



# RECORD OF PROCEEDINGS

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## TUESDAY, 1 SEPTEMBER 2009

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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.

### 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: 26 August 2009

"A Bill for An Act to amend the Corrective Services Act 2006, the Penalties and Sentences Act 1992 and the Police Powers and Responsibilities Act 2000 for particular purposes, and to repeal the Sporting Bodies' Property Holding Act 1975"

"A Bill for An Act to amend the Property Law Act 1974 and the Duties Act 2001 for particular purposes"

"A Bill for An Act to amend the Coroners Act 2003, the Births, Deaths and Marriages Registration Act 2003 and the Cremations Act 2003 for particular purposes"

"A Bill for An Act to make provision about the adoption of children and to make related amendments of the Adoption of Children Act 1964, the Births, Deaths and Marriages Registration Act 2003 and the Child Protection Act 1999 and to make consequential amendments of other Acts as stated in schedule 2"

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  
26 August 2009

*Tabled paper:* Letter from the Governor to the Speaker dated 26 August 2009 advising of assent to bills [\[768\]](#).

### ADDRESS-IN-REPLY

#### Presentation to Governor

**Mr SPEAKER:** I have to inform the House that Her Excellency the Governor will be pleased to receive the Address-in-Reply at Government House on Friday, 9 October 2009 at 9.30 am. I invite all honourable members to accompany me on the occasion of its presentation.

### SPEAKER'S RULINGS

#### Sub Judice

**Mr SPEAKER:** All members would be aware of a high-profile matter involving a former member currently pending criminal proceedings. This matter has caused considerable public comment outside the House. It is a matter for the courts to regulate debate in the community that may amount to contempt of those proceedings.

However, because the matters are pending in criminal courts it is vital that no debate occurs in this House. Standing order 233 lays down certain clear principles and rules in respect of matters pending in courts exercising a criminal jurisdiction. The matter should not be referred to in motion, debate or question from when the charge is laid to verdict, sentence or judgement.

I make it clear to all members that I intend to enforce standing order 233 rigidly and have issued an instruction to all deputy speakers to be similarly vigilant in its application.

### Sub Judice, Petition

**Mr SPEAKER:** In line with previous rulings, I have today instructed the Clerk to not present a petition touching upon a matter currently before the courts until that matter is resolved pursuant to standing order 233.

### PRIVILEGE

#### Speaker's Ruling, Comments by the Minister for Public Works and Information and Communication Technology

**Mr SPEAKER:** On Thursday, 20 August 2009 the honourable member for Currumbin wrote to me seeking to have a comment made in the House the previous day by the honourable the Minister for Public Works and Information and Communication Technology referred to the Members' Ethics and Parliamentary Privileges Committee.

The member alleges that the comment was insulting and offensive and the latter part of the comment amounted to a threat against her life. I have perused the *Record of Proceedings* and viewed the video of the proceedings in question. Whilst the member may find the comment a personal reflection, the member did not take a point of order at the time in accordance with standing order 234 and seek a withdrawal as required by standing order 234(3).

As to the allegation of a threat, I do not consider there is any way in which the minister's comment can be construed to constitute a threat of any kind against the member. Such a claim is simply unjustifiable.

This is a House of robust debate. If a member feels that a matter goes beyond the realms of proper robust debate and they have been personally offended then they should take immediate action under standing order 234. There is nothing that the member has placed before me that warrants reference to the MEPPC and I will not be referring it to the committee.

### PETITIONS

The following honourable member has lodged a paper petition for presentation—

#### Walsh River, Sand Mining

**Mr O'Brien**, from 275 petitioners, requesting the House to stop the application by TERM to establish sand mining in the Walsh River [\[769\]](#).

The following honourable members have lodged e-petitions which are now closed and presented—

#### Proposed Cooloola Recreation Area, Vehicle Access Permits

**Mr Gibson**, a paper and an e-petition totalling 1,634 petitioners, requesting the House to ensure there are no restrictions on access to the environment by not imposing a vehicle access permit in the proposed Cooloola Recreation Area [\[770, 771\]](#).

#### Burdekin Campus

**Mrs Menkens**, from 163 petitioners, requesting the House to oppose any downgrading or closure of the Burdekin Campus, and strongly recommend it revert to its original charter in the provision of basic technical and practical training for post Year 10 students in relevant tropical crops and livestock production [\[772\]](#).

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—

21 August 2009—

[763](#) Queensland Corrective Services—Final Report: July 2008—March 2009

[764](#) Response from the Minister for Natural Resources, Mines and Energy and Minister for Trade (Mr Robertson) to an ePetition (1184-08) sponsored by Ms Male from 4541 petitioners requesting that no mining applications be granted on the Steve Irwin Wildlife Reserve

28 August 2009—

[765](#) Quarterly Report to the Attorney-General and Minister for Industrial Relations (1 April to 30 June 2009)—Activities carried out by the Queensland Workplace Rights Office

31 August 2009—

[766](#) Law, Justice and Safety Committee: Issues Paper—Inquiry into alcohol-related violence in Queensland—August 2009

[767](#) Report by the Minister for Infrastructure and Planning (Mr Hinchliffe), pursuant to s3.6.9 of the Integrated Planning Act 1997, in relation to the Ministerial Call In of a development application by Australian Land Co Pty Ltd—Beach Drive, Burrum Heads

## STATUTORY INSTRUMENTS

The following statutory instruments were tabled—

Fossicking Act 1994—

[773](#) Fossicking Regulation 2009, No. 167

Statutory Instruments Act 1992—

[774](#) Statutory Instruments Amendment Regulation (No. 2) 2009, No. 171

Electricity Act 1994—

[775](#) Electricity Amendment Regulation (No. 3) 2009, No. 172

Mutual Recognition (Queensland) Act 1992—

[776](#) Mutual Recognition (Queensland) Temporary Exemptions Regulation 2009, No. 173

Trans-Tasman Mutual Recognition (Queensland) Act 2003—

[777](#) Trans-Tasman Mutual Recognition (Queensland) Temporary Exemptions Regulation 2009, No. 174

Payroll Tax Act 1971—

[778](#) Payroll Tax Regulation 2009, No. 175

Agricultural Chemicals Distribution Control Act 1966, Animal Care and Protection Act 2001, Apiaries Act 1982, Brands Act 1915, Chemical Usage (Agricultural and Veterinary) Control Act 1988, Drugs Misuse Act 1986, Fisheries Act 1994, Land Protection (Pest and Stock Route Management) Act 2002, Stock Act 1915, Timber Utilisation and Marketing Act 1987, Veterinary Surgeons Act 1936—

[779](#) Primary Industries and Fisheries Legislation Amendment Regulation (No. 2) 2009, No. 176

State Development and Public Works Organisation Act 1971—

[780](#) State Development and Public Works Organisation (State Development Areas) Regulation 2009, No. 177

Environmental Protection Act 1994—

[781](#) Environmental Protection (Water) Policy 2009, No. 178

Environmental Protection Act 1994—

[782](#) Environmental Protection (Water) Policy 2009, No. 178, Explanatory Notes

Justice (Fair Trading) Legislation Amendment Act 2008—

[783](#) Proclamation commencing remaining provisions, No. 179

Court Funds Act 1973, Supreme Court of Queensland Act 1991—

[784](#) Court Funds Regulation 2009, No. 180

Appeal Costs Fund Act 1973, Births, Deaths and Marriages Registration Act 2003, Body Corporate and Community Management Act 1997, Commercial and Consumer Tribunal Act 2003, Coroners Act 2003, Dispute Resolution Centres Act 1990, Electoral Act 1992, Evidence Act 1977, Justices Act 1886, Justices of the Peace and Commissioners for Declarations Act 1991, Land Court Act 2000, Legal Profession Act 2007, Property Law Act 1974, Recording of Evidence Act 1962, Retail Shop Leases Act 1994, Small Claims Tribunals Act 1973, State Penalties Enforcement Act 1999, Supreme Court of Queensland Act 1991—

[785](#) Justice Legislation (Fees) Amendment Regulation (No. 1) 2009, No. 181

Recording of Evidence Act 1962—

[786](#) Recording of Evidence Amendment Regulation (No. 1) 2009, No. 182

Anti-Discrimination Act 1991, Fisheries Act 1994, Health Practitioners (Professional Standards) Act 1999, Nursing Act 1992, Small Claims Tribunals Act 1973, Supreme Court of Queensland Act 1991, Workers' Compensation and Rehabilitation Act 2003—

[787](#) Uniform Civil Procedure (Fees) Regulation 2009, No. 183

Supreme Court of Queensland Act 1991—

[788](#) Uniform Civil Procedure Amendment Rule (No. 2) 2009, No. 184

## EXEMPT STATUTORY INSTRUMENTS

The following exempt statutory instrument was tabled—

University of Southern Queensland Act 1998—

[789](#) University of Southern Queensland (Making and Notifying University Rules) Statute 2009

## MINISTERIAL PAPER TABLED BY THE CLERK

The following ministerial paper was tabled by the Clerk—

Minister for Tourism and Fair Trading (Mr Lawlor)—

[790](#) Fair Trading Act 1989: Interim Prohibition Order pursuant to s 85A(1) prohibiting the supply of dangerous goods or undesirable goods ('sky lanterns' which are constructed from paper or fabric on a frame which is open at one end, relies on an open flame as the heat source to heat the air inside the lantern and is intended to lift freely in the atmosphere)

## MEMBER'S PAPER TABLED BY THE CLERK

The following member's paper was tabled by the Clerk—

Member for Stafford (Mr Hinchliffe)—

[791](#) Non-conforming petition regarding the sale of the CSIRO site and any adjoining public land, and consultations with the community and all levels of government to plan a riverside recreational precinct in Walter Taylor East from St Lucia to Long Pocket

## REPORT TABLED BY THE CLERK

The following report was tabled by the Clerk—

[792](#) Report pursuant to Standing Order 158 (Clerical errors or formal changes to any bill) detailing amendments to certain Bills, made by the Clerk, prior to assent by Her Excellency the Governor, viz—

**Adoption Bill 2009**

Amendment made to Bill

**Clause 278 (What is the mailbox service)—**

At page 159, line 13, '(a)'—

*Omit, Insert—*

'(b)'.

**MINISTERIAL STATEMENTS****Agriculture Industry**

**Hon. AM BLIGH** (South Brisbane—ALP) (Premier and Minister for the Arts) (9.35 am): My government is working hard on many fronts to address the repercussions of the recent decline in the global economy in Queensland. It is therefore very pleasing to see that the agriculture sector is defying worldwide economic trends and outperforming all expectations by improving its total value and contribution to the Queensland economy. The total value of Queensland's primary industry commodities for 2008-09 is over \$13 billion, compared to \$12.4 billion in the previous year. This has been achieved despite the global economic downturn, the devastating floods in North Queensland earlier this year and ongoing recovery from one of the longest dry periods in Queensland's history.

At the farm gate, Queensland's primary industry commodities are worth over \$10 billion. This is six per cent higher than 2007-08 estimates.

**Opposition members** interjected.

**Ms BLIGH:** One would think that those opposite would want to hear good news in the agriculture sector.

**Opposition members** interjected.

**Mr SPEAKER:** There is far too much interjection—unwarranted interjection, in my view.

**Ms BLIGH:** In addition, the value of initial processing of products in Queensland is worth almost \$3 billion, which is three per cent higher than 2007-08 estimates. Queensland's cattle industry remains one of the highest value industries, with a value of \$3.46 billion for the 2008-09 year. Other industries leading the way include wheat, with an impressive 35 per cent increase in value from the 2007-08 estimates to \$485 million in 2008-09, and poultry, with a 17 per cent improvement in forecast value to \$350 million. Cotton is expected to be three times higher than the 2007-08 estimate, to a value of \$340 million, and lifestyle horticulture, including turf, nurseries, cut flowers and foliage, is expecting a nine per cent increase to be worth \$657 million in 2008-09.

The sugar industry is also showing signs of improvement, with a 23 per cent increase in value from the 2007-08 estimates to be worth \$920 million in 2008-09. Raw sugar prices are set to reach a 30-year high. According to peak sugarcane group Canegrowers, the strengthening market will help build the long-suffering industry's bottom line. This was evident in Bundaberg at the weekend with attendees to the community cabinet forum and civic reception, many of whom spoke to both me and ministers of the improved outlook for this industry in that region.

John Cotter from AgForce agrees that better seasonal conditions in most areas, good prices and an increasing demand for products have all in general contributed to an improved outlook. That said, the spectre of drought looms again, and I think I speak for all sides of the House when I say that we hope for replenishing spring and summer rains in all the right places this season. Our primary producers continue to face challenges, such as our variable and changing climate and highly competitive world markets that in some cases are not always fair. However, the overall outlook is brighter for Queensland's primary industries.

Queensland farmers and their families are working hard despite the many challenges they face, and I take this opportunity this morning to congratulate them for their efforts and contribution to the economy. It is a remarkable outcome given all of what Mother Nature has dished up to this sector over the last few years and they are to be congratulated.

**Bundaberg Community Cabinet**

**Hon. AM BLIGH** (South Brisbane—ALP) (Premier and Minister for the Arts) (9.39 am): In all, between 700 and 800 people were on hand for Sunday's community cabinet forum in Bundaberg. The forum's 190 formal deputations represented the largest number of formal deputations ever for one day at a community cabinet. Following other very well attended regional community cabinets at the Gold

Coast and Toowoomba, that turnout shows Queenslanders continue to take up the opportunity to meet with me and my ministers on their turf and on their terms. Yes, there were protesters—that is part of the democratic process in this country—and there was an incident of an understandably very distressed man, an upset man, who was frustrated at an uncaring business failing to deliver, but there were also attendees from all over the Wide Bay-Burnett and they were keen to take up many issues.

While there, the Minister for Emergency Services, Neil Roberts, and I took the time to hear from the Fire Commissioner, Lee Johnson, that the state's bushfire preparedness is in place. Among other things, ministers took part in the hugely successful multicultural festival. I congratulate the community of Bundaberg and the Burnett region. It was an outstanding multicultural festival and they deserve a pat on the back for it. Ministers inspected the near-complete \$90 million Bundaberg Ring Road, handed over new ambulances and fire trucks, checked out new boating facilities and improved opportunities for aviation students in Bert Hinkler's home town.

