed relationship for at least two years, requires adoption orders to be made by the court and gives adopted people and birth parents access to identifying information regardless of when the adoption occurred.

I think one of the great things about being a Queenslander is that, as a society, we genuinely respect all people. We recognise that within this great state there are many settings in which children are raised, whether that be with grandparents, whether that be in a single-parent household, whether that be by same-sex couples, or whether that be in the traditional family unit. Within this state there are many environments in which children are raised and which I am willing to recognise are, in many cases, loving environments—environments in which the best is desired for those children so that they can have a bright future. But we also choose to recognise that there is one setting that is ideal—one setting throughout all the cultures that we have in this world and one setting throughout the history of mankind that has been recognised as ideal—and that is where there is both a loving father and a loving mother in the child's home. Ideally, we would love those people to be the child's biological parents, but that is not always able to be the case.

I find it interesting to note that today we had the announcement in the parliament that altruistic surrogacy laws will be introduced. So the question could rightly be asked: should homosexuals not have the right to children through adoption? Potentially we will be debating whether homosexual couples have the right to have children through altruistic surrogacy. So the question begs asking: why are we saying to same-sex couples that we are not going to extend them that right yet it has been flagged that we will extend them the right to altruistic surrogacy?

Ms Grace: There is a big difference.

Mr GIBSON: Why is there a big difference?

Ms Grace interjected.

Mr GIBSON: I want to touch on the big difference. In my view, the big difference is the way in which we regard children. No-one has the right to a child. The argument can be put forward that it may be a form of discrimination to deny homosexuals access to adoption. Can they not be just as effective and loving parents as married heterosexual couples? I am sure that within them they have the desire to provide the very best environment for children, yet this bill will deny them that right. Why does this bill do that? It comes back to a fundamental view that the best arrangement for a child to be brought up in our society is with a father and a mother.

No-one can claim the right to a child. Children are not property to be owned. Even heterosexual parents do not have a right to a child. Rather, parents, regardless of their circumstances, are merely custodians of those children. It is a sacred and blessed privilege that is presented to us to be parents. No-one can claim the right to a child any more than a man can claim the right to a woman or a person can claim the right to a slave. No-one has the right to another person. Discrimination is based on the idea that someone's rights are being violated. If children are not property and, therefore, no-one has the right to a child, then it cannot be claimed that homosexuals are being discriminated against by not having access to children, whether that be by adoption or by altruistic surrogacy. These are important principles upon which our society is based and which we must understand and hold sacred in this house of parliament.

I note that one aspect of the bill that has attracted a strong reaction from the community relates to the removal of information objections and the access to information of birth parents. In recent decades experience has shown us that there is a deep need in most people to know their biological origins. Children born through IVF, a new technology that is only three decades old, have expressed the same deep need as adopted children have for many years. Indeed, you only have to look at popular culture to see how deep that need has become. We now have popular TV shows such as *Find My Family*, which demonstrates very openly that instinctive desire in people to know about themselves and where they come from. Children, adults and even the elderly who have found themselves separated from one or both of their biological parents have a desire to find them and to develop a relationship with them if that is at all possible. They have a desire to be connected to their brothers, their sisters, their half-brothers and half-sisters, their aunts, uncles and grandparents. It is for that reason that I strongly support those elements in this bill that open access to information.

We only have to look at the boom in genealogy and the creation of websites such as ancestry.com.au to which people turn not just to find out about their immediate biological family but to go back generation by generation to see that there is a need within us to understand who we are and where we come from. The changes that are put forward in this bill will go a long way towards establishing that right to find out.

I note, along with many in this House, that we receive representations from various groups. The Adoption Privacy Protection Group has raised some issues that I know have been raised before. It feels that the minister misled the parliament when he stated in the second reading speech on the bill that Queenslanders clearly told the government that the current adoption laws are not fair. It is deemed that

this is a generalisation in itself and it should have been made clear that only 210 Queenslanders responded to the question of fairness on the consultation paper whereas nearly 3,000 Queenslanders expressed that they wished to have their identifying information remain confidential. I believe that the balance that we find in this bill goes a long way to ensuring that we are able to protect those needs of the individuals but also to recognise that deep need within adopted individuals to identify their biological family.

I wish to quickly touch on the contentious issue of de factos. We have to recognise that de facto couples are becoming a large part of our community. This situation reflects a change in our society's standards as they currently are. I remember being a young Army lieutenant posted in Townsville. There was the opportunity for young soldiers to obtain a married quarter if they were in a de facto relationship. What disturbed me at the time was that we had soldiers simply going through the motions. They would rush out and buy whitegoods together because that was one of the items that you needed to show. They would have a lease drawn up together because that was one of the items that you needed to show. Then they would simply wait while the clock was ticking until they got to that point that said they had been together for this period of time and then they would trot into my office and say, 'Boss, we want to get recognised as a de facto. We would like to have a married quarter.'

What really disturbed me, not in all cases but in many cases, was that the question about the relationship was not there to be addressed. It was simply what actions had been taken. We had soldiers who were going out and obtaining a married quarter and moving out of the barracks—which obviously they were very keen to do—but I would not say that they had a true relationship, be it de facto or otherwise. They were in a situation where they simply were addressing the requirements under the Defence regulations at that time. They would openly talk about it at the boozer. They would go through the list of things that they needed to do.

I listened very carefully to the speech of the member for Brisbane Central. The essence of it is that it is not about the time, be it 12 months, two years or five years; it is about the relationship.

Ms Grace interjected.

Mr GIBSON: She says, 'Oh, rubbish.' I disagree with the member for Brisbane Central, because it is about the relationship that a couple has and if we are simply talking about two years then that is just a line that is drawn in the sand. I appreciate that it is very difficult to drill into that relationship to identify whether it is stable and whether it will last. The statistics that have been talked about indicate that de facto relationships are not as stable as married relationships, but I am happy to quite openly admit that married relationships are not perfect either. But we need to look beyond that. We need to look at ways of identifying the strength in the relationship rather than simply the number of days of the relationship that we can count off.

As we look to the future, we in this House have a responsibility to those children who will grow up in a society where our actions will mould and influence their lives. I believe this bill goes a long way to addressing some of the important modernisations that need to occur. We need to have the courage and commitment to look at what is best for those children. We need to be consistent in all areas. To me, it is inconceivable that we can have a discussion where we accept that a same-sex couple can have children through altruistic surrogacy but then say that they are not acceptable as adoptive parents. That shows an inconsistency and a discrepancy in what we are saying to the community. Let us put aside the politics and look at what is best for the children and in doing so we will determine what is best for Queensland for generations to come.

Mr BLEIJIE (Kawana—LNP) (4.04 pm): I rise to speak to the Adoption Bill 2009. After putting this bill on the backburner or, as the Minister for Child Safety and Minister for Sport called it, in the too-hard basket, this bill is finally before parliament. The drafting of this bill commenced way back in 2002 and is only just now before parliament, some seven years later. But then again, what can I say? Delay is what this government is all about. The Adoption Bill 2009 is being drafted to repeal and replace the Adoption Act 1964 and amends the Births, Deaths and Marriages Registration Act 2003 and the Child Protection Act 1999. The bill provides for the adoption of children in Queensland and provides for access to information about relevant parties to adoptions throughout Queensland. The bill will bring Queensland into alignment with the rest of the country in relation to adoption reform.

This bill has come about as a review of the Adoption Act 1964. The review of this act commenced in 2002. The government sat on the bill for six years and then on 14 July 2008 the Premier and the then minister for child safety announced the government's proposal for significant reform of the Queensland adoption laws through the release of the *Future adoption laws for Queensland: policy paper*. On the same day the Premier and the then minister for child safety also announced that the laws would be reviewed to allow for the unconditional release of identifying information through the *Balancing privacy and access: adoption consultation paper 2008*.

The release of identifying information was not included in the initial review of the act in 2002 and was only released to the public on 14 July 2008 and submissions were allowed for a period of only two months. For such a significant reform of the Queensland adoption laws, especially concerning privacy

issues, the government did not allow the public much time to respond to the new proposals. In the minister's second reading speech he said that the government engaged extensively with the community in developing reforms. Two months is not extensive when it comes to the issue of privacy concerning parties to adoption, especially when this government sat on the bill for seven years.

This government brags about and purports to be all about reform but then drags its feet when it comes to the actual process of reform. When significant issues arise the government reacts and then tries to rush things through the parliament without dealing with the real issues. This bill deals with a very delicate topic that requires a great deal of consideration and empathy, but why has the government neglected to introduce this bill for the past seven years? The Minister for Child Safety and Minister for Sport answered this question in his second reading speech when he said—

The Bligh government has taken this issue out of the too-hard basket and is delivering fair laws to those people affected by adoption.

The too-hard basket—that is what the government does with the livelihood of the children of Queensland: it puts it in the too-hard basket. That is called neglect. The Labor government has neglected to bring about reform when it needed to. It has neglected the children of Queensland and put them into the too-hard basket.

This comes right back to this government's DNA: debt, neglect and arrogance. A constituent recently wrote to me expressing his view on the Adoption Bill and put it very simply—

I was further dismayed to read the correspondence ... drafted by bureaucrats who reduce these most important human issues to an administrative process. From this letter it appears it was far easier to retain the status quo than to amend laws which continue to be so morally and ethically indefensible.

The correspondence the constituent refers to is a letter dated 26 April 2002 from Rob Whiddon, the chief of staff at the time of the then Premier and minister for trade, to Ms Arthur, Secretary, Origins Inc., which the shadow minister for child safety and shadow minister for sport tabled in this parliament on 4 August 2009. Instead of dealing with the fraudulent objections, the government tries to sweep them under the carpet and look to reform by putting in place an administrative process. This government is all about sweeping things under the carpet and then appearing to be about reform.

The Adoption Bill will introduce adoption laws that will allow the department of child safety to make an application to the court to remove the consent of birth parents in the adoption process which will allow for the forced adoption of several children who are in long-term foster care. With the high levels of staff turnover and overworked and excessive case loads of our Child Safety staff, the question really must be asked: are the staff of the department of child safety really best positioned to be making such judgements and decisions as to who is a fit and proper parent when the department has minimal early intervention processes to judge whether the parents of children in foster care have been given enough support to correct the situation?

This government should look at prevention at an early age, not merely removal at an early age. The bill provides that this act is to be administered under the principle that the wellbeing and best interests of an adopted child, both through childhood and through the rest of his or her life, are paramount. Once again the Labor government has reacted to the lack of preventive action, and this is another desperate attempt by the Bligh government to implement a bandaid solution by removing children from their homes without the consent of the birth parents, rather than looking at the core issues involved in the need for such harsh situations and solutions. This government needs to look at the wellbeing and the best interests of a child, both through childhood and through the rest of his or her life, and look at preventing any need for removal of a child from his or her home in the first place. However, the Bligh government will probably put that also in the too-hard basket.

In his second reading speech the minister made mention of the government's One Chance at Childhood initiative. This initiative was not mentioned in the bill or the explanatory notes, nor was it mentioned as part of his consultation process. This government is not dedicated to a solution by way of prevention but continues to react and take the easy road of removal. Certainly there is a need for removal in some instances where there is abuse and a real threat to the child's welfare and safety, but we really need to look at the preventive options to try to ensure that does not happen in the first place.

As a community we need to realise that there is a great need for help for families in the area of child welfare and safety, and the government should look to reform its prevention programs. The government has announced that support and counselling will be provided to people who will be affected by any change in the law. This is an admission by the government that the legislation will impact on those parties to adoptions that occurred prior to 1991. As someone said to me, this is like calling the fire brigade before you set the fire. What support will the government provide for those children who were removed from their families as a result of this government's One Chance at Childhood initiative when they grow up? Surely prevention is better than removal. This is a bandaid solution that aims at dealing with the consequences well down the track.

Another deficiency in this bill is that de facto couples who have been in a committed relationship for at least two years will be eligible to adopt, but step-parents face a waiting period of three years after marriage. A step-parent would have courted the birth parent and gotten to know the child prior to marriage and then during the early years of marriage. Clearly this government does not think through things in a practical manner.

It has been stated that the bill represents what is in the best interests of the child. In my personal view, what is in the best interests of the child is to be adopted by a loving married couple. This bill allows de facto couples to adopt after being in a relationship for a period of two years. Statistically, on the comparative stability of marriage and de facto relationships in Australia, the research indicates that marriages are 5.53 times more stable than de facto relationships over a five-year period. I believe that the test to prove de facto relationships is fraught with danger and open to all sorts of loopholes. While the LNP will support the bill, there are several issues that the government simply has not dealt with but rather has put back in the too-hard basket.

Mrs CUNNINGHAM (Gladstone—Ind) (4.13 pm): I rise to speak to the Adoption Bill 2009. In doing so, I would like to recognise that this is a very emotional and a very personal issue. Other members have referred to correspondence from various people in the community and we have all talked to people in our electorates, so we know that there is a diversity of perspective in relation to the rights and wrongs of adoption. As the minister said in his second reading speech—and all in this chamber would agree—overwhelmingly the single most important issue to consider is the welfare of the child. If a child was old enough at the time of adoption to remember it, they have probably already been through a significant trauma. Even if the child was quite young when adoption occurred, finding out that they were adopted creates issues for them to come to terms with.

This bill proposes to change quite a number of the conditions that surround and embrace adoption. I want to read a letter that I am sure has been sent to other members of parliament. It is from Mr Telfer. I believe it is a very well thought out and heartfelt letter. He writes—

I write regarding the proposed change in adoption legislation which would allow adoption by unmarried couples who have been cohabitating for two years.

As a father of five adopted children and a former President of the International Adoptive Families of Queensland this disturbs me very much. Under the current regulations it is required for a couple to be married for a minimum of two years. In a traditional marriage you have a courtship, a decision is made to make a commitment in an engagement, and a formalising of that commitment has been made in a marriage. Then under the current legislation you need to prove that commitment for a period of at least two years (not a long period of time).

If we change that to a situation where there is no identifiable courtship, no identifiable decision to make a commitment, no identifiable point of confirming that commitment, and no identifiable period of proving that commitment, we are lowering our standards considerably. We are allowing couples with no clear commitment to each other to become adoptive parents. This situation has a very high risk of being devastating to the children given that de facto couples break up more readily than married couples.

Adopted children are often those who have been hurt and traumatised. Stability and security is a monstrous issue for them. Even those who are adopted as infants have issues to deal with. It is essential that they be adopted into homes that are stable and secure. There is nothing that could be more devastating for the children than the double trauma of being adopted into a home that does not have the security of a clear and permanent commitment sealed in a marriage that has had time to prove itself.

All legislation, policies and practices of the department must be determined by sound professional research with an identifiable integrity of data to back it up. It must not be driven by the whims, desires and philosophies of individuals and pressure groups.

The Queensland Adoptions Department and its parent Child Safety, talks often about the 'best interest of the child'. Now is the time for them to prove that this is what they are doing by producing the research, and the identifiable integrity of data to show that this change in legislation is truly in the best interest of the child. Conversely perhaps they could listen to the research that says it is not.

We should not be proceeding with this change until it is proven that it is in the best interest of the child.

He signs off 'Yours in the best interest of the child'.

Of the many people in my electorate whom I have spoken to—certainly I have not spoken to all constituents; it would be dishonest of me to say so—the overwhelming majority still hold the view that Mr Telfer has espoused. I recognise that in our community many couples live in a de facto relationship. My personal preference would be always that children go to a couple in a strong and stable married relationship. However, married couples can also go through very difficult times. It should be recognised that adopted children will and can deal with conflicts in a relationship in the same way that children who are born naturally to a family unit cope with the difficulties that married couples face from time to time. If families do not manage well and if parenting falls down significantly, unfortunately the minister's department has to step in to pick up the pieces and to support those children in that difficult situation.

I have had contact with couples who have been involved in intercountry adoption programs. The minister's second reading speech states—

The bill's objective is to ensure that all children who require adoption, whether locally or through intercountry adoption programs administered by the Australian government, receive the best possible care.

People who are involved in intercountry adoptions have to be incredibly dedicated to the process. It is onerous and it is protracted. The adoptive parents have to spend periods overseas. Unless the rules have changed, for the first 12 months that the child is in their adoptive family home, nobody other than one of the parents—and it is my understanding that they have to be a mum and a dad—can care for the child. That means no babysitting. That could have changed in the past year or two. Certainly the families in my electorate that have been involved in intercountry adoptions tell me that it is quite a significant commitment in time and emotion, and also financially.

There has been reference in this chamber to same-sex couples adopting children. At the risk of raising the ire of those members who hold a differing view to me, I certainly do not support same-sex couples receiving adoptive children or indeed children through other processes. Quite apart from my own faith values—and that is certainly the basis upon which I make that comment—couples who are infertile have at least a natural prospect of issue; same-sex couples do not. I believe that that is a significant consideration and one that I certainly place a strong emphasis on.

In relation to the release of information, I do not think there is a right and a wrong way to go about it. I think both sides of the equation have very strong emotional reasons for feeling the way that they do. I feel for women who in years gone by have released children for adoption, particularly those who lived at a time when being pregnant out of wedlock was abhorrent. Many of those women were sent away from their locality to have the child in seclusion, and those children were adopted out very, very privately. I think for those who are in that circumstance any prospect of identifying information being released will fill them with alarm, albeit as a result of this legislation there is a caveat that says that if there is an objection to the release of identifying information the receiver of the information cannot contact the objector. That will still create a huge psychological uncertainty in the minds of those people involved.

Similarly for adopted children, I believe that many adopted children will want in the future to know their history, their past, their parentage, their cultural heritage, but some will not. For those who do not want to know they should not be able to have that information exposed. In the minister's second reading speech, he states—

> Current laws restrict adopted people and birth parents who were involved in an adoption prior to 1991 accessing information if one of them objected to the release of the information. Currently more than 1,100 people adopted before June 1991 cannot know their own family history because of objections lodged by their birth parents. There are also more than 1,600 birth parents who currently cannot know the name their child has grown up with or the names of the adoptive parents who have raised them because of objections lodged by the children who were adopted.

I refer to the Queensland Parliamentary Library's research brief, and again I commend the Parliamentary Library. The research documents that they release are always informative, are well written and I think are a credit to the Parliamentary Library. I quote from their document on page 9. It says—

> Fifty-seven percent of respondents believed that the law should be changed so that all existing objections that prevent identifying information from being released are changed into objections to being contacted only.

And this is important. It continues—

> However, a person's stance depended very much on his or her personal experience. For example, 94% of people who have lodged information objections do not believe the law should be changed so that all existing objections that prevent identifying information from being released are changed into objections to being contacted only, compared with 16% of people who have been refused identifying information.

If you are in a position of vulnerability where there is information that you do not want released then you would be part of that 94 per cent who do not want the rules to change. The changes that are proposed in this legislation will significantly impact upon those people who do not want identifying information released and those people who, for whatever reason, want the status quo to remain. They will understand that with information given out there is an obligation not to be contacted, but it will still leave a great deal of uncertainty in their minds in terms of the integrity of their privacy being protected.

A constituent in my electorate delivered a document to me. I know this lady. She is a very gentle woman. She is in her senior years and is not given to hold views without significant thought and consideration. I think the document has been referred to by other members in this chamber. The member for Gympie referred to the document. This is a paper from the Adoption Privacy Protection Group. The member for Gympie referred to the fact that this group believes that the House has not been provided with all the information in relation to the 2009 Adoption Bill and, in particular, in relation to 'Access to Information Part 4A'. I will not read all of the document because I am sure many people have seen it. The group states—

> **The consultation period for the whole Bill has not been ongoing since 2002.**
>
> Part 4 Section 39AA has been actively and positively excluded from the Terms of Reference of the Review of the Adoption Act, 1964, in all Government publications issued to interested parties. This Section of the Bill, allowing for the unconditional Release of Identifying Information was introduced into the Review only in July 2008, with a consultation period of only 9-10 weeks from July 14th to September 19th 2008.

I just want to place on the record that I represent a community that is consulted regularly not so much on this type of legislation but in terms of environmental impact statements and the like for industrial development. It is very easy when you are involved in an area of regular consultation to be consulted to death. I believe that there is a real risk that those people who provided information from 2002 onwards may easily have failed to pick up that new issues were included in the consultation documents, and I think that needs to be acknowledged. They state—

The Minister also stated in the second reading of the Bill that ' ... Queenslanders clearly told the Government that the current Adoption laws are not fair'.

This generalisation is misleading and it should have been made clear, at this point, that this statement is only true of 210 Queenslanders (65% of the 321 who responded to this question of fairness on the Consultation paper). This small minority is scarcely representative of the 2880 Queenslanders who have expressly stated that they wish their identifying information to remain confidential: It is an even further cry from the 350,000 Queenslanders whose families are involved in adoption ... Neither can it be assumed that all the 210 people who responded to the question want identifying information released unconditionally. Many adopted people and birth parents consider it unfair to be forced to register their right to privacy on such a register.

World authorities on adoption reunions, such as John Triseliotis, have recommended that a Voluntary Mutual Consent Information and Contact Register is the fairest, most dignified and cost-effective way of effecting adoption re-unions. Such a Register has worked most efficiently in Vancouver, B.C. since their records were opened.

What this organisation is saying is that, where there is a willingness on both sides of the relationship—the birth parent, the adopting parent, the child who is adopted—for contact to be made, then it can be made with little, if any, emotional damage, though there will always be overtones.

Members have referred to an anonymous letter that was sent to members of parliament in relation to adoption. I will just quote one paragraph, as others have referred to it. The letter states—

I believe there is a misconception in the community, that ALL adopted people should or want to find out about their past. The media and shows such as 'Find my Family' and 'Missing Link' perpetuate this idea and the myth that reunions = happy endings/ closure. A person's identity, their legal name that they were given by their adoptive parents, should NOT be given to people who are literally strangers, without the adopted person's consent.

I believe that is an important principle. Finally, I have a letter which is the opposite side of the coin. Certainly this presents a position that I am cautious on, but to be fair to this gentleman who wrote to me, Mr Kroll, he states—

I am an adopted Queenslander who has been denied this information.

That is, identifying information. He continues—

Words cannot describe the torment and frustration I have experienced in my 17 year search for self-identity. Now almost two decades later, the only thing which has changed is the deepening of my resolve, if that is possible.

Please understand the importance of self-identity. It provides the framework from which you approach your entire life. It comprises the foundation from which you build and develop, and constitutes the most fundamentally important aspects of life. The 'need to know' does not diminish with time; it intensifies, particularly during major life events. This void is so much more than 'a small missing piece of your life'.

If you read his entire letter you can see the pain that he is in. As I said right at the beginning of my speech, adoption is a hugely emotional matter. It probably has less stigma attached to it today than it did 30 years ago, but this piece of legislation has the potential to cripple couples, in particular women, who gave their children up for adoption many years ago even if they cannot be tracked down because of protections that are in this legislation. I believe it will unleash uncertainty in their minds about their privacy and protection about an event that is still for most women, if not all women, a very painful one.

I do not envy the minister's role—both the current minister and the previous minister—in trying to find a way through the issue. Fundamentally, as has been stated in documents, the child's best interest is the most important thing, but we must also remember that there are family members—past, current and future—who also have to be considered. I look forward to the minister's reply.

Dr ROBINSON (Cleveland—LNP) (4.32 pm): I rise to speak to the Adoption Bill 2009. I note the policy objectives of the legislation are to provide for the adoption of children in Queensland and for access to information about parties to adoptions in Queensland so as to promote the wellbeing and best interests of the adopted children throughout their lives, to support efficient and accountable practice in the delivery of adoption services, and to do so in a way that complies with Australia's obligations under the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption.

In general terms, I support the objectives of the legislation to provide for the adoption of children in Queensland and for access to information about parties to adoptions in this state. In my view, adoption law needs to be more pliable and workable for Queensland families. Honourable members may recall me speaking about the importance of family in my maiden speech. The family is the building block of society, and strong, loving families are necessary for strong and well-balanced communities.

In my family home each of our treasured children has brought my wife and me immense joy, and we have been able to raise them in a safe, stable, established and caring environment. Other married couples for many and varied reasons may not be able to have a biological child of their own. They should not be denied the opportunity to fulfil their dreams to bring a child into their lives by way of adoption. So I support the general intent of the bill in so much as it achieves these goals.

There are some salient points to be made about adoption in Queensland and Australia. The following are excerpts from the Australian Institute of Health and Welfare's report *Adoptions Australia 2007-08*. Since the early 1970s there has been a 22-fold decrease in the number of adoptions in Australia, from 9,798 to 440 adoptions between 1971-72 and 2007-08. However, the total number of adoptions has remained relatively stable since the mid-1990s at around 400 to 600 children per year.

The overall decline in adoptions can be attributed to a fall in the number of children of Australian origin made available for adoption. In contrast, intercountry adoptions have increased overall in the last 25 years and have emerged as the dominant category of adoptions, representing 61 per cent of adoptions in 2007-08 compared with six per cent in 1982-83. In 2007-08 there were only 440 adoptions in Australia—the lowest number of adoptions recorded since 1969-70 and a 23 per cent decline from the previous year.

It is interesting to note that, of the 440 adoptions in 2000-08, 61 per cent were intercountry, 16 per cent were local and 23 per cent were known-child adoptions. Just over half of all intercountry adoptions were from China, South Korea and the Philippines. Of the children in local and intercountry adoptions, three in five had adoptive parents aged 40 years and over, and just over half were adopted into families with no other children.

The implications of these figures are significant, and I will draw on a couple of points. First, very few Queensland children are offered up for adoption each year. The low number of local adoptions is, in part, due to the government's failure over the last decade or more to make adoption a more attractive and pliable option and alternative to abortion. Secondly, due to the very low numbers of Queensland babies and children being made available for adoption, many childless married couples are waiting many years to adopt. For them, the process for adopting children can be extremely daunting and stressful, with a mountain of forms to fill in and documentation to be supplied, followed by a long wait by the hopeful potential parents. Many have given up on their preferred option of adopting an Australian or even a Queensland child and have sought an intercountry adoption, yet for others intercountry adoption has been their preference. Some, after exhausting all options, have given up after years of trying. I believe this government is partly to blame for the situation that we find ourselves in today. So I welcome measures in this bill, and I generally support the bill in its intent to address these issues.

I would like to spend my remaining time talking about the issue of adoptive parenting. Much has been said today about this, and I try not to be repetitive. As the wellbeing of the children involved is paramount, it is therefore essential that the adoption process provide an assurance that the child is placed appropriately. The major concern that I have about the bill is that it moves away from the established norm that adoptive parents be married couples. I am concerned about the way that this bill changes the criteria for adoptive parenting from married couples to de facto cohabiting couples in a relationship for two years.

I wish to make a couple of points about this. Firstly, what statistical basis does the government use to make this dramatic change away from timeless conventional wisdom that has served our state for generations? Why is the length of relationship set at a mere two years? What research is there to show that a de facto relationship of two years is a stable enough relationship upon which to base an adoption? I am yet to hear any solid social science research from the government on this matter. Secondly, children are best served when they live in a loving family home with a mother and a father in a married relationship. Social science research attests to the importance of both a father and a mother as role models in the emotional development of healthy children.

Research in Australia has shown that marriages are five times more stable than de facto relationships. This research was done over the five-year period from 2001 to 2006. Further, children are less likely to be abused in a family home that is based on a stable and loving marriage. Child abuse is more prevalent in homes where the adults are not married. These are statistical facts and are very difficult to argue with.

The marriage commitment of a couple to each other still provides the most beneficial foundation for raising a family that includes adopted children. Although the marriage certificate in one sense is just a piece of paper and it does not make a relationship a good one, the enduring commitment that it represents contributes to the stability of the relationship.

So if growing up in a stable family environment is important to the wellbeing of the adopted child then marriage should remain the benchmark in this adoption legislation. As children are better off in a home with loving married parents, how does it then 'promote the wellbeing and best interests of the adopted children for the whole of their lives' if the foundation of marriage is removed from the act? Our children deserve the best opportunity possible for a meaningful life.

Thirdly, I ask this question: is this position discriminating against or stigmatising de facto couples? The short answer to this question, in my view, is no. I accept that some de facto couples have a strong and healthy relationship and that they would make good adoptive parents. However, with the long list of married couples in Queensland who are currently waiting for the chance to adopt a child it seems the wrong time to widen the parenting criteria to include de facto relationships.

Further, the marriage commitment is not really a huge impost on de facto couples. It is not uncommon for de facto couples to migrate their relationship status to married. During the period 2001 to 2006 almost one-third of couples who were de facto in 2001 had married by 2006. They only need to register their relationship as a marriage and exchange vows to be able to apply to be adoptive parents. The public commitment to each other for better or for worse goes some way, I believe, to strengthening a couple's relationship and resolve to make the relationship work through bad times.

However, let me say this: I remain open-minded to the future possibility that if demand for adoption outgrows the availability of married couples, long-term and stable de facto, heterosexual relationships should be considered. I remain open to that.

Fourthly, and finally, the motive for the Labor government's change from married status to de facto for adopting parenting is questionable. The change appears to be without any basis in research and to me it appears to be a potentially dangerous social experiment. Without clear and valid social science reasons for its imposition on Queenslanders, it raises the question about whether it was part of the preference deal done with the Greens who are renowned for their small 'l' liberal social views.

In summary, I oppose the widening of the criteria for parenting to include de facto couples. However, I support the overall intent of the bill to make adoption more pliable and workable for Queenslanders.

Hon. PG REEVES (Mansfield—ALP) (Minister for Child Safety and Minister for Sport) (4.43 pm), in reply: I would like to thank all honourable members who have contributed to the debate. From the outset, I would like to acknowledge the hard work and dedication of my predecessor as child safety minister, the member for Albert. Her contribution in getting this bill to this stage cannot be underestimated. I thank her for her efforts and what she has done. Well after most of us have left this place or all of us have left this place we will remember the day we debated the adoption legislation. We are replacing legislation that was proposed in 1964 and amended in the 1990s. Her contribution should not be underestimated. I congratulate her for everything she did in that regard. I thank her on behalf of the parliament.

The Adoption Bill comprehensively reforms and modernises Queensland's 45-year-old adoption laws and reflects contemporary community standards with regard to adoption matters. The overriding aim of the new laws is to ensure that all children who require adoption, whether locally or through intercountry adoption programs administered by the Australian government, receive the best possible care. Therefore, the new adoption law enshrines the principle that an adopted child's wellbeing and best interests through childhood and into adulthood must be paramount in all of the department's deliberations and actions.

I note the member for Bundaberg said that the bill should focus on the best interests of the child. As I have just indicated, I am pleased to inform him that it does. Clause 6 of the bill sets out the guiding principles for the administration of the act. Subclause (1) provides that this act is to be administered under the principle that the wellbeing and the best interests of the adopted child both through childhood and the rest of his or her life are paramount.

A significant and contentious area of reform that many members spoke about is the provision providing all birth parents and adopted people the same entitlement to receive identifying information from the department regardless of when the adoption took place. During the public consultation undertaken about this issue many people generously shared their stories with the government. On the one hand some people's stories show that not knowing these facts can lead to a great deal of pain and suffering. We heard that recently from the member for Gladstone. On the other hand, some people's stories demonstrated the anguish and worry that they felt about their information being shared and their concern that this would result in an intrusion into their lives.

After carefully and sensitively weighing up these matters the government considers that it has developed a way forward that is fair to all parties. As many members recognised, these reforms balance people's rights to information about their own personal history yet maintain the rights of others to privacy.

To give members an idea of what information will be able to be released, if an adopted person who is an adult asks for identifying information they will receive a letter from the department telling them the following information: their name before the adoption, generally the name that their birth parents gave them; their birth mother's name at the time of the adoption and her date of birth; their birth father's name at the time of the adoption and his date of birth, if that information is in the department's records and can be verified or proven in some way; the birth parents' last known name and address—and I cannot stress enough that this will only be provided if the birth parent consents to this information being given; and if the person has a birth sibling who was also adopted, they will be provided with the adopted sibling's name after their adoption and their date of birth and, with the adopted sibling's written consent, his or her last known name and address.

With regard to adoptions which occurred prior to June 1991, the bill contains other measures aimed at safeguarding the privacy of a person who has previously lodged an information objection or expressed a wish for no contact. Before identifying information about these people can be released, the person seeking the information must sign an acknowledgement that they understand that the other person does not want to be contacted by them and that they know it would be an offence to do so.

It will also be possible for an adopted person, a birth parent, an adoptive parent or the chief executive to seek a court order preventing the release of identifying information to another person if doing so would pose an unacceptable risk of harm. With regard to releasing identifying information, we have acknowledged that greater recognition needs to be given to birth fathers. Currently, a man is only recognised as an adopted person's birth father if he gave his consent to the adoption or his consent was dispensed with by the court.

The bill broadens this by also recognising a man as the birth father where he did not give consent or his consent was not dispensed but he acknowledged paternity at the time of the adoption or his paternity can be proven in some way. For example, the man's name may be recorded on the birth certificate as the child's father or he may be able to produce correspondence from the child's mother in which she corroborates his claim of paternity.

The broader recognition of birth fathers will provide greater access to identifying information about them but such access will not be absolute. For example, if the birth father's identity is not recorded on the Child Safety Services file then there is no identifying information about him to provide to other parties to the adoption.

Identifying information about a man named as a birth father would also not be released if there is no evidence that the man has accepted paternity and his paternity cannot be otherwise proven, or there is contradictory information calling into question the accuracy of the information.

I acknowledge that the member for Bundaberg has raised several other issues and has foreshadowed a squillion amendments for the consideration in detail stage of the debate. The government will not be supporting those amendments, and I will be happy to address these issues in the consideration in detail stage. While I welcome the opposition's support for the bill, I am disappointed by some of the inaccurate comments made by opposition members, particularly those made by the member for Bundaberg. I will specifically address one element that appears to be the single thread linking comments and concerns by those opposite, and that is the adoption of children in care. I will take some time now to try to correct the record for the many people who have an interest in both child protection and adoption who are here today in the public gallery, who are listening online or who will read the transcript of this debate in *Hansard*.

As we heard in speech after speech from those opposite—obviously written by the same person; obviously not one of the people who has been dismissed—the member for Bundaberg noted that the permanent nature of adoption presents serious implications for accountability and for the department's information to be accurate and thorough. He also noted that, if the adoption of a child in the child protection system is to proceed without the consent of one or both of the child's parents, all possible efforts must have been made and help given to reunite the family unit. I could not agree more. What I do not agree with is the member's assertion that the intent of this bill is to make it easier for the adoption of a child in care to proceed without the consent of a parent. Indeed, the opposite is true.

This bill places a higher onus on the department to prove to the court that it is in a child's interests for an adoption to proceed without parental consent. Under the current law, the department is under no obligation to engage with the child's parent about adoption and to try to seek the parent's consent to the child's adoption. That is the current law. I repeat that the department is under no obligation to engage with the child's parents. As I said, under the current law the department has no obligation to tell the child's parents the department is considering adoption without the parent's consent. Under this bill, the department will have to prove to a court that a parent is being unreasonable in not consenting to the adoption or is refusing to engage with the department about their child's future.

The department will also be required to serve the parent with notice of the court proceedings. The parent will be a party to the court proceeding and has the right to be present in the court and to be heard as to why his or her consent should not be dispensed with. That is completely different to the current legislation. They actually get told about the court hearing and can be party to the court proceedings. Also, before deciding to dispense with the requirement for a parent's consent to adoption, the court must be satisfied that it would be in the child's best interests for arrangements for the child's adoption to continue to be made. As I said, that is different from the current legislation.

For a child in care, the court must consider the following in reaching this decision: what the child's case plan says about reuniting the child with the child's family and adoption as a way of meeting the child's need for long-term stable care and whether there is another way, other than adoption, of meeting the child's need for long-term stable care that would better promote the child's wellbeing and best interests. These, too, are additional safeguards that are designed to make sure adoption for children in

care cannot proceed without a parent's consent unless this is truly the best option for each individual child. Child Safety will only approach the Children's Court to seek an adoption order for a child or young person in care when adoption is considered to be in their best interests. The bill therefore appropriately provides that priority consideration can be given to that child's carer as the prospective adoptive parent in recognition of the stability and bond that may have already formed.

I am somewhat confused by the member for Bundaberg's concerns and the concerns of other members who parroted it throughout their speeches about the government's One Chance at Childhood initiative in this regard. Firstly, the member for Bundaberg stated that he—

> ... wholeheartedly support the need to remove affected children from dangerous, harmful and neglectful parents. I, like many Queenslanders, also believe that under certain circumstances a child must be permanently removed from birth parents if every effort has been made to assist and address the short- and long-term interests of the child.

That is what the member for Bundaberg said. The member for Bundaberg then tabled an article to support his statement that 'adoption of a child without the parent's consent can benefit children'. But he then went on to accuse the government of 'setting itself up for a possible adoption bonanza' based on statistics showing the number of children in care who have been adopted in the United Kingdom and the United States. Queensland is not the United Kingdom or the United Sates, and there are too many differences in approaches to both child protection and adoption in these countries to list here today. However, if we look at our own national adoption statistics, Queensland only finalised one carer adoption in 2007-08. National statistics reveal a further 25 carer adoptions were able to be made Australia-wide during that same period in other jurisdictions. The fact is that all other Australian states support open adoption which more easily and readily supports adoption to be considered as a placement for a child in care. These numbers are not a 'bonanza', as the member tried to make out. The member even tabled some of these national statistics in his speech. If he had turned over two pages from the *Adoption Australia 2007-08* report data that he did table, he would have been better informed about adoptions from care.

The reality is that Queensland's children in care deserve the same opportunities that all other Australian children receive when a permanent adoption placement is best able to support their needs. Research recognises that children need stability in their living arrangements and relationships to reach their physical, emotional, social and intellectual potential. Experiencing secure attachments is central to supporting children's positive mental health and psychological development. Permanent options for children in care include preventing unnecessary placements through family preservation; returning home or reunification, the preferred permanency option for children in care when safe; permanent foster care or relative care—that is, guardianship to either a statutory authority or carers; and adoption. All of these permanent options have a place. There is no evidence that any one option is universally better than another. The best arrangement depends upon the circumstances of an individual child and his or her family. Recommendations by child safety officers, including One Chance at Childhood staff, are made in the best interests of each child based on individualised case work situations and recognising that, while timely decision making is important, it is the needs of each individual child that need to drive decision making.

While the introduction of open adoption will assist in facilitating adoption when it is the best option for a particular child in care, it is likely to be the case for only a small number of children in care. I will say that again—it is likely to be the case for only a small number of children in care. Importantly, when adoption is considered to be in the best interests of a child in care, priority will be given to that child's carer as the prospective adoptive parent in recognition of the stability and bond that may have already formed.

In concluding my response to the member for Bundaberg's many remarks, I will address for the benefit of members his comments regarding the Ethiopian adoption program. Hopefully the person who did the research in that regard is one of the 'fateful seven'. I can advise the House that no charges were laid against the Australian representative for the Australian-Ethiopian Intercountry Adoption Program working in Ethiopia. The Australian representative, who is an Ethiopian national, was arrested and questioned in 2007 in relation to allegations of the possible 'child trade' of two children through an Ethiopian intercountry program in 2004. I am advised that the police in Ethiopia can jail a person for 14 days without evidence. The Ethiopian police examined the Australian adoption files and found no evidence of the two children who were the subject of the allegation being adopted through the Australian program. I understand that what transpired was the realisation that the Ethiopian police had in fact made an error: it was an Austrian adoption program, not the Australian adoption program, representative who was then subsequently arrested and the Austrian agency was later deregistered. The matter received considerable attention in the Austrian media at the time. Hopefully the person who did the research for the member in that regard is one of the 'fateful seven', and I would suggest that the member for Bundaberg get a better researcher. The Australian central authorities and relevant ministers carefully considered all aspects of the allegations and carefully monitored the program during that period.

Mr Dempsey: Open and accountable. You wouldn't know the words.

Mr REEVES: I have obviously hit a raw nerve. He must have been one of the seven. While the member for Bundaberg is obviously confused about many elements of the Adoption Bill, I hope this information helps him but also reassures the many Queensland adoptive parents who have adopted children through the Ethiopian program who would have been unnecessarily alarmed and concerned by the member's ill-informed comments.

I have corresponded with many people touched by adoption in many different ways. As recently as this afternoon, I met with adoptive parents. I must place on record to those people who I met my apologies for the inconvenience. As a result of administrative errors in my office, I did not meet with them earlier, but I met with them today. I thank them for their openness on their particular issue. I am hoping to be able to contact them shortly in regard to their request. That meeting this afternoon brought home to me the need and urgency of these reforms. I know that those parents, along with many other people, would have been listening to the debate either here in the gallery or at home on the internet. Many of those people will be keen to see this legislation passed.

I must say that one of the disturbing aspects of both the opposition's response and other people's response to this bill has been in regard to the change in relation to de facto couples. There is a huge difference between de facto couples waiting for two years and step-parents waiting for three years. The difference is that a step-parent has the child. Once the three years is up, it is a short period before they are successful in adopting their stepchild. In terms of de facto couples, after two years they can go on the register. We all know that the minimum waiting time on that register is about three years. So we are talking about a de facto couple—or a married couple, for that matter—waiting for about five years. There is a huge difference. Unfortunately, those opposite have not been able to understand that difference.

I did find one aspect personally offensive. I am a married man with three lovely children and a beautiful wife. My brother has three lovely children who are about the same age as my children and for virtually the time I have been married has lived in a de facto relationship with his lovely partner. They have a great relationship. Their relationship is no different from mine. But my relationship is supposedly different because I am married. My brother and his partner own a house together. I own a house with my wife. There is absolutely no difference. I made a choice. They made a choice. That does not mean that the way in which they bring up their children or adopted child, if they had an adopted child, would be any different. I find it personally offensive that, in the year 2009, some people have that view of life. It is a sad day that we have people who still think they are living in the 1960s. There is absolutely no difference in the relationship my brother and his partner have with their children or adopted child, if they had an adopted child. I think it is just simply amazing that in the year 2009 there are people with those types of views.

I would like to thank the former minister, the member for Albert, and also the numerous people who have been involved in the development of this legislation over a long period. Those people are the staff from Child Safety's policy and legislation team: Kathie Scott, Lorna Keast, Therese Ryan, Khylie Denman-Bennett, Di Raeburn and the former manger of intercountry adoption, Meg Turner. I also thank Sonia Gilchrist and the staff of Adoption Services Queensland; Caitlin Byrne and the staff of our adoption implementation team and all other staff from the former department of families, the former department of child safety and the staff from the new Department of Communities who have been involved throughout the process.

I would also like to thank Mr Ian Larwill, the Deputy Parliamentary Counsel, who spent considerable time and effort in the drafting of this bill. I would also like to thank Shane Bevis for the 2½ to three years he has spent working on this bill. I know the former minister would acknowledge that if I needed to know anything about this legislation, it was Shane I had to go to. I am sure the officers of the Department of Communities and the other staff members I mentioned as well as Shane will be very happy when this legislation is eventually passed. I thank them all for their great effort.

I table the explanatory notes for the technical amendments that will be moved during the consideration in detail. I ask members to note that amendment No. 3 is in addition to previous amendments that have been circulated in my name.

Tabled paper: Explanatory notes to Hon. Reeves's amendments to the Adoption Bill [724].

In conclusion, I am proud to say that this bill is a significant improvement on our current adoption legislation. It brings much of Queensland's adoption practice into line with that of other Australian states and the year 2009. As the member for Kawana said with reference to my comments in my second reading speech when I introduced the bill, it brings the issue of adoption law out of the too-hard basket. I strongly commend the Adoption Bill to the House.

Question put—That the bill be now read a second time.

Motion agreed to.

Bill read a second time.

Consideration in Detail

Clauses 1 to 5, as read, agreed to.

Clause 6—

Mrs STUCKEY (5.07 pm): Clause 6 deals with the principle that the wellbeing and best interests of an adopted child, both through childhood and the rest of his or her life, are paramount. I think we would all agree in principle that that is a great ideal. However, I would like to say that I am extremely disappointed that the minister did not even attempt to answer a single question that I put forward in my speech.

I would like to quote from a book titled *Reforming Child Protection* before I ask the minister some questions about this clause. The book is written by Lonne, Parton, Thomson and Harris, who are four leading social and child safety advocates. They state—

In advocating a virtue ethics approach for child and family well-being practitioners we also challenge the narrow and sometimes exclusive use of the 'best interests of the child' principle, which is embedded in nearly all legislative and policy frameworks in Anglophone countries.

And here we have it before us today. They state further—

Without an appreciation of the fact that applying the 'best interest' principle offers nothing more than a focus for assessment, it risks being used as a template for action where decisions are defended without any justification other than 'this is in the best interests'.

They asked—

On what basis is this defended? The best interest for the present or the future? And most importantly, whose perspective of 'best interest' is used? Or excluded? When combined with the risk-averse and power-laden organizational cultures that typify many child protection agencies, this principle is often used singularly as the only ethical principle relevant to protective decision making.

They continue—

We believe that, just as risk assessment tools usually require short-term time frames for decision making, such approaches are often at odds with other ethical principles that incorporate broader notions of best practice, and more appropriate time frames in determining the consequences of decision making and protective interventions. In short, at present, practitioners are encouraged to look no further than the immediate situation in making decisions. This has had profound implications for the lives and life outcomes of service users and, ultimately, the broader community.

I ask the minister what his interpretation of this phraseology is and on what basis does he defend the words of these learned advocates?

Mr REEVES: I thank the honourable member for the question. I have been in this place for 11 years and I have never heard a member quote from something in the consideration stage. Clause 6 provides that the act must be administered under the principle that the wellbeing and best interests of an adopted child, both through childhood and for the rest of his life, are paramount. The shadow spokesman, the member for Bundaberg, actually emphasised the same principles in his speech. I do not know whether there is a split in the camp over there. This principle underpins the way in which every other provision of the act must be read and administered. The operation of this principle means that if the wellbeing and interests of a child to be adopted, an adopted child, or an adopted adult, conflict with the interests of another person, for example the birth parent, the conflict must be resolved in favour of the proposed adopted child's or adopted person's wellbeing and best interests.

The clause then sets out a range of further, more detailed principles that apply to the administration of the act. These principles reflect the purpose of adoption and the likely benefit to an adopted child of maintaining an ongoing relationship with his or her birth family.

Mrs STUCKEY: With respect, the minister did not give me any basis on which he can defend this or where this phraseology 'best interests' has come from.

Mr REEVES: As far as I know, the best interests and wellbeing of the child is in nearly every act that has covered adoption. We refer to it in our child protection practices as well. More importantly—I thought someone greater might have come up with this—it comes from the United Nations Convention on the Rights of the Child.

Clause 6, as read, agreed to.

Clauses 7 and 8, as read, agreed to.

Clause 9—

Mrs STUCKEY (5.12 pm): Clause 9 has references to a child's wellbeing or best interests also. Again it uses this phraseology which the minister has reminded all of us is mentioned in the Hague convention. However, as I have already explained, child safety advocates are very concerned that the use of this phraseology really does not offer very much more than that and therefore I really do wonder why there is no mention of a definition of this in the glossary and does the minister actually have a definition that is something a little bit more substantial than simply referring me back to the Hague convention?

Mr REEVES: This is going to be a good night. I am not too sure who is the shadow. I did not realise that the shadow was on the reserve bench.

Mrs STUCKEY: I rise to a point of order. I find the minister's comments offensive and I ask him to withdraw.

Mr REEVES: I was actually talking about the member for Bundaberg, so for him I withdraw.

Mr HOOLIHAN: Minister, the member has requested a withdrawal.

Mr REEVES: I withdraw. I know those opposite do not particularly like United Nations conventions. They have a history of that. I do not know of the people the member quoted. I am sure they are very reputable people.

Mrs Stuckey interjected.

Mr DEPUTY SPEAKER (Mr Hoolihan): Order! Member for Currumbin, the minister is endeavouring to answer your question. You asked the question; please allow him to finish it.

Mr REEVES: Just because they question it does not mean that what they say is the truth or the Bible. The reality is that I will back the United Nations Convention on the Rights of the Child any day of the week. On this side of the House we support the United Nations conventions. We will be sticking to that.

Clause 9, as read, agreed to.

Clause 10—

Mr DEMPSEY (5.17 pm): I move the following amendment—

1 Clause 10 (Who may be adopted)

At page 22, line 26, 'Childrens Court'—

omit, insert—

'Supreme Court'.

Clause 10(1) states that a child may be adopted by an order of a Children's Court under this act. I wish to amend this clause by deleting the words 'Children's Court' and inserting the words 'Supreme Court'. The intent of this amendment is also reflected in another four amendments to this act that I intend to submit this evening. Under the previous Adoption of Children Act 1964 it was either the Supreme or Children's Court that could hear matters relating to consent for adoption. Currently the court case backlog for the Children's Court is one of the worst in the country. As at 30 June 2008 the Children's Court had a backlog of 2,374, the second highest in the country, and 30 per cent of the matters were more than six months old whilst 12.6 per cent were more than 12 months old.

Given the government's intention of opening the floodgates to adopting hundreds of children—whether or not the minister says that is a small amount—that it has on its foster care books, we need to be sure that the courts are not rushed in their decisions and have adequate resources to handle the number of cases. Evidence from other countries already indicates that when open adoption legislation is introduced the number of adoptions increases to be more competitive with IVF options.

The proposed amendments to the bill put forward by the LNP are not taken lightly. The laws relating to adoption if approved will have life-changing effects on the child, their family and the prospective families. This is not some small claims matter or some temporary arrangement. Adoption is a life-altering experience. As we have all spoken about here this evening, it affects us all in different ways. While we respect the work that the Children's Court undertakes, it is already tied down with a significant workload due to criminal and child protection matters and, to be fair, we want to make sure that applications for adoption are considered in a timely and thorough manner and do not simply become a rubber stamp for this Labor government's intention to adopt out our children in foster care.

The Supreme Court of Queensland is in a far better position to provide a timely response to what could be, if done badly, the most traumatic experience for a young child. We only have to look at this government's track record with protection orders to see that it has no idea how many matters have been contested or rejected. We do not trust this government and after the recent revelations by the minister that the government has every intention of adopting children in care to foster carers, we need to ensure that the decisions and evidence presented to proceed down that path, particularly when involuntary adoption matters are involved, are considered by the highest court jurisdiction, because the forced adoption of a child is not something to be taken lightly. Currently, indeed a small number of children are adopted each year. However, considering the expected increase in adoptions and the legal ramifications of adoption, I ask the minister: why has the act specified that the matters be heard by a lesser court, a court that is already overloaded and a court that requires a lower degree of evidence and less documentation—that is, the Children's Court?