In addition, the Minister for Climate Change and Sustainability, Kate Jones, and I released the latest data to show that the government's world-leading habitat protection program is proving a lifesaver for endangered loggerhead turtles. From the mid-1970s onwards, the number of nesting loggerhead females in eastern Australia has plummeted from 3,500 down to 500. The numbers are slowly reversing and for the first time in three decades they are now beginning to climb. It is expected that loggerhead female numbers will now be around more than 600. A major measure contributing to the population turnaround has been our government's push for the regulated use of turtle exclusion devices. Those devices do appear to be working. I take this opportunity to thank members of the fishing community for their support for the devices. The minister informs me that there have been only two breaches of the devices, which demonstrates a very high level of compliance from those who operate our trawling fleets. I am pleased to advise them that their efforts are seeing excellent results.

### Infrastructure Program

**Hon. AM BLIGH** (South Brisbane—ALP) (Premier and Minister for the Arts) (9.42 am): My government's massive infrastructure program is keeping Queensland's head above water during this time of global economic downturn. It represents a commitment to deliver \$18 billion in critical infrastructure for Queenslanders. It represents a commitment to keeping the building going and keeping us front and centre of economic prosperity and economic recovery. It will deliver Queenslanders new infrastructure from the Gold Coast to Cairns—infrastructure that Queenslanders will own, adding significant value to our state's asset base. Crucially, it is a program that is keeping 127,000 Queenslanders in work. It is delivering pay packets to those families who depend on this government to keep on building for our future, to keep on building for jobs.

That is why we are so determined to prioritise this program and keep it going. It is imperative that we keep our eye on the ball and that my government gets out and sees the plan in action. That is why last week the Treasurer and I undertook a very successful tour of key regional centres to see firsthand our ongoing building program, to talk to a number of the construction companies and simultaneously announce further initiatives to keep Queensland front and centre. This morning I will report back to the House on this successful tour, which highlighted to all Queenslanders the critical nature of our ongoing building program.

Over the past week I have met with hundreds of Queenslanders the length of the state to keep them informed about how the government will keep Queensland afloat as we weather the financial storm. With the latest figures showing a dramatic collapse in the numbers of apprentices starting their apprenticeships due to the economic downturn, last week I announced a new plan to get young people started on building their skills. The number of apprentices starting in sectors such as construction has collapsed by more than 40 per cent. That is 40 per cent fewer young people getting a start in a construction trade, which in turn translates to 40 per cent fewer people with skills in that industry—skills that we will need in the future. The new scheme that I announced last week will, from early 2010, see prospective apprentices receive intensive trade related preparatory training and vocational placement before signing on for an apprenticeship. These new institutional arrangements are the first in Australia. We are responding faster than any other state to the rapid decline in apprentice new starts. I launched an advertising campaign that will encourage young people to apply for those places and make sure that we are maximising those opportunities. This is tangible proof of a government focused on building skills, now and into the future.

I also released the blueprint for the new and innovative Varsity Station Village development at the Gold Coast. With the Varsity Lakes station due to open later this year, when the rest of the \$324 million Robina-Varsity Lakes rail extension will be completed, the Varsity Station Village master plan provides an outline for a precinct including residential and commercial buildings in close proximity to high-quality transport. It is good planning and will be good for the Gold Coast. It covers the next 10 to 15 years of building in this key area, providing thousands of jobs in the region. Again, it is tangible proof of a government planning today for tomorrow.

Our critical tourism industry directly employs around 119,000 people. In many cases, it sustains entire communities. Last week my government unveiled a new \$5 million advertising campaign aimed at capturing the key eastern seaboard tourism markets. It is the latest weapon in our fight to keep this industry afloat as it feels the effects of the global financial crisis. Again, it is tangible proof of a government protecting and helping to build a vital industry in tough times.

At the same time we delivered good news for tourism in Cairns. I was able to announce the successful tenders for \$65 million worth of ongoing works at the Cairns Base Hospital. Those works will deliver the hospital's radiation oncology unit, along with the facility's new car park, bringing those oncology services forward from the original plan. Far North Queensland residents can now see their \$446 million hospital redevelopment taking shape, giving them more beds, more treatment areas and better health facilities for one of our fastest growing regions. It is tangible proof of a government getting the front-line services and facilities for Queenslanders right.

In Townsville I inspected work on the \$190 million Port Access Road project, which I am pleased to report to the House is now ahead of schedule and on course to open to traffic potentially by the end of this year. The Port Access Road is a key component of my government's road infrastructure plan for Townsville, connecting on to the Douglas Arterial duplication and the recently completed ring-road. It is tangible proof of a government putting the infrastructure in place to beat congestion and keep our critical regional centres moving. I was also able to visit the Townsville Hospital's two newest medical wards, which between them have delivered 30 new beds. Last year I gave a commitment that those beds would be fast-tracked and opened for the region's peak flu season, which is now, and we have delivered on that promise.

I was pleased to visit Mackay and announce the city's new \$46 million TAFE trade training centre, which will become part of a world-class education hub for Central Queensland students. The government will purchase six hectares of land to house the centre alongside Central Queensland University and this new centre will boost the skills of Central Queenslanders while creating and supporting local jobs. This centre will modernise the way trade and technician training is delivered in Central Queensland. Again, it is tangible proof of a government building our skills base for the young workforce of tomorrow.

Also in Mackay I inspected construction on the new Forgan Bridge project, which has reached an important milestone. It is now at its halfway point. I congratulate those working on it. The \$148 million being spent on this bridge will result in significant time savings in traffic for Mackay and will open in mid-2011. The Treasurer and I commissioned the state's largest coal railway expansion in Central Queensland with the upgrade of the Jilalan Rail Yard. This includes major track work and improved maintenance and provisioning facilities. This is a \$500 million project that will help the coal industry increase exports by more than \$3 billion a year, creating and supporting thousands of new jobs. It is more tangible proof of a government providing the infrastructure to keep our exports moving.

The \$21.5 million Capricorn Coast Hospital and Health Service, which I was pleased along with the local member to inspect, will bring together the hospital and community based services for a one-stop Yeppoon public health facility. This facility will open in October and is, once again, tangible proof of a government delivering health facilities for all Queenslanders.

I am very pleased to report to the House that Gladstone could soon become home to Queensland's first steel-making facility, cementing the region's reputation as a world-class industrial centre. This \$2.2 billion proposal by Boulder Steel will give the region a whole new industry. I was pleased to announce the first round of environmental assessments for the project, taking it to its next milestone. The draft terms of reference for the Boulder Steel project have been released for public comment. This heralds a new era for the region as the home of the only new steel mill in the country.

In Gladstone I released our Jobs First policy, which includes a number of new initiatives such as the apprenticeship program and a new scheme called JobsAssist to help employers. I seek leave to table that document for the benefit of the House.

Leave granted.

*Tabled paper:* Jobs First, Delivering Jobs for Queensland, August 2009 [\[793\]](#).

Finally, also in Gladstone I was able to announce the vital next steps for two multibillion dollar liquefied natural gas opportunities, again with potential for thousands of new jobs. The draft terms of reference for the Australia Pacific LNG project and the environmental impact statement for the Queensland Curtis LNG Project were both made public for public feedback.

These two companies' multibillion dollar estimates for their projects reflect our shared confidence in LNG's job-generating capacity and they herald another new industry with a potential worth of more than \$40 billion to the Queensland economy. This is all tangible proof of a government planning ahead for the industries of tomorrow.

Queenslanders can be confident of the very real and tangible commitment of my government to keep the building program going. In the past week we have seen the evidence of this building program in action. It is building for jobs now, it is building for our regions and it is building the Queensland of tomorrow.

**Carver, Mr R and Herbert, Mr M; Canavan, Dr J and Gracie, Mr K**

**Hon. AM BLIGH** (South Brisbane—ALP) (Premier and Minister for the Arts) (9.51 am): At 11 am on Thursday this week at St Luke's Anglican Church in Toowoomba the family, friends and former RAAF buddies of Pilot Officer Robert Carver will gather to finally say goodbye. Robert Carver, along with Flying Officer Michael Herbert from Glenelg, are the final two missing Australian servicemen from the Vietnam War. They have now been brought home, ending nearly 39 years of uncertainty and pain for their families and friends.

The return of their remains to Australian soil exemplifies the Aussie tradition of never leaving a mate behind. The two 24-year-olds paid the ultimate sacrifice when their RAAF Canberra aircraft, call sign Magpie 91, crashed in dense jungle in Vietnam near the border with Laos. This week's funerals now mean Australians can finally close the chapter on the Vietnam War knowing the fate of all who served in it. On Thursday Robert Carver will rightly be afforded a service with the full military honours he deserves.

This has been a sad time for a number of communities. I want to acknowledge that yesterday the people of the Sunshine Coast gathered to farewell the much loved Dr June Canavan. This followed a service last week for her travel companion Keith Gracie. They were both killed in a plane crash in Papua New Guinea on 11 August. They had been on their way to walk the Kokoda Track as part of Dr Canavan's quest to raise \$50,000 for a school for poor children in Tanzania.

I know that the thoughts of all members of the House are with all of these Queenslanders, their families and their friends at this very sad time.

**Queensland Health, National Registration and Accreditation Scheme**

**Hon. PT LUCAS** (Lytton—ALP) (Deputy Premier and Minister for Health) (9.52 am): The Bligh government is committed to boosting patient safety and creating a more flexible, sustainable health workforce.

**Mr Seeney:** You've been practising, haven't you?

**Mr LUCAS:** All week! Since 2005, Queensland has undergone an exhaustive process to strengthen the checks and balances on health professionals. In that time we have also increased our health workforce by 2,109 more doctors, an increase of 46 per cent; 7,733 more nurses, an increase of 35 per cent; and 2,802 more allied health professionals, an increase of 40 per cent.

In addition to these significant boosts in clinical staff numbers, the government has committed to 3,500 more doctors, nurses and allied health professionals over the next three years. In fact, between June 2005 and April 2009 we employed 12,500 more doctors and nurses in Queensland Health alone. That is about the same as the entire workforce of QR.

Increasingly, health professionals move interstate or to Australia from overseas. In the 21st century we must have one system of checks that makes moving more straightforward. A consistent approach offers greater protection for the public by ensuring all registered health practitioners are qualified to practise, so there is just one set of rules.

The Queensland government is pleased to be providing model legislation other jurisdictions will use to introduce the National Registration and Accreditation Scheme by 1 July next year. Currently health professional registration is the responsibility of individual state governments. As a result, requirements for registration vary across jurisdictions and the professions required to be registered to practise also differ.

The creation of the scheme will bring together 37 different health profession regulation authorities and over 80 regulatory boards across Australia into one scheme. The end result will be a world-class system that utilises best concepts from each of the existing systems. It will include mandatory reporting of misconduct for medical officers, criminal history checks, student registration, and complaints management and investigation.

A single system of regulation is an obvious approach and signifies a quantum leap forward in Australian health regulation, and the Queensland government is leading the way. Bill B was released for public consultation on 12 June 2009. Over 950 people attended forums in every capital city in Australia, along with almost 600 submissions received.

This vital feedback will help to deliver the best national registration and accreditation scheme possible. On 1 July next year, 10 professions will transfer into the scheme. The 10 professions transferring on 1 July next year include medicine; nursing and midwifery; pharmacy; physiotherapy; dental, which includes dentists, dental prosthetists, therapists and hygienists; psychology; optometry; osteopathy; chiropractic; and podiatry. From 1 July 2012 three other professions will also transfer, including Aboriginal and Torres Strait Islander health practice, Chinese medicine and medical radiation practice.

**An opposition member** interjected.

**Mr LUCAS:** Getting there. These professions have been an area where there previously has not been a great deal of regulation. For that reason the national boards for these professions will be appointed up to 12 months in advance of July 2012, in order to undertake the task of establishing the registration standards and other requirements.

Queensland has strongly been advocating for the addition of professions currently registered in Queensland, including dental technicians, speech pathologists and occupational therapists. Consideration is being given at the national level to their inclusion in the national scheme. This is something the Queensland government is very passionate about occurring.

Dental technicians and occupational therapists are currently registered in four states and territories and speech pathologists are registered in Queensland alone. Working in multidisciplinary teams, these professions and their patients would benefit from inclusion in the regulatory framework governing three other health professions. I look forward to the finalisation of Bill B and its introduction into the Queensland parliament later in the year.

## Jobs

**Hon. AP FRASER** (Mount Coot-tha—ALP) (Treasurer and Minister for Employment and Economic Development) (9.56 am): Jobs are the Bligh government's No. 1 priority. We outlined to the Queensland public before the last election our commitment to protecting and creating jobs. We set a target to create 100,000 jobs this term. We have made the tough choices to protect our record \$18.2 billion building program. We set out a positive, four-point plan to tackle the rise in unemployment from the global recession. We quarantined our building program. We committed to developing the skills of our workforce. We are supporting new industries such as LNG. And we are delivering new programs to help Queenslanders get back into work.

Last week the Premier and I inspected some of the projects in our \$18 billion program—projects that are providing jobs and support to regional economies. The government released Jobs First, which the Premier just tabled, which outlines the wide range of activities we are undertaking to keep Queensland working. This plan contains major initiatives regarding training for apprentices and an overhaul of existing assistance programs to deliver JobsAssist, a \$10 million program that provides funding to vulnerable firms to help prevent job losses.

When it comes to unemployment—especially the tragic consequences at an individual level—prevention is better than cure. JobsAssist will focus on early intervention in businesses to help them avoid closure and the associated job losses. It will provide funding for targeted action to support business resilience. This will include professional advice and assistance worth up to \$8,000 per business to those firms targeted to help them address key issues affecting their business.

JobsAssist will provide the direct, practical help that many firms need to help them get through the tough times and keep their workforce ready for the upturn. In circumstances where job losses do occur, assistance will still be available to displaced employees.

During this downturn, businesses have strived to maintain their workforce to retain skills and capacity to prepare for the future. For both individuals and businesses, prevention is clearly better than cure. In this vein, we also announced an overhaul to apprenticeship training to provide a new approach during the period of the downturn.

With construction apprenticeship starts down by more than 40 per cent and engineering apprenticeships down by 25 per cent, our new policy will ensure that apprentices can fast-track their institutional training. It gives them a head start at a time when fewer businesses are taking on apprentices. Not only will this allow the apprentices to finish their apprenticeships faster; it also means that the bosses who hire them will have better trained workers to start with.

The Jobs First plan is our blueprint for jobs. It is a plan that responds to current circumstances, makes the right choices and focuses on the future. It is a plan that will respond to changing circumstances in the future as we maintain our commitment to implementing the policies that support jobs in the Queensland economy.