Mr REEVES: I thank the honourable member for his comments. We should get a couple of things correct. The member for Bundaberg referred to figures that suggest there is a backlog in the Children's Court. In fact, a number of matters are yet to be finalised for a variety of reasons. Many matters heard in the Children's Court, including child protection proceedings, are adjourned for a variety of reasons, and not because of a delay in the court procedures. Many relate to specific issues arising from individual cases, for example, trying to contact different people involved in the case, such as witnesses. Matters may be delayed for a range of reasons. It is our contention that there is no backlog.

The member talked about matters being referred to a lesser court. At the moment, adoptions are handled by the chief executive. We are proposing to send them to the Children's Court. As far as I know, the chief executive is not higher than the Children's Court.

The member referred to the number of cases. As I said in my summing-up, nationally there are 25 children in care as a result of the same legislation that we are adopting here. We are not going to see the floodgates open, as the member suggests. Each year in this state about 90 international and local adoptions take place. Even if Queensland took one-fifth of the national figure, we are talking about 95 cases.

As we know, it is very costly to take matters to the Supreme Court. I would think for adopting parents the whole regime of the Supreme Court would be very intimidating. Obviously, the Children's Court deals with matters involving children all the time. Therefore, it is the appropriate place to deal with these matters. It is a distinct specialist court that appropriately deals with matters involving children, particularly child protection and a range of other matters.

Mr DEMPSEY: As the minister outlined, currently the chief executive makes the decisions and this legislation will mean that matters will be referred to the Children's Court. This will involve a small number of children. It will also involve organisations participating in the Hague convention and other international associations, and we must remember that the perception of the laws and rights of people in Queensland are paramount. Therefore, when we are talking about 25 children nationally or, as the minister just said, 90 possible adoptions in Queensland, surely it should not come down to a simple cost factor or a matter of efficiency if it affects the rights of families.

We are sending people to the Children's Court where their consent may be removed. Their right to their whole future is being removed. We are letting that matter go to a Children's Court, where things are decided on a lesser degree of evidence. If this is going to be a true representation and a true modernisation of the adoption laws, by sending such a small number of matters to the Supreme Court rather than the Children's Court we have an opportunity to lead as a state and as a nation in relation to adoption laws.

As I said before, at the moment the Children's Court is cluttered and we need to make sure that we have a proper process in place. In the past couple of weeks we have talked about accountability within and people's perceptions of parliament. We need to make sure that this legislation reflects people's rights. We need to ensure that Queenslanders' rights are protected more stringently than anyone else's in this nation.

Mr REEVES: Whether these matters go to the Children's Court or, under the opposition proposal, the Supreme Court, it is the same legislation. To say that a magistrate in the Children's Court cannot have the same capabilities of understanding the cases is almost suggesting that magistrates are not up to it. That is what the member is implying. The reality is that the backlog the member talks about does not exist. Cases are not finalised for a range of reasons, many of which I listed before.

At the moment the chief executive makes the decisions. We propose taking the matters to the Children's Court, so we are taking it up a step. I think that is appropriate. As I said before, the Supreme Court could be a very intimidating place for adoptive parents and others. If a parent disagrees with their child being put up for adoption, as we have talked about, I think they would find it very intimidating to have to go to the Supreme rather than the Children's Court. Everything is then set at a higher level, including the legal support teams. If the member really believes in his statement that we are taking people's rights away, taking these matters to the Supreme Court would virtually guarantee that.

Mr DEMPSEY: We have just heard about intimidation. At present, the evidence goes to the chief executive. The chief executive and the department will then provide evidence, based on their investigations, to the Children's Court. Would not a higher degree of evidence be needed for the Supreme Court? The rights of individuals are further eroded because their consent regarding the ownership of the child is taken away from them. I completely understand that people who offend against children are vile and those children should be taken away from them. However, when we read this act more thoroughly, at times the consent of a parent is diminished at the whim of the CE or the representatives of the department who make those decisions.

I imagine that many of the people who lose their children come from low socioeconomic backgrounds. They deserve all the rights and assistance that can be provided to them by the legal system to support their case. It is not for governments to decide. It is for communities and judges to decide whether a child should be taken away from a person, bearing in mind that that will be for the rest of the child's life.

I return to the issue of intimidation. The problem is not that people have to turn up to court. It is the fact that a one-sided argument will be used against them. That does not seem fair to those individuals. Everybody deserves the right to have a fair go, particularly in the court system. I suggest that, while we are talking about a small number of individuals, they should be awarded the same rights to court support and assistance as the highest person in the land so that they are properly heard and all of their rights are properly protected.

Mrs CUNNINGHAM: I seek clarification. I do not think I can ask a question of the shadow minister, who moved the amendment. I am interested in some clarification because it appears to me that from what is being said the evidence provided to the Children's Court will be the same evidence that is provided to the Supreme Court.

Mr Dempsey: No.

Mrs CUNNINGHAM: You are proposing for that not to be the case. Sorry—the evidence provided by the department will be the same as that provided to either court jurisdiction. That is what is proposed by this amendment. The shadow minister for child safety has proposed that the body of evidence that would, without his amendment, go to the Children's Court should, with his amendment, go to the Supreme Court. But I cannot see that that will change what the evidence is. I am concerned that the minister is correct. I would be petrified to go to the Supreme Court. They wear funny clothes and stuff like that.

Mr Moorhead: They charge a fortune, too.

Mrs CUNNINGHAM: And it is significantly expensive. Whichever jurisdiction hears the evidence, the parties who will be relinquishing the child—if it were a child safety matter they would not have the children anyway, but if it were a normal adoption perhaps they may have the child—need to have an adequate opportunity to present their evidence, and it would be more daunting in the Supreme Court. I am interested in some clarification.

Mr REEVES: Clause 230 of the Adoption Bill says that the Children's Court is not bound by the rules of evidence. This would be the same under the Adoption Bill if the Supreme Court heard the matter. I agree with the member for Gladstone. I think I even heard the member for Bundaberg talk about a jury. Surely, even if the matter were heard in the Supreme Court, you would not want adoption decided by a jury.

Honourable members interjected.

Mr DEPUTY SPEAKER (Mr Hoolihan): Order! It would be quite pleasant to hear the minister's reply without the gratuitous comments. I would like some order. Thank you.

Mr REEVES: With due respect to my colleagues from the legal profession, the legal profession would love this going to the Supreme Court. I believe what is in the bill makes sense. I agree with the member for Gladstone. It would be intimidating for anyone to go to the Supreme Court on this matter.

Non-government amendment (Mr Dempsey) negatived.

Mr DEMPSEY: I move the following amendment—

2 Clause 10 (Who may be adopted)

Page 23, line 3—

omit, insert—

'(3) An adult may not be adopted except by a step-parent as provided under part 5.

'(4) Immediately after this section commences, this Act is amended by omitting the words 'Childrens Court' wherever they appear and inserting the words 'Supreme Court'.

'(5) Subsection (4) and this subsection expire on the day after they commence.'.

The explanatory notes for the Adoption Bill 2009 state—

The purpose of adoption is to provide a permanent legal family for children ... An adoption order establishes a permanent relationship between a child and his or her adoptive parents and removes the legal relationship between the child and his or her birth parents and extended birth family.

However, the Adoption Bill 2009 does not allow for an adult to be legally adopted by their step-parent, despite any wish for a permanent legal relationship. This can lead to a situation where a young adult's younger siblings are formally recognised as adopted children for a long-term step-parent but the elder sibling is not. Considering a step-parent must live with a spouse and a child for at least three years before they can apply to adopt and the child must be at least five years old and under the age of 17, why isn't there a provision to allow for the adoption of adults? Considering the future emotional, legal and financial implications of one child in a family not being recognised as a legal son or daughter to a parent, this should be considered.

With this arrangement, we will have a child having different legal rights from another child in the same family. An example of this is if a woman remarries when she has a 12-year-old son and a 15-year-old daughter. Under the current arrangements the son can be adopted by the stepfather after the family has lived together for three years, which would make the son aged 15 when an application for adoption could be lodged. On the other hand, the daughter would be 18 when the three-year period for the application for adoption was up, and as an adult she would be ineligible to be adopted by her stepfather. The implication of this is that the daughter would not be recognised legally as the stepfather's daughter and could suffer legal or financial disadvantages compared to her brother. I ask: why can't an adult child be adopted by a step-parent and have equal rights as their younger siblings?

Mr REEVES: There are a couple of points to make. The main point is that we have agreed in this House to the main objectives of the act. The main objective of the act is to provide for the adoption of children. 'Children' by definition are those aged under 18. The proposal to enable an adult to be adopted by his or her step-parent is inconsistent with the main objective of the bill, as I have just said. It is also inconsistent with the contemporary purpose of adoption defined in the bill as being to provide for the child's long-term care, wellbeing and development by creating a permanent parent-child relationship between the child and the adoptive parent. Once a person becomes an adult, the person does not need a legal parent to exercise parental responsibility for the person or to act on his or her behalf. An adult can make decisions and legally act for himself or herself. In the case of wills, just because they are not an adopted child does not mean that they cannot be provided for in a will. Most people write a will and represent the person who is over 18, if that is what they desire to do.

Mr DEMPSEY: We have just heard the words 'long-term' benefit for the child. This is a situation of a family coming together where one parent has two children of different ages. We talk about discrimination. Because the daughter turns 18 during the three-year period that they have to wait to be adopted, she cannot have the same name as her younger brother, she cannot have the same financial provisions, she cannot have the same access to the will. Becoming a family unit does not happen instantly. In coming together as a family unit, where people make decisions and do certain things to bring everyone together, one child because of their age should not be discriminated against to be able to become part of that family unit.

With the Adoption Bill before the House now, we talk about modernisation. This bill has taken 10 years to be presented to this parliament. We talk about modernisation—we talk about de facto couples and we talk about different parts of the community. Yet we cannot get this one simple part right. I implore the minister to look at this part and possibly make some changes to make sure that the rights of that family unit are protected. We talk about a child, yes. But a child is part of a family—there is a mother and a father and an extended family. That child deserves to be treated the same as every other child in the community. We have one chance here in this House to pass bills and determine the future direction for adoption in Queensland, and we should have the intestinal fortitude to make sure that every child has equals rights.

It seems to me that common sense has gone out the window when we say that just because one child is six months older than her brother or vice versa—he might be older than the sister—we suddenly say, 'The gate is closed. Off you go.' We at least need some flexibility within the bill to be able to ensure that that child can be brought into that family unit. I ask the question of the minister.

Mr REEVES: In the example that the member gave, a 17-year-old can have special consideration in that regard. However, once they turn 18 that person is an adult and can make decisions for his or her own self. I should say that very few step-families look to adoption. Most are able to consider themselves a family without adoption, but I do not want to open that debate again. The reality is that subclause 92(2)—when we get to it—allows special consideration in the example that the member gave. I back up what I said before regarding the rest of it.

Mr DEMPSEY: There again, it is common sense. We have children of our own. We all know that they are all special, that they are all different and that they change over the years.

Mr Finn interjected.

Mr DEMPSEY: And you will find this out one day. You might have a child at 17 who might not have the same capacity to problem solve or to assist themselves as another child who is 18 or even 19. We have to ensure that if there is a legal requirement for a number of years that this child, if they happen to be 18 or 17—again, where do they have to go to get this legal status changed? They have to get legal advice. If they have not had legal advice, I am sure that helping them to fix their legal status will be way down Legal Aid's priority list.

We have to have a bit of common sense. At 17, this stepchild has to go and work out the right bank accounts with different names and licences with different names. Think about all the bits of paperwork that that child is going to have to complete. On another personal issue, it will impact them when they attend functions or family gatherings. They will be asked, 'Why does that child have a different name to their brother or sister?' Yet they are an adult. We are putting it back onto them at 17 or 18 years of age to sort out. However, we have an opportunity here with a stroke of a pen over a few lines

to simplify the process and say that, if they are together for so many years, they can both be adopted. I understand the other side of the argument as far as an adult specifically wanting to be adopted is concerned. That is a totally different issue. But where we have a family unit, who is to say there might not be two other children in the same predicament?

Mr REEVES: I have two quick points. One, you can change your name if you go to—

Mr Dempsey: How do you do that?

Mr REEVES: Registry of Births, Deaths and Marriages. You can make an application to change your name, as many people would know. There have been some celebrity candidates in elections who have changed their name. In relation to your second point about legal advice, I would imagine that if a person is going to adopt a stepchild they would get advice anyway.

Mrs STUCKEY: I rise to support this amendment moved by the shadow minister. As he has said, it is quite unbelievable to think that this bill has been nearly a decade in the making and purports to be open adoption and supporting the family, and family inclusion is really what it is all about. People who form blended families actually need that inclusion and need to have that recognition just as much as those of us who take it for granted because of the situation we are born into.

I think it is very disappointing that the minister could give the excuse that it is the scope of this bill that does not allow for it. By doing so, we really have to wonder if the focus is not just on the nought to four-year-olds and that this bill is more about the One Chance at Childhood initiative than it is about providing simple, open and transparent adoptions for all Queenslanders.

We all know that children mature at different ages. Obviously there will be some honourable members with teenagers in the room, and I understand the minister has smaller children. Teenagers do mature at different ages. Some of them also have intellectual and other disabilities and, therefore, may not be the mature age of an adult that we all presume an 18-year-old to be. I do think it is a very worthwhile amendment and in the scope of this bill. It is a real pity that it has not been included. We once again ask the minister to consider it.

Mr REEVES: I refer the member to my previous comments. However, I am advised that in situations which the member has mentioned, the Guardianship and Administration Act 2000 and the Powers of Attorney Act 1998 can provide step-parents who may need to care for the adult stepchild with a decision-making disability with decision-making authority. It also should be noted that the adoption of an adult with impaired capacity is inconsistent with the principles of the guardianship act and the United Nations Convention on the Rights of People with Disabilities.

Non-government amendment (Mr Dempsey) negatived.

Clause 10, as read, agreed to.

Clauses 11 to 17, as read, agreed to.

Clause 18—

Mr DEMPSEY (5.46 pm): Clause 18 contains division 2, Requirements about consent in relation to the form of consent. This clause states—

A parent's consent to the child's adoption must be in the approved form, signed by the parent and witnessed by an authorised person.

As it says in subclause (5)—

In this section—

Authorised person means a public service employee, or other appropriate person in Queensland or elsewhere, authorised by the chief executive to witness a consent for this Act.

This relates to some of the concerns that the member for Gladstone was raising earlier in relation to the degree of evidence that is presented to the courts and how the evidence may appear the same, but it is how this evidence is gathered and whom it is gathered by that is important. Considering adoption orders will be presented through the court system, the serious nature of the manner and the time frames of the process, it would be reasonable to expect these documents to be witnessed by a justice of the peace and require proof of identity of the person signing the document. There are currently many tens of thousands of justices of the peace in Queensland. So requiring JPs to witness the 90-odd adoption consent forms each year is quite reasonable. In the past a justice of the peace was not required to witness the signatures on information objections, and it led to a number of fraudulent objections being lodged. Not learning from this raises the potential to discredit the entire adoption process.

I understand that this bill states that an authorised person includes a public servant, which means that a Child Safety Services employee may witness the consent signing. To avoid a possible conflict of interest and to increase the accountability and openness of this procedure, I believe the act should require an independent JP to witness the consent. Can the minister please explain why the act does not require an independent justice of the peace to witness the signing of the consent?

Mr REEVES: I thank the honourable member for his question. The bill includes a number of measures designed to ensure a person's consent is informed and is given voluntarily such as: requiring Child Safety Services to give parents written information about adoption and alternatives to adoption to help them make a decision about consenting to their child's adoption; requiring Child Safety Services to arrange for persons to receive counselling about the alternatives to adoption and the possible emotional effects of adoption; requiring Child Safety Services to ensure that the mandatory preconsent information is given and mandatory counselling is carried out in a way that enables the parents to understand; requiring the counsellor to give a sworn statement that in the counsellor's opinion the person understood the effect of giving consent and the effect of adoption; requiring 30 days to pass after a child's birth, 14 days to pass after a person is given mandatory preconsent information and 14 days to pass after a counsellor has formed the opinion that the person understands the effect of giving consent to adoption before a parent is able to consent to a child's adoption to ensure that the parent's decision is considered and not rushed; and where the parent is not an adult or there is a reason to know or suspect the parent does not have the capacity to consent to the adoption, requiring Child Safety Services to arrange for the person to be assessed by a qualified person to determine whether the person is capable of consenting. I think going through all those steps is better than going to a JP for a signature.

Mr DEMPSEY: Once again it talks about seeing an officer from Child Safety Services and seeing an officer from Child Safety Services for counselling. All these decisions are going through the department. By not having an independent person sign those forms we are not taking away the independence of the department in the decision making. It wreaks of having no oversight when it comes to those documents. It creates an atmosphere where the department can simply be forceful and able to get its way in relation to removing the need for that consent from a parent or a carer or whoever it may be.

There are a lot of legal documents before courts and the simple action of having them witnessed by independent JPs is quite beneficial. It would create an air of openness for the department. I believe it would not put the department in a situation where it could be seen to be abusing its power or, as we mentioned before, intimidating people through the process.

We need to have that openness and accountability. We need to have some form of oversight when we consider that these documents are going to be presented to the courts. In this regard, there will be less evidence required for the Children's Court. The forms will not be scrutinised for that court as they are for the superior courts. I ask the minister whether he would consider having these documents witnessed by a JP given the many tens of thousands of JPs throughout this great state.

Mr REEVES: With due respect to the member for Bundaberg, that was an outlandish attack on two groups of people. The member attacked the professionalism of the staff of Child Safety Services and Adoption Services Queensland. Secondly, the member attacked the magistrates in the Children's Court. I know many a JP. The member said that it would be better for a JP to sign the consent. Not all JPs would have the time or the expertise to check whether that consent was given correctly. The member wants to put all the onus on the JP to be the be-all and end-all and says that Child Safety Services staff do not have the professionalism to do this.

Secondly, the member says that the magistrates in the Children's Court do not have the professionalism to understand this. Clause 177, which we will get to shortly, allows the court of its own initiative to hear evidence about a parent's consent so the court can decide for itself whether the consent was given voluntarily.

The magistrate in the Children's Court can take evidence and make his own judgement. He does not just say, 'Thanks, Child Safety Services, there is the rubber stamp. We agree with everything.' That is not how the courts work. That does not work in child protection. When Child Safety Services seeks an order in the Children's Court it does not just get rubber-stamped. We would probably like it if that were the case. The court does not do that.

The Children's Court—and rightfully so—processes every application. For adoptions it will hear evidence about the parent's consent and will decide for itself whether that is voluntary. That has to be better than a system relying on JPs. That is putting too much pressure on local JPs who do a marvellous job. I know many of them in my local area. That would put enormous pressure on them. The professional people in Child Safety Services and the professional judges in the courts are the appropriate people to do it.

Mr DEMPSEY: What a great load of hypocrisy I have just heard! We are talking about 90 children throughout Queensland being adopted in the previous year. This amendment is trying to protect child safety workers and not put them in a position where their evidence is seen as not having independence or oversight. This is a way of protecting Child Safety Services workers as well as protecting the rights of the individuals who are presenting evidence before a court.

As to the matter of whether JPs would have the time to do this, I find it absurd that the minister would say that they do not when we have a department that is already so overworked and overloaded. I think it would be refreshing for people to go to another member of the community and simply have these forms signed. This is already done by people in many other government departments.

This is to protect the workers, it is to increase the independence and it is to make sure that evidence that is presented to the court does not have to be burdened with the extra perception of the community that it may be one-sided. This is simply to protect the staff. The staff are doing a magnificent job already and they need the support of this state government. They need a proper adoption bill that has been 10 years in the making. These things should have been thought out. We should have the most efficient measures to make sure that child safety workers can get on with the great work they are doing to help the children in this fine state.

Mr REEVES: The member for Bundaberg might not have heard what I said before. The bill requires a councillor to give a sworn statement that in the counsellor's opinion the person understood the effect of giving consent and the effect of adoption. One would think a professional counsellor who is not connected with Child Safety Services—and with all due respect to JPs—would be in a better position to understand whether the person has given consent for the adoption.

Mr DEMPSEY: On a point of clarification, in the act it does not say that the consent—

Madam DEPUTY SPEAKER (Ms Farmer): Order! The member has had his turn.

Clause 18, as read, agreed to.

Clauses 19 and 20, as read, agreed to.

Clause 21—

Mrs STUCKEY (5.58 pm): Clause 21 is about the obligation to enable understanding. The chief executive is to ensure that information is given to each of the child's parents and counselling is carried out under this division in a way that enables the parent to understand. That is a very important statement to make. It is a very important clause to have in the bill. We are not actually talking about a very light subject; it is a highly sensitive topic. It may end up being done under involuntary circumstances, as we understand, depending on the severity of the case.

The LNP side of the House wants to know what this will entail. What practices are going to be used to enable this understanding? What sorts of checking mechanisms are going to be in place to ensure that the parents really have understood? Again, because of the sensitivity of this issue, people can be in quite a bit of shock. Often if someone is very conversant and a good communicator, then perhaps parents may agree or appear to understand when in actual fact they are still quite puzzled. So what methodology will be used? What will it entail? Is there a package or a practice here? We talk about taking these matters to the Children's Court, yet we are still leaving these major decisions with the same gatekeeper, and that is the chief executive of Child Safety Services. I ask the minister if he would mind addressing those concerns.

Mr REEVES: Just for clarification, I think that is what the member for Bundaberg was asking. Obviously the counsellors may be employed by Child Safety Services, just for clarification in that regard. To answer the member for Currumbin's question, I refer to my previous answer. We have a process requiring Child Safety Services to give parents written information, requiring Child Safety Services to arrange a person to receive counselling, requiring Child Safety Services to ensure mandatory pre-consent information is given, requiring a counsellor to give a sworn statement and requiring 30 days to pass after the child's birth et cetera. The check and balance is that that has to go to the court and clause 171 allows the court, at its own initiative, to hear the evidence. Child Safety Services brings the evidence and says, 'This is what we've done,' and the court can ask questions regarding the consent. If a parent says that they did not give up that consent, they can be a party to that court and then the court will hear the evidence. So the court is there to be the check and balance, and surely it must be the most appropriate body to do so.

Mrs STUCKEY: Surely though the minister must have some concerns that he actually does not know what this counselling is going to entail. It is one thing to order it. The minister's department in the past has had a shocking track record for counselling. Only some 11 per cent of children have ever received any sexual abuse counselling and therefore I would have thought that counselling would have been a lot better detailed and programmed in an issue as sensitive as this. Do we know if there is going to be counselling on attachment theory and separation? Do we know how much funding has been allocated and how many sessions will be required to get the full understanding of parents? Is there a time lapse from the initial counselling, or is there perhaps only one counselling session? Is there a time line on this sort of counselling? Is there a cooling-off period for these people between this counselling? It just seems to be that we will say that we will provide counselling and we will say that it will be a qualified person, but we actually do not go into the degree and depth of it.

Mr REEVES: I refer the member to clause 23. I also refer the member to what I have previously said—that is, requiring 30 days to pass after the child's birth, 14 days to pass after the person is given mandatory preconsent information and 14 days to pass after the counsellor has formed the opinion that the person understands the effect of giving the consent.

Clause 21, as read, agreed to.

Clauses 22 and 23, as read, agreed to.

Clause 24—

Mr DEMPSEY (6.03 pm): With regard to clause 24 headed 'Parents to be given pre-consent counselling', subclause 24(1) states—

The chief executive must arrange for each of the child's parents to receive counselling about the prescribed information under section 23.

(2) The counselling must be carried out by a counsellor nominated by the chief executive.

Subclause 24(9) then goes on to state—

In this section—

counsellor means a person who the chief executive is satisfied has appropriate qualifications or experience to carry out counselling under this section.

Could the minister please clarify what experience, bar a tertiary degree, would qualify as adequate for this purpose? Does this also mean that the chief executive will be held accountable for the quality of the counselling and information provided to the birth parents? Considering the opportunity for an appointed counsellor to influence the birth parents in the decision making, what monitoring of the process will take place to ensure that the parents are not being unduly influenced in a certain direction? What checks and balances will be put in place? Considering the previous comment by the minister, can the minister also guarantee that these counsellors will be independent? If they are to be independently selected outside of the department, is an audit going to be conducted in relation to their independence and their decision making—not what the decisions are but to ensure that the oversight of the department does not come into question so that the staff are not put into circumstances questioning their integrity?

Mr REEVES: As I previously stated, these counsellors may or may not be Child Safety Services staff. The chief executive has to be satisfied that the person doing the counselling has the appropriate qualifications or experience to carry out that counselling. Unlike those opposite, I have faith in the chief executives of our government. I will ensure that they will ensure that those people have the appropriate qualifications and experience to carry out that counselling. Quite frankly, if Adoption Services Queensland provides information to the court, no doubt the court will investigate the matter and it would ask the question about the qualification of the counsellor. So there is the check and balance that the member is talking about.

Mr DEMPSEY: Again we have just heard the words 'may' or 'may not'. In relation to adoption, after 10 years we need clear and concise procedures as to these counsellors being appointed and their independence. Again, we are talking about them gathering the evidence from a small number of people and presenting that evidence on behalf of the department to a lessor court, the Children's Court. As far as openness and accountability go, will these counsellors be totally independent? Will they be properly audited to protect the integrity of the department?

Mr REEVES: I refer the member to subclause 24(4)(a), which says—

advise the parent that he or she may ask for further counselling by someone who is not an officer of the department ...

To answer the question, the nominated counsellor may be an officer of the department. Even if they were, the parent may ask for further counselling by someone who is not an officer of the department.