## Infrastructure Program

**Hon. RE SCHWARTEN** (Rockhampton—ALP) (Minister for Public Works and Information and Communication Technology) (10.00 am): In these tough economic times the Queensland government is investing in the construction industry to support jobs. Right now the government is forging ahead with an \$18.2 billion infrastructure program. I am proud to say that the Department of Public Works is managing \$8.5 billion of this amount. Investment in construction benefits the entire community through the significant number of trades it supports and the lasting infrastructure it delivers. Take the new \$600 million Brisbane Supreme Court and District Court, for example. This project will support more than 5,000 jobs until its completion in 2011.

As at August 2009, over \$300 million worth of contract trade work has been let. This includes a managing contractor—Bovis Lend Lease—consultants and subcontractors and around 2,280 full-time equivalent jobs. To break this down even further, \$8 million worth of contracts have been let to tradespeople in the excavation industry, creating around 60 full-time equivalent jobs. A further \$17 million worth of contracts have been awarded to install hydraulics and fire suppression systems, supporting 128 full-time equivalent positions.

Concreters have been awarded \$46 million worth of contracts for formwork, concrete supply and placement and reinforcement, and another 348 full-time equivalent jobs. Electricians have received \$43.5 million worth of contracts, creating 328 full-time equivalent jobs—ETU members, no doubt. \$34.5 million worth of mechanical contracts have been awarded—another 261 full-time equivalent jobs. The list goes on. The Gold Coast University Hospital, the Gatton correctional centre and the Queensland Children's Hospital all have similar jobs numbers.

Under this government's local industry policy, A Fair Go for Local Industry, local builders, subcontractors and suppliers will be given full, fair and reasonable opportunity to participate in all stages of the project. Just as important as these tradespeople having a job is that a minimum of 10 per cent of the total labour hours on the site will be undertaken by apprentices, trainees or cadets in accordance with the government's 10 per cent training policy. As part of the new Indigenous employment and training initiative, at least 10 Indigenous workers will be employed over the life of the project.

The Brisbane Supreme Court and District Court sums up why a robust infrastructure program is important in these tough economic times—5,000 jobs, training opportunities, Indigenous employment and a brand-new facility to ease some of the pressure on the criminal justice system.

### Coal Industry

**Hon. S ROBERTSON** (Stretton—ALP) (Minister for Natural Resources, Mines and Energy and Minister for Trade) (10.02 am): The Queensland government and the coal industry have long recognised that deployment of low-emission coal technologies will be critical for the sustainability of Queensland's most important export industry. The industry is not only a huge export market for Queensland but also employs more than 26,000 people, primarily in regional Queensland, and contributes hundreds of millions to the state's bottom line. To ensure these jobs are protected into the future, we established the Queensland Clean Coal Council in 2007 to facilitate the development and commercial deployment of low-emission coal technologies before 2020 and we have committed in principle around \$900 million to support low-emission coal demonstration projects.

Earlier this year the Commonwealth sought nominations from the Queensland government of low-emission coal technology projects for consideration for funding support under the \$2 billion CCS Flagship Program. The Queensland government and the black coal industry, through ACALET, have submitted a joint nomination consisting of two linked components: an integrated gasification combined cycle with carbon capture and storage demonstration project and an accelerated carbon storage assessment work program for Queensland.

Queensland has put forward two nominations for the IGCC with carbon capture and storage demonstration project: ZeroGen's 400 megawatt proposal and Wandoan's 334 megawatt proposal. With Australia's largest coal industry and as the world's largest exporter of coal, Queensland is ideally placed to host CCS flagship projects as part of the Group of Eight economies' vision of 20 industrial scale demonstration projects by 2020.

The second component of the Queensland's CCS flagships nomination focuses on accelerating the assessment of storage opportunities in Queensland in priority basins. This will facilitate the necessary private sector investment and early development of a multi-user storage hub. Together, low-emission coal technologies and CCS have the potential to significantly reduce the level of carbon dioxide emissions from coal fired power stations. The Bligh government is committed to working with projects like ZeroGen, Wandoan, the Callide Oxyfuel Project and Tarong Energy's postcombustion capture project to ensure that jobs in Queensland's mining sector are secured now and into the future.

### Literacy and Numeracy

**Hon. GJ WILSON** (Ferny Grove—ALP) (Minister for Education and Training) (10.05 am): Across Australia this week schools from Cairns to Coolgardie are celebrating National Literacy and Numeracy Week. Literacy and numeracy are vital skills for success at school and in life. That is why encouraging a love of learning in these areas among students is so important. This week is about promoting literacy and numeracy activities and recognising those working hard to build our children's skills in these areas, whether they are parents, teachers, community workers or other students. The theme for this year's celebrations is 'Getting the basics right', which is exactly what we are encouraging in all schools across Queensland. If all young children have strong foundations in literacy and numeracy, we can build on those achievements to boost their chances of success later in life.

Here in Queensland the government is supporting a range of fun activities designed to complement National Literacy and Numeracy Week. The Premier's Reading Challenge encourages every state and non-state student from prep to year 7 to read or listen to 20 books. Last year more than 60,000 students across Queensland took up the Premier's challenge and read more than 1.2 million books. Last week we celebrated Book Week—the longest running children's festival in Australia, turning 64 this year. Mr Speaker would no doubt recall participating in this program himself. Book Week is a wonderful opportunity to develop children's literacy skills through reading a variety of books and texts.

The Bligh government is committed to giving children a flying start by focusing on the foundations of learning—reading, writing, spelling and mathematics. National literacy and numeracy tests have shown that, regrettably, Queensland students are performing at disappointing levels in these areas. That is why we are working hard on a range of initiatives to boost student skills. We engaged education expert Professor Geoff Masters and have used his report *A shared challenge* as a roadmap to higher standards in our schools.

We are investing \$72 million over the next three years to improve literacy and numeracy standards in Queensland. We are providing more than 1,000 extra teachers and 80 literacy and numeracy coaches. We are piloting 72 summer schools to provide intensive support for up to 9,000 students in literacy and numeracy. Already parents have enrolled more than 4,000 students for the summer schools program in September throughout the state.

School grants will also provide extra literacy support for students in the early years, and principals and teachers will be actively working with parents to promote the importance of literacy and numeracy at home. We know that there is more work to be done, but the Bligh government is getting on with the job of helping our students be the best they can be, now and into the future.

### Queensland Ambulance Service

**Hon. NS ROBERTS** (Nudgee—ALP) (Minister for Police, Corrective Services and Emergency Services) (10.08 am): The Queensland Ambulance Service is one of the best, if not the best, performing ambulance services in the country. Last year the QAS responded to around 744,000 incidents—an average of one every 42 seconds—with a patient satisfaction rate, independently assessed, of 99 per cent. In December 2007 the Premier and I announced the outcomes of one of the most comprehensive audits of the Ambulance Service in its recent history. The QAS audit made 20 recommendations and contained 45 initiatives to improve service delivery and refocus attention on front-line service delivery.

Substantial progress has been made towards implementing the cabinet endorsed recommendations, and the results are there for all to see: the best ambulance officer to population ratio in the country; some of the best response times in the country; a decreasing response to incident ratio—an indicator of efficiency and effectiveness—a massive structural shift from the back office towards the front line; the second lowest staff attrition rate for any jurisdiction in Australia; Australian and world-leading clinical enhancements; major technology, resource and capital upgrades; and innovative demand management strategies.

No ambulance service in the country can guarantee a perfect response in every instance. It is easy for some to criticise and undermine from the sidelines. However, our government is 100 per cent behind the Ambulance Service and its more than 3,600 officers and staff. Our support is demonstrated by the \$494 million budget allocation this financial year, which includes funding for an additional 50 ambulance officers on top of the 505 added over the past two budgets.

Over the past week the Queensland Ambulance Service has been subject to criticism from some members of the community and the media. Media coverage in the past week has focused on a number of ambulance responses where there were sad and tragic consequences for some individuals and their families. Our condolences and thoughts go out to those involved. However, as sad and tragic as some of these cases are, they are not representative of the high-quality service provided by ambulance officers and the Queensland Ambulance Service generally. All Queenslanders can have confidence in and be proud of the high-quality service provided by their local ambos.

### Public Sector, Enterprise Bargaining Agreements

**Hon. CR DICK** (Greenslopes—ALP) (Attorney-General and Minister for Industrial Relations) (10.10 am): Today, 1 September 2009, marks the changeover date for the Queensland government's new wages policy for public sector employees. The Bligh government remains committed to ensuring that public sector employees get a fair and equitable pay deal while delivering quality services to the rapidly growing number of people who call Queensland home.

I am pleased to be able to inform the House of the successful completion of the current round of public sector enterprise bargaining negotiations for agreements expiring between the middle of 2007 and the end of 2009, with almost all agreements concluded in accordance with the government's current fair, equitable and financially responsible wages policy. Over 80 agreements covering employees of

government departments, statutory authorities and government owned corporations have now been concluded. Agreements or agreements in principle have been reached with public sector employee groups such as the core Queensland Public Service, firefighters, nurses, TAFE teachers, school cleaners and Public Works employees.

The economic times facing all Queenslanders are tough, but the enterprise bargaining agreements we have concluded are fair in these tough times. We continue to stand by our commitment to keep Queensland working and to keep Queenslanders in jobs while paying them a fair wage. That is the commitment we took to the last state election and that is the commitment we continue to stand by. The Queensland Public Sector Union stated yesterday in relation to the agreement concluded for core Queensland public servants—

We think 12.5 per cent is a fair and reasonable offer given the current very difficult circumstances facing the Queensland Government as a result of the global financial crisis.

This government supports jobs, not job cuts. While over 80 agreements have now been concluded or concluded in principle, just two agreements remain outstanding—those relating to visiting medical officers and Queensland teachers. I can advise the House that last-minute negotiations are occurring with the visiting medical officers. Regrettably, negotiations on the enterprise bargaining agreement for Queensland teachers is currently before the Queensland Industrial Relations Commission. When times are tough and the economic conditions all Queenslanders face are difficult, it is inevitable that there will be robust discussions in wage negotiations, and for those areas where the parties are unable to agree the independent umpire, the Queensland Industrial Relations Commission, is well placed to assist.

It is very regrettable indeed that an agreement has not been able to be concluded with Queensland teachers. The government is ready to put money into the pockets of teachers. The offer that the government has put to them is a fair and reasonable proposal given the circumstances facing our state. The commission will make an interim decision on the matter over the next week. At that stage it is hoped a wage outcome for the short term will be resolved.

I thank and congratulate all those involved for their efforts in achieving positive outcomes in relation to the over 80 agreements that have been concluded or concluded in principle which will benefit hardworking Queensland public sector employees delivering essential services to all Queenslanders.

The Bligh government's new wages policy is a responsible policy in tough economic times. The new wages policy limits wage increases to 2.5 per cent annually until the budget returns to surplus. It is a fair deal for which fair notice has been given for an anticipated low-inflation future. The Bligh government will continue its commitment to govern responsibly in the current economic downturn.

### Fraser Island, Dingoes

**Hon. KJ JONES** (Ashgrove—ALP) (Minister for Climate Change and Sustainability) (10.13 am): Our No. 1 priority is to ensure that visitors to Fraser Island are safe. That is why we have an active dingo management strategy. The strategy we have in place is focused on reducing the risk posed to humans by dingoes on the island while ensuring we conserve a sustainable population of dingoes.

One of the first things I did as the new minister was bring forward the audit of our dingo management strategy to be sure in my mind that the strategy was working effectively to achieve these two priorities. Given the contrasting views in the local community about dingo management—from calls to exterminate all of them to proactively feeding them—I also directed that public comment be sought.

I am pleased to inform the House that the independent audit undertaken by internationally recognised dingo expert Dr Laurie Corbett has now been completed. Overwhelmingly, he has found that the dingo management strategy is dramatically reducing the risk posed to humans by dingoes on Fraser Island. In particular, he has endorsed our actions to reduce risks through better education of visitors, improved training of rangers and erecting dingo fencing in strategic locations.

Data shows that there have been no aggressive incidents within fenced areas around the main Queensland Parks and Wildlife Service camping grounds and the townships such as Kingfisher Bay Resort. He has also endorsed the substantial increase in training of our staff on the island in dingo management to help visitors to be dingo wise.

With regard to the health of the dingo population on Fraser Island, Dr Corbett found that, far from the claims made by those members opposite that the dingoes are starving, from his examination there was an increase in the average size of the adult dingoes on Fraser Island, from 16 kilograms to 18.3 kilograms. Most importantly, Dr Corbett found that research to date has indicated that there is adequate natural prey for a sustainable dingo population on the island. The Queensland Parks and Wildlife Service is undertaking further research to confirm this. He also rejected suggestions that dingo feeding stations should be erected as this would undermine the strategy of reducing human-dingo interaction and, worse, teach them to rely on food.

Fraser Island is a special place that more than 350,000 people visit every year and many Queensland businesses depend on for their livelihood. Our responsibility is to ensure it is a safe place. I am confident that the dingo management strategy we have in place is reducing the risk of dangerous dingo attacks, with no fatalities since it has been in place. Of course we must continue to be vigilant. I want to assure all members of this House that we are thoroughly examining this report and we will make any changes to the strategy that will help reduce the risk.

### **Abuse of Children in Queensland Institutions, Redress Payments**

**Hon. KL STRUTHERS** (Algeria—ALP) (Minister for Community Services and Housing and Minister for Women) (10.16 am): Final payments are now rolling out to people who many years ago experienced some of the worst abuse and neglect as children in Queensland institutions. Around 3½ thousand people will receive level 2 payments of up to \$33,000 under the Bligh government's redress scheme. That is on top of their level 1 payment of \$7,000. No amount of money can possibly make up for what they went through. It is a sad part of our nation's collective history that so many people suffered so much abuse for so long at the hands of those who were meant to care for them.

I put on the public record thanks to the Premier from members of the Historical Abuse Network. They have said to me that without the Premier's support in opening up this issue by setting up the Forde inquiry 10 years ago they would have remained forgotten. It would have been extremely hard for many people to come forward. It was a brave journey for them to tell their stories. It cannot have been easy to relive those terrible and traumatic experiences.

Queensland and Tasmania are the only two states to have taken action to redress the wrongs of the past. I am pleased that Western Australia is now following our lead. More than 10,200 applications were received and assessed by an independent panel of experts. I commend these people. They had the very harrowing experience of assessing all of these applications. Some 7,400 applicants were found to be eligible for level 1 payments of \$7,000 and some of those applicants were also eligible for level 2 payments of up to \$33,000. They experienced the most serious of harm and abuse.

It was a complex and emotional experience for many applicants, and I understand that not everyone will be happy with their offers. Some people will not receive an additional level 2 payment. This in no way diminishes the impact of their childhood experiences. We acknowledge and apologise for the harm and abuse suffered by all applicants. It may well be that they were living in institutions outside the time frame or scope of the Forde inquiry.

No amount of money can ever make up for what they lost, but governments can take practical steps. We will continue to help shattered families reunite, we will continue to help restore parenting skills lost and we will continue to help provide counselling and support for people who were physically and sexually abused in these very cold places.

### **Hendra Virus**

**Hon. TS MULHERIN** (Mackay—ALP) (Minister for Primary Industries, Fisheries and Rural and Regional Queensland) (10.19 am): Biosecurity Queensland's response to the latest Hendra incident continues at Cawarral outside Rockhampton. Members will recall that, in the days after Hendra was confirmed, officers traced 11 horses that had moved off the infected property before it was quarantined. They were traced to eight different properties, but most were in the Cawarral area. Restrictions were placed on the movement of these horses. Last weekend one of those original 11 horses was removed from quarantine. While this is the first horse to be given the all clear, in the past few weeks more horses have had their movements restricted.

Our information sessions have led to some people coming forward to say that they had ridden their horses to the infected property in the suspect period. This, combined with rigorous checking by our officers, has identified other horses that came into contact with the original infected property or equipment from the infected property that was used elsewhere. These additional horses are considered low risk but, nevertheless, they are all being followed up as a precaution. There are now 64 horses on 15 separate properties with movement restrictions on them. These restrictions will remain until the horses are given the all clear.

Biosecurity Queensland is giving a full briefing to the Rockhampton Regional Council on the Hendra virus and will continue to work with key stakeholders. Our efforts to deal with Hendra have also attracted international interest. An incursion investigator from Biosecurity New Zealand arrived yesterday to observe our policies and procedures and how these are put in place. I again place on record my appreciation for the work being done by the Biosecurity Queensland team leading this response. It has been a first-class effort in rapidly restricting the infection to just one property and identifying all suspect horses. My thoughts and prayers go out to the family and friends of the Rockhampton veterinarian who remains in hospital. I know everyone in this place is hoping for a full recovery.

## ECONOMIC DEVELOPMENT COMMITTEE

### Extension of Time

**Hon. JC SPENCE** (Sunnybank—ALP) (Leader of the House) (10.21 am), by leave, without notice: I move—

That the date for the Economic Development Committee to report to the House in relation to this House's referral of 23 April 2009 to identify world's best practice by governments to effectively stimulate employment opportunities be extended from 30 October 2009 to 26 November 2009.

Question put—That the motion be agreed to.

Motion agreed to.

## JUVENILE JUSTICE AND OTHER ACTS AMENDMENT BILL

### JUVENILE JUSTICE (SENTENCING PRINCIPLES) AMENDMENT BILL

#### Cognate Debate

**Hon. JC SPENCE** (Sunnybank—ALP) (Leader of the House) (10.22 am), by leave, without notice: I move—

- (1) That, in accordance with Standing Order 129, the Juvenile Justice and Other Acts Amendment Bill and the Juvenile Justice (Sentencing Principles) Amendment Bill be treated as cognate Bills for their remaining stages, as follows:
  - (a) second reading debate, but with separate questions being put in regard to the second readings;
  - (b) the consideration of the Bills in detail together; and
  - (c) separate questions being put for the third readings and long titles.
- (2) That notwithstanding anything contained in the Standing and Sessional orders:
  - (a) debate of the bills shall be considered during government business; and
  - (b) the time limits for the reply to the second reading debate shall be: Minister in reply—30 minutes, Leader of the Opposition (or nominee)—30 minutes.

Question put—That the motion be agreed to.

Motion agreed to.

## PERSONAL EXPLANATION

### Sports Grants, *Courier-Mail* Article

**Hon. JC SPENCE** (Sunnybank—ALP) (10.23 am): Last Saturday, 29 August, the *Courier-Mail* published a story on its front page headlined 'Poll vault', with the byline Des Houghton, making claims that sports grants were directed to Labor electorates on the eve of the March state election. Today I want to not only correct the public record but also point out that this story contains wild and erroneous claims about the process used to determine grants in the Major Facilities Program. The *Courier-Mail* is simply wrong, and it is wrong for a simple reason: Mr Houghton claims in his story that he had received so-called leaked documents. He may well have, but in fact much of the information he has apparently worked from is culled from the first stage of a multistage process. The expression of interest stage is not a final funding approval document. In fact, it is only preliminary. I want to run through some of the inaccuracies in this report now which will give members some insight into just how wrong it is.

Claim: community sports grants won millions of dollars in taxpayer grants on the eve of the last state election. Fact: no funding was approved prior to the 2009 state election. This funding was approved by the current sports minister on 24 April, 2 May and 18 June. The state election was held on 21 March. Claim: community sports grants deemed high risk won millions of dollars in taxpayer grants. Fact: risk assessments at the EOI stage were preliminary and subject to further information, documentation and assessment. None of the final assessments of these projects at the conclusion of the second stage were deemed high risk. None of the projects granted funding had a final high-risk assessment.

Claim: grants were approved for 32 ALP electorates while the smaller amounts on average went to seven LNP seats and one to Gladstone held by an Independent. Fact: funding approvals were given to 26 projects located in government electorates while 13 are located in non-government electorates. Claim: two grants were approved in or near my old electorate—one a high-risk grant of \$235,000 to MacGregor State High School and, further, the MacGregor State High School bid was approved despite a note warning that no designs or documentation had been provided on the project. Fact: MacGregor State High School received no funding. I am advised the application was not adequate and was therefore not approved.

Claim: one payment of \$1.3 million for hockey fields in Cairns was deemed high risk and another of \$450,000 for walking trails was considered a medium risk. Fact: the final assessment leading to funding approval for the Cairns Hockey Association was medium risk, as was the final assessment for the walking trails project. It is also worth noting that, of the 13 non-government projects approved for funding, eight were categorised as medium risk for assessment. In fact, at the completion of this funding process, no projects at all which were assessed as high risk were recommended for funding, as one would imagine.

Claim: some groups who lodged inadequate applications were invited to reapply. Fact: no applicant for sports funding was invited to reapply. The fact is this: one detailed application was approved on 24 April and another 35 on 2 May. Also on that date—2 May—the sports minister was advised that the outstanding six applicants who had proceeded to this final stage had not supplied all of the relevant information needed to support their projects being recommended. As they had proceeded to this final stage, they were advised in writing that they would be provided a further fortnight to supply the necessary information. They were not invited to reapply. Further, of these six, five were in Labor electorates and one in an opposition electorate. In the end, two of these—both in Labor electorates—were not approved.

Claim: the Kenmore Junior AFL Club and Kenmore Rugby Union Club were told they were worthy and would be approved, only to be ultimately turned down. A representative of the club believes footballers were punished because they live in an LNP electorate. Fact: the funding program requires clubs and sporting organisations to match grants on a dollar-for-dollar basis. These two clubs could not match the funding. In fact, they were tens of thousands of dollars short of matching that funding so they were unsuccessful for that reason.

I could go on and on, but I believe all members will understand from this brief analysis the level of inaccuracy contained in this article. The simple fact is this: the awarding of sports grants funding and in fact of any taxpayer funded grants is a clear, open and transparent—not to mention rigorous—process, and I trust this sets the record straight today.

## SCRUTINY OF LEGISLATION COMMITTEE

### Report

**Mrs MILLER** (Bundamba—ALP) (10.28 am): I table the Scrutiny of Legislation Committee's *Legislation Alert No. 7 of 2009*.

*Tabled paper:* Scrutiny of Legislation Committee Legislation Alert No. 7 of 2009 [794].

## SPEAKER'S STATEMENT

### Copeland, Mr S; School Group Tours

**Mr SPEAKER:** Before we move to question time, I advise the House that in the gallery today is a former member of this House, Mr Stuart Copeland, who was the member for Cunningham.

**Honourable members:** Hear, hear!

**Mr SPEAKER:** The school that will be visiting us throughout question time and for part of the day is the Belmont State School in the electorate of Chatsworth.

## QUESTIONS WITHOUT NOTICE

### Australian Workers Heritage Centre; Labor Holdings

**Mr LANGBROEK** (10.30 am): My question without notice is to the Premier. Will the Premier explain how the Australian Workers Heritage Centre was so cash strapped that it needed a \$1.7 million taxpayer funded heritage grant from the department of the arts yet, after receiving that grant, it could pay Labor Holdings, the fundraising arm of the Labor Party, \$70,000?

**Ms BLIGH:** I thank the honourable member for the question. I am not aware of the issue that he raises and I am happy to have a look at it and provide further advice to the House.

I can advise—and I am sorry the member for Gregory is not here—that funds that were provided to the Workers Heritage Centre had the full support of the local member, as indeed they should. This centre is a very important part of regional tourist infrastructure in Far Western Queensland. It has the full support of this government;

**Mr Lucas:** And in an LNP electorate.

**Ms BLIGH:** I take the interjection from the Deputy Premier. It is in the middle of an LNP electorate and it has never mattered in terms of the support that it has received from this side of politics. It is an important part of our heritage. It is out where it should be, where it commemorates the efforts of those who opened up the far west, and it will continue to have the support of this government. I am not aware of the allegation being made by the member and I am happy to look further into it.

### **Australian Workers Heritage Centre; Labor Holdings**

**Mr LANGBROEK:** My second question is also to the Premier. I table copies of the Labor Holdings and Electoral Commission reports and I refer to my previous question.

*Tabled paper:* Electoral Commission return for Labor Holdings Pty Ltd—Deposits \$1,500 and over, 1 July 2007 to 30 June 2008; and Electoral Commission return for Labor Holdings Pty Ltd—Receipts \$1,000 and over, 1 July 2008 to 31 December 2008; and article, posted on 9 February 2009 on abcaustralia.com, entitled 'Workers Heritage Centre future worries Mayor' [795].

Is it reasonable to conclude that the payment of money to the Labor Party in this way is essentially money laundering? Will the Premier prove to this House that it was not?

**Ms BLIGH:** I have indicated in my answer to the previous question that I am not aware of the matter that the member raises. I will seek further details and provide it in an answer to both him and the House.

I think it is the height of hypocrisy for the member opposite to come in here and talk about matters being hidden. We are now marking, I think, the fifth week since the member opposite indicated publicly and to the media that he would make public the names of those who came to the \$20,000 dinner—the most expensive political fundraising dinner known in Queensland's political history—and that he would provide the information.

In the last sittings of the parliament we saw the member opposite—the Leader of the Opposition—perpetrate a fraud on the public and on the media. He said on the Tuesday that all would be revealed—all the names would be out there. He knew full well that the Electoral Commission never releases the material on the day that it is received. It takes several weeks. But even when they put it out, they will not be—

**Mr Fraser:** Quick as a flash, nothing happened.

**Ms BLIGH:** That is right. Even when the material is put on the website by the Electoral Commission, it will not identify who was at the dinner. The only people who can do that are the Leader of the Opposition and his deputy. Until the Leader of the Opposition is prepared to stand up and tell the people of Queensland who came to this dinner—tell the people who they were and where they came from—then on this issue he has simply no credibility. The Leader of the Opposition continues to duck and weave and duck and weave on this issue. He has to do only one thing. He just has to lean over that little corridor between the two seats and say, 'Laurie, give me the list, mate. Just give me the list.'

**A government member:** He's got to say, 'I'm the leader.'

**Ms BLIGH:** Yes, it would help if he said, 'I'm the leader. Give me the list.' Last week the Leader of the Opposition held a press conference in which he tried to convince people that he did not know who was on the list. It is absolutely implausible. Until we see the names, the Leader of the Opposition has no credibility.

### **Skills Shortages**

**Mr WATT:** My question is to the Premier. Can the Premier inform the House what the government is doing to increase Queensland's skills base? Additionally, what is the government doing to help businesses that may be struggling with the fallout of the global financial crisis?

**Ms BLIGH:** I thank the honourable member for the question. I alluded to this issue in my ministerial statement. I think it is important for all members to understand the gravity of the situation facing some sectors as a result of the global financial crisis. One of the sectors that is really struggling is the construction industry. I report to the House that in the construction sector there has been a 41 per cent decline in the number of new start apprentices in the past 12 months; in the engineering sector, a decline in new start apprentices of around 25 per cent; and in the utilities sector, a decline of about 26 per cent.

This is a very serious phenomena. It is happening because building, construction and engineering firms are not in a position to take on new apprentices. They are—and I give them credit—doing a good job of hanging on to those second and third-year apprentices who they are employing already and we are not seeing a major fallout of those young people as they finish their trade. But the lack of new starts and the dramatic drop-off is a skill shortage waiting to happen. We need to act and we need to act decisively.

That is why last week I announced that in Queensland we will restructure our institutional training arrangements to allow some 2,000 places to start from early next year so that, depending on which apprenticeship they are taking up, young people will be able to come on board and do their block training all in one hit over the next 12 months. They will then be able to go into the labour market at the end of next year, hopefully when we are starting to see some upturn in the economy and employers in those industries will be looking to take on new starts, and they will be able to say, 'You have only got to put me on for three years because I have 12 months under my belt.' That will make it cheaper for the employer to take them on; it will make them more competitive in the market and reduce the number of times that we see that skills lag. It is a very important program. I encourage members to find out more about it and to encourage young people in their electorates, as we get to the end of the school year, to be thinking about that.

I also announced a new program called JobsAssist. We believe that the best cure for unemployment is prevention. Wherever we can work with a firm—a small firm particularly—to assist them to look at their business processes and help them maybe stay afloat, prevent them from going to the wall and minimise the impact on their employees, we will step in with a new \$10 million program to provide what we are calling corporate doctors. Where those small companies cannot afford to get that professional advice themselves from accountants or management consultants, we will step in with the provision of up to \$3,000 worth of that professional advice and then \$5,000 worth of funds to implement those strategies. These tough times are continuing for a number of industry sectors. I encourage members to find out about those programs and, if they know of a firm in difficulty, to point them in that direction.

### **Integrity and Accountability Green Paper; Further Answer to Question, Australian Workers Heritage Centre**

**Mr SPRINGBORG:** My question is to the Premier. Following the Premier's justification that censorship of submissions to the integrity green paper occurred after a departmental officer sought legal advice, will the Premier explain if it is the intention of her department to seek legal advice on all submissions that highlight or question the Premier's personal involvement in sanctioning and exonerating the dishonest and potentially corrupt and criminal behaviour of her Labor mates?