Mr DEMPSEY: Can the minister confirm that the department will actually pay for this advice?

Mr REEVES: Yes.

Mrs STUCKEY: As the minister just referred to subclause 24(4)(a) stating that a parent may ask for further counselling, I want to know how far this will go. The minister has been unable to give me any time lines to outline what a counselling program might entail and how many sessions that might be or what the time line is going to be on that. Does this mean just one more session, or does it mean that it is until the counsellor is satisfied that the parent is actually enabled to understand in order to be given this counselling?

In addition, I note that the minister talked about professional counsellors. I also note the concern raised by the shadow minister that these may or may not be officers of the department. When I was the shadow minister for child safety, countless stakeholders who worked in the areas of domestic violence and child safety—mainly from the NGOs, I admit—told of women being far too frightened to go to the department for fear of losing their kids even though they were living in violent situations. They did not believe that they were getting the support and counselling from the government then. Yet now we have a government that is bending over backwards to offer counselling.

Considering the government's track record, I think we have every right as an opposition to expect some straightforward honest, open and transparent answers as to just what this counselling will entail. So I ask again: what will those time lines be? How far this will counselling go? Will there be a degree of independence in this process?

Mr REEVES: Generally it will be more than one session and it can be over weeks or months. It continues until the counsellor is satisfied that the parent understands the implications of giving consent. We all know that in some cases counselling might take one or two or three sessions. We have all dealt with a range of different people. You cannot just have a one-size-fits-all approach, or that the magic figure of two is going to suit everybody. I also refer to clauses 24(7) and 24(8). As I said, we will pay for it. The counsellor may offer to meet other persons such as family members to help the parent to consider other options for the child's long-term care. The counselling may be carried out in one or more sessions and by one or more counsellors.

The whole premise that was contained in every speech given by opposition members during the second reading debate was that this adoption legislation was a magic pudding that was going to get hundreds and thousands of children out of care. I told the members opposite the national statistics. The whole premise is false. The members opposite continually knock the professionalism of Child Safety Services and Adoption Services Queensland. I think they are being a bit unfair to the hardworking officers of both Child Safety Services and Adoption Services Queensland.

Mrs STUCKEY: I think once again the minister is using every opportunity to deflect from answering the question, which was actually about the costing as well as the time line.

Mr Reeves: I answered the question. I said 'yes'. How direct is that? I said 'yes' for costing.

Mrs STUCKEY: May I continue? No amount of money was suggested. No allocation of funding was announced. That was what I asked the minister earlier. Perhaps he might be able to give a guesstimate of what a counselling session with a professional counsellor might be worth, because failure to cost properly changes like this just shows his inadequacy.

Again, I go back to the government's appalling track record. I applaud the efforts of the Child Safety Services staff—those who have stayed. But a third of the department's staff are leaving after a year and a third of them are temporary. As a member of the LNP, I take offence at the minister's suggestions that we do not value their worth. It is the morale of the minister's department that has led to so many going. So would the minister kindly relay the cost of the counselling that he is considering putting aside.

Mr REEVES: As I have just said, there could be one, two, three, four, or five counselling sessions among a range of things. I am not going to second-guess, because as soon as I put a figure on it the member will say, 'That won't be enough for every single person.' I have answered the question. Will the counselling be paid by the department? Yes.

Mrs Stuckey: No, the counselling costs.

Mr REEVES: Yes, the counselling will be paid by the department.

Clause 24, as read, agreed to.

Clause 25—

Mr DEMPSEY (6.14 pm): This clause refers to preconsent information and counselling for an Aboriginal or Torres Strait Islander child. It states—

(1) This section applies if the child to be adopted is an Aboriginal person or Torres Strait Islander.

(2) The counselling under section 24 must be carried out in a way and at a place that is appropriate to Aboriginal tradition or Island custom.

(3) The person who explains the prescribed information mentioned in section 23(1)(k)—

(a) need not be a counsellor under section 24; but

(b) must be an appropriate Aboriginal or Torres Strait Islander person.

Considering the importance of preconsent counselling and the high standard set in clause 24, which outlines the conditions that must be met in preconsent counselling sessions for everybody bar Aboriginal or Torres Strait Islander people, what other criteria must that appropriate Aboriginal or Torres Strait Islander person meet? If the definition of an 'appropriate' Aboriginal or Torres Strait Islander person includes a recognised entity, or an entity that has a function of providing services to Aboriginal and Torres Strait Islander people, does this mean any government official visiting an ATSI community? Or does the local shopkeeper meet the standard of a local service provider?

Mr REEVES: I thank the honourable member for the question. I think he is trivialising the issue. It is very important that we get the most appropriate person in Aboriginal and Torres Strait Islander communities to assist and work with the people concerned. In that regard, I have full confidence that the chief executive, in making the decision, will consult with an elder or a respected person of the child's community, or a recognised entity, or an entity that has a function of providing services to Aboriginal or Torres Strait Islander persons, or a member of a recognised entity, or an entity that has a function of providing these services. That definition appears in clause 318. In that regard, I have full confidence that the appropriate people will be chosen.

Mr DEMPSEY: As the minister has just alluded to, clauses 25(3)(a) and (b) state that the person need not be a counsellor under clause 24. Clause 24 sets out this huge list of what the chief executive must do when selecting a counsellor in relation to adoption. But then straight after that clause 25 says, 'Strike that out. It need not be a counsellor under clause 24 but must be an appropriate Aboriginal or Torres Strait Islander person.'

Considering that, as the figures state, in Queensland there are approximately 7,500 children in care, with almost a third of them being of Aboriginal or Torres Strait Islander descent, I think that the bill needs to be able to address the issue of providing proper independent counselling that is identified within that particular community that best meets that community and makes sure that advice is taken in collaboration with the community so that everyone can be involved. I still have concerns that we have a chief executive gathering information through the department and again putting the workers of the department at risk of being seen to be rushing their decision making or being put in an undue situation because of this state government's lack of funding to Indigenous counselling within communities.

Mr REEVES: This bill respects Aboriginal traditions and island customs and does not promote adoption as the appropriate option for long-term care of Aboriginal and Torres Strait Islander children. However, where parents of an Aboriginal and Torres Strait Islander child do explore the option of adoption the bill contains a range of safeguards to ensure the child's culture is respected and adoption only proceeds if there is no better option available for the child's long-term stable care. As part of that process, as I have said before, the chief executive in making a decision must consult with an elder or respected person of the child's community or a recognised entity or an entity that has a function providing services to the Aboriginal and Torres Strait Islander people.

Mr DEMPSEY: Can the minister outline some examples of the identities that the department would use?

Mr REEVES: Recognised entities are, for example, in the Cairns region, Wuchopperen. I am sure that if that issue came up they would have appropriate people to deal with people in the Cairns region. They have some services in the cape. They are just one group that I am sure that the chief executive would consult with to assist the department in making sure that the best interests of the child are taken into account and, more importantly, that the parents are consulted and appropriate decision making takes place.

Clause 25, as read, agreed to.

Clause 26—

Mr DEMPSEY (6.22 pm): Clause 26 refers to parents' access to legal advice. The chief executive must ensure each of the child's parents is told that the parent may wish to seek legal advice and is given the details of at least one entity that generally provides free legal services. This clause acknowledges the legal consequences of adoption and the need for birth parents to receive the advice of a lawyer prior to signing a consent form. However, the act does not specify if the counsellor is required to explain to the parents why they may want to seek legal advice.

Considering the cut in funding to Legal Aid and the difficulties that this will present for people accessing free legal advice in a timely manner, some explanation of the legal impact of adoption should be explained by the counsellor so that the parents are aware of why they should have the full, long-term legal ramifications explained to them by a legal professional.

This clause also highlights the need for an independent adoption advocate to provide impartial advice. Without legal advice, for many parents it would seem that the scales of justice are unfairly weighed in favour of the chief executive. I would also like to highlight the many complaints I have received from the general community regarding a lack of availability of Legal Aid and the regular lengthy waits to access services and advice. This will only get worse following this state government's funding of Legal Aid.

Will the minister ensure steps are taken to provide an increase in legal support and that birth parents will receive legal explanations and are fully aware of the legal ramifications before they sign a consent form?

Mr REEVES: The premise about Legal Aid is incorrect. Clause 26 requires the chief executive to ensure that each of the child's parents is told that they may wish to seek legal advice and they are given the details of at least one entity that generally provides free legal services. This acknowledges that adoption has legal consequences and that a parent should be given an opportunity to explore these consequences with the advice of a lawyer.

It is quite amazing that we are talking about access to legal advice when those opposite were proposing for this to go to the Supreme Court. The hypocrisy is amazing. The legal advice needed in the Supreme Court compared to the Children's Court is quite different.

Mr DEMPSEY: In relation to the one entity that generally provides free legal services, will the minister confirm that the department will pay for these legal services? If Legal Aid is unable to provide that service in a timely manner will it assist that person to obtain timely legal advice so as not to delay what may possibly be action before the Children's Court?

Mr REEVES: Adoption Services Queensland is presently in discussions with Legal Aid about how to implement this. As a local member, I know of a number of different services where a person can be directed to receive free legal advice. I am sure that the member himself knows of some. As I said, discussions are presently underway.

Mr DEMPSEY: I cannot believe we just mentioned hypocrisy when we have an adoption bill before this House that the government has been trying to get ready for the last 10 years and now he says that discussions are taking place. These discussions, as far as legal advice go, will determine the life and wellbeing of a child and their future. What is the government doing? It is saying go down the road, get a little bit of legal advice. It is incumbent on the department to respect the rights of all Queenslanders and make sure that they receive legal advice in a timely manner for the benefit of the parent as well as the child. To say now that we are currently in discussions takes away the rights of the person to be able to be properly represented. We could be dealing with a member of the community from a low socioeconomic background who is at a disadvantage right from the start, whose future is being determined by a whole department with decisions guided by the chief executive and this person cannot get into Legal Aid. We all know that Legal Aid does a great job with the resources that it has. This person is expected to go up the street to try to find legal aid for a decision that will affect a child's life. It beggars belief that this department has not thought about this before putting this legislation before the House tonight.

The minister says discussions are taking place. What is the time frame for those discussions? Will we wait another 10 years before these people will be able to have the same rights as every other Queenslander? I ask the minister how these discussions are going because there are many children who are worried about their long-term future.

Clause 26, as read, agreed to.

Sitting suspended from 6.28 pm to 7.30 pm.

Clause 27, as read, agreed to.

Clause 28—

Mrs STUCKEY (7.30 pm): Clause 28 applies in situations where the parent of the child is not an adult and it requires an assessment to be made to determine whether they have the capacity to consent. The big question to ask is: have times changed? For some 30 years in Australian history, in some cases adoption was performed under circumstances that would not pass the human rights laws of today. For all the joy that adopted children and their families enjoy together—and I can attest to this on a personal basis, as I know some wonderful families with adult adopted children—one cannot help but feel enormous empathy when one hears the horror stories of women who had their children removed from them under the pretence of adoption after being detained in homes for the unmarried and the pregnant.

In my speech earlier today I mentioned that legislation should err on the side of being practical rather than emotional, but it should also pass the human rights test. The treatment reported by some of those women was inhumane. This clause looks at the capacity of a non-adult parent to give consent. It reminds us all of the difficulties experienced all those years ago. The foreword to a book called *Women's adoption stories: Australia 1960-1995* outlines the horror stories of the women who suffered the trauma of adoption throughout this period. It is candidly illustrated with paintings that depict the abject misery that those women had to experience and the nightmares that they continue to live with today.

I would like to think that opinion has changed greatly. If it has, how much support will be given to an adolescent or young woman who finds herself in this predicament? What will be done about the cultural issues facing these young women? What guarantee can the minister give that the legislation will provide adequate counselling for them? Again I ask: what will that counselling consist of? I ask that the minister answer those questions.

Mr REEVES: Previous clauses have dealt with the issue of counselling, so I think we have covered that subject extensively. Whether the person is under 18 or over 18, counselling will occur that is appropriate to the person concerned. We have covered that extensively a number of times under previous clauses.

Mrs STUCKEY: I cannot concur with the minister on that. The fact that he almost slipped up to say it was the same sort of counselling would indicate that there is not necessarily specialised counselling for children, and they are children.

Mr REEVES: I rise to a point of order. I did not say what the member said. I actually corrected that statement and she is being a bit precious about that.

Mr DEPUTY SPEAKER (Mr Ryan): Order! Minister, do you have a point of order?

Mr REEVES: No.

Mrs STUCKEY: As I said, do I not believe they are one and the same. Regardless of whether or not the minister accidentally slipped up, there is a great deal of difference when it comes to paediatric and childhood counselling. There is a lot more to be taken into consideration than there is in counselling for adults. If a young girl or a young woman is asked to consider giving up her baby, I think we need more of a guarantee from the minister that she will be offered a specialised type of counselling.

Mr REEVES: I have full faith in the professionalism of counsellors. I have full faith that professional counsellors will provide services appropriate to the people they are counselling. Whether the person is over 18 or under 18, the counsellor will make a judgement about what type and how many counselling services they need. As I said, I have full faith in the ability of professional counsellors to make those judgements.

Clause 28, as read, agreed to.

Clauses 29 to 31, as read, agreed to.

Clause 32—

Mr DEMPSEY (7.36 pm): Clause 32 states—

> If the chief executive does not know the identity and location of the child's father, the chief executive must take reasonable steps to establish those matters.

However, article 18 of the United Nations Convention on the Rights of the Child provides that governments should, as far as possible, ensure that 'both parents have common responsibilities for the upbringing and development of the child.' Clause 28 stipulates that the chief executive should make a reasonable effort to locate the father to discuss the future of the child. However, the act does not specify what a reasonable effort is.

The Scrutiny of Legislation Committee Legislation Alert reports that in the absence of a definition it is considered that the steps to be taken in attempts to identify and locate a child's father should be what an ordinary person standing in the shoes of the decision maker would consider to be reasonable in the circumstances. Does this mean that the department has to meet the standards set by the people involved in the case? The department's definition of what is reasonable may differ from what the ordinary person may consider to be reasonable.

This legislation allows a court to adjourn an application if it believes that reasonable efforts have not been made to identify or locate the father. We should not be putting an extra burden on the court system by allowing for the passage of badly written legislation that has holes in definitions. Given that the department and the Scrutiny of Legislation Committee have contrasting views on the definition of 'reasonable steps', could the minister please specify for the record what is a reasonable effort to establish a father's identity and location?

Mr REEVES: I thank the honourable member for the question in relation to reasonable steps. For example, if the birth certificate of the person to be adopted does not give the father's name and the birth mother does not know who the father is, it would be very hard to find the father. Reasonable steps would involve looking at the birth certificate and any other information that could assist. All that being said, the court has to be satisfied that reasonable efforts have been made to find the parents, and in this case we are talking about the father. I note the member's comments, but I also note that even though he has a number of amendments he has not moved any amendments to this clause relating to the definition of reasonable steps.

Mr DEMPSEY: There again the minister has given us one definition of reasonable steps. We know the reasonable man principle as far as the court system is concerned. But in this case the CE will be determining what the reasonable steps are and presenting them to court. So what steps will the chief executive be making that the department will see as reasonable? It is not what the court system sees as reasonable. This information will be provided to the court system. We know that courts have a burden of proof of reasonability. What does the department consider reasonable?

Mr REEVES: The reality is that the shadow minister answered his own question. The chief executive has to demonstrate reasonable efforts so that the court is satisfied that those reasonable efforts have been made. The court will not accept it if we just say, 'Oh, well, the name is on the birth certificate. We didn't know how to contact them. We didn't have an address.' If Adoption Services Queensland says, 'The name is on the birth certificate. We tried to ring the phone number once and no-one answered,' the court will throw it out. The reality is that the chief executive will make a decision on a case-by-case basis to make all reasonable efforts to ensure that the father's identification is known and to ask the father for consent or otherwise regarding the adoption of the child.

Mr DEMPSEY: There again the minister has slipped from the definition of what the CE would determine as reasonable steps to present to a court which would then determine reasonability. All I am after is what the department thinks is a reasonable effort to establish the father's identity and his location. What does the minister think would be reasonable?

Mr REEVES: If the father is on the birth certificate, it would be reasonable to try to find out where the father is and make contact. If the father is not on the birth certificate, there may be other information that the birth mother might be able to relay to the department to ascertain who the father of the child is. As we all know from previous cases, the father's name is not always on the birth certificate. I do not want to be prescriptive because it will be decided on a case-by-case basis. If everything was simple then I could be prescriptive, but I am not going to be prescriptive in this way. They were just examples.

Clause 32, as read, agreed to.

Clause 33—

Mrs STUCKEY (7.42 pm): Clause 33 pertains to giving notice to the father or person suspected to be the father. Currently a father is only required to consent to his child's adoption if he is married to the child's mother either at the time the child was conceived or at the time of adoption. The bill will require the child's mother, father and any legal guardian to give informed and voluntary consent before the child can be placed for adoption, regardless of marital status.

Concerns have been raised through members of the legal profession that I have been speaking to about a father who is separated from the mother of the child that is being placed for adoption in that, if he wanted to free himself of child-care payments, he would be more than likely to support adoption as it would be a sure way to do so, and in some cases it could be done as a vengeful attack on the mother of his child. As I said, this was raised with me by people who work in the legal world of child protection. They are concerned that this bill may be seen as a mechanism for absent dads to weasel out of their obligations to support their child. I ask the minister whether he acknowledges that this could be a potential problem and what is being done to circumvent the situation.

Mr REEVES: The reality is that consent has to come from both parties. If the mother does not want to give consent and the department goes against that—which would not be the norm—then the mother could contest that in the Children's Court as part of the case. I understand the motive for the question. In this case I think the member talked about three different stakeholders, for want of a better word, involved in the case. Consent is not going to be given just because the father gives consent.

While on the subject, I think it is obscene that some people within the legal profession actually tell those in a family dispute to report the other partner to Child Safety about actions, and we all know that occurs.

Mrs Stuckey interjected.

Mr REEVES: I know that was not what the member was referring to. I just thought I would add that.

Clause 33, as read, agreed to.

Clause 34—

Mr DEMPSEY (7.45 pm): Clause 34 provides that the chief executive may apply for declaration of paternity. The clause states—

For the *Status of Children Act 1978*, section 10(1)(c), the chief executive is a person having a proper interest in the result of the question whether the relationship of father and child exists between the child and another person.

This clause enables the chief executive to apply to the Supreme Court under section 10(1)(c) of the Status of Children Act 1978 for a declaration about the paternity of a child. This course of action may become necessary, for example, in circumstances where the chief executive suspects a man of being a child's father but the man disputes this and refuses to submit to a testing procedure to determine whether he is or is not the child's father.

How does this process for procuring a paternity test apply to a juvenile believed to be the father—for example, where a 15-year-old boy is believed to be the father of a child to a 14-year-old girl? If a paternity test required by the chief executive through this clause reveals that a criminal offence has been committed by the father of the child, what obligation is there on the chief executive to report the crime to police for prosecution—for example, an 18-year-old man who has allegedly had consensual sex with a girl under 15 years of age? The average Queenslander already knows that this is an offence, but what obligation is there on the department to report such an offence?

Mr REEVES: I thank the honourable member for the question. We can all read the explanatory notes, so I think it would save us time if the shadow minister did not repeat the explanatory notes leading up to the asking of the question. Under the Child Protection Act, if we believe there has been criminal activity or a child is at harm, the chief executive would be obliged to follow the correct procedure such as referring it.

Mr DEMPSEY: Is it a must or a may for the chief executive to report these circumstances?

Mr REEVES: The chief executive is obliged by the Child Protection Act.

Clause 34, as read, agreed to.

Clause 35, as read, agreed to.

Clause 36—

Mr DEMPSEY (7.48 pm): In relation to a notice of application, clause 36(4)(b) states—

the applicant cannot locate the relevant parent after making all reasonable enquiries;

If the parent cannot be located by the chief executive after making reasonable inquiries, then the parent does not have to receive a notice of application. Without a notice of application regarding the department's intention to dispense with a parent's consent, a parent may not have any chance to consent to the decision to adopt their child out and therefore it may occur without their permission.

Considering the importance of the matter, what is the definition of 'reasonable inquiries to be made by the department'? Who is making those inquiries and conducting those investigations in relation to the notice of the application?

Mr REEVES: We are back to 'reasonable' again. I refer to my previous answers. The amazing thing about the discussion we have had in the consideration in detail stage is that a fair bit of it is on the premise of all the opposition speeches that the floodgates are going to open and suddenly a thousand children in care are going to be adopted out, which history shows is not the case. All reasonable steps will be undertaken and officers of Adoption Services Queensland will no doubt partake in ensuring that all reasonable inquiries are made.

Mr DEMPSEY: I understand we are not wanting to go into numbers, but the fact remains that whether it be the rights of one child or a thousand children it is the process of the legislation. Again, I was trying to get some clarification from the minister as to who is actually making these inquiries and investigations or who in the department is conducting these investigations.

Mr REEVES: I answered it.

Clause 36, as read, agreed to.

Clauses 37 and 38, as read, agreed to.

Clause 39—

Mr DEMPSEY (7.52 pm): Clause 39 relates to amendment 3. Clause 39 states that the court may dispense with the need for consent. The court may make an order dispensing with the need for the relevant parent's consent to the adoption if—

Mr Reeves: You've got to move it.

Mr DEPUTY SPEAKER (Mr Ryan): Order! Are you moving an amendment?

Mr DEMPSEY: I move the following amendment—

3 Clause 39 (Court may dispense with need for consent)

At page 37, after line 8—

insert—

'(4A) Also, if the child is in the custody or guardianship of the chief executive (child safety) or someone else under the *Child Protection Act 1999*, the court may not give the dispensation on the ground mentioned in subsection (1)(e) unless—

(a) the court is satisfied that, over a period of at least 1 year immediately before the application, steps have been taken to establish or re-establish a parent and child relationship between the relevant parent and the child; and

(b) the court is satisfied—

(i) that the relevant parent seriously ill-treated or persistently neglected the child; or

(ii) on the basis of a report given by a suitably qualified independent person appointed by the court, that the relevant parent has failed to establish or maintain an acceptable relationship with the child.'.

As I said before, the court may dispense with the need for consent in relation to this overall amendment. The insertion of new clause 4A on page 37 of the bill will satisfy the court that all reasonable steps have been taken to re-unify a parent and child. I understand that some children should be in care because of inappropriate parents. However, before the massive legal step is taken of dispensing with a parent's consent and adopting a child, there must be some attempt made at ensuring that the parent-child relationship is actually beyond repair. Considering the small budget allocations for reunification through the government's One Chance at Childhood initiative, the public needs to have confidence that attempts are being made to re-unify a dysfunctional family in line with the government policy. Otherwise the department risks again the perception that it is using this legislation as a cheap option to reduce the number of children in foster care and as a financial boost for the department rather than putting the best interests of the child first.

Mr REEVES: Again, the amendment moved by the member for Bundaberg is unnecessary. I accept the premise of the member's proposed amendment—that is, that it is a significant step to proceed with the adoption of a child without the consent of one or both of the child's parents. That is why it cannot happen without an order of a court saying that it is okay for a child's adoption to proceed without a parent's consent.

This is already an independent decision. It is not the decision of the department to proceed without a parent's consent; it must be a decision of the court. In the case of a child who is in the child protection system, clause 39 of the bill already contains a number of safeguards that cover matters that the member's amendment wishes to introduce. Proposed subsection (3) states that the court must not give the dispensation unless satisfied it would be in the child's best interests for arrangements for the child's adoption to continue to be made.

Subsections 4(a) and (b) already require the court, in making the decision, to consider the child's case plan about reuniting the child with his or her family or whether there are other alternative ways of meeting the child's needs for long-term stable care. The safeguards in clause 39 as introduced in this bill are appropriate. As a consequence, I am not supporting the amendment.

Mrs CUNNINGHAM: I seek clarification from the minister. My understanding is that the proposed amendment moved by the member for Bundaberg adds some prescription to the process that the court must pursue for an adoption to proceed. I would like the minister to clarify for me what harm, if any, he can see in prescribing the one-year period for the court to have regard to re-establishing a parent-child relationship?

The other part of the proposed amendment, proposed new subclause (b), does not appear to my mind to be problematic in that it is prescribing two instances which the court would normally give consideration to anyway. So to my mind a repetition of that is not a problem. I would be interested in your comment about the prescription in this proposed amendment of the one-year period.

Mr REEVES: I thank the honourable member for her comments. Under the current act the department need only satisfy the court that either the parent has abandoned, deserted or persistently neglected or ill-treated the child; the parent has for at least one year failed without reasonable excuse to discharge the obligations of a parent of a child; or the parent has failed to reasonably plan to resume caring for the child whereby the integration of the child to the child's family is unlikely. So they would have to satisfy any one of those cases.

Under this bill before the House the department need satisfy the court that the parent is not willing and able to protect the child from significant harm to the child's physical, psychological and emotional wellbeing; the parent will not within a time frame appropriate to the child's age and circumstances be willing and able to protect the child from harm; the parent is not willing and able to meet the child's need for long-term stable care; and the department has tried to seek the parent's consent to the adoption and either the parent is withholding their consent and is unreasonable in doing so or is refusing to engage with the department at all. As you can see, presently only one of those cases needs to be satisfied. It is actually easier now to put a child in care into adoption than it will be under this bill. Common sense says that is going to be a considerable period of time and more likely than not it will be more than a year.