**Ms BLIGH:** I thank the member for the question. I have given one direction and one direction only in relation to the submissions on the integrity green paper: that all submissions are to be made fully public unless the author of the submission requests that it be kept confidential because of the confidential matters that they may be disclosing in the document which they are providing to the government, which I think is fair and reasonable.

What occurred in this matter is that an officer of the department, who was diligently seeking to ensure that they protected the author of the document from a possible case of defamation, prevented material from being put online. My record on this matter is absolutely clear. I do not condone the actions of Gordon Nuttall. I never have and nor does, in fact, I believe any member—

**Honourable members** interjected.

**Ms BLIGH:** What I seconded was a censure motion. That is hardly a condoning.

**Mr SPEAKER:** Stop the clock. I will wait for the House to come to order on both sides.

**Ms BLIGH:** As I said, my position on this is very clear. I do not condone any of the actions of Gordon Nuttall. I do not believe that any Queenslanders does. I do not believe that there is a single Queenslanders out there who believes that that sort of behaviour is in any way acceptable, and I certainly endorse them in that view.

I have directed the department, which made the decision without my knowledge to black out some of the document in the interests of protecting the author from a possible case of defamation, that it is not necessary to do so. This is a robust and frank debate. I encourage that debate. I expect that in that debate allegations may well be made. That is, I think, the nature of these sorts of discussions and I am completely relaxed about it.

**Mr Lucas:** It is only Clive Palmer who is sensitive about it.

**Ms BLIGH:** I take the interjection from the Deputy Leader. Unlike Mr Palmer I am not going to be sensitive about these issues. This is something that requires robust public debate. An officer of the department was undertaking what they believed were their duties in what they believed was the most diligent way possible. I think it is a perfectly understandable action on their behalf. They did not do it at my direction and I have requested that that be removed.

While I am on my feet can I advise the House in relation to the earlier questions from those opposite that in 2007 the Australian Workers Heritage Centre entered into a loan arrangement with Labor Holdings where Labor Holdings loaned them \$150,000. They still have an outstanding debt of \$52,500. There was an exchange of letters and a signed agreement. This was a commercial transaction between the workers heritage facility and Labor Holdings, not a donation. This was a loan.

**Mr Seeney:** They got money to repay the loan from the government. They got a grant to repay the loan.

**Government members** interjected.

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

*(Time expired)*

**Hon. JC SPENCE** (Sunnybank—ALP) (Leader of the House) (10:43 am): I seek an extension of time for the Premier.

Question put—That the motion be agreed to.

Motion agreed to.

**Ms BLIGH:** I do not intend to speak for a long time on this but I think it is important for me to take some of the interjections from across the chamber. What is being alleged is a very serious allegation against the Australian Workers Heritage Centre. What is being alleged is that it sought a grant from government to repay a loan to Labor Holdings. If the Australian Workers Heritage Centre did that then it will have breached—

**Mr Seeney:** That's the end result.

**Mr SPEAKER:** Order! The honourable Member for Callide.

**Ms BLIGH:** It can only be the end result if they have somehow breached its contractual arrangements for the grant. If that is the case then it is in a lot of trouble and I will not hesitate. It is no surprise to me that those opposite would raise these matters in the absence of the member for Gregory, because if the member for Gregory were here he would never allow such a slur to be made against this centre. If there is one shred of evidence that this centre has breached its duties in this grant then it will have the grant reversed.

**Mr Seeney** interjected.

**Mr SPEAKER:** Order! At this point I advise the House that I have made rulings before in relation to when a member is absent. There can be quite legitimate reasons. I do not know what they are.

**Mr Horan:** It is a medical appointment.

**Mr SPEAKER:** In that case it is perfectly understandable. I would ask members not to refer to the fact. I listened to the Premier carefully. She did not refer it to in adverse way. It has been my ruling that when people are absent there can be a very good reason. I have just had it explained to me that there is in this case.

### Tourism Industry

**Ms STONE:** My question is to the Premier. Can the Premier explain what action the government has taken to promote Queensland to domestic and international tourists?

**Ms BLIGH:** I thank the honourable member for her question. It is a pleasure to have her back in the House after a period of absence due to her own medical reasons. It is great to have her back and asking sensible questions about industries that employ thousands of Queenslanders. The Queensland tourism industry is a direct employer of some 119,000 Queenslanders. I think that it is easy for some people in southern states, and some of those who spend a lot of time in Canberra, to think that tourism is just about a lot of fun. It is for those people who are on holidays, but for those people who work in this industry it is deadly serious. The 119,000 Queenslanders who are facing uncertainty at a time when discretionary incomes are tight for many families in Australia and in other parts of world know just how important this industry is.

I was very pleased last week to launch a new \$5 million campaign. I launched it in Cairns but it will dominate the markets in other states as parents and families start to make decisions about not only the upcoming school holidays but the Christmas school holidays. It is already generating a lot of debate and I am very pleased to see that debate resulting in it being played over and over again in national media. It plays to a very catchy tune, the theme tune to *The Monkees*, and I think that is one of the things that has caught people's interest.

As I said, tourism not only employs many people; it sustains entire communities. I think that it is important for us to be champions of the tourism industry in this state. I look across borders and I see the sort of support that some industries are getting and I cannot help make comparisons. The car industry, for example, employs about 65,000 people in southern states and has attracted some \$6 billion worth of assistance in hard times. I do not begrudge that assistance but when combined with tariff assistance it is estimated that it translates into a subsidy of about \$20,000 per person employed in the auto industry. There would be a lot of tourism operators who would be very grateful to have a similar effective subsidy. We need to acknowledge that as important as Victorian car part manufacturers are, they are no more important than a tour operator in Cairns, the Whitsundays or the Gold Coast.

My government is committed to bringing more tourists here. I do not know what the opposition thinks of the campaign. The Leader of the Opposition said he thought it was a catchy tune. The member for Robina then put out a statement saying he thought that it was nonsense and did not like it. When they can work out how to sing off the same song sheet we might have a bit of certainty about their position on this very important industry.

### Legend International Holdings

**Mr SEENEY:** My question without notice is to the Premier. I refer to the Premier's press release dated 23 July 2009 where both the Premier and the member for Mount Isa praised 'Diamond Joe' Gutnick and his plans by his company Legend International Holdings to mine phosphate.

Will the Premier indicate if this media statement was issued after Rabbi Gutnick had donated more than \$12,000 to the Labor Party and will the Premier also explain why her government is now issuing cash-for-comment press releases?

**Mr Wallace** interjected.

**Ms BLIGH:** I take the interjection from the member for Thuringowah. What is it about the LNP that makes it hate jobs? I have no idea why it is so resistant to people who want to invest in Queensland. I remember when the Liberal and National parties wanted to get people to this state to invest in new industries. They wanted to invite them in here and make sure that they could deliver jobs to a growing population.

This proposal is for a whole new industry in the north-west of our state. It will be a massive development of a phosphate mine that, if it comes to fruition, will double the freight on the Mount Isa to Townsville line. It will create thousands of jobs. But like every other proposal that comes across the desk of government, it will have to meet every requirement that the law requires of it. It will have to meet all of the requirements that are required by the Department of Mines. It will also have to meet all of the environmental requirements.

I will meet with Joseph Gutnick or anybody who wants to invest in jobs. I met with Clive Palmer because he cares about jobs.

**Mr Seeney:** Before they make a donation or afterwards?

**Ms BLIGH:** Mr Gutnick has met with many senior members of my government throughout the last 12 months, including the Deputy Premier. And, yes, as fully disclosed, Mr Gutnick has made a donation to the Labor party. He is a citizen of this country and he is entitled to do that.

Do I make assessments about whom I meet on that basis? No. I met with Clive Palmer. Is he a donor to the Labor Party? Not the last time I looked.

**Mr Schwarten:** Is he a donor to the LNP?

**Ms BLIGH:** Is he a donor to the LNP? 'Fraid so.

**Mr Springborg:** Let's look at the West Australian situation. He saved thousands of jobs in Townville.

**Ms BLIGH:** I take the interjection. The reason I met with Clive Palmer is because he cares about jobs. The reason I met with Joseph Gutnick is because he cares about jobs. I will meet with anybody who is serious about investing in Queensland, as every Premier before me has. I will do everything in my power to bring more jobs and more industry to this state to diversify our industrial base. This is a clear indication that if those opposite were ever on the government benches they would not meet with people on the basis of who they donated to. They are a disgrace.

### Health Policy

**Ms DARLING:** My question is to the Deputy Premier and Minister for Health. Can the Deputy Premier please inform the House about the importance of developing a clear and consistent policy direction on health?

**Mr Seeney** interjected.

**Mr SPEAKER:** Order! Minister, resume your seat. Honourable member for Callide, I have warned you on a number of occasions. Under standing order 253, this is your last warning. I call the honourable the Deputy Premier and Minister for Health.

**Mr LUCAS:** Certainly the member for Callide cannot speak on any of his policy areas; he has not asked any questions in relation to them in the past few weeks in this place.

The Queensland government is working with its state and federal counterparts to develop clear policies on a number of issues at a national level, including things such as national registration and accreditation, primary healthcare reforms, and health and hospital reform recommendations. Of course, it is a key aspect of our Q2 policy. This government is demonstrating leadership, which is very important in key areas of government. In health, transparency is very important to us. Of course, that is not the same for the Leader of the Opposition when it comes to what he says on the one hand and what he does on the other hand. On 3 August the Leader of the Opposition told the ABC—

**Opposition members** interjected.

**Mr SPEAKER:** Order! Minister, resume your seat. I call the honourable the Deputy Premier.

**Mr LUCAS:** Funnily enough, I have not noticed any questions from the opposition about health this morning. The Leader of the Opposition said that he did not want lobbyists as part of his team. I was looking at the Electoral Commission of Queensland disclosure list from the LNP. Surprisingly—

**Opposition members:** Health! Health! Health! Health!

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

**Mr LUCAS:** They are paid well in excess of \$100,000 a year to show kids they can share. I think kids got over that a long time ago in the schoolyard. On 21 November last year, almost \$22,000 was paid to Entree Vous for consulting. The LNP paid Entree Vous for consulting. Of course, this is a company that the member for Mudgeeraba says she has nothing to do with, although public records tabled in this parliament show that is not the case. Now we have \$21,550 paid for—

**Mr SPEAKER:** Order! Deputy Premier, resume your seat. That matter is before the committee and I ask you to refrain from referring to that matter.

**Mr LUCAS:** Now we have \$21,550 paid to that company for consulting.

**Mr SEENEY:** I rise on a point of order. The Deputy Premier obviously knows that that matter is before the committee. He referred it. I think he should withdraw the statements he just made. They are clearly out of order and he knows they are out of order.

**Mr SPEAKER:** Order! I will uphold the point of order. I do want you to withdraw the comments.

**Mr LUCAS:** Mr Speaker, I withdraw whatever you ask me to. The member for Callide talks about what people know and is a famous tactical liar. We will see if he remembers that the legislation does that. Michael Caltabiano is a former director and lobbyist for Entree Vous Pty Ltd. At the last election Michael Caltabiano's wife was a candidate for Chatsworth. Is this their way of channelling money to far-right candidates such as the member for Mudgeeraba and the wife of the former member for Chatsworth, who was also the candidate for Chatsworth? What are they doing paying lobbyists money for consulting? Where did the \$21,550 that they paid to Entree Vous go? What does a political party need when the health policy is run, according to a press release from the member for Mudgeeraba, by someone who acts for health companies in terms of lobbying? What happens when money goes to a lobbying company that employs Michael Caltabiano and also, of course, is partly owned by the member for Mudgeeraba? They say one thing in this House and do absolutely the opposite.

*Tabled paper:* Extract of Electoral Commission of Queensland Disclosure Return—Registered Political Party for the LNP dated 23 February 2009 including entry regarding Entree Vous [\[796\]](#).

## Ergon Energy

**Mr NICHOLLS:** My question is to the Premier. As at 30 June 2008, four of the seven directors of Ergon Energy had direct business interests with the Labor Party or the union movement. As of today, of the six directors one is a lobbyist, one is a former Labor politician and one is the secretary of the Labor Party's investment arm, Labor Holdings. Will the Premier admit that the process of appointment is politically corrupted?

**Mr Schwarten:** Bet Santo gave you that one.

**Ms BLIGH:** Yes, it does have all the hallmarks of the Santo Santoro hit list, doesn't it? Nobody should be given any advantage in any of these appointments by virtue of the fact that they are a member of any political party; nor should their membership of a political party disadvantage them. In this country, membership of a political party is a democratic right. There are people from all sides of politics who have something to offer and who have been appointed to government boards. They are people such as David Watson. David Watson is not a member of the Labor Party, but he is providing services to the people of Queensland. He is providing that on the board of Stanwell. Of course, Joan Sheldon is a former member of the Liberal Party in this place and is providing services to the people of Queensland on the board of Forestry Plantations Queensland. A former Speaker of this House, Neil Turner, is doing the same in relation to his responsibilities with SunWater.

**A government member:** All Labor mates!

**Ms BLIGH:** None of them could be described as Labor mates. This government recognises that people have skills and talents, and some of those skills and talents have been developed because they have had an opportunity to serve as a member of the parliament. I do not think that should mean they should never be invited to serve the public in some other way. I have indicated publicly that, in my view, those people who choose post politics—or even if they have never been in politics—to work for a firm that lobbies government cannot also be part of government. As members will have seen from public statements made by a number of people over the past couple of weeks, we are in the process of ensuring that a lobbyist cannot serve on a government board. People are making their own decisions in relation to that. When the expiry date is up, I will happily inform the House of all of the outcomes of those processes.

As I said, the mere fact that someone is a member of a political party, a trade union or, indeed, an employer organisation should never disqualify them if they have something to offer. As I outlined last time, Graham Heilbronn serves on a number of boards and no-one would accuse him of being a Labor mate. I think it is time for a little bit of calm and sense about these things. It would be a very sad day if people who have something to offer are not able to offer it, simply because of this kind of hysteria.

### State Budget

**Mrs KEECH:** My question is to the Treasurer and Minister for Employment and Economic Development. Can the Treasurer update the House on savings measures initiated by the government in the state budget?

**Mr FRASER:** I thank the member for Albert for her question. As the government announced in the budget, for this financial year we were increasing our savings target to \$280 million, going directly to areas such as travel, advertising and also in relation to operating expenditure such as consultancies. We do not know whether the LNP supports this economic strategy, because it has not put forward any policies of its own when it comes to managing the state's finances. However, we have been let in on the LNP's approach to this task because of the revelations from the Electoral Commission documents published last Friday.