Mr DEMPSEY: One of the reasons for this amendment was necessitating that even though a child may be out of a parent's control for a certain period, by inserting the word 'reasonable'—for example, parents come in all different shapes and forms and so forth. We can see these parents turning themselves around in maybe a couple of years time. If this cut-off point is reduced to a shorter period of time I can see we will face a predicament where a decision is made in, say, 12 months. It is still short term when we consider the future upbringing of that child. This amendment was designed to allow some flexibility for the long-term benefit of the child and to have a course of action available besides going back through the legal determinations and throwing all the resources at it to bring a family back together.

Non-government amendment (Mr Dempsey) negatived.

Mr DEMPSEY (8.01 pm): I move the following amendment—

4 Clause 39 (Court may dispense with need for consent)

At page 37, after line 11—

insert—

'(6) If the child is in the custody or guardianship of the chief executive (child safety) or someone else under the *Child Protection Act 1999*, the court must not give the dispensation unless a document, signed by the child guardian, is produced to the court stating whether the child guardian considers the adoption is in the child's best interests.

'(7) In this section—

child guardian means the Commissioner for Children and Young People and Child Guardian.'.

Amendment No. 4 seeks to insert provisions at the end of clause 39 which relate to the court dispensing with the need for consent. Amendment No. 4 seeks to insert subsections (6) and (7) into clause 39. This amendment confirms that the best interests of the child are kept firmly in mind when dispensing with the parents' right to consent to an adoption. If the child is already in the care of the

department, the Commissioner for Children and Young People and Child Guardian is required to approve that the adoption is in the best interests of the child. This amendment will again protect the department from the misguided public perception that the department exists solely to take children away. It also provides an independent assessment of the adoption and also increases confidence within the community that the Adoption Act 2009 is not being misused.

Mr REEVES: The misguided public perception is often peddled by those opposite. They keep referring to Child Safety Services as snatch and grab.

Mr DEMPSEY: That flippant comment does not go a long way to adding to the credibility of the whole Adoption Bill. There is a certain perception out there. We need to do whatever we can to enhance the perception and the confidence in this department. It is better to identify issues and bring them up openly and honestly and present them to the House than have them hidden and put aside. We have seen too many times this government push things to the side for the sake of getting a quick and often not necessarily good result. The amendment is to protect everyone, Minister.

Mr REEVES: If the member for Bundaberg was fair dinkum he would not put that statement in every second press release he puts out. If the member for Bundaberg wants to discuss our credibility in terms of our openness in the child protection sector, I point out that it is more open than any other child protection sector in Australia. We release figures all the time. Other jurisdictions do not. I think the member is misguided and we are not supporting the amendment.

Non-government amendment (Mr Dempsey) negatived.

Mrs STUCKEY: Clause 39 deals with the courts dispensing with the need for consent. I really need to make a comment about what the minister was just saying. I think all members in this House have heard the minister dismiss the knowledge of the very learned advocates that I have based my argument on. Certainly, other members of the LNP have read some of the work too. The words of professors, social workers and child psychologists who are considered leading experts in their fields the minister has been prepared to dismiss as nothing more than the LNP trying to rumour monger and gossip. I think that is very sad.

Clause 39 deals with the aspect of involuntary adoption. It is one of the most contentious issues and one that breaches fundamental legislative principles in this bill. The clause relates to the ability to dispense with parental consent.

It is not so much what is in the bill that is of concern; it is how DoCS reached the decision to go down this particular path to adoption. That is the question to be raised. Was it to save money, to reduce the financial burden of paying for such a large number of children in foster care, to reduce payments for the ongoing costs of caring for at-risk children? Is this also going to allow the department to reduce staffing levels and cut jobs? Perhaps the government has followed in the steps of the US, which I know one of the former ministers visited.

Every state in the US has statutes providing for the termination of parental rights by a court which ends the legal parent-child relationship. The Adoption and Safe Families Act requires that proceedings to terminate parental rights be initiated when the child has been in foster care for 15 of the most recent 22 months. There are a few exceptions including when the parent has not been provided with the services required by the service plan for reunification of the parent with the child.

Looking at past behaviours of this government in this department and according to the views of my learned stakeholders, it would mean that this exception would be used frequently as few supports are offered to parents. I ask whether the government has followed this US model in the preparation of this bill.

Mr REEVES: The member once again brought up that I supposedly disagreed with her learned stakeholders. That all stemmed from her original question put to me in consideration in detail. As I said, it was from the United Nations Convention on the Rights of the Child. I have not discussed nor have I researched anything from the American model. The reality is—

Mrs Stuckey interjected.

Mr REEVES: Do you want me to answer the question or do you want to be rude all night? Are you right now? Okay, good.

Mrs STUCKEY: I rise to a point of order. I find those words offensive and I ask him to withdraw.

Mr REEVES: I withdraw. Someone has asked a question and I am trying to answer the question. It is really hard when the member who asked the question continues to chirp across the chamber while I am trying to answer the question.

Mrs Stuckey: I learned from you.

Madam DEPUTY SPEAKER (Ms Johnstone): Order! Minister, could you respond, please.

Mr REEVES: I will. The premise of the majority of the questions that I have been asked and what came through every second speech from those in the LNP this evening and a couple of weeks ago—

Mr O'Brien interjected.

Mr REEVES: I will take that interjection. The basis of the questions is that we are making all these changes to the adoption legislation because we are going to get a thousand children in care adopted. That is the premise of all the questions.

Mrs STUCKEY: I rise to a point of order. I find the minister's words offensive and untrue and ask him to withdraw. There was no mention of thousands.

Mr REEVES: They were not aimed at the member personally.

Madam DEPUTY SPEAKER: The member finds the comments offensive. Would you care to withdraw?

Mr REEVES: I withdraw. If we go back to the *Hansard* and have a look at every speech given by those opposite, we see that there were about three or four lines that were the same from every member on the premise that all of the changes to this part of the legislation are on the basis that we want a number of children in care to be adopted. National statistics show that there were 25 carer adoptions in 2007-08—25 nationally—when this legislation was in place in other states of Australia. That is an unrealistic premise and an unreasonable one as well.

Mrs STUCKEY: If it is an unreasonable premise, then the minister's government actually paid for the opinions of many of those learned professionals that I am speaking about. In talking about enhancing the effectiveness of the One Chance at Childhood initiative, that is trying to find a permanent placement for children, which in itself is honourable. However, the opposition is questioning the methodology, which the minister still has not been able to explain because he keeps running back to the Hague convention for cover rather than listening to some of the recommendations of some learned people.

In removing parental rights like this, we have to look at what the government had at its disposal to use in the preparation of this bill. It did not even implement one of the three Family Inclusion Network recommendations, yet in 2004 the Hon. Mike Reynolds put $5,000 of seed funding into this program. There was a further $90,000 worth of funding in 2005-06 to conduct focus groups with biological parents and significant others. They came up with a number of recommendations, but just the three key ones this government did not bother to put into place, and yet now it is wanting to have this involuntary removal of children.

The first recommendation was that DoCS would develop a statement of commitment to partner with parents. The department of child safety failed to implement it. What does that tell you about inclusion? The second recommendation was to introduce greater parental inclusion in child protection case management. The department failed to adopt that recommendation. The third recommendation was to adopt a coordinated approach by the Queensland government to ensure the wellbeing of children inclusive of their protection and safety by addressing child poverty and social exclusion. And guess what? The government did not include that recommendation. So $95,000 from stakeholders whom the minister and the government have dismissed—

Mr REEVES: I rise to a point of order. I find the words that I have dismissed them incorrect and untrue. I find them offensive and I ask for them to be withdrawn. I also question the relevance of this to the clause.

Mrs STUCKEY: I withdraw. In speaking to this clause and the preparation of the adoption legislation that we have before us—I do not think anyone would dispute the importance of this clause in it—the opportunity to go down a different path was clearly there in all of these studies that the department undertook. The question that I have been asking all throughout this evening is why are we going down this path? Adoptive parents can disallow open adoption. They are more likely to do so under this government's One Chance at Childhood policy, which focuses on babies and very young children. Does the minister really believe that parents forced to give up their children involuntarily will be allowed any contact?

Mr REEVES: I do not think contact is part of this clause, but I will seek clarification on that. As we will discuss later, if it is an open adoption there can be contact and it will follow the procedures as are in place.

Clause 39, as read, agreed to.

Clauses 40 to 43, as read, agreed to.

Clause 44—

Mr DEMPSEY (8.15 pm): Clause 44 is headed 'Child must be given information' and states—

The chief executive must ensure the child is given the prescribed information before an application for an adoption order for the child is made.

Article 12 of the United Nations Convention on the Rights of the Child provides that a child who is capable of forming his or her views has the right to freely express those views, to have them considered and given due weight in accordance with the child's age and maturity, and to be given the opportunity to participate in judicial and administrative proceedings affecting him or her either directly or through a representative. Where a child to be adopted is old enough to be able to form and express his or her own views about the adoption, then the bill requires the chief executive to give information to the child before an application for an adoption order is made. The information must be given in a way and to an extent that is reasonable, having regard to the child's age and ability to understand. The child must be kept informed of matters affecting him or her in a way and to an extent that is appropriate and the child's views must be given consideration.

With regard to giving information to the child, the information should be given to a legal representative of the child so that the child can be informed without bias and through an informed person. The act states that if the court considers it necessary and in the child's best interests the court may order that the child be separately represented by a lawyer and make any orders necessary to secure separate legal representation of the child. Minister, there should be no doubt about it: the requirement of legal consultation needs to be mandatory. The child has the right under the Convention on the Rights of the Child to have legal representation at any time the government seeks to intrude upon or affect the child's rights in any way. These provisions that guarantee a child's right to participate in decision making about his or her adoption replaced the requirement in the Adoption of Children Act 1964 for a child aged 12 or over to consent to his or her adoption. This is to ensure that the child does not feel responsible for the decision and put him or her under undue pressure, particularly where the decision involves choosing between a birth parent and the person who is caring for the child. Can the minister explain what process is in place to ensure that children get independent unbiased information to assist in their decisions?

Mr REEVES: I thank the honourable member for the question. The chief executive is to ensure that the child is given information before an application for adoption order for the child is made. The information must be given in a way and to an extent that is reasonable, having regard to the child's age and ability to understand it. As the member for Bundaberg said, the court can order for legal representation for the child to be brought forward in a case.

Mr DEMPSEY: Again, the chief executive has to ensure that the department then makes the right decision that a child is of an age and of an understanding to be able to make a decision in his or her best long-term interests.

Article 12 of the United Nations Convention on the Rights of the Child says that if the child is capable of being able to form a view, then that child must have legal representation. Previously, we spoke about the long-term trauma that could be caused to a child who has to be present in court, the stigma involved and the pressure that is placed on a child in that situation. Surely assistance must be given to the child. The minister himself stated that last year there were only 90 children available for adoption. So for the sake of the small number of children who are involved—or maybe there could possibly be more children involved—surely we should follow the international law.

As I said previously, this legislation has been 10 years in the making. It has gone through many committees and lobby groups. We should have legislation that is the best, that is the benchmark for adoption laws not just in Queensland but in Australia and the rest of the world. To do that, we need to follow international conventions and laws to make sure that we set the bar high. By not amending this clause, we are setting ourselves up to being placed in the predicament of having a child, or the relatives of that child, in possibly a year's time saying that they were treated by the department in such a manner that they were forced to make decisions.

I am not knocking the department. The department and the people working in the department should have the proper legislation in place to protect them—to make sure that we have that oversight, that we have independence and openness in the department. As a number of members have said in their speeches during the second reading debate over many days, if this Adoption Bill has a cloud over it and we are not doing all that we can in the best long-term interests of the child, then we are certainly not doing justice to the people we are here to represent in this parliament.

Mr REEVES: I thank the member for Bundaberg for his comments. I note that the member for Bundaberg has not moved an amendment to this clause. He is saying that if a step-parent wants to adopt a child, the child would have to get separate legal representation.

Mr Dempsey: You have already thrown the rights of the step-parent out the window.

Mr REEVES: If a step-parent wants to adopt the child, the child has to get legal representation separate from the parent's legal representation. I think the way in which this bill is written follows the intent of the United Nations Convention on the Rights of the Child.

Mr DEMPSEY: Surely we have to have some consistency in the legislation. We are talking about stepchildren and the number of adoptions that occur in a year. Surely if we can show that Queensland is able to represent the rights of those children to the utmost degree, that can only be of benefit. The need to seek legal advice would vary from child to child. The bill even refers to 'having regard to the child's age and ability to understand'.

In terms of accountability and best practice, giving the child legal representation brings this legislation into the modern world. It respects people's rights. For the minister to say that I am putting an impost on stepchildren, I find that—

Mr Reeves: I didn't say that.

Mr DEMPSEY: The minister said words similar to that.

Mr Reeves: I said the reality is, from what you are saying, that is what would happen.

Mr DEMPSEY: I think what the minister is trying to say does not come up to the standard set by article 12 of the United Nations Convention on the Rights of the Child. Through this clause, we are discriminating against children because of their background, or because they are a stepchild being adopted by a step-parent, or because they are going through another type of adoption process. We need to have equality in this legislation. The minister said that we are talking about only 90 children. We have to make sure that we streamline all the rights of the child.

Mrs STUCKEY: In addressing this clause, which is titled 'Child must be given information', I had considerable concern about the sort of counselling that parents would receive, but I would have to say that I hold even greater concern for the information that may be given to children, particularly as we are looking at this zero to four-years age group, which is identified in the One Chance at Childhood initiative as being the target group arising out of studies that have been put forward to the department in the past. Considering the very bold step being taken with this clause and, according to the minister, the relatively low numbers overall of children who are—and I do not like this term—available for adoption, or children who would be considered suitable for adoption, we on this side of the House would like a lot more certainty from the minister that proper procedures are in place.

There is so much focus in this legislation on adults, but there is very little on children. Coming from a paediatric nursing background, I understand the fine detail that is required in not only caring for a child medically but also caring for a child mentally. So it would be very nice if we could be told what specific processes are in place for the kids. I know the minister has said that there will be counsellors who could deal with this, but will this be a different set of counsellors and specialists? Say we have a three-year-old who has some degree of understanding and speech and the chief executive has identified this child as being suitable for adoption. Can the minister give us an example of what sort of counselling or information that child should be given?

Mr REEVES: I understand the intent of the question, but I could stand here all night trying to work out or second-guess the different support and counselling each person in such a position would get. I have a three-year-old at home. I am not convinced that it would be very easy to explain to that three-year-old that they are going to be adopted and to ask them whether they agree to that. But for those children and young people who are older and who are capable of understanding it, the chief executive is required to ensure that they are given suitable information having regard to their age and ability to understand.

I am not going to try to second-guess what will occur but, unlike those opposite, I have confidence in the chief executive. I have confidence in Adoption Services Queensland. I am sure that they will do the appropriate thing. We should remember that the overwhelming majority of adoptions in Queensland are of infants, so this situation would not apply in the majority of adoptions.

Clause 44, as read, agreed to.

Clause 45—

Mr DEMPSEY (8.30 pm): Clause 45 states that the child must be given counselling. We have heard different definitions from the minister in relation to who will supply this counselling. Clause 45 states—

(4) In this section—

counsellor *means* a person who the chief executive is satisfied has appropriate qualifications or experience to carry out counselling under this section.

Before going further, I ask the minister to clarify what exactly has to be satisfied for the chief executive to consider a counsellor. Considering that a child at risk will come across many case officers and many counsellors from the department within their local area, is it not in the best long-term interests of the child that the department nominates an independent counsellor so that this counsellor can independently explain the implications of adoption to the child and negate possible future allegations of departmental collusion? It comes back to openness and transparency. What steps is the minister's department taking to ensure that this process is open and accountable in relation to the appointment of the counsellor and the definition?

Mr REEVES: With due respect to the member for Bundaberg, we have been through this same scenario previously. I have full confidence that the chief executive will choose appropriately qualified and experienced people to carry out the counselling. Presently the chief executive makes the decision on the adoption. Under this bill the Children's Court has to be satisfied that proper counselling occurred. That is the check and balance. At the moment the chief executive makes the decision. We are putting that step in place. We went through this prior to dinner. The same questions are coming forward. It fits into the same category.

Mr DEMPSEY: That could have to do with our satisfaction in relation to the answers. What it comes back to is the initial early intervention and counselling process for the long-term benefit of that child. If as the minister says the chief executive is determining that they are satisfied that a person is a counsellor, what stops the department having a counsellor within its own department going out and does that not add to the inference of collusion within the department? We are trying to make sure that the department is not put in that position and that the rights of that child are protected.

We require two simple answers. Are there independent counsellors to be nominated by the department and, if there are counsellors nominated by the department, is an audit process in place to make sure that these counsellors who are appointed are not seen to be merely working for the department and not demonstrating true independence? We need to have that openness and transparency.

Mr REEVES: As I have said on a number of occasions, these counsellors may or may not be part of the department. These are professional, qualified, appropriate and experienced people who will be conducting this counselling. I keep reminding the member that the other check and balance that technically we have not had up to now is that it will go to the Children's Court. That court will not rubber-stamp it and just say that it agrees. There will be checks and balances in the Children's Court.

Mr DEMPSEY: Obviously the minister has a misunderstanding of the separation of powers in relation to what happens with reasonableness and accountability within the court process and early intervention and assisting a child in the adoption process. We are not talking about what happens at the end of the process but what happens at the beginning of the process to assist that child. We can be here all night saying that we are going to trust people but at the end of the day, and it seems indicative of this government, we need to be able to have checks and balances, openness and accountability, and a process that makes it clear to the people of Queensland that this adoption act will be a strong document for the future benefit of children adopted throughout Queensland.

Mr REEVES: Let us make it perfectly clear that what the member is saying is that these qualified, experienced counsellors are going to do what the department supposedly wants, according to his definition.

Mr Dempsey: No.

Mr REEVES: That is what the member is insinuating. That being said, at the end of the day they are counselling these young people about adoption. The process is that they will then go to the Children's Court and that is where the check and balance is to make sure that everything is correct. I do not know how many times I can say it.

Mrs STUCKEY: The minister must feel like he is going around the mulberry bush on this, but if the minister would give us the answers we are looking for we would not have to continue this line of questioning.

Mr Reeves interjected.

Mr DEPUTY SPEAKER (Mr Wendt): Order! I remind all members that the member for Currumbin has the call.

Mrs STUCKEY: My stakeholders, who are professors, social workers and people who work exclusively in the field, psychologists and counsellors, people who members on this side of the House have consulted with widely—if those opposite listen up they might learn something from the experts in the field—report that the closer kids get to being adopted the more problems do occur. I am sure that the minister will agree that this is serious.

To view adoption as the saviour of a foster care crisis is shortsighted and reveals that there is a lack of understanding and ability to deal with the issue of child protection as a whole. Problems often do not arise in under-three-year-old children, although the behaviours, anxiety and separation issues are developing. Many medical conditions do not present at that age. Unless these kids are really well and intensively supported through the process that is being implemented by the department, kids will, in fact, be set up for a damaging series of events in life, notwithstanding the significant mental or physical trauma that they have already experienced. As I have already said, these are the words of the very same experts that this department employed to do a report for it.

What I really want to ask the minister is this: is he prepared for some of these new problems—kids who do require this degree of intensive care—when this path has not been gone down before? We have admitted that virtually no children have been put up for adoption through this involuntary method,

which is why we have this legislation here before us. Has the minister thought through how he might respond to some of these kids who need intensive counselling? It will be very interesting to see how the courts deal with these kids.

Mr REEVES: Once again the member for Currumbin decides not to speak on the particular clause. I do not know how many times I have to repeat myself. The member for Currumbin is asking all her questions on the premise that all of a sudden the floodgates are going to open and these thousands of kids in out-of-home care will be adopted. National statistics for 2007-08 demonstrate that there were 25. I have already explained that this bill makes it harder for that to occur. There are more checks and balances in place. The member says she is not happy with the answers. She is obviously not listening to the answers. Every second speech was obviously written by the same speech writer up in the opposition office who might have been one of the seven. The majority of questions from the member for Currumbin have been based on that premise and it is incorrect. Statistics, which she loves quoting every day, show that it is incorrect. It was 25 nationally in 2007-08. The floodgates are not going to open. It is more about permanency than adoption. It is about finding other places. Adoption is one option. As I said, statistics show that is not correct.

Mrs STUCKEY: Once again the minister will not take seriously the words of experts, despite all of the research that they have given me. I think they are going to be very insulted when they read *Hansard*. They have carefully provided me with information that they will feel has fallen on the deaf ears of this government. As I have said, we are talking about advocates who are respected in this field. They are professors and social workers.

I find it quite incredible that the minister keeps saying that we are talking about 'thousands' of children. It does not matter if it is only one child; that child needs to be treated with proper counselling. We are not suggesting that whoever will be employed will be inadequate. We simply want the minister to tell us how well those kids will be supported and the extent of the counselling that they will receive. I would have thought that any minister worth his salt would know the hourly rate for a social worker or a counsellor in that field.

Mr REEVES: With due respect, I would ask about the hourly rate of the member's husband, who is a doctor. She probably does not even know that herself. I beg your pardon; he is a specialist.

Mrs STUCKEY: I rise to a point of order. I find the minister's words relating to my husband offensive and I ask him to withdraw.

Mr REEVES: If the member found it offensive when I asked about the hourly rate, I apologise and withdraw.

Mr DEPUTY SPEAKER (Mr Wendt): Order! Minister, you will withdraw unreservedly.

Mr REEVES: I withdraw. Frankly, this trivialises the issue. In 2007-08, I said that there were 25 children but in fact there were 26 children adopted.

Mrs Stuckey: It is growing.

Mr REEVES: I can show you the sheet if you like. Of those, 25 were non-Queenslanders and one was a Queenslander. That shows the fallacy of the arguments that keep being repeated. I stand by what is in the bill.

Mr POWELL: I am seeking some clarification on the matter of counselling for children. The minister mentioned that the majority of children who will be adopted are infants. Clause 45(2) states—

> The counselling must be carried out in a way and to an extent that is reasonable, having regard to the child's age and ability to understand.

As the minister will be well and truly aware, these days there are some innovative counselling techniques that can reach children of young ages, but having said that they are clearly limited. I cannot see anything in this clause or any other clause in the legislation that applies a requirement for counselling to be revisited once the child is of an age when they can comprehend. I seek clarification on that point.

Mr REEVES: As the member for Glass House would know, the post adoption support service, which we have put out for tender at the moment, will cover that. From the member's description I would assume that he is talking about a young person who is already adopted. In that case the post adoption support service will provide counselling.

Mr POWELL: Just to confirm: while there is no legislative requirement, it will be written into the terms of reference for whoever receives the post adoption support service contract?

Mr REEVES: The legislation talks about counselling after adoption and the post adoption support service. Although the counselling will not be outlined as specifically as the member may be wanting, being the professionals that they are counsellors will give the appropriate—

Mrs Stuckey interjected.

Mr REEVES: Do you still want to interrupt? The member is so rude.

An opposition member: That is the pot calling the kettle black.

Mr REEVES: One of your own members has asked a question and I am giving an answer. A counsellor will give a professional judgement on the age-appropriate service.

Clause 45, as read, agreed to.

Clause 46—

Mr DEMPSEY (8.45 pm): Clause 46 refers to counselling for Aboriginal or Torres Strait Islander children. Clause 46(4) states—

This section does not apply to the extent the child declines to receive counselling in a way, or by a person, required by this section.

Does this mean that an Aboriginal or Torres Strait Islander child can decide not to participate in counselling at all, which would seem to contradict clause 45(1), which states that the chief executive must ensure that counselling is available to a child? What process is in place to prove that the child did not want to discuss the matter and discount the possibility that the child may be in fear of a more senior member of that particular community?

Mr REEVES: I thank the honourable member for the question. Are we talking about additional counselling? They get the original counselling. This relates to cases where they may require additional counselling and Aboriginal or Torres Strait Islander children can refuse that.

Mr DEMPSEY: Just to clarify that, if an Aboriginal or Torres Strait Islander child declines the counselling, they do not have to have the counselling?

Mr REEVES: They do have to have the original counselling. This is extra.

Mr DEMPSEY: This is just extra?

Mr REEVES: It is cultural counselling.

Mr DEMPSEY: The chief executive must ensure that counselling is available and, like every other child, Aboriginal and Torres Strait Islander children will receive initial counselling, but they do not have to take up the next lot of counselling; is that correct?

Mr REEVES: The counselling that they get will be appropriate to the child's age and ability. On top of that they can receive cultural counselling relevant to an Aboriginal or Torres Strait Islander, which they have the ability to refuse. They must receive the initial counselling. It might not be just one counselling session. It will be up to the counsellor to work out how many sessions they need, as I said before.

Mr DEMPSEY: But they must get one?

Mr REEVES: They must.

Clause 46, as read, agreed to.

Clauses 47 to 63, agreed to.

Clause 64—

Mr DEMPSEY (8.48 pm): I move the following amendment—

5 Clause 64 (Chief executive may renounce guardianship)

At page 48, line 19, 'chief executive gives the documents to'—

omit, insert—

'documents are received by'.

Clause 64 provides for when the chief executive may renounce guardianship. Clause 64(4) states—

When the chief executive gives the documents to the corresponding officer, the chief executive stops having guardianship of the child.