While the LNP does not have a policy about it, its members are out there busy supporting the consulting industry and in fact new and emerging industries such as life coaching. How do we know this? Because the revelations from last Friday show that the LNP paid more than \$20,000 for truth coaching. I reckon it would have had to pay a whole lot more than that. So what is truth coaching? On the web, truth coaching says—

For a lot of men, midlife is a natural time to take stock and have a real good look at your self. The feelings of discontentment, ineffectiveness and confusion are not always about motorbikes, convertibles and a younger woman. It can, however, be the perfect opportunity for breakthrough in finding your truth. This is a time when you need to find clarity of direction, re-ignite your dreams and develop a clear plan ...

What are the desired outcomes from paying for truth coaching? It seems that the desired outcomes are to 'keep great staff and attract new ones'—just ask Paul Cormack; 'create a team of people with high motivation'—just ask the member for Warrego; 'deliver awareness of ineffective behaviours'—I think they were called in after the 'Fettagate' affair for a bit of Ray on Ray man coaching. It also says that you can 'make decisions with stability and confidence'. The LNP might need to get him back for the current Leader of the Opposition, I would have thought.

How do they perform truth coaching? According to Ms Levitt, she says—

With honesty and openness is how I tend to get the best results.

This stuff is for free. It is on the web. You do not have to pay \$20,000 to find this out. She says—

A coach recognises that all the answers are actually within you ...

When it comes to the \$20,000-a-plate dinner, the Leader of the Opposition says that the answers are not within him. But we do know that they are within the Deputy Leader of the Opposition, that they are within the shadow Treasurer, who was there, and that they are within all his staff who he has checked with. So it is time to get truth coaching back. It is time to double the money to get them back to coach the truth out of them. It is within them. They need to let the people of Queensland know who was at the \$20,000-a-plate dinner—the list that they blacked out from the people of Queensland. It is time to get truth coaching back because 20,000 bucks clearly was not enough.

*(Time expired)*

### Queensland Rail, Passenger Services

**Ms SIMPSON:** My question is to the Minister for Transport. Will the minister please explain why Deloitte is reviewing Queensland Rail's passenger network with regard to alternative ownership structures—or is this another key issue, like the rushed fire sale of QR assets, that the minister is unaware of?

**Ms NOLAN:** When this government made its announcement in June about the proposed, and now followed through, privatisation of Queensland Rail's coal business and possibly other freight, we made it perfectly clear that the passenger network, within both Citytrain and Traveltrain, would absolutely stay in public hands and would continue to provide public passenger services. That absolutely remains the case. I think that this matter is as simple as that. There is no proposal to privatise passenger services, and we have been entirely clear about that on the public record from go to whoa.

**Opposition members** interjected.

**Mr SPEAKER:** Order!

**Opposition members** interjected.

**Mr SPEAKER:** Order! The honourable member for Burleigh.

**Mr Rickuss** interjected.

**Mr SPEAKER:** Order! Member for Lockyer, I asked the House twice for order. I had called the member. You were disorderly. Therefore, I warn you under standing order 253.

### Queensland Schools

**Mrs SMITH:** My question is to the Minister for Education and Training. Can the minister outline for the House how the Bligh government is providing parents with more information about Queensland schools than ever before?

**Mr WILSON:** The Bligh government wants parents to have the best information about our schools. That is why we have released data at unprecedented levels. Despite this, however, the shadow education minister claims that we are covering up truancy data because we collected that at schools rather than at Mary Street here in Brisbane. Make no mistake: truancy is unacceptable. Quite rightly, truancy data is collected by principals at their schools so that they can work with parents to improve attendance. The shadow minister claims that 30 per cent of students play truant every day. This is nothing more than another Flegg furphy.

**Mr SPEAKER:** Order! I think it helps the House if you refer to the honourable gentleman by his correct title.

**Mr WILSON:** I appreciate the assistance of the House. This is another example of the member for Moggill putting a furphy before the people of Queensland. Unexplained absences are about three in 100. That is a long way from 30 in 100. This is just another issue on which the member has failed to do his homework. This is the latest in a long line of instances of furchies from the member. Let us look at the member's false claims.

Asbestos is a danger at Macleay Island State School. Independent testing says that that is wrong. There would be no supervision during the teachers strike—wrong. There was one teacher for every child. Schools are overcrowded—wrong. Schools named were not overcrowded. The BER funding is being siphoned off in fees and charges—wrong. The federal government provides extra funds for administration. The BER funding is being spent on workplace health and safety issues—wrong. These are addressed by the state government. The federal government guidelines are being breached by dollars going to schools marked for amalgamation—wrong. These funds can be spent at the new site. Schools are being short-changed on funding for computers—wrong. All the money is available to schools. Job cuts are taking place in school administration staff—wrong. No positions are being cut. School staffing has not increased—wrong yet again. There is an extra 150 teachers this year alone on top of the planned 300. The statistics on violence in schools are not kept—wrong. I have released data on suspensions for physical violence.

By my count, the shadow education minister scores zero out of 10 on his test of credibility. The shadow minister gets an 'F' for fail. Class dismissed.

### Queensland Ambulance Service, Union Organisers

**Mr MALONE:** My question without notice is to the minister for community safety. Can the minister confirm to the House that Jason Dutton and two other paramedics have been taken off front-line duties to work as organisers for the ambulance union? Can the minister confirm that the department continues to pay their wages and explain the circumstances that ensured that Mr Dutton's wife was promoted to a plum job in the QAS?

**Mr ROBERTS:** I am not aware of any particular circumstances of Mr Dutton's wife being promoted to a plum job with the Queensland Ambulance Service. With regard to ambulance officers working within the union, as I understand it, for a considerable period of time, and probably even back to when the National Party was last in office, there have been arrangements where people have been seconded from various levels of employment, whether it be from the private sector or other sectors—it happens across government—to work for the unions.

**Mr Schwarten:** They hate that idea, of course.

**Mr ROBERTS:** That is right, yes. I cannot recall the specific instances, but I am aware that people have gone from the public sector or the private sector to work for other representative organisations as well, whether they be organisations of employees or organisations of employers. I do not have all the particular detail that the member has asked for. If he has those specific allegations and the details of them, please provide them to my office.

As I indicated earlier this morning, there has been a lot of media commentary about the performance of the Ambulance Service in Queensland. Particularly the member for Mirani and other members from time to time take the opportunity to denigrate and to undermine public confidence in the service provided by Queensland ambulance officers.

As I have outlined this morning, there is no doubt that there have been some extremely tragic and sad cases that have been reported in the *Courier-Mail* over the last week and highlighted even in this place. In fact, many of the issues that were raised have been canvassed in this parliament—some two years ago and some a year and a half ago. They are very sad. They are very tragic. In some instances, the Queensland Ambulance Service has not performed to the level that we would expect and that we would hope. But to draw from those instances a claim that the Ambulance Service is in crisis or that the Ambulance Service is not performing well is simply untrue and unfounded.

I want to go through again some of the achievements of the Queensland Ambulance Service that have been put in place particularly over the last two years since the Queensland Ambulance Service audit. I want to talk about a couple of things, particularly response times as one indicator. Of course, underpinning response times is the quality of service that is provided. The Queensland Ambulance Service in terms of clinical advancements leads the nation.

In terms of response times, let me put these figures on the record again. The comparator across the country is how quickly you respond to 50 per cent of emergencies and how quickly you respond to 90 per cent of emergencies. The year before last Queensland was the best in the country, responding to 50 per cent of emergencies within 8.3 minutes compared to New South Wales, 9.9 minutes. In the last financial year, Queensland responded to 50 per cent of emergencies within 8.4 minutes compared to New South Wales, 10.3 minutes. The proportion of front-line ambulance officers has increased from 77.6 per cent to 82.8 per cent.

(Time expired)

### Air Conditioners

**Ms GRACE:** My question without notice is to the Minister for Infrastructure and Planning. Soaring temperatures traditionally cause a spike in electricity consumption, which has an adverse effect on the state's carbon footprint. Will the Minister for Infrastructure and Planning advise the House on the progress of the announced restrictions for air conditioners?

**Mr HINCHLIFFE:** I thank the member for Brisbane Central for her question. With recent unseasonably high temperatures in the electorate of Brisbane Central and other parts of the south-east, I would like to bring to the attention of the House the state government's decision to ban the sale and installation of inefficient air-conditioning units. This is an Australian first effective today, 1 September. From now on, all new or replacement air conditioners must have a minimum tested average energy efficiency ratio, or EER, of 2.9, or equivalent to four stars, on a current energy rating label to be sold or installed.

According to the Australian Bureau of Statistics, the number of Queensland homes with air conditioners has more than doubled, from around 32 per cent in 1994 to over 67 per cent of households in 2008. This represents an absolutely extraordinary explosion in the number of air conditioners, so it is vital that we get them as efficient as possible for the long term, particularly considering the load that they represent on the whole of our power network.

Every time an air-conditioning unit is installed, it costs the state's electricity network up to \$5,000. The toll on the state's environment is immeasurable. The state government's decision to ban the sale and installation of inefficient air conditioners highlights our commitment to a cleaner, greener Queensland. Doing so in the context of our ClimateQ initiatives that were announced during the last sitting week is an example of making sure that we are ahead of the game in relation to climate challenges and energy efficiency.

We worked with industry to make sure we found the right balance of seeing this ban come into effect at the beginning of spring, ahead of the summer break, rather than what was proposed by it, which was to wait until it is way too late considering the massive explosion in the number of air conditioners being installed in Queensland.

### BrisConnections; Further Answer to Question, Australian Workers Heritage Centre

**Mr GIBSON:** My question is to the Premier. I note that Labor Holdings has chosen to invest in RiverCity Motorway Group, an LNP Brisbane City Council operation, and ConnectEast, a Victorian Labor operation, but not BrisConnections, a Queensland Labor government operation. Can the Premier confirm that her own party lacks faith in this government to such an extent that even the investment arm of the Labor Party will not touch the government's handiwork?

**Ms BLIGH:** I think we really are seeing the bottom of the barrel being scraped this morning. First of all, I do not make any investment decisions on behalf of Labor Holdings. Labor Holdings is a company regulated by the Corporations Law of Australia. I am not a member of that board and nor should I have any knowledge of or involvement in the investment decisions of it. I do contemplate what the question might have been if Labor Holdings had invested in Airport Link. On the one hand, we have had constant criticism from those opposite about a decision made independently by QIC to invest in BrisConnections, and now they are complaining that the Labor Party's investment arm did not. Which one is it?

I am glad to have the opportunity to be on my feet again to provide further information to the House about the very serious allegations that have been made by those opposite about the Australian Workers Heritage Centre. The allegation that has been made here this morning is that the Australian Workers Heritage Centre has used a government grant inappropriately to repay a loan to another organisation. If there is any evidence of that then it would amount to fraud. If there is any evidence of it then those who are making the allegations have an obligation to bring it forward.

I can advise the House that I have received departmental advice that the Workers Heritage Centre has fully acquitted the grant that it was provided appropriately and has demonstrated that every cent was spent on the purpose for which it was made. I would further advise the House that it is my understanding that the member for Gregory is on the board of the Australian Workers Heritage Centre. So whatever loan arrangements were entered into by the Australian Workers Heritage Centre were approved by the board with the full knowledge of the member for Gregory.

**Government members** interjected.

**Mr SPEAKER:** Order! Those on my right!

**Ms BLIGH:** I would suggest that those who are making the allegations and asking the questions refer their questions to the member of the board—one of their own team—who will have entered into these arrangements.

**Government members** interjected.

**Mr SPEAKER:** Order!

**Mr Lucas** interjected.

**Mr SPEAKER:** Order! Deputy Premier, I have called for order three times. I therefore have no choice but to warn you under the same standing order that I warn those on my left, 253.

### **Responsible Consumption of Alcohol**

**Mrs MILLER:** My question is to the Minister for Tourism and Fair Trading. Can the minister please update the House on recent efforts to protect young people from excessive alcohol consumption?

**Mr LAWLOR:** I thank the member for the question. The Bligh government is dedicated to stopping excessive alcohol consumption by young generations of Queenslanders. Along with bans on glass in high-risk venues and educational marketing campaigns, we are moving to stop the use of novelty products that contain high levels of alcohol and can be consumed quickly. The Bligh government has moved quickly to place an interim ban on vodka Go Tubes. It seems that this product has been prelaunched and trialled on the Gold Coast, and a responsible licensee reported the product to the Office of Liquor and Gaming Regulation. The QHA and DrinkWise are both concerned about the product and support the ban.

Through the Office of Liquor and Gaming Regulation we have moved permanently to ban the product under section 156B of the Liquor Act, which provides that a regulation may declare a particular liquor product to be an undesirable product. In the meantime I have made use of the powers granted to me under the act to ban undesirable products for 42 days.

This product targets young people and encourages dangerous consumption of alcohol. The product is considered undesirable due to its high alcohol content, its attraction to young people, and its propensity to encourage rapid and excessive consumption. The product has also been banned because it is brightly coloured and would readily attract younger people, and it could easily be confused with non-alcoholic products such as soft drinks or ice confectionary. The flavours are likely to have special appeal to minors and young people. The squeeze tube method of consumption would lead to rapid and excessive consumption. While the interim ban is in effect a person must not sell or supply this product, and anyone doing so will be fined up to \$10,000.

### **Gladstone Electorate, Infrastructure; Further Answer to Question, Australian Workers Heritage Centre**

**Mrs CUNNINGHAM:** My question without notice is to the Premier. In Gladstone last week the Premier publicly acknowledged the need for increased infrastructure, including social infrastructure, for Gladstone given the industry development proposed. I thank the Premier for that. As a start, will the Premier undertake to improve the range of health services available to residents at the Gladstone Base Hospital?

**Ms BLIGH:** I thank the member for the question. Yes, she is right. I did speak at some length about the need for social infrastructure to keep pace with some of the other civil infrastructure because Gladstone, as I outlined this morning, will see considerable further pressure if the current industry potential is realised with a new steel manufacturing plant that will potentially employ up to 1,000 people and if the LNG gas industry realises even half of its potential over the next five to 10 years.

As the member knows, we are in the process of making very significant upgrades to the public dental facilities there with a new dental clinic. I can assure the member that the Gladstone Hospital, along with education services and others, will continue to get its fair share of the government's investment. But we can only make those investments if we keep our infrastructure building going, and we can only do that if we make the right financial arrangements to ensure that we can support its funding. That has required some tough decisions. I would encourage the member for Gladstone to support us in those decisions to ensure that social infrastructure can continue in her area.