Subsection (4) provides that the chief executive stops having guardianship of the child when the chief executive gives the documents to the responding officer. I ask the minister to explain why it is not when the documents are received by the corresponding officer as that would eliminate potential loopholes if documents were lost. I note that clause 65 states that the chief executive takes guardianship of the child on receiving the documents, not when their counterpart puts the documents in the post, which quite possibly could leave a child in limbo for days with no legal guardian if difficulties arose. There again, considering the time to get this legislation right, I think there is a possible loophole there, as far as a technicality is concerned, when a document is being processed.

Mr REEVES: The amendment proposed by the member for Bundaberg is unnecessary. Clause 64 outlines the process for the chief executive to transfer guardianship of a child for whom all of the necessary consents for adoption have been given to the corresponding officer in another jurisdiction—that is, where the child has to go to another state for adoption proceedings to be finalised because, for

example, a sibling of the child already lives with an adoptive family in another state. This clause links the ending of the chief executive's guardianship of the child to an action of the chief executive—that is, the giving of the necessary documents to the relevant official in another state. The amendment is opposed.

Mr DEMPSEY: What does the minister technically mean by the 'giving' of a document? Is it when it is put in the post or when it is personally delivered to the authorised person in another state? With the possibility of mail being delayed, the best interests of the child would seem to be better served if this amendment were agreed to to make sure that there is a clear definition that a child is actually in the custody of another authorised person upon receipt of that documentation. We see a lot of technicalities in relation to court documents and so forth. Has the minister looked at the possibility of amending this in the future?

Mr REEVES: It is when a legal transfer occurs and that is when it is received by the other person.

Non-government amendment (Mr Dempsey) negatived.

Clause 64, as read, agreed to.

Clauses 65 to 68, as read, agreed to.

Clause 69—

Mrs STUCKEY (8.53 pm): Clause 69(3)(f) is the section that I wish to address. This is where a couple make an expression of interest by giving the chief executive a notice in the approved form. Paragraph (f) pertains to the personal history of each adult member of the person's household. This would change very quickly if you have teenagers in your household, or adult teenagers over 18 or adults in their 20s or family visiting. It is very difficult to know exactly who is going to be in the household the whole time, understanding that it takes a considerable amount of time, as it should, to go through those processes and checks and balances.

One would like to think that one's own family of course would be free of criminal checks or problems, but people do have boarders stay with them and, as I said, people come and visit and there can be any number of adults in a household at any given time. We also see multiple families living in some dwellings in certain areas. I ask the minister whether he has taken that into consideration and how can he ensure that this information will be current and accurate?

Mr REEVES: People who put in an expression of interest are expected to update their information. After two years that will lapse and they will have to renew it. Bear in mind that it is only when they get to the assessment stage that individual personal histories will be examined. It is the responsibility of the people who are putting in an expression of interest to update the information to ensure that it is accurate.

Clause 69, as read, agreed to.

Clause 70, as read, agreed to.

Clause 71—

Mr DEMPSEY (8.56 pm): Clause 71 provides for other requirements for expressing an interest. Subsection (3) states—

A regulation may set a fee payable for an information session or other thing relating to a requirement under this section.

Subsection (3) states that the department can make prospective adoptive parents attend a compulsory information session and then charge the parents to attend that session. I ask the minister: is this another unnecessary revenue-raising exercise with adoption fees? As for the mention of 'other thing relating to a requirement under this section', what else could the department require potential adoptive parents to do? Can the minister provide some examples in relation to those other things?

Mr REEVES: It will be a user-pays fee for the services if we so choose to charge a fee. This is also so that we have the ability to charge fees for requirements that prospective international countries might put on our prospective adoptive parents.

Mr DEMPSEY: What is the likely fee to be charged for attending these sessions?

Mr REEVES: It is not the intention to charge a fee for these initially, but the ability is there if the need arises for a user-pays fee to be implemented.

Clause 71, as read, agreed to.

Clauses 72 to 75, as read, agreed to.

Clause 76—

Mr DEMPSEY (8.59 pm): In relation to the eligibility for inclusion in register, clause 76(1)(g)(iii) states that a person is eligible to have his or her name entered or remain in the expression of interest register if the person has a spouse who has been the person's spouse for at least two years. Could the

minister please explain why de facto couples are eligible to adopt a child—and I know we have been through this previously—after two years yet step-parents who already have the child in their custody must wait three years to be eligible to adopt their own stepchildren? One would hope that an assessed eligible couple would be one that was in a relationship for more than three years. Many boards that require professionals to sit on them ask that those professionals have at least five years experience. How has the state government come to the conclusion that two years in a committed relationship makes a de facto couple able to be responsible for the life and wellbeing of a child? Likewise, how has the department decided that three years is the appropriate waiting time for step-parents, considering a married couple with stepchildren have already shown a great deal of commitment to the family unit and may have already been in a de facto relationship for many years before marriage? Why then must they wait another year to adopt children they are already familiar with?

I also ask the minister: what if an adopting couple separate? As we have seen in relation to the difference in laws applying to a de facto couple separating and a married couple separating, a de facto can basically split, for want of a better word—leave the relationship. That is a line in relation to financial requirements and commitment to the whole family network and relationship. However, even though a married couple may separate from the family unit, they still have financial and contractual stipulations and so forth placed upon them. In the circumstance that they become two single parents, what are the ramifications then in relation to an adopted child?

Alternatively, if a heterosexual couple adopting a child separate and one of them enters into a same-sex relationship, will the government remove the child from both parents because of this choice? Does the department have systems in place to monitor in case these situations do occur? If a de facto couple who have applied for an adopted child decide to marry while they are waiting for the adoption process, will they be struck off the list and forced to wait a further two years? Can recently married couples count their years as a de facto couple on their application to adopt children? Considering that the majority of married couples and step-parents were previously in de facto relationships before getting married, why then are de facto couples able to adopt sooner than a step-parent? It comes back to fairness and to the lack of statistical data presented with this bill to determine the action of this legislation.

Mr REEVES: I refer to my reply speech. The member for Bundaberg said before that it would be great if I answered the question; I have actually answered all of the questions. The reality is that a de facto couple in a relationship of under two years will wait about three years before they have any chance of international adoption or local adoption, whereas a step-parent has the child already there. So the reality is that the de facto or married couple will wait longer anyway.

Clause 76, as read agreed to.

Clauses 77 to 88, as read, agreed to.

Clause 89—

Mr DEMPSEY (9.04 pm): Clause 89 is entitled 'Selection to meet needs of a particular child'. I will not read the whole clause for the benefit of members on the government side. Subclause (6) states—

A person may be selected under this section even if the person—

(a) does not have a conforming expression of interest; or

(b) is not listed in the expression of interest register; or

(c) does not have a spouse.

I ask the minister: does this clause actually allow people with a criminal, domestic violence or bad traffic history to adopt Aboriginal and Torres Strait Islander children because of cultural sensitivity? The act would allow the chief executive to place an Aboriginal or Torres Strait Islander child with a single person with a criminal history because they are in the same language group or community. Considering that the explanatory notes state on page 17 that the chief executive must particularly take into account the criminal, domestic violence and traffic history of the person or of an adult member of the household and a person's attitudes towards road safety is vital for the chief executive's deliberations about whether a person is suitable to be an adoptive parent, why are we suddenly walking away from this vital requirement? Does this clause not actually lower the bar and have the potential to cause further damage and provide an easy option for hard to place children?

Mr REEVES: The same checks and balances that we do on every potential adoptive parent will be done on all of these under these categories.

Mrs STUCKEY: Clause 89, generally speaking, is about the selection to meet the needs of a particular child. After reading all of the sections in that clause I do not see anywhere addressing the needs of a child with special needs. I keep raising this because, as I said earlier, there is really not a lot of focus on the child in this legislation. There is a lot of focus on the suitability of the parent and a lot about the legal process.

I have grave concerns. As I said before, with my background in paediatric nursing, I really understand the infinite needs of kids who do have not just a medical condition but perhaps some behavioural problems developing as well through trauma and things associated with that. I guess I am asking if the minister actually does have a selection criteria or something that he can tell us is going to ensure that the special needs of these children are met as well.

Mr REEVES: The reality is that, if there is no-one listed as suitable on the adoptive parents register who is likely to meet the anticipated placement needs, the chief executive may select anyone who the chief executive considers is likely to meet the anticipated placement needs. For example, if a child has a disability the chief executive may select one or more persons who have expressed an interest in adopting a child with a disability. Likewise, if the child is an Aboriginal or Torres Strait Islander, the chief executive may select for assessment a person from the child's community or language group.

Clause 89, as read, agreed to.

Clauses 90 and 91, as read, agreed to.

Insertion of new clause—

Mr DEMPSEY (9.08 pm): I move the following amendment—

8 After part 5, division 1 hdg

At page 65, after line 5—

insert—

'91A Adoption of an adult stepchild

'(1) A person who is an adult may, with the person's consent, be adopted under this Act by a step-parent of the person if the chief executive accepts the step-parent's application under this part.

'(2) For the purpose of an adoption mentioned in subsection (1), a reference in this Act to a child includes an adult.'.

I rise to speak about amendment No. 8, clause 92, 'Application by person wishing to adopt stepchild'. This amendment and the following amendment allow for the adoption of an adult stepchild. This amendment inserts a new clause, clause 91—

Mr DEPUTY SPEAKER (Mr Wendt): Order! Amendment No. 8?

Mr DEMPSEY: Yes, amendment No. 8.

Mr DEPUTY SPEAKER: Order! You said No. 9 before. You confused us.

Mr DEMPSEY: Sorry, proposed new clause 91A. It is actually inserted above clause 92.

Mr DEPUTY SPEAKER: But it is amendment No. 8?

Mr DEMPSEY: It is an insertion. This amendment and the following amendment allow for the adoption of an adult stepchild. This amendment seeks to insert a new clause, clause 91A. Under this bill a stepchild can only be adopted by a parent if they are between the ages of five and 17 although the chief executive can make provision for a 17-year-old to be adopted if the process will be finished by the time they turn 18.

Adoption is a serious legal process which sees a child cease to be the child of one family as they are legally adopted by another family. In circumstances where a birth parent has remarried and the child and the step-parent have formed a strong bond they may wish to formalise this relationship and give it legal recognition that the child is the legal child of a step-parent. However, this legislation will not allow this to happen.

Queensland step-parents cannot formalise their legal relationship with their stepson or stepdaughter if the child is an adult. As previously stated tonight, this can lead to situations where some siblings are adopted while older children miss out. I ask the minister whether all the legal implications for the adoption of the adult son or daughter have been considered? In 2006-07 three out of every four adoptions in Australia were by step-parents—that is, 76 per cent. Some 16 of the 104 known adoptions including children 18 years and older were from New South Wales, WA and Tasmania. Why should consenting adult children not be allowed to be a part of a family and adopted by their step-parent?

Mr REEVES: The same reasons I did not support amendment No. 2 apply here. The proposal to enable an adult to be adopted by his or her step-parents is inconsistent with the main object of the bill which is to provide for the adoption of children in Queensland. It is also inconsistent with the contemporary purpose of the Adoption Bill.

Non-government amendment (Mr Dempsey) negatived.

Clause 92—

Mr DEMPSEY (9.12 pm): I move the following amendment—

9 Clause 92 (Who may apply)

Page 65, line 23 to page 66, line 7—

omit, insert—

'(i) the child is at least 5 years old.

'(2) In this section—'.

Clause 92 prevents a person from adopting a stepchild who is over the age of 18. Like the previous amendment, this change allows for a consenting adult stepchild to be adopted by a step-parent. The current act allows for some siblings to be adopted by a step-parent who has developed a long-term loving bond with their stepchildren. However, this bill also discriminates against older stepchildren and prevents them from being formally adopted by their step-parent.

In many states of Australia the adoption of adult children is relatively common. The main reason an adult stepchild and their step-parent may seek adoption is to formalise the relationship, provide for inheritance purposes and for adults who may be unable to care for themselves due to a medical condition or disability. These are three very important and valid reasons that explain why the adoption of adult stepchildren should be allowed in Queensland.

This amendment would provide certainty to stepfamilies which include an adult child with a disability. The birth parent can take comfort from the fact that the relationship between the adult child and their step-parent is legally recognised and their welfare will be protected into the future. This amendment will provide certainty for step-parents who want their stepchild to receive inheritance and allow for parents of stepchildren to formalise their relationship and recognise the importance of this. Will the minister allow this amendment so that consenting adult children can be adopted by their step-parents?

Mr REEVES: No, as per my previous statement on the last amendment.

Non-government amendment (Mr Dempsey) negatived.

Clause 92, as read, agreed to.

Clauses 93 to 98, as read, agreed to.

Clause 99—

Mr DEMPSEY (9.15 pm): I refer to clause 99, 'All consents not obtained.' Subclause 99(1)(c) refers to if the chief executive cannot locate a parent after making all reasonable inquiries. Can the minister detail the definition of 'reasonable inquiries' in relation to obtaining that consent? Who will carry out the search to find a parent and obtain consent?

Previously I have highlighted the implication of the different definitions of what is reasonable and the need for the community to have full confidence in this bill and the department. We have heard previously that court proceedings may be delayed and adjourned because of the lack of proper definition. Once again, I ask the minister to put on the record what the definition of reasonable inquiries is.

Mr REEVES: I think I have been reasonable in answering those questions previously. I refer the member to the previous statements in that regard.

Mr Seeney: That's a bit weak.

Mr DEPUTY SPEAKER (Mr Wendt): Order! I call the member for Bundaberg.

Honourable members interjected.

Mr DEPUTY SPEAKER: Order! The member for Bundaberg has the call.

Mr DEMPSEY: It is a specific clause relating to all consents not obtained. It talks about locating a parent after all reasonable inquiries. Once again, these inquiries may be made by the department. It is at the discretion of the CEO to determine what is reasonable. The chief executive officer of Child Safety Services might have a different definition of what is reasonable in terms of obtaining consent in comparison to what the court sees as reasonable. What is reasonable according to the department of child safety? We do not want to touch on what is reasonable in the court system. What steps would the department take in a practical sense to achieve the reasonable inquiries?

Mr REEVES: As per the 15 or 16 times I have answered this, it is the same answer. The chief executive will decide the reasonableness of trying to obtain consent.

Mr DEMPSEY: I refer to openness and not putting undue pressure on the department. We need to make sure that there are reasonable circumstances under which that consent is obtained. If we do not do that, like a lot of things passed by this government, it will be tested over time in terms of its openness and accountability. To the best of our ability we need to protect the department and the hardworking people in the department in this legislation that has been 10 years in the making. By doing that it sends a message that this Adoption Bill is being presented in an open and transparent way.

Mr REEVES: As I have said previously, I am comfortable and confident that the department is professional enough to make a judgement on a particular case and make any reasonable inquiries that they need to.

Clause 99, as read, agreed to.

Clauses 100 to 117, as read, agreed to.

Interruption.

MOTION

Suspension of Standing and Sessional Orders

Hon. JC SPENCE (Sunnybank—ALP) (Leader of the House) (9.19 pm), by leave, without notice: I move—

That, notwithstanding anything contained in the standing and sessional orders for this day's sitting, the House can continue to meet past 10 pm to consider government business until the adjournment is moved to be followed by a 30-minute adjournment debate.

Question put—That the motion be agreed to.

Motion agreed to.

ADOPTION BILL

Consideration in Detail

Resumed.

Clause 118—

Mr DEMPSEY (9.20 pm): Clause 118 deals with consultation with appropriate Aboriginal and Torres Strait Islander persons. I will not read the whole clause, but can the minister give examples of who would be considered an appropriate community member to consult? Does the department have a suitable person in each community or language group? Considering that the department may have a person or representative in that community, how are these people assessed before they take on that role?

Mr REEVES: I give the member the example of a recognised entity.

Mr DEMPSEY: To have confidence in relation to this bill, how are these people actually assessed to take on the role of the local identity?

Mr REEVES: Not only is the member questioning the professionalism of the staff; he is now questioning recognised entities. I will let people know that.

Mr DEMPSEY: I am asking the minister to say how these people are assessed in taking up that role. Now that he has the piece of paper in front of him, he should be able to read out some practical examples.

Mr REEVES: Okay. I will read out what this says—to be a recognised entity.

Clause 118, as read, agreed to.

Clause 119—

Mr DEMPSEY (9.21 pm): I move the following amendment—

10 Clause 119 (Other information gathering)

At page 79, after line 25—

insert—

'(2) The chief executive must take steps to obtain information in the ways mentioned in subsection (1)(a), (c), (e), (g) and (i).'.

Clause 119 relates to other information and states—

The chief executive may make enquiries and gather information in other ways the chief executive considers appropriate, including any of the following—

(a) talking with the person;

(b) asking the person to attend and participate in a workshop or similar educational activity conducted by the department;

(c) visiting the person's home;

(d) talking with members of the person's family or household;

(e) talking with referees nominated by the person;

(f) talking with anyone else with information relevant to the person's suitability;

(g) obtaining expert advice about relevant health, psychological or social matters;

(h) asking the person to prepare documents, for example, a profile of the person's family;

(i) lawfully obtaining information from the department or other departments.

This amendment asks that the chief executive must take steps—not may take steps—in relation to adoption. This amendment inserts a new subsection stating that the chief executive, as I stated, must undertake—not may undertake—certain steps to determine an adoptive applicant's suitability. Shouldn't talking to the applicant, actually visiting the home the child would reside in, talking with other members of the household, talking to referees the person has nominated, obtaining expert advice about relevant health, psychological and social matters and lawfully obtaining information from the department or other departments be a minimum standard and something that the chief executive must do when assessing a prospective adoptive parent, not something that the chief executive can choose to do or merely obtain from information by a phone call? A reasonable person would think that this is a vital part of assessing the suitability of an adoptive parent and their ability to provide a loving and caring environment for an adoptive child. By amending this bill to state 'must' instead of 'may' we are setting a minimum standard in line with community expectations that the chief executive must meet. I ask the minister to take the amendment on board in relation to a simple word change and community expectations.

Mr REEVES: This clause is couched in the broadest terms so that the chief executive can make inquiries and gather information in other ways the chief executive considers appropriate. This is not a full list. There might be other ways that the chief executive can do that, and that is why it is written as such.

Mr DEMPSEY: By simply changing the word from 'must' to 'may' it puts the onus on the chief executive to achieve basic requirements such as visiting the home, speaking to people in the household, speaking to neighbours and obtaining relevant health and psychological welfare details. One would think that these would be basic requirements and something that must be done, not may be done. By inserting the word 'may' there is the possibility that, particularly if these inquiries are made by telephone, information may not be properly obtained. It really does seem to lower the standard of information gathering in relation to the important issue of adoption of children in Queensland.

Mr REEVES: Obviously if, for example, someone has already adopted two or three children, then this type of information has already been gained. That is another reason why it is open in that regard. I have full confidence that, when we present it to the Children's Court, we would have to present a number of those items to prove that these people would be suitable to become adoptive parents.

Mr DEMPSEY: I understand the requirements of the chief executive and that the department will do all it can to present the evidence to the court system. However, changing it to 'must' is putting a balance and a symbol on that clause to show that the community expectations are that this minimum standard must be met. We can have 'may' in relation to a number of other checks and balances and a number of other issues to present evidence to court, but a general community member would think that visiting the home, talking to people there, talking to a neighbour or obtaining health or psychological data would be a must, not a may. Again, by doing this we are supporting the people within the department and not putting them in an onerous position where when we get to court we weaken the determination of the evidence presented because we can simply say, 'Oh, no, we only may have to do this. It's not that we must.'

I have a fear that sometimes when work gets very hard and the case files and everything else builds up people can resort to an easy option of 'may'. It is always interesting when we see the words 'a requirement' or 'a request' and the influence of that later on in court action. Replacing the word 'may' with 'must' really strengthens the overall bill and presents this bill to the people of Queensland that Child Safety and the chief executive are being fair dinkum about getting the minimum standards in place to be able to present it to court.

Non-government amendment (Mr Dempsey) negatived.

Clause 119, as read, agreed to.

Clause 120, as read, agreed to.

Clause 121—

Mr DEMPSEY (9.29 pm): I move the following amendment—

11 Clause 121 (Unacceptable risk of harm)

Page 80, lines 23 to 25—

omit.

Clause 121 relates to an unacceptable risk of harm. It states—

The chief executive must decide there is an unacceptable risk for subsection (1) if the person or an adult member of the person's household ... has been convicted of a serious offence... Subsection (3)(c) does not apply if the chief executive is satisfied it is an exceptional case in which it would not harm the best interests of a child to be adopted by the person.

This clause allows for a person who has committed a serious offence to adopt a child if the chief executive is satisfied that it is an exceptional case in which it would not harm the best interests of the child to be adopted by that person. This amendment removes all of subclause (4) as it relates to subclause (3)(c). Again, the amendment raises the bar high, as it should be, in relation to adoption practices.

What evidence does the chief executive require to be satisfied that it is an exceptional case and that it would not harm the best interests of the child to be adopted by someone who has been convicted of a serious offence? If the person has already been convicted by a judge or a jury of committing a serious offence, what criteria will the chief executive use in deciding whether to ignore a guilty verdict made by a judge or a jury? Do we really have to lower the bar this far to find suitable adoptive parents for approximately 90 children a year in Queensland?

Again, I do not mean to be suspicious, but has this clause been included to cater for the expected future demand owing to the One Chance at Childhood policy, when we consider that currently there are 7,500 children in care, 25 per cent of whom are Aboriginal and Torres Strait Islander children who will be harder to place with suitable adoptive parents in their communities?

Mr REEVES: Once again, the premise is incorrect. The amendment proposed by the member for Bundaberg is not supported. The provisions in the Adoption Bill that relate to considering a person's criminal history in determining whether a person should be disqualified from further consideration as a prospective adoptive parent mirror the blue card scheme under the Commission for Children and Young People and Child Guardian Act 2000. If a person can be granted a blue card, that person can be further considered for suitability as a prospective adoptive parent. If a person cannot be granted a blue card under the Commission for Children and Young People and Child Guardian Act, the person cannot be an adoptive parent. This is an appropriate standard. The government cannot support this amendment.

Mr DEMPSEY: Once again, why do we need to lower the bar in relation to allowing a person who has committed a serious offence an extra opportunity to be able to adopt a child? With the millions of dollars that are going into Child Safety—I think a record budget of $638 million this financial year—we need to make sure that we get the appropriate people and that the proper resources are put into making sure that we are able to find those appropriate people. By not agreeing to this amendment, we are lowering the standard of people who are able to adopt.

Again, one really has to be suspicious about why we even have to go in this direction when we are talking about a small number of children—90 children in Queensland adopted last year. Surely we should not have to be adopting children out to serious offenders within our community.

Non-government amendment (Mr Dempsey) negatived.

Clause 121, as read, agreed to.

Clauses 122 to 149, as read, agreed to.

Clause 150—

Mr DEMPSEY (9.34 pm): Clause 150 relates to the consequence of a successful appeal. I ask the minister: considering that the bill overrides the provisions of the Anti-Discrimination Act and the Traffic Act and reveals a person's criminal history and allows the chief executive to examine someone's health records, why can this relevant information supplied by the Police Commissioner not be used? Considering that this information has already been vetted by the Police Commissioner, why is it that this information can be left out when we are getting every other department to supply the evidence?

Mr REEVES: My understanding is that clause 150 provides that if a Magistrates Court sets aside the Police Commissioner's decision under clause 147 and if the chief executive decides that the person is not suitable, then the chief executive must set aside that decision and must reassess the person. An assessment must then be carried out with regard to the relevant information.

Mr DEMPSEY: I appreciate the minister reading out the clause, which I tried to not do. Once again, considering that this information has already been vetted and that we are obtaining information by overriding the Anti-Discrimination Act and the Traffic Act and that we are delving into health records and criminal history, why is it that this information is left out?

Clause 150, as read, agreed to.

Clauses 151 to 166, as read, agreed to.

Clause 167—

Mr POWELL (9.37 pm): Again, I am seeking some clarification. In relation to my earlier question about clause 45, I talked about the postadoption service. These adoption plans, which appear in this clause, will be driven by the postadoption service. I seek clarification as to whether some of the practical ways to address the matters mentioned in subclause (a) would include trauma counselling.

I realise that the minister cannot give an indication on a case-by-case basis, but can the minister give an indication of the kind of funding that we are talking about for the postadoption service? For example, foster and kinship care services are funded on a $5,000 to $10,000 per child in care basis plus child related costs. What sort of funding are we talking about for each adoptive case?

Mr REEVES: In relation to trauma counselling, that will be available. Obviously, I do not have the figures for each individual case here, because it would be calculated on a case-by-case basis. That support might be a counselling session. Some people might need three, four or five counselling sessions. We have promised $1.2 million over three years to provide postadoption services.

Clause 167, as read, agreed to.

Clauses 168 to 197, as read, agreed to.

Clause 198—

Mr REEVES (9.39 pm): I move the following amendment—

1 Clause 198 (Chief executive to supervise child's wellbeing and interests)

Page 118, after line 28—

insert—

'(3) The chief executive may, by written notice, require the prospective adoptive parents to pay the fee prescribed under a regulation for the supervision.

'(4) The notice must state the time, not less than 30 days after the notice is given, by which the fee must be paid.'.

Clause 198 of the bill applies in relation to a child brought to Queensland from another country to be adopted in Queensland under arrangements made between the chief executive and the competent authority for the other country. This clause provides that the chief executive must supervise the child's wellbeing and interests while the child is in the custody of the prospective adoptive parents in the circumstances stated in the clause. In this case supervision must take place, therefore a supervision fee will always be payable. It is proposed to amend this clause to insert subclauses (3) and (4) which provide that the chief executive may by written notice require the prospective adoptive parents to pay the fee prescribed under the regulation for supervision. The notice must state the time not less than 30 days after the notice is given by which the fee must be paid.