I am pleased to have another opportunity to talk further about the importance of the tourism that is generated for Far Western Queensland by the Australian Workers Heritage Centre. I can further advise the House that not only was this grant fully acquitted by the Workers Heritage Centre but all of the funds were directed to the working women's project which was commenced in July 2002. So some time ago this grant was fully acquitted.

Not only is the member for Gregory on the board and has been a member of the board for 10 years and was a member when the grant was acquitted and the Labor Holdings loan was negotiated, but I am advised that, some nine months before the last election, he took the then Leader of the Opposition, the member for Southern Downs, for a full briefing on the Workers Heritage Centre during which the Labor Holdings loan was outlined in full detail to both the member for Southern Downs and the member for Gregory. I do not know why those opposite have had to come in here today and ask me questions about it when they knew more about it than I did, as is appropriate.

I think what we have seen today is a betrayal of the largest tourism magnet in the far west. That centre has the full support of this House. What the member for Gregory has allowed today is his team to accuse it of fraud. The member for Gregory was not here, but what his team did this morning was to accuse the Workers Heritage Centre of fraudulently accepting government money and using it for a false purpose. That is a very serious allegation.

Not only did those opposite make that allegation against the Workers Heritage Centre but they made the allegation against the member for Gregory, because he is a member of the board. It was the board that negotiated the loan and the board that negotiated the repayments. The member for Gregory was party to every single decision.

*(Time expired)*

**Honourable members** interjected.

**Mr SPEAKER:** Order! The House will come to order! I call the honourable member for Morayfield.

### **Social Housing**

**Mr RYAN:** My question without notice is to the Minister for Community Services and Housing. In light of the federal government's announcement with regard to boosting education funding in Queensland and other states, could the minister please advise the House whether the Bligh government is on track to deliver the 4,000-plus social housing dwellings across Queensland?

**Ms STRUTHERS:** I thank the member for his support of social housing. The answer is: absolutely. We are delivering the biggest ever social housing building program in Queensland. It is an historic investment of a billion dollars plus. That is on top of the Bligh government's \$500 million five-year building program. It is a win for people who rely on social housing and a win for building workers right across the state.

Over the next 12 months alone our building program will generate around 4,000 jobs. It could not have come at a better time, when jobs and job security are more important than ever. Building workers have their hard hats on from Cairns to Coolangatta. More than 900 dwellings are under construction.

Capital works in this financial year alone will see work on 12 dwellings on the Darling Downs, with 70 more in the pipeline. On the Gold Coast more than 160 dwellings are either underway or in the pipeline. There will be many more to come next year. Heading north there is good news for Central Queensland. More than 100 new dwellings are either underway or in the pipeline in the Central Queensland region. In Mackay we have got more than 70 new dwellings underway, nearing completion or just about to start. Let us head up the coast a bit further. In the Far North there are more than 100 new social housing dwellings either underway or in the pipeline. Brisbane is getting its fair share as well. These are exciting times.

The Bligh government is on track and getting on with the job of building more than 4,000 new homes right across the state. We are generating thousands of jobs for local workers. We are about jobs, not cuts. If we had applied the opposition's three per cent efficiency dividend to my portfolio, what would have happened? \$150 million—gone; 1,750 jobs—gone; hundreds of social housing units—gone!

### Moreton Bay Marine Park, Green Zones

**Dr ROBINSON:** My question is to the Minister for Climate Change and Sustainability. I refer the minister to her comments in the *Bayside Bulletin* of 10 August that—

... 80 per cent of markers had been installed to mark out green zones in the bay, with the remaining 20 per cent to go in over the coming weeks.

Local fishers report to the contrary, that only a few markers exist. I ask: does the minister stand by her comments of 10 August or does the minister now admit that she misled the public over this important issue?

**Ms Bligh** interjected.

**Ms JONES:** That is exactly right, Premier. I thank the honourable member for his question and I think his genuine concern on behalf of fishers in his electorate. I am happy to investigate that. Obviously, I pass on the advice that I receive from my department. What we see here once again is an absolute attack on the environment in Queensland. The member for Cleveland—

**Honourable members** interjected.

**Mr SPEAKER:** Resume your seat and I will wait for the House to come to order. I call the honourable minister.

**Ms JONES:** The member for Cleveland has been on the record about this plenty of times. This month he actually said that the opposition will, if elected, wind back the green zones in Moreton Bay. That is the position of those opposite. They want every fisherman to be able to fish in the green zones.

**Dr ROBINSON:** Mr Speaker, I rise to a point of order.

**Mr SPEAKER:** Order! Resume your seat. We will stop the clock and hear the point of order.

**Dr ROBINSON:** Those statements have never been made and I ask the minister to withdraw them.

**Mr SPEAKER:** I am not sure the minister referred to you personally.

**Ms JONES:** Dr Robinson, the member for Cleveland, used a visit to launch a petition calling for one line per fisher in the green zones.

**Mr SPEAKER:** She did. Resume your seat. I would ask the minister, in view of the fact that the member finds the words offensive, to withdraw the words that he finds offensive.

**Ms JONES:** If he finds them offensive I will withdraw them. Instead, I seek to table the document where the member for Cleveland, Dr Robinson, called for one line per fisher in the green zones.

*Tabled paper:* Article in Bayside Bulletin of 11 August 2009 titled 'Fight against fishing zone bans continues' [797].

I do not know about you, Mr Speaker, but when you are calling for fishing in a green zone you are winding back the protection that is available in the green zone. What we have seen from the moment we introduced the protection—

**Honourable members** interjected.

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

**Ms JONES:** What we have consistently seen from the opposition is an attack on the green zones in the Moreton Bay Marine Park. On this side of the House we support sustainable practices. We support the environment. What we see from the opposition is continual attacks and the winding back of the protections we have in this state.

I would like to take the opportunity while I am on my feet, as the minister for heritage, to also express my outrage at the attack on the member for Gregory. I know the member for Gregory—

**Opposition members** interjected.

**Ms JONES:** It is true.

**Mr Gibson** interjected.

**Ms JONES:** The member for Gregory is a good man.

**Mr Gibson** interjected.

**Mr SPEAKER:** Order! Resume your seat. The House will come to order. There has been far too much interjection from the member for Gympie and someone else, but I cannot pick up who it is. The member for Gympie will wear it. I call the minister.

**Ms JONES:** Furthermore, those opposite attacked the Workers Heritage Centre, which is one of the key heritage tourism attractions in our state. We on this side of the House have a strong legacy of introducing tough environmental and heritage protection. Every single act with regard to environmental protection in this state was introduced by Labor governments and, more often than not, opposed by those opposite. The comments made this morning and the question by—

**Dr ROBINSON:** I rise to a point of order. The question was about boundary markers in Moreton Bay.

**Mr SPEAKER:** Order! There is no point of order. It is your question, but it is the minister's answer. I call the minister.

**Ms JONES:** I answered the member for Cleveland's question at the beginning and I also pointed out to the House what his consistent public position has been with regard to the Moreton Bay Marine Park zones. The member is on the record asking for us to wind them back and asking for us to allow fishermen at least one line in those green zones. I think it is important for every member of this House to understand the contrast in policy between our side of the House, which wants to protect fishing for future generations, and the other side of the House, which has no interest in doing that. We have a strong record when it comes to environmental protection. We will continue to deliver on that record. It does not matter how much yelling and screaming those opposite do at me across the chamber; I will always stand up for the environment in Queensland. That is my job.

**Mr SPEAKER:** Order! The time for question time has expired.

## MINISTERIAL STATEMENT

### Further Answer to Question; Queensland Ambulance Service

**Hon. NS ROBERTS** (Nudgee—ALP) (Minister for Police, Corrective Services and Emergency Services) (11.30 am), by leave: I have not been able to track down all of the allegations made by the member for Mirani in this House earlier today, but I do have some information on at least one of them. At the outset I want to say that this is just another example of the ill-informed smear and innuendo that the member for Mirani is renowned for in this House. I have had to stand in this place on numerous occasions—indeed, go into the public arena on numerous occasions—to correct what is, as I have said, ill-informed smear and innuendo.

In relation to the Queensland Ambulance Service officers who have now been seconded across to the Liquor, Hospitality and Miscellaneous Workers Union, I am advised that there are two—not three, as claimed by the member for Mirani. The other claim or assertion was that they were being paid by the Queensland Ambulance Service. That is totally incorrect. These people are on leave without pay.

## MATTERS OF PUBLIC INTEREST

### Bligh Labor Government

**Mr LANGBROEK** (Surfers Paradise—LNP) (Leader of the Opposition) (11.31 am): This morning on four different occasions the Premier attempted to answer questions about these loan arrangements regarding the Australian Workers Heritage Centre. Then of course we had the 'Minister for Illegally Blonde' come out with her attempt, hand on hip, trying to give her defence about the—

**Honourable members** interjected.

**Ms JONES:** I rise to a point of order. I believe the Leader of the Opposition just said that I was 'illegally blonde'; is that right? If that is what you said, I find that offensive and I find it offensive for every woman who sits in this House.

**Honourable members** interjected.

**Mr SPEAKER:** Order!

**Ms JONES:** Furthermore, I ask you to withdraw that comment.

**Honourable members** interjected.

**Mr SPEAKER:** Order!

**Honourable members** interjected.

**Mr SPEAKER:** Order! The House will come to order! The minister has asked for a withdrawal. I ask you to withdraw that under the standing orders.

**Mr LANGBROEK:** I withdraw, Mr Speaker. As I was saying, there have been a number of attempts at explaining this issue. Unfortunately, those attempts will not appease the taxpayers of Queensland as to whether this is an appropriate use of taxpayers' funds.

This morning the Premier spoke about a loan in 2002, so let us have a look at the details of donations by the Australian Workers Heritage Centre to Labor Holdings. The amount from July 2008 to December 2008 was \$17,500 and then from July 2007 to June 2008 the amount was \$52,000. For the same period it had received from the Department of Communities \$25,000 in 2007-08 and \$1.7 million from the department of arts heritage trails funding. It still does not answer the question as to whether there are other organisations that can receive this sort of money from government organisations to repay loans to Labor Holdings, and that is what this government needs to answer. Over the last week we have seen the Premier—

**Ms Bligh** interjected.

**Mr LANGBROEK:** If you want to go back to your own seat and interject, that is fine. Over the last week we saw the Premier and the Treasurer wandering off all over the place—and we all remember the tour of 30 electorates in three days before the last election—but last week of course it was the ‘saving her job’ tour. Down the entire length of the coast of Queensland we saw the Premier not getting the same reaction, because of course the people in those places had no idea about all of the things that were promised before the 21 March election and what has happened five months later—promises such as the fuel tax that we all know the people of North and Far North Queensland had no idea they were going to get and of course the promise of 100,000 jobs, yet now there are press releases that talk about supporting 127,000 jobs. They had no idea then that their car registration would go up between 17 per cent and 22 per cent or, as we all know, that electricity prices would rise 40 per cent over the last three years. And there are only promises of more to come when the Minister for Natural Resources says that people should just turn off their appliances.

I also have been travelling not just the length of the state but also the breadth of the state. In the last couple of weeks I have been in Redlands and Cleveland and regions such as Gympie, Kawana, Surfers Paradise, Mermaid Beach, Townsville, Cairns, Burdekin, Yarraman, Kilcoy, Blackbutt and Kingaroy in the electorate of Nanango, Glass House, Cloncurry and Mount Isa. Everywhere I go people are concerned about corruption and trust. That is what the people of Queensland are concerned about—not 30 electorates in three days for some media coverage but the issues of corruption and trust.

In the last week between parliamentary sittings the Premier talked about Gordon Nuttall being charged with another 10 counts of official corruption and perjury. The Premier said that this was a sign that the system was working well. Well, I do not remember that when Bill Gunn instigated the Fitzgerald inquiry and all of the things that came out of it there was any sense that people were able to say, ‘This is a sign that the system is working well.’ Only this Premier can say that, with one of her former ministers now languishing in jail charged with another 10 counts of corruption and perjury, this is a sign that the system is working well.

The people of Queensland have serious questions that still can only be answered by a royal commission. This morning there have also been revelations explored further about a phosphate mine being approved in Mount Isa following another donation to the Mount Isa campaign and therefore there are now suggestions that that phosphate mine does not have to pass the same environmental tests that other mines have to pass.

Of course there have been questions about lobbyists and success fees that still need to be answered, and today we have asked the government about members of the ministry and their staff members who have been paid success fees. There are also the issues that have been identified over the last couple of weeks, and we still have not had clear answers from the government as to whether it has taken more money from people charged with corruption as we had identified in the last parliamentary week with regard to Ken Talbot.

**Mr Fraser:** Have you? Who was at the dinner?

**Mr LANGBROEK:** We definitely know that there is no-one on our side. We have not taken money from anyone charged with corruption, and the ECQ will release those details.

**Mr Fraser:** Prove it! Prove it!

**Mr LANGBROEK:** It is great to hear the Treasurer—

**Mr Fraser:** Prove it! Do you know?

**Mr LANGBROEK:** When I was travelling around the state I found that the people in the north and far north are concerned about wild rivers legislation and vegetation management—the regrowth moratorium that is killing the sale of properties. These are the issues in the north and west of the state. They are the issues that are leading to lower stamp duty returns to this government. This Treasurer is the worst Treasurer in the history of this state—the man who can get 36 per cent of the vote in his own electorate and put us into \$85 billion of debt going forward and \$13 billion of deficit. And he sits over there smirking at people suffering from the vegetation management regrowth moratorium!

Indigenous people are frustrated and suspicious about wild rivers legislation, and I turn to something said by Alison Anderson, a member in the Northern Territory who recently left the Labor government. I believe it applies to this government as well. She said—

I believed the Labor Party cared about Aboriginal issues, that Labor was the party to the Aboriginal cause. After four years in the system, I know I was wrong. Labor lives on the Aboriginal vote. It talks constantly about Aboriginal people, but what it's really good at is spending Aboriginal money.

The frustration of people like Noel Pearson and people in the cape is that their future is being affected by paternalism with the wild rivers legislation in that the remote area planning boards are being overruled by the minister, who says that there is no power for those planning boards.

These Indigenous people in the wild rivers areas had their land included in land-clearing legislation when there was no clearing going on anyway. So now they cannot take part in the new carbon economy. It is paternalism to protect the Greens. Of course, former Premier Beattie said that this was all about rivers, not catchments. Now that the legislation is stopping Indigenous people's self-determination, the government is asking them to say what they might want to do in the future. These Indigenous people say that they want to fix their health and education problems. They do not want to be told that their land was locked up in 2009 and that they will not be able to do anything with it. Noel Pearson says that this is an issue that will lead to a rise in Aboriginal activism because of their frustration.