Amendment agreed to.

Clause 198, as amended, agreed to.

Clauses 199 to 227, as read, agreed to.

Clauses 228 to 234, as read, agreed to.

Clause 235—

Mr DEMPSEY (9.41 pm): Clause 235 refers to the separate legal representation of a child. This section applies to proceedings on an application for an order under this act. If the Children's Court considers that it is in the child's best interests for the child to be separately represented by a lawyer the court may—there is that word again—order that the child be separately represented by a lawyer and make the other orders it considers necessary to secure the child's separate legal representation. This clause states that if the Children's Court considers that it is in the child's best interest for the child to be separately represented by a lawyer the court may appoint separate legal representation.

There should be no if or may about it. The requirement for legal consultation needs to be mandatory. As previously stated this evening, a child has the right, under the United Nations Convention on the Rights of the Child, to have legal representation at any time that government seeks to intrude upon or affect a child's rights in any way. Will the minister be changing this clause to abide by the Convention on the Rights of the Child?

Mr REEVES: As I said previously, I believe that this adoption legislation does have the intent of Article 12 of the United Nations Convention on the Rights of the Child. I remind the member for Bundaberg that what he is saying is that if a step-parent wants to adopt their children they have to get separate legal representation for the child as well as the parent. That is the reality of what he is saying.

Mr DEMPSEY: What we are actually saying here is that the rights of the child under the international convention is to make sure that they are protected, not weaselled out of by words such as 'if' or 'may'. By doing that we are strengthening the act, an act that has been 10 years in the making, that supposedly has had a great deal of consultation. What it would do is raise the standard of this act and actually promote it to the people of Queensland as a more open and transparent process for the adoption of children, keeping in mind the rights of all involved.

Clause 235, as read, agreed to.

Clauses 236 to 241, as read, agreed to.

Clause 242—

Mr DEMPSEY (9.44 pm): Clause 242 relates to costs. The parties to a proceeding in the Children's Court for an order must pay their own costs of the proceedings. It is great that we actually have a 'must', not a 'may' or an 'if'. This government puts a 'must' when it is trying to get money out of people. Considering that the high number of children in care come from a low socioeconomic background this clause may put the legal rights of parents out of reach. Can the minister advise what measures are in place to assist disadvantaged parents in accessing Legal Aid?

Mr REEVES: The member said it in his final two words: Legal Aid is available in the Children's Court.

Mr DEMPSEY: Considering the onerous tasks already placed on Legal Aid and considering the old adage that justice delayed is justice denied, one would think that placing a child through an adoption process as speedily as possible would be in the best long-term interests of that child. Considering that we are sending these people to Legal Aid, and as previously stated we are only talking about possibly 90 people throughout the whole state of Queensland, one would think it would be incumbent on the department to ensure that these people's rights are maintained throughout the whole process. Can the minister at least guarantee that if these people are unable to find legal aid in a timely manner, or there is some other conflict of interest, that the department will look at obtaining legal advice to assist these people bearing in mind that this low socioeconomic section of the community may not be able to afford the advantages of other members of the community.

Mr REEVES: It is a matter for Legal Aid to decide whether it will provide legal support. Legal support would be a lot cheaper in the Children's Court than in the Supreme Court. One minute the member is saying Child Safety is making all the decisions, now he is saying Child Safety should provide legal support. That would be a conflict.

Mr DEMPSEY: There are two points that the minister has raised. Obviously they have nothing to do with answering my question. The bill states they must pay their own costs of the proceedings. When we are talking about low socioeconomic people in the community who may or may not have a lot of difficulties in life, the bill does not say 'may' or 'if' or 'maybe'; it says 'must'. They have to get legal advice. They will be provided with Legal Aid services. It must be incumbent on the department to make sure all the rights of those people are respected.

The minister mentioned the difference between the Children's Court and the Supreme Court. Whether or not evidence is presented, people still must have legal representation and must have all their rights properly represented. The minister stated that it would be more cumbersome on a person to go to the Supreme Court. If it means the difference of a child being scarred for life or the consent of a parent taken from them without all the possibilities and checks and balances put in place, what cost is that to that child? What is the cost of the long-term stability of that child within the community? It is very harsh to say on the one hand we want to help but on the other hand to say they should go and get their own legal advice. If they do not go and seek Legal Aid then what are they to do? Turn up to the Children's Court by themselves, maybe with other people and other family members, and be stood over by a court process? When I say 'stood over', it is the perception that they are turning up to represent themselves. What type of community are we trying to promote when we cannot actually give proper legal advice to the most disadvantaged people within our community? As we are talking about such a small number of people in the community, we need to especially make sure that proper finances are put in place.

Clause 242, as read, agreed to.

Clauses 243 to 249, as read, agreed to.

Clause 250—

Mr DEMPSEY (9.50 pm): Clause 250 refers to birth parents and who is a biological father. The clause states that someone can be named the biological father of a child on the balance of probabilities. How does the chief executive form this balance of probabilities? Is there at least a paternity test done? If the man cannot be located, what other evidence is this decision based on or is it just based on the word of the birth mother?

Mr REEVES: I thank the honourable member for the question. Obviously, a decision could be made on the balance of probabilities following DNA testing. As I said in my speech, there may exist a letter that the mother sent to the father when the child was born, or later for that matter. There might be evidence to show that the person named on the birth certificate was not living in the town at the time of conception. There is a range of things that can occur. It will depend on the information gathered at the time of the adoption. There could be DNA evidence.

Clause 250, as read, agreed to.

Clauses 251 to 266, as read, agreed to.

Clause 267—

Mr DEMPSEY (9.52 pm): I move the following amendment—

14 Clause 267 (Request by pre-adoption sibling)

Page 149, lines 25 to 30—

omit, insert—

'(3) The chief executive must not give information in compliance with the request if a birth parent of the adopted person has made a contact statement that the birth parent does not wish to be contacted by the adopted person.'.

Clause 267 relates to requests by pre-adoption siblings. The amendment addresses the discrepancy and the unfairness between the adoptions that occurred pre-1991 and those that occurred post-1991. As the former minister for child safety said in the introduction to the report titled *Balancing privacy and access: adoption consultation*, a key element of the Bligh government's Q2 strategy is to create a fairer Queensland. That report aimed to create a fair balance between competing interests. The amendment aims to eliminate the situation where there were two different rules, one for those adopted before 1 June 1991 and one for those adopted after that date. However, this section only applies to one group, that is, those adopted before 1991.

How is it possible to have two different outcomes for committing the same offence? For one group, those involved in a pre-1991 adoption, breaking a contact statement can result in a $10,000 fine or two years imprisonment. A person involved in a post-1991 adoption can commit the same offence without any legal penalty. Can the minister tell me how this fits in with the government's Q2 strategy of creating a fairer Queensland for all?

Mr REEVES: I thank the honourable member for the question. This goes to the heart of one of the most contentious parts of the bill. I cannot support the amendment because in part 11 of the bill provisions are made to safeguard the interests of the people affected by adoption orders made prior to 1 June 1991, because only adoption orders made in relation to those people were done so with the expectation that privacy would be maintained after the adoption. Every adoption after 1 June 1991 occurred under the legislation that was passed by this House in 1991, based on principles of open adoption. In this regard the intent of the bill is quite clear. Since 1991 the intent of the legislation regarding adoptions that occurred after 1 June 1991 has been quite clear.

Mr DEMPSEY: Debating a new adoption bill gives us an opportunity to restructure the whole offence. There is a discrepancy in having one law affecting community members involved in adoptions pre-1991 and another affecting those involved in adoptions post-1991. We have the opportunity to standardise the law. We know that, since the introduction of the 1991 legislation and the regulations that that legislation put in place, it has become very hard to commit an offence. For the sake of simplicity we can standardise the law so that for anyone who breaches the contact statements the consequences are the same, regardless of the year in which their adoption took place. Having two sets of laws clouds the Adoption Bill and, in some ways, takes away from the feeling of a fresh new start for adoption laws. This Adoption Bill will affect many generations to come and we keep going back to the past all the time. This gives us an opportunity to create one law that represents all Queenslanders, instead of having one law for pre-1991 adoptions and another for post-1991 adoptions.

Mr REEVES: I think the member for Bundaberg answered his own question by saying, 'We keep going back to the past'. It is clear. Everyone knows what occurred in June 1991. It was very well publicised. Anyone who has become an adoptive parent since that time knows what the legislation is currently. That is why we are continuing to support that.

Non-government amendment (Mr Dempsey) negatived.

Clause 267, as read, agreed to.

Clauses 268 to 270, as read, agreed to.

Clause 271—

Mr DEMPSEY (9.58 pm): In relation to clause 271(3)(a), considering the emotional nature of this conversation I believe it is wrong that this clause allows the officer the option to just telephone the applicant when it is really a conversation that should be had in person. The clause does not specify that

this phone call should be made only in extenuating circumstances such as when the applicant is a certain distance from the closest office. I believe the intent of this bill is to allow for phone interviews to happen only if a personal interview cannot happen. I hope that this is carried out in this way and not abused by the department. Can the minister assure me that the officer will speak to the applicant by telephone only in exceptional circumstances?

Mr REEVES: Yes.

Clause 271, as read, agreed to.

Clause 272—

Mr POWELL (10.00 pm): Clause 272 is in relation to the offence about contact for pre-June 1991 adoptions. A lot of the feedback we have received in our electorate offices is about concerns for those pre-1991 adoptions and people contacting them despite their requests not to be contacted. Some of the concerns are about advice that they have received from those adopted post-1991 who have put in statements that they do not want to be contacted and have subsequently been contacted. They have put in complaints but action has not necessarily been undertaken. Does the minister have at hand, or do his advisers have at hand, any information as to how many people have been convicted of this offence of contacting those post-June 1991 after they have lodged a request not to be contacted?

Mr REEVES: One person.

Mr POWELL: Thank you, Minister.

Clause 272, as read, agreed to.

Clause 273—

Mr DEMPSEY (10.01 pm): Clause 273 is about currency and revocation of contact statements. The clause states—

(1) This section applies to a contact statement given by a person to the chief executive.

(2) The contact statement continues in force until it is revoked by the person or the person dies.

(3) The person may revoke the contact statement by giving the chief executive a signed notice of revocation in the approved form.

As the contact statement ends as soon as the objecting person dies, what is the department doing to protect the grieving family from the now legal intrusion by the applicant? As an example, a mother who has objected to contact by her son passes away without telling the family that she has had a child that was adopted out. There is risk that the adopted child who has accessed the identifying information can learn of the deceased mother's funeral and attend and even somewhat callously approach the family at this time. There are many other scenarios that could take place that I have discussed with key lobby groups. Does the minister believe that the department should be proactive and contact the objectors and notify them of the possibility that the applicant will have every right to contact their family or friends upon their death? This at least gives the objector the opportunity to raise the matter with their family if they wish so there are no nasty surprises in the future.

Another safeguard would be for the chief executive to contact the applicant upon the revocation of the contact statement and discuss the need for sensitivity if approaching the grieving family. The chief executive could also notify the applicant of the postadoption service and the role it can play in reuniting families. Does the minister believe that the department should play a role in ensuring that the family of an objector is spared callous intrusion following the revocation of a contact statement? What is the minister doing to relieve these concerns?

Mr REEVES: In that regard we would refer people to the postadoption support services, which we are establishing, to assist people who may come across that particular issue that the member for Bundaberg referred to.

Mr DEMPSEY: In relation to postadoption services, I note that there was a request for applications in the *Courier-Mail* a number of months ago. Is the minister able to avail this House of the time frame as to when positions would become available and where those positions would be located? Obviously for this postadoption service to be done properly it really needs resources put into it. I thank the department for going out and searching for these positions before this bill is passed in the House. But I still have some concerns as to the overall financial assistance that this postadoption service will be provided with and its locations to meet the needs of all Queenslanders, not just people in Brisbane.

Mr REEVES: I was going to give a scoop in the third reading but I will give the scoop now. Once this bill is hopefully passed tonight, there is a new initiative to help people involved in the process. I am pleased to advise that the government has committed $1.2 million over three years to provide postadoption support services for people affected by adoption. The Benevolent Society will receive $500,000 in 2009-10 for the first year of operation of a postadoption service, then $400,000 in the second year and $300,000 in the third year. Despite these tough economic times, the Bligh government is delivering on our commitment and maintaining our essential child protection service.

The state-wide postadoption service will provide information, support and counselling to those affected by past or present adoptions in Queensland. The adoption support service will have a free call 1300 telephone helpline and face-to-face counselling will be provided. The new adoption support service will also help people to prepare the documents they need to lodge with the government about whether or not they want to be contacted by their birth parents or their child who was adopted, mediate in discussions between people involved in adoption issues and refer people who need help with mental health issues to appropriate services. There will be local counsellors in the south-east and North Queensland as well as training in adoption issues for health professionals and counsellors. The postadoption service is an important element of the modern adoption system that we are putting in place hopefully here tonight.

I value the work of community partners. Without organisations such as the Benevolent Society, the task of providing a better life for our children would be even more difficult. This is just another example of the Bligh government standing by its election commitments and providing funding for valuable front-line services. I thank the member for the question.

Mrs CUNNINGHAM: I seek clarification. At the risk of the Benevolent Society having a heart attack, could the minister clarify the amount for this year?

Mr REEVES: $500,000. It is a lot more this year because they have set-up costs.

Mr DEMPSEY: In relation to the financial assistance for the postadoption service, in comparison to other states throughout Australia, does the minister know whether this funding will be able to sustain this program for the long-term requirements of those people who have been affected by adoption? And is the 1300 number available for mobiles?

Mr REEVES: That is a private joke. The 1300 number will be provided for mobiles. All of those other numbers the member mentioned are provided for all mobiles. Anyway, that is another story. The Benevolent Society is an excellent organisation. I am confident that it will provide a great service. I think it is part of a modern adoption process to have postadoption services like this. I am very proud to announce that tonight in answer to the member's question.

Clause 273, as read, agreed to.

Clause 274—

Mr DEMPSEY (10.08 pm): Clause 274 is in relation to persons making contact statements presumed to be living. I specifically refer to subsection (3)(c), which states—

the chief executive is aware of information indicating the person has died or may have died.

I get caught on these 'mays' and 'musts'. Subsection (4) states—

Otherwise, the chief executive is not required to take steps at any time to determine whether the person is still alive.

This clause ensures that the chief executive has no requirement to check to see if a contact statement is still valid when an application is made for identifying information. Subclause (c) states that the chief executive may have to check only if he is aware of any information indicating the person has died, as subclause (4) states that the chief executive is not required to take steps at any time to determine whether the person is actually still alive. Considering that the chief executive can enter into special arrangements with the births, deaths and marriages register, is it not in the best interests of the chief executive to arrange to be notified by the registrar of the death of a person with a contact statement for the benefit of the person's family as well as the applicant?

Mr REEVES: I understand your question. I thank the member for that. The reality is that we have a transient population and this person might even pass away overseas. We will have an arrangement with the Births, Deaths and Marriages Registry in Queensland. It is difficult when we have a transient population; people might travel interstate or they could be overseas. We will endeavour to make it as current as possible.

Mr DEMPSEY: Surely with the computerisation of departments and the millions of dollars spent over time, and considering the close links between a number of government departments and the births, deaths and marriages registers already in place, it would be possible to simply have a check on the computer so that when someone passes away who is known to the department of child safety the chief executive is notified? Once again, if we can get that information early in the piece, hopefully we should be able to avoid people having the surprise of people turning up—dare I say—at funerals and so forth. By simply having that check in place we may be able to avoid a lot of pain and suffering.

Mr REEVES: The short answer is that in Queensland we can achieve that state-wide. Australia-wide there is no national database in that regard. I would prefer to put the money into services rather than putting it into creating a national database or convince the other states to get the ball rolling. I can mention it to my national counterparts when we meet in September.

Clause 274, as read, agreed to.

Clauses 275 to 277, as read, agreed to.

Insertion of new clause—

Mr DEMPSEY (10.11 pm): I move the following amendment—

20 After clause 277

At page 158, after line 28—

insert—

'277A Review of current objections

'(1) The ombudsman must conduct an audit of all current objections to determine whether any of the objections were made fraudulently.

'(2) The audit must be started within 6 months after the commencement of this part and must be completed within 6 months after the audit is started.

'(3) The ombudsman must give a report about the audit to the Minister who must table it in the Legislative Assembly.

'(4) The report must not include a name or other information that identifies, or is likely to lead to the identification of, an individual as a party to an adoption or as a person who made or purported to make an objection or was the subject of an objection.

'(5) In this section—

current objection see section 343(3).'.

The amendment inserts new clause 277A, Review of current objections. Subclause (1) states—

(1) The ombudsman must conduct an audit of all current objections to determine whether any of the objections were made fraudulently.

(2) The audit must be started within 6 months after the commencement of this part and must be completed within 6 months after the audit is started.

(3) The ombudsman must give a report about the audit to the Minister who must table it in the Legislative Assembly.

(4) The report must not include a name or other information that identifies, or is likely to lead to the identification of, an individual as a party to an adoption or as a person who made or purported to make an objection or was the subject of an objection.

(5) In this section—

Current objection see section 343(3).

For the sake of accountability, in the interests of openness and considering that this government has already acknowledged the existence of fraudulent objections in letters which I have previously tabled, I ask that this clause be included in the bill to show again that this government is committed to openness and accountability.

Mr REEVES: I thank the honourable member. The clause proposed by the member for Bundaberg is unnecessary. If a member or any other person has evidence of fraud in relation to objections that were lodged under the Adoption of Children Act 1964 then I encourage that person to provide the evidence to the department or the police for investigation. Any evidence of particular incidents of fraud will be fully investigated and acted upon.

There are approximately 3,000 objections. If we said that we had to do 3,000 investigations, can the member imagine the cost of that? It is true that there is a small number of instances in which Child Safety Services has identified an irregularity with regard to objections lodged under the act. In all cases these irregularities were fully investigated and able to be explained and rectified. In response to these instances, Child Safety Services instituted measures to ensure the validity of objections by requiring people lodging objection forms to provide certified copies of two forms of identification, a justice of the peace to sign the two forms of identification when witnessing a person's signature, people lodging objection forms to declare their individual name on the form and staff to compare the signature on the objection form with the signature provided on the certified copy. For these reasons, the audit processes of the member for Bundaberg are not required, not necessary and very costly, and the amendment cannot be supported.

Mr DEMPSEY: What cost do we put on openness and accountability? In an environment about creating jobs, jobs, jobs for this state, one would think that the benefits of openness and accountability in relation to this Adoption Bill would be far in excess of the need to not support this proposed clause.

Mr REEVES: I think those opposite are the last people to talk about accountability. I think we are up to day 14; we are still waiting for the list.

Non-government amendment (Mr Dempsey) negatived.

Clauses 278 to 297, as read, agreed to.

Clause 298—

Mr REEVES (10.17 pm): I move the following amendment—

2 Clause 298 (Chief executive to have limited supervision of adopted children)

Page 173, after line 16—

insert—

'(2A) If the chief executive carries out the supervision, the chief executive may, by written notice, require the child's adoptive parents to pay the fee prescribed under a regulation for the supervision.

'(2B) The notice must state the time, not less than 30 days after the notice is given, by which the fee must be paid.'.

Amendment agreed to.

Clause 298, as amended, agreed to.

Clauses 299 to 310, as read, agreed to.

Clause 311—

Mr DEMPSEY (10.17 pm): Clause 311, 'Limitation on time for starting summary proceeding'. This clause obviously highlights what we previously tried to achieve in the amendments that have not been supported in the House. It states—

A proceeding for a summary offence against this Act by way of summary proceeding under the Justices Act 1886 must start—

(a) within 1 year after the commission of the offence; or

(b) within 1 year after the offence comes to the complainant's knowledge, but within 2 years after the commission of the offence.

This clause prohibits anyone, government or otherwise, from being held accountable and facing prosecution over fraudulent objections to information being released regarding pre-1991 adoptions. Considering this government has acknowledged the existence of fraudulent objections from the early 1990s, this clause basically gives everyone who has lodged one of these fraudulent objections a get-out-of-jail-free card. This government has already legislated that it has no liability for offences under this act and is now writing off people it knows have committed fraud. This would seem to go against all of the principles of justice and our judicial system. I ask the minister: why will no-one be held accountable for the 1990s fraudulent objections?

Mr REEVES: I thank the honourable member for the question. If anyone has any evidence of fraudulent activities with regard to objections or contact statements then they should please refer them to the department or police who have the appropriate authority.

Mr DEMPSEY: Are you stating that no-one has presented any evidence of fraudulent orders to this state government over the last number of years?

Mr REEVES: What I said before, if the member was listening, is that there have been a small number of instances in which Child Safety Services identified irregularities with objections lodged. In all of these cases these irregularities were fully investigated and able to be explained and rectified.

Mr DEMPSEY: I am getting used to certain words and descriptions this evening. As I asked previously, has an offence actually been committed? If so, has any action been taken against those people? If a person did not know anything about this legislation and simply looked at it they would think that this change to the legislation allows people who may or may not have committed an offence a clean slate. That can be seen as a fresh start in terms of the Adoption Bill. But it needs to be recognised that if an offence has been committed, no matter what type of offence, and evidence has been presented to this government, that all the necessary steps have to be taken to make sure that justice has been served for the people of Queensland. I do not think we should avoid our responsibility in that regard.

Mr REEVES: I thank the honourable member for the question. It is my understanding that nobody has been charged with fraud. Some people identify irregularities under the summary offences legislation and the Criminal Code where there is no statute of limitation. If people have any evidence they should continue to bring it forward.

Clause 311, as read, agreed to.

Clauses 312 to 324, as read, agreed to.

Clause 325—

Mr DEMPSEY (10.22 pm): Clause 325 relates to assistance to adoptive parents and others. Subsection (1) states that the chief executive may make payments or give other assistance to adoptive parents or other persons if the chief executive considers it is necessary to do so to ensure the wellbeing and best interests of the adopted child. Subsection (2) states that subsection (1) has effect in relation to paying an amount subject to appropriation by parliament of an amount for that purpose.

The question I direct to the minister in relation to assistance to adoptive parents and others is this: while I support the intention to ensure the best interests of the child are maintained I seek a reassurance that this clause will not be abused and used as an incentive to convince foster-parents to become adoptive parents. Carers play an important role in our society. I thank them for their contribution. I fear that these people are so giving and desperately want to help children in need that they will be pushed into adoption and leave an irreplaceable hole in this state's foster care resources.

Throughout the bill there are several clauses that state that people who cannot meet the fees required as an adoptive parent will not be considered suitable. However, this clause indicates that not all people who will adopt children will be financially or independently able to raise a child in a healthy, loving and caring environment. Can the minister confirm that this clause will not lead to a situation such as the one in America, for example, where cash bonuses are given as an incentive for adoptions.

Mr REEVES: I can confirm that that will not be happen.

Clause 325, as read, agreed to.

Clauses 326 to 365, as read, agreed to.

Mr DEMPSEY (10.26 pm): First of all, I would like to thank you, Madam Deputy Speaker Johnstone, for supporting the passage of the bill through the House this evening. I would also like to thank the minister for his cooperation and the advice and assistance from his staff. In particular, I thank Shane Bevis who obviously put his heart and soul into what we see before us this evening.

I would particularly like to thank members from both sides of the House for their input in relation to this bill. It is an area that will significantly effect future generations. I think the more openness and transparency—I will keep saying those words until I have turned blue in the face—we have the better. The stigma associated with adoption throughout the years and the bad things that have been reported in media circles, as well as through the many inquiries conducted in Queensland and across the nation, have really diminished the excellent results that can be achieved through adoption. I thank everybody involved for their commitment and dedication. I would like to thank the staff of the opposition office for their support and guidance.

Clauses 366 to 367, as read, agreed to.

Clause 368, as read, agreed to.

Schedule 1, as read, agreed to.

Schedule 2—

Mr REEVES (10.28 pm): I move the following amendment—

3 Schedule 2 (Consequential amendments)

Page 232, lines 1 to 5—

omit, insert—

'Right to Information Act 2009

'1 Schedule 3, section 12(1), second dot point—

omit, insert—

- '*Adoption Act 2009*, section 314'.'.

The schedule of consequential amendments to the Adoption Bill contains an amendment to the Freedom of Information Act 1992. Since I introduced the Adoption Bill into parliament the Freedom of Information Act 1992 has been repealed and the Right to Information Act 2009 now operates in its place. The consequential amendments relate to schedule 3 of the Right to Information Act 2009 which sets out the type of information disclosure which the parliament has considered would on balance be contrary to the public interest.

This includes information that is prohibited from the disclosure of the acts that are listed in the schedule. The amendment I propose to schedule 2 of the Adoption Bill replaces a reference to confidentiality provisions of the Adoption of Children Act 1964 with reference to the corresponding confidentiality sections of the Adoption Bill—that is, section 314 of the Adoption Bill 2009.

Amendment agreed to.

Schedule 2, as amended, agreed to.

Schedule 3, as read, agreed to.

Third Reading

Hon. PG REEVES (Mansfield—ALP) (Minister for Child Safety and Minister for Sport) (10.30 pm): Before I move the third reading, I want to thank all of those people involved in the debate. I thank the shadow spokesperson, particularly for that good little speech he made in that last clause to give me a break. I thank all of the advisers and the departmental officers for everything that they do. I move—

That the bill, as amended, be now read a third time.

Question put—That the bill, as amended, be now read a third time.

Motion agreed to.

Bill read a third time.

Long Title

Hon. PG REEVES (Mansfield—ALP) (Minister for Child Safety and Minister for Sport) (10.31 pm): I move—

That the long title of the bill be agreed to.

Question put—That the long title of the bill be agreed to.

Motion agreed to.

ADJOURNMENT

Hon. JC SPENCE (Sunnybank—ALP) (Leader of the House) (10.31 pm): I move—

That the House do now adjourn.

M1 Upgrade

Ms BATES (Mudgeeraba—LNP) (10.31 pm): According to the Oxford dictionary, 'fast-track' is to develop, complete or advance something with great speed. Therefore, I ask the Minister for Main Roads what his interpretation of fast-track is? Some $158 million in funding was announced in December 2008 to fast-track the widening of the M1 between Nerang and Worongary, and yesterday there was a further announcement of the same long-awaited upgrade to commence mid-2010 and to be completed in 2012. According to the website of the department of main roads, tenders are not going to be called for this project until the fourth quarter of this year. Clearly this project is not being undertaken with great speed. Further, it is extraordinary that this small stretch of road—a mere four kilometres—will take two years to construct and will only serve to move the congestion from the Nerang South interchange further south to Gooding Drive.

Given this government's abysmal record in road building, I call on the minister to put the lives of Gold Coast motorists first and approve the installation of interim safety barriers on this most dangerous section of the M1 between Nerang and Mudgeeraba before another life is lost. We need barriers for the entire eight kilometres of the M1 from Nerang to Mudgeeraba and not just the four-kilometre portion that will eventually be upgraded with the six laning. We have endured three ministers for main roads over the past three years and still motorists continue to die on this dangerous motorway with no safety barriers. Former main roads minister Warren Pitt recognised the need for safety barriers and had them installed in the Coomera area following similar fatalities. Warren Pitt said—

Wire rope and other safety barriers ... significantly reduced the risk of crashes involving vehicles crossing to the wrong side of the road.

It is time for the minister to stop grandstanding on this issue. Safety barriers save lives. It is as simple as that. I call on the minister when he comes to the Gold Coast this Friday to open the long-awaited Nerang South interchange, which is seven years too late, to actually go for a drive both north and south on the M1 between Nerang and Mudgeeraba to see for himself what Gold Coast motorists have to drive on every day and then ask himself this: what price does this government put on a life? Families and motorists demand action now. Enough is enough!

Bribie Island, Q150

Mrs SULLIVAN (Pumicestone—ALP) (10.34 pm): This year we celebrate the state's 150th birthday. Many communities around Queensland have received state government funding to host events focusing on Queensland's history. One such event was the launching of 16 bronze heritage plaques along a self-guided walk around historic Bongaree at Bribie Island. The plaques were the brainchild of Bribie Island Rotarian and local historian Barry Clark. They honour the pioneers of Bribie Island and the families of those pioneers, some of whom joined us at the official opening this month, and they were absolutely delighted to have their heritage recognised. Descendents of the interesting snippets of history recorded on the bronze plaques include Bill Schulte, grandson of Bill Shirley, the first councillor

of Bribie Island in 1933, and Harold Meston, great-grandson of Archibald Meston, explorer and MP from 1878 to 1882 in the 8th Queensland Parliament. Harold, a renowned poet, penned a poem about Archie to celebrate the occasion and I want to take a couple of quotes from that poem. It states—

From the northern rivers up to the cape
He ventured on a virgin track,
Heedless of the landscape's shape—
Undaunted by the fearsome black;
Bribie, Fraser, Bellenden Kerr,
The first to recognise the worth—
Their skills, their strength, their laws—
Of those inhabiting this earth
Ere whites despoiled these shores.
A writer one could not ignore—
A man of truth and vision—
Protector, wit and raconteur,
Explorer, politician.

2009 is a year of celebration. It is a chance to celebrate our people, our places and our stories. The state government granted the Rotary Club of Bribie Island Inc. $5,730 towards the heritage plaques, and it is money well spent. The club has done much to lift the profile of the rich history of this area such as the restoration of World War II structures at Woorim, the Ian Fairweather plaque 2004 and a Bongaree Heritage Walkabout free brochure which has now been updated with a new brochure titled *Bribie Island Heritage Plaques*, along with a comprehensive booklet describing the plaque's history—I shall make sure the Parliamentary Library gets a copy—and now there is this waterfront heritage trail of plaques.

These imperative plaques honour the people who went before and remind us of where we came from and how we too can shape the future we want for this beautiful part of Queensland. Bribie's history is now more visible. Those who have lived on Bribie a lifetime have seen many changes but, because of its history, Bribie remains a cradle site of Queensland. This was Matthew Flinders's first landfall in Moreton Bay in 1799. He must have been impressed because, as local historian Margaret Guthrie, author of *The First Tourist* has said, he spent 11 of the 16 days in Moreton Bay based on the island. I congratulate everyone involved in this project. Obviously it has been led by Bribie Island Rotary under the guidance of Barry Clark with assistance from his U3A students. Barry has recently helped establish the Bribie Island Historical Society Inc. and its patron, local identity Warwick Outram, who has recorded the island's history for over 35 years including 12 books, also helped with the wording of the bronze plaques. His latest book is on display in the Parliamentary Library and worth a read.

My husband Jon and I moved to Bribie Island 25 years ago and our lives have been enriched during those years by people like Margaret Guthrie and Warwick Outram and now Barry Clark, a relative newcomer to the island, although he sounds like he has been there a lifetime. I want to add my thanks to the council that installed the plaques along the Bongaree foreshore. The Hon. Desley Boyle, the Minister for Local Government, visited Bribie Island last Friday and paid tribute to Barry Clark after viewing the plaques. She, like myself, congratulated all of those individuals and community groups involved in a job well done.

Schoolchildren, Safety

Mr BLEIJIE (Kawana—LNP) (10.37 pm): I rise this evening to follow up on a previous speech that I made in this chamber on 20 May this year with regard to traffic safety and in particular a school close to my heart, Meridan State College. Some time ago I was contacted by members of the P&C from the school with respect to a road safety issue. The main intersection outside Meridan college has a set of traffic signals and, due to the road network around the school, motorists often do U-turns at the lights, which in this case is illegal. I have raised this issue in the parliament before, but I do have an update for the House. Due to the proximity of the footpath, these U-turns—apart from being illegal—are highly dangerous. I did come up with a solution for this unacceptable problem, and that was to have a 'No U-turn' sign made available. I table a copy for members opposite of me standing with my sign.

Tabled paper: Photograph of the member for Kawana [725].

Neither the state government nor the local government wanted to claim responsibility for the road or traffic lights. I subsequently met with the regional director for Main Roads on 27 May and raised this matter with him. I was advised that the department did not want to put a sign on the busy intersection as this would set a precedent for other signs to be erected and that motorists should know the road rules.

By the level of interjection I received from those opposite last time I spoke about this issue, I would think that they were affirming this position. I agree with the argument that motorists should know the road rules. But would the department use that excuse when a student is hit by a car? I think not. Well, motorists also know that speeding is illegal. But do we stop the police from using speed cameras and radar guns to prevent and educate our drivers about the dangers of speeding and the simple fact that it is illegal? No! From the conversation I had with the department of main roads, I came to the

conclusion that it was going to be hard to get this sign erected. But I nearly had an accident myself two weeks ago. Driving along Bowman Road in my colleague's electorate of Caloundra, imagine my surprise when I saw a 'No U-turn' sign at a traffic light. Oh, the irony of all of this! If it was not so serious, it would be funny!

I table photographs of the sign and the intersection to show the department and the minister that this is indeed the case—a no U-turn sign.

Tabled paper: Bundle of photographs of an intersection [726].

The government was telling me that it will not put up a sign to save a child's life because it sets a dangerous precedent. I say to the minister: here is your precedent. Here is the precedent that the department has set—not my precedent; your department's precedent.

One could attempt to blame the council, but more digging into this issue reveals that this is not a council road; it is, in fact, a main road. I table for the benefit of members opposite a copy of the Main Roads regional map showing that Bowman Road is on the state grid.

Tabled paper: Queensland Government Department of Main Roads map of the North Coast Region [727].

Now that the minister's own department has set the precedent, I call on the Minister for Main Roads to immediately call the Main Roads branch on the Sunshine Coast and order that a no U-turn sign be erected at Meridan State College before a child is seriously injured.

I say to members opposite: heed my warning. The government is on notice. We have the sign made. It has now set the precedent it has so furiously protected. Now just get on with the job and erect the sign.

Crestmead Community Centre

Mrs SCOTT (Woodridge—ALP) (10.40 pm): The Crestmead Community Centre is nestled behind residential properties in parkland, much of it undeveloped, with an off-leash dog area, a skate bowl, and a children's playground. For many years the community has complained about trail bikes in the area and at times there have been graffiti outbreaks, vandalism and even a deliberately lit fire that destroyed the hall some years ago. This is a fast-growing residential area that has the highest percentage of youth population in the state and a number of schools nearby. The area is working class, with a delightful multicultural community, many of whom are Pacific Islander families.

The community centre is a hub of activity with many great programs, including a fantastic 40+ Club. This centre has been the recipient of Community Renewal funding on a number of occasions, both for enlarging and upgrading the facility as well as for programs. The latest addition to the Crestmead centre has been the construction of a youth hub, which has been a partnership between the Community Renewal program and the Logan City Council.

I want to pay particular tribute to Sergeant Mel Cowie, who is branch manager of the centre. Mel has steered the development of programs for the centre long before being officially appointed and long before the centre was completed. I remember seeing Mel at the nearby Crestmead State School on election day greeting parents and inviting them to bring their children to the centre. She has been getting to know the local young people and is forming a relationship with many in the area.

Programs already underway include art classes, boxing, hip-hop, drama, funsports, ladies boxercize, kickboxing, music programs, playgroup, martial arts and wrestling. There are also free drop-in nights and a youth activities group for younger children. Programs in the planning include basketball, a bike challenge and a bike safety program, computer classes, jujitsu, karate, numeracy and literacy classes, sewing, scrapbooking, a holiday club and a walking group. It is clear that this centre is aimed at engaging with the whole community.

Mel is a very dedicated PCYC youth worker with many years experience in the Logan-Beenleigh area. She understands the needs of young people. She has boundless energy and infinite ideas for engagement with young people, particularly those who may be considered at risk. Mel has already received funding from the Gambling Community Benefit Fund and Zig Zag to purchase a 14-seater bus, which is now in operation, and is seeking funding for a second youth worker. Volunteers are offering their skills and Mel has also been joined by a trainee.

A recent event was held at the centre with the Minister for Police, the Hon. Neil Roberts, Police Commissioner Bob Atkinson, Assistant Commissioner Paul Wilson and many other officers and PCYC staff, the Logan Mayor, Pam Parker, Councillor Phil Pidgeon, council officers, Community Renewal officers, community centre staff and many other interested parties in attendance. The event was to celebrate the new PCYC program and to recognise Mel Cowie's exceptional efforts. Both Speaker John Mickel and I have long advocated that this centre be a PCYC and it is clear that this will be a fantastic addition to the existing facilities.

Maroon State School; Moran, Mr K and Walsh, Mr J

Mr McLINDON (Beaudesert—LNP) (10.43 pm): Those who have visited the Beaudesert region in the past few years will understand that it produces some of the finest wines in Queensland and that it also boasts some of the most scenic parts of this state. Unfortunately, over the past few years, when it comes to government funding, the old Beauie region has drawn the short straw. Quite honestly, I am sick and tired of it.

The maternity ward was closed down in 2001 and we are left with 800 mothers who are stranded and pushed to the Logan Hospital and the Ipswich Hospital. The passenger rail faded out in 1996. Now we have one bus service—the 540—that leaves Beaudesert at 6.10 am to plug into the Browns Plains service. I remind members that Beaudesert is the second fastest growing region in Queensland and that it is being neglected completely on all fronts.

To rub salt into the wound, what is happening now? There are 12 schools across the state that are earmarked for viability reports into whether they will continue. Unfortunately, two of those schools fall within the Beaudesert electorate. Tonight I want to highlight specifically the need for the continuation of the Maroon State School, which I attended with parents and citizens last Friday night, 14 August. I congratulate Desley Brassington, the executive director for education in the Moreton East district, who was extremely professional in her conduct and who explained the process to the parents and citizens on that night. I must remind the minister that in the next 18 months a further six students will attend this 14-student school. I recall in his maiden speech the member for Toowoomba North said that he was taught in a school that had some 15 students. So he will understand the importance of small schools in rural and regional Queensland.

How can the government give just 12 weeks notice to a school that is going from strength to strength? I would like to see a cost comparison between shutting down the school and reopening it in two years time after realising that the government has made a mistake and continuing to leave the doors open. This is not just a school; it is a community. There were about 40 or 50 people who attended that school last Friday night. They were past students, parents and citizens. They know that this school is viable.

I ask the minister to come out to the area and see that this is not just a school. It would rip the heart out of this community if the school were to be closed. It does not need a viability report. The school would speak for itself if the minister cared to call the principal to find out that there is going to be continued growth in the region. There will be some 18,000 jobs at Bromelton over the next 10 to 15 years. I certainly think that this is a key school in the area that needs to remain open.

I would also like to acknowledge the passing of two local legends, Ken Moran and Jim Walsh, who were both born in 1925. Ken was bound to a wheelchair after contracting polio at the age of 20. In 1984 he upgraded to an electric wheelchair and all the kids in his street were happy to share in that. I would like to acknowledge those two legends of the Beaudesert region for everything that they contributed, as they were Beauie boys for their entire lives.

Radio Pacifika

Ms van LITSENBURG (Redcliffe—ALP) (10.46 pm): Radio Pacifika, Queensland's first Polynesian radio station, was launched on Friday in Redcliffe with great fanfare and celebration. The large Polynesian community in the Redcliffe area capped off formalities, which included a welcome to country by Uncle Alan Bird and a prayer by Pastor Semi Meo, with a traditional lunch.

The establishment of the commercial AM station was achieved through a Skilling Queenslanders for Work project auspiced by the Moreton Bay Media Group. The licence was achieved as part of this project. Ten young people spent 15 weeks learning to create business plans, consult with stakeholders, establish databases, promote the station, prepare and produce scripts and take part in live on-air trials, interviews and program announcements. During this time they also developed their self-confidence and team-working skills, work ethics, goal setting and resumé writing skills, which are a hallmark of people who go through the Skilling Queenslanders for Work programs. These skills are also what make many Skilling Queenslanders for Work graduates so successful.

The President of the Moreton Bay Media Group, Sonia Moore, with board member Sean Keppie shared their expertise by tutoring the young people to a high level of competency in a range of radio skills. The Moreton Bay Media Group very generously made a fully equipped studio, previously used by their community station 99.7FM, available for the new radio station. The Polynesian community raised the money to revamp the interior of the building completely, so it is now a bright workplace with modern facilities.

The graduates of the program developed skills in all areas of radio production and specialised in one or more areas. Their commitment and dedication to the project has meant that every one of them will continue to volunteer at the radio station. Some have decided to put their careers on hold to continue to participate in running Radio Pacifika.

The professional positions at the radio station have been filled by people with many years of experience in radio. Manager Peter Virtue, Assistant Manager Tavito Timalau, Sales Manager James Moore and President Hanaman Hunt will provide strong management that will develop the radio station into a highly professional organisation that will carry the culture and traditions of a wide variety of Polynesian cultures to people making new lives in South-East Queensland.

I am proud to be part of a Labor government that empowers communities to develop valuable resources such as Radio Pacifika and ensures that community members are able to gain skills to develop these resources. More importantly, these people also increased their likelihood of gaining employment and improving their own lives and the lives of their families into the future.

Native Animal Injuries

Mrs CUNNINGHAM (Gladstone—Ind) (10.49 pm): The plight of native animals injured in urban areas, especially macropods, concerns the residents in my electorate and, more particularly, Boyne Tannum. In years gone by departmental officers turned out to these injuries but as the departments have become more hands off it has become more difficult to identify who is actually responsible.

Mr Bleijie: It is a shame.

Mrs CUNNINGHAM: It is a shame. Over time police have turned out to these problems and humanely euthanased the animal. However, more and more often we are getting calls to our local council to respond to injured animals in urban areas. There are a few problems with that. They do not have the right of entry powers of other inspectors and officers who traditionally have had the responsibility of managing these injuries. The police are also much more circumspect in the way they discharge firearms in urban areas. The RSPCA and other wildlife carer groups are being expected to step into the breach more and more often.

I am advised that the departmental focus has changed. Departmental officers used to be able to discharge remote injection firearm devices but with the hands-off attitude that does not occur any more. Additionally, as the department has moved away from the core area of animal management to concentrate on conservation, the situation has devolved more and more down to local care groups. I am advised that the RSPCA has been funded for this particular responsibility. However, the closest full-time officer to my electorate is situated at Rockhampton and by the time that person can be deployed, if indeed they are available to be deployed, the response time is unacceptable both to the welfare of the animal and also to my community.

People in my electorate believe that the Department of Environment and Resource Management and DPI, whoever shares that responsibility now, need to create capacity in agencies and provide these voluntary groups with not only the skills and abilities but also the resources, including the funding, to do the job. Local vets respond wonderfully to situations when they can. I guess while there are people in the community prepared to respond the department will let them do it. It has become a more focused problem. There have been articles in the paper where residents are quite distressed at the amount of time an animal has been left suffering. There needs to be clarification as to both the line of responsibility and also the funding and resourcing of that responsibility so that members of the community, as well as those who have to step into the breach, know that they are supported by this government.

Plummer, Mrs E

Mr WETTENHALL (Barron River—ALP) (10.52 pm): This evening I would like to pay tribute to the life of Elizabeth Plummer, a courageous Cairns woman who lost her five-year battle with cancer on 14 July this year at the age of 58. A fighter to the end, Liz Plummer was a key figure in the campaign to bring improved cancer services to Cairns. She was born in 1951 in Greece and migrated with her family to Australia in 1955. She first lived in Perth before meeting her husband Max Plummer in Canberra in 1978, marrying a year later. She moved to Cairns in 1980 working for TAA and then Qantas, then switching her talents to helping to find work for long-term unemployed young people in 1999 following the upbringing of her children and retirement from Qantas.

Liz was diagnosed with cancer in 2004 and underwent treatment in Townsville. She went into remission in 2005 but then began her campaign to seek government support for radiation oncology services in Cairns. I first met Liz at her home when I was a candidate in 2006. Following that meeting I was moved to write to then Premier Beattie highlighting the difficulties encountered by those people who had to travel away from home, family and friends to receive cancer treatment in Townsville or Brisbane.

Cancer returned late in 2005 and Liz went public with her goal of establishing radiation oncology services at Cairns Base Hospital. There was overwhelming support from patients, their relatives and friends and the wider community who backed her idea. Liz became the voice and face of the Committee for Oncology Unit Cairns Hospital or COUCH. Co-founded by Liz and Max Plummer, Pip and Charles Woodward and Bob McGill in September 2006, COUCH campaigned for radiation oncology services to be made available in Cairns. Happily the campaign was successful, with the government deciding to

provide those services. Liz's legacy will live on, with Premier Anna Bligh visiting her earlier this year to announce the government would fast-track construction of new radiation oncology facilities in Cairns. Due for completion in late 2010, the centre will be a lasting testament to Liz's efforts in campaigning for those facilities in Cairns. Fittingly the new centre will be known as the Liz Plummer Oncology Unit.

Now that the Bligh government has committed to the provision of those facilities as part of the redevelopment of the Cairns Base Hospital, $600,000 raised by COUCH to date can be used for health and wellbeing services to complement the new treatment facilities. Liz was an inspiration and on behalf of the far northern community I express our gratitude for her achievements and our condolences to her husband Max and her children, extended family and friends.

South East Queensland Regional Plan, Indooroopilly

Mr EMERSON (Indooroopilly—LNP) (10.55 pm): With the state government's revised South East Queensland Regional Plan targeting the suburb of Indooroopilly for higher density it is vital that there is adequate nearby additional green space for all residents new and old in the years ahead. Any higher density in Indooroopilly must be centred on the railway station so that it maximises the use of public transport and does not add to traffic congestion, coupled with an effort to enhance green space and preserve the lifestyle that makes Brisbane so attractive.

Earlier this month the state government announced that it would preserve a road reserve at Long Pocket which borders Indooroopilly. This was a small but welcome step. Unfortunately, it leaves the adjacent 11-hectare site currently occupied by a DPI research facility vulnerable to development. The Bligh government has repeatedly refused to rule out selling off this DPI site at Meiers Road for development when the research facility moves out in 2011. Given the higher density targets I have mentioned, it is vital that the DPI site is preserved as green space. The same applies to the neighbouring six-hectare CSIRO site owned by the federal government. I understand that the Rudd government's sale by tender of the CSIRO site unveiled in February has failed with a lack of interest from buyers due to the global financial crisis. A new 'for sale' sign has now gone up. The failure to sell this land now gives the Rudd government the opportunity to take the lead in preserving the land as green space and the Bligh government should follow with its DPI site.

Announcing the preservation of the road reserve the Premier said that she was aware of the local community's concerns. The Premier said she shared their concerns to preserve the natural habitat in the area and was committed to maintaining green space and expanding parkland in Brisbane. The Premier can demonstrate that commitment by preserving the DPI site. If the Premier needs further evidence of the community's concern she should look to the comments on the *Westside News* website by local residents reacting to the government's announcement. One resident wrote that it was vital that the Premier outline the extent of the green space she is committed to preserving. She said the Premier must assure local residents that all of this important CSIRO and DPI land will be retained in the public interest—

> One would hope she will encourage, indeed demand, Commonwealth support of this measure. After all, the bottom line is the land belongs to all Australians.

Another local resident said Long Pocket needed to be preserved in its entirety—

> Its real value is as thoughtfully maintained green space for recreation, ecotourism and the good health of our city.

The Premier says she is listening to the concerns of locals about this area. I urge the Premier to act on those local concerns and preserve the DPI site for green space and join with me in lobbying the federal government to preserve the CSIRO site.

Coomera Community Child Health Centre

Hon. MM KEECH (Albert—ALP) (10.58 pm): Recently, on behalf of the health minister, I had the pleasure of opening the Bligh government's brand-new Coomera Community Child Health Centre in Upper Coomera, one of Australia's fastest-growing suburbs. While the population on the Gold Coast is projected to age over the next decade, in Albert we are seeing a very different growth pattern with a high concentration of young working families under the age of 45 years calling the northern Gold Coast home. In fact, over the next 25 years the population of the northern Gold Coast corridor is projected to grow at an average annual rate of more than four per cent, compared to just 1.8 per cent for the South-East Queensland corner. When it comes to catering for the growth in the number of young families arriving in Albert, I am very proud that the Bligh government is thinking outside the traditional health model by developing community centres like the one I opened at Upper Coomera. It is based on a model that argues that the best health care need not necessarily always be delivered in a large hospital setting. Busy families tell me that they want health services that are best quality but that are handy and easy to get to. That is exactly what the Bligh government has delivered with the new community child health centre at Upper Coomera.

The centre has been operating since August last year and provides essential services to mothers and their newborn babies and toddlers. Since opening, the centre has been extremely busy, providing nearly 1,000 assessments to infants and toddlers from birth to three years of age, and it has also provided access to a social worker to 12 families. My visit to the centre occurred during its very popular drop-in clinic service. I got to meet some of Albert's youngest and cutest new residents, including the beautiful Sophie Evans and her mum Jennifer. It was wonderful to see a constant stream of mums, dads, big brothers and sisters proudly bringing new babies along to the clinic to make the most of this excellent service. I enjoyed meeting the centre's hardworking staff and later presented them with a certificate to congratulate them on the wonderful service they provide for our community.

I was most impressed with Linda Watson and her team of professionals, who are so dedicated to the health and wellbeing of their little patients and their families. As they arrived, every parent and baby was warmly welcomed by name and the new parents were immediately made to feel very welcome. The popular service is clear evidence that the Bligh government is delivering essential health services and infrastructure for a growing population when, where and how it is needed most. I am very proud that, in line with our Q2 vision to make Queensland Australia's healthiest state, the health needs of all Albert residents are being very well provided for by the new Bligh government's Coomera Community Child Health Centre at Upper Coomera.

Question put—That the motion be agreed to.

Motion agreed to.

The House adjourned at 11.01 pm.

ATTENDANCE

Attwood, Bates, Bleijie, Bligh, Boyle, Choi, Crandon, Cripps, Croft, Cunningham, Darling, Davis, Dempsey, Dick, Dickson, Douglas, Dowling, Elmes, Emerson, Farmer, Finn, Foley, Fraser, Gibson, Grace, Hinchliffe, Hobbs, Hoolihan, Hopper, Horan, Jarratt, Johnson, Johnstone, Jones, Keech, Kiernan, Kilburn, Knuth, Langbroek, Lawlor, Lucas, McArdle, McLindon, Male, Malone, Menkens, Mickel, Miller, Moorhead, Mulherin, Nelson-Carr, Nicholls, Nolan, O'Brien, O'Neill, Palaszczuk, Pitt, Powell, Pratt, Reeves, Rickuss, Roberts, Robertson, Robinson, Ryan, Schwarten, Scott, Seeney, Shine, Simpson, Smith, Sorensen, Spence, Springborg, Stevens, Struthers, Stuckey, Sullivan, van Litsenburg, Wallace, Watt, Wellington, Wells, Wendt, Wettenhall, Wilson