There have been concessions made for the gulf communities. Mining legislation says that mining is going to be okay in the gulf, but in the cape there is great frustration as Chalco has been excluded. Therefore, it makes it difficult for those Indigenous people to know what they are going to do with their land in the future. They may want to do something with their land. They are frustrated and do not trust this government with what it is doing with this legislation.

As I have mentioned, in relation to vegetation management there is no consideration by this government for the concerns of people in rural and regional sectors. This is causing more budgetary problems through stamp duty receipts that this government is now not receiving.

The issues of corruption and trust concern people throughout Queensland. This government has issued a green paper about integrity yet cannot even put the submissions to the green paper on the web—all 11 of them—without censoring them. That is what this government does when it talks about openness and accountability. Even in today's paper we see that the Attorney-General, in amendments that were made last week to the Coroners Act, could not even put details in the explanatory notes about why the Coroners Act was being amended. He brought that legislation into this place and did not even tell the parliament and the people of Queensland the real reason the Coroners Act was being amended. That is the openness and accountability of the new member for Greenslopes.

No wonder people are cynical about what this government is actually doing in terms of those issues of trust and corruption. We know that the corruption goes all the way to the cabinet table. Last week we saw the 'save our jobs' tour of the Premier. Of course, the Treasurer was really happy to go along with the Premier. Last week in the paper we saw the Treasurer in his Bob the Builder hat and his Bob the Builder vest with the Premier and the member for Thuringowa. But as the week went on and as the tour went down the coast, he really did not want to be standing next to the Premier anymore. Finally, on the last day of the tour, on the Sunshine Coast, the Treasurer was not there. Next week, instead of being Bob the Builder, he wants to go off with his other hero, the Deputy Premier, to see a movie. It will probably be something involving the Deputy Premier in his other guise as Fat Bastard from an Austin Powers movie or Monsieur Creosote from the *Meaning of Life*. That is all we get. They can give it but they cannot take it. It is not good enough for the people of Queensland.

### **Civil Infrastructure and Construction College, Caboolture State High School**

**Mrs SULLIVAN** (Pumicestone—ALP) (11.42 am): Friday, 28 August marked the official opening by the Minister for Education and Training, the Hon. Geoff Wilson, of the Civil Infrastructure and Construction College on the grounds of the Caboolture State High School in the electorate of Pumicestone. This is another pilot for the electorate. It is the first training facility built under the state government's \$11.8 million school industry trade centres program. The college is purpose-built for civil construction training for school students in the Sunshine Coast and north Brisbane regions. It forms a new model for training and skills development to assist young people to enter the construction industry.

The model provides an opportunity for students to develop their skills and for employers to update their workforce while working on industry-standard equipment within a simulated industry space. And what a space it is. The huge shed is the result of no fewer than three partnerships: the state Labor government, the federal Labor government and the civil construction industry. This cooperation is unprecedented. It has never happened before. It is great news for Queensland and Queensland's future.

The project received \$1.8 million from the state government's trade centre program and the federal government contributed \$305,000 through its skills centre program towards the purchase of new equipment, such as bobcats, mini excavators and rollers. Mr Jon Sullivan, the federal member for Longman, spoke on behalf of the Hon. Julia Gillard, the deputy leader of the federal Labor government and the federal minister for education. He said that the federal government was keen to support initiatives that enabled students to gain workplace skills and experience on specialised modern machinery for future employment prospects.

Collaboration between governments and industry is working to ensure Queensland's future workforce. A steering committee set up to guide the program's development comprised representatives from the Department of Education and Training, Construction Skills Queensland, McIlwain Civil, the Moreton Bay Regional Council, Boral and Trackstar Alliance. The committee ensured that the finished project represents a true and realistic civil construction site that meets industry standards.

The industry will support the college through employing school based apprenticeships and traineeships by providing advice on curriculum development, creating opportunities for professional development, providing professional development for staff and making donations of up-to-date equipment. As the Hon. Geoff Wilson said at the opening, this college will help fast-track students' futures by allowing them to gain formal qualifications before they leave school.

The college will play a vital role in offering young people the tools they need to reach their potential in the years ahead. Mr Keith McIlwain from McIlwain Civil spoke at the opening of the college about his vision to build quality skills and attract young people to his industry. For him, the college is the opportunity to revitalise and renew the ageing workforce. Keith mentioned the support of the Caboolture State High School principal, Mr Norm Fuller, who has recognised the importance of working with industry to make sure that young people get the right skills and, therefore, make them attractive to future employers.

Mr McIlwain recognises the importance of this new civil infrastructure and construction college. He said that giving young people an opportunity to develop skills while working on industry-standard equipment that has currency within the industry and a simulated industry space is so important in developing their necessary skills. It will give them an understanding of the jobs in the industry. He asked students to imagine the excitement and the satisfaction of knowing that they were, for example, part of a team that built a structure such as the state government's duplication of the Gateway Bridge. Structures like that bridge are a lifetime legacy to the building and civil construction industry.

Those who work in this industry see the industry as exciting. They are the people who bring to reality the major roads we drive on, the high-rise buildings that we see in our cities, the tunnels that are currently under construction around Brisbane and the water and waste treatment plants. They are the genuine creators of sustainable community assets. So it is vital to ensure that this necessary industry is helped by developing an ongoing quality, skilled workforce and one that understands the industry.

It is not the core business of industry to provide education and training. This is where the partnership between governments and industry has been realised. This college has the potential to develop a workforce that will mean that the industry will not be faced with skill shortages in the future and that young people will gain a much greater understanding of the opportunities that exist in the civil and construction industry.

Mr McIlwain congratulated the state government for having the vision to create opportunities for the industry to be directly involved in establishing centres such as this college. He understands the important need to provide a seamless course for young people into the industry. I add my congratulations to those involved, particularly Mr Norm Fuller, the principal of Caboolture State High School. I have known him for a lengthy period and I have found him to be very innovative in his approach to teaching. His forward thinking has ensured that his students are well prepared for their future.

I would also like to thank student vice-captains Matthew Fraser and Ruth Creffield for their warm welcome to the centre and school captains Jasmine Boxsell and Jared Panzenhagen for accompanying Minister Geoff Wilson and the federal member and me on a tour of the centre.

*(Time expired)*

### **Queensland Ambulance Service, Awards for Excellence in Community Safety**

**Ms CROFT** (Broadwater—ALP) (11.47 am): Recently, as Parliamentary Secretary for Emergency Services it was my pleasure to attend the announcement of the winners of this year's Minister's Awards for Excellence in Community Safety. The awards recognise outstanding achievements, innovation and leadership across the Department of Community Safety and have shown once again that our emergency and corrective services staff continue to set a service delivery benchmark for Queensland communities.

I am pleased to announce to the House that the Queensland Ambulance Service's efforts in ensuring the safety of personnel at the front line and delivering life-saving treatment to heart attack victims was recognised at this year's awards. The staff from the Queensland Combined Emergency Services Academy at Lutwyche were the winners of the ZEROHarm Excellence in Safety Leadership category for the production of the new and innovative QAS Manual Handling Program. The QAS Manual Handling Program resource and DVD includes new manual handling coding and patient mobility assessment systems; includes new lifting aids, such as slide sheets and walk belts; and introduces the new Stryker stretcher and stair chair. The Stryker stretcher and stair chair are now available in all 150 new and replacement Mercedes Benz Sprinter 318 ambulances being delivered across the state as part of the Bligh government's massive \$494.6 million allocation to the Queensland Ambulance Service.

I wish to tell the House about another outstanding achievement of the Queensland Ambulance Service. This year the QAS medical director's office was highly commended in the innovation and creative category of the Department of Community Safety minister's awards for excellence for the introduction of pre-hospital thrombolysis to intensive care paramedics. Myocardial infarction—heart

attack—is one of the highest causes of death in Queensland and Australia and the Queensland Ambulance Service has implemented a cutting edge state-wide strategy in cardiac care that now sees Queensland Ambulance Service officers administering clot-busting drugs in the field to patients who are suffering a heart attack.

Queensland was the first state in Australia to introduce such a program. This program involves the categorisation of patients suffering heart attack to either pre-hospital thrombolysis, where the patient is administered a clot-busting drug in the field by our QAS paramedics, or directed to a hospital with coronary intervention facilities.

As at 14 August 2009, 407 heart attack cases of a specific type have been identified. There were 63 direct coronary intervention admissions requested by paramedics and 122 administrations of tenecteplase, the clot-busting drug, have been reported. This is a huge leap forward in pre-hospital care and is at the cutting edge of cardiac care. The Queensland Ambulance Service has developed the first and largest pre-hospital led coronary artery reperfusion strategy in Australasia and is seen as the leader in this area. I understand that this innovation has the full support of the Queensland state cardiac services committee.

In Queensland, rates of cardiac arrest survival to hospital have increased significantly between 2007 at 18.6 per cent and 2008 at 23.7 per cent. This constitutes an additional 71 Queenslanders, a 5.1 per cent increase, who survived their out-of-hospital cardiac arrest as a consequence of care received by paramedics. It should be noted that, for those arrest types most likely to be survivable, the survival to hospital rate increased by 8.6 per cent to 41.63 per cent. This increase in survival to hospital can also be attributed to improvements in clinical capability, including the introduction of adrenalin for use by advanced care paramedics, the implementation of new CPR guidelines recommended by the Australian Resuscitation Council, the rollout of LifePac 12 defibrillators and, finally, the implementation of the clinical dispatch supervisors who ensure the attendance of the most appropriate clinically trained paramedics wherever possible.

Our Queensland Ambulance Service is one of the best in the world and our ambulance officers are held in high regard by Queensland communities for their dedication, professionalism and compassion. Innovative programs such as these demonstrate that the Queensland Ambulance Service is at the forefront of service delivery and is committed to providing an innovative edge in the delivery of pre-hospital care to the sick and injured. I congratulate all of those involved in the development of these programs and table for the benefit of the House the full list of winners of this year's Minister's Awards for Excellence in Community Safety.

*Tabled paper:* List of winners of the Minister's Awards for Excellence in Community Safety [\[798\]](#).

## Hendra Virus

**Mr McARDLE** (Caloundra—LNP) (11.52 am): The role of the health minister is clearly defined. The health minister should be a person who protects the lives of Queenslanders. To do that, this person should become involved in eradicating the causes of illnesses and preventing their recurrence. That is what Queenslanders expect of a health minister in this government at this point in time. We need a person who is proactive—proactive in the sense of being out there understanding the issues, understanding the causes and making decisions that have the best impact upon health in Queensland to ensure that the citizens of this state have a healthy life. What we do not need is a health minister who simply turns his back on the health portfolio and leaves issues for others to deal with. If a matter impacts upon health but the health minister himself cannot deal with the issue because it is not a part of his portfolio, he has a clear obligation to head down to the relevant minister's office to make certain that that minister works with him to ensure that the issue is dealt with.

At this point in time in this state we face an issue that must be dealt with—that is, the Hendra virus. People in this state have died because of this virus. In 1994 Vic Rail died, in 1995 a farmer in Mackay died and in August 2008 a vet in Brisbane died. There have been 12 clusters of Hendra virus in this state since this virus has been detected. At this point in time we have a health minister who has done nothing about an issue that has killed three Queenslanders and left one critically injured. We know that bats are the natural host of the virus. We know that the bats are the problem but what is this health minister doing? What is he doing about eradicating this disease? What is he doing about assisting Queenslanders to ensure that they do not get this virus? He is doing nothing. What we saw in this House today after 30 seconds is an attack on the Leader of the Opposition by the health minister instead of dealing with a critical feature of this state's health crisis. There are three persons dead and more on the way.

It is not just an issue for the DPI; it is an issue that impacts upon every person in this chamber and every person across the state. The minister has to work to move the bats to eradicate the problem. He has to work to move the bats so that they do not infect horses that then may infect human beings. At the end of the day what is more important: a human life or a bat? The obligation of the health minister is to protect human lives. What has he done about this to date? Absolutely nothing.

CSIRO scientists who research Hendra virus are required to work at biosafety level 4. That is the highest biosecurity level in this state. What they are required to wear are fully encapsulated suits with their own air supply. That is how seriously the DPI takes this issue. There is nothing to indicate that this health minister looks at this issue in this sort of manner. In fact, I took the chance today to go through the government's ministerial statements in the last two to three weeks and I found that not one of the health minister's ministerial statements on the website for the Queensland government from 31 August to 15 July this year covers the Hendra virus—not one. Here is a man who is charged with ensuring that the health of the people of this state is the best that it possibly can be and in the ministerial media statements of that time there is not one word on the Hendra virus.

**Mr Hoolihan** interjected.

**Mr McARDLE:** Three people have died. The member for Yeppoon laughs at the suggestion that people have died in this state because of the Hendra virus. He must think it is incredibly funny.

**Mr Hoolihan** interjected.

**Madam DEPUTY SPEAKER:** Stop the clock.

**Mr HOOLIHAN:** I rise to a point of order. The comments made by the member for Caloundra were not only offensive but they were obnoxious and I ask that they be withdrawn.

**Mr McARDLE:** I withdraw. At the end of the day this health minister has not even taken the time to put pen to paper to issue a statement to say that he will deal with the Hendra virus under the health portfolio. That is how much those opposite and this minister cares about this issue. I table a copy of the ministerial media statements for the benefit of the House.

*Tabled paper:* Details of ministerial media statements for the Deputy Premier and Minister for Health [\[799\]](#).

At the end of the day we are relying upon a health minister who simply does not care about his portfolio. As I have said many times in this place, he is simply a man who believes that the health portfolio is nothing more than positive guff. It is an absolute disgrace.

### Healthy Queensland Awards

**Mr WATT** (Everton—ALP) (11.58 am): I rise to advise the House on the latest steps by the Bligh government to tackle Queensland's growing rates of preventable and chronic disease. Unfortunately, as a whole community we are not taking care of ourselves and being proactive when it comes to our health and wellbeing, instead relying on modern medicine when things take a turn for the worse. All around the western world rates of chronic diseases like cancer, type 2 diabetes and cardiovascular disease are increasing as a result of changes to our lifestyle. Queensland is no different. Chronic disease caused 88 per cent of the health problems and early deaths in Queensland in 2006, with a disproportionate share in disadvantaged communities. The chronic diseases of cancer, cardiovascular disease, nervous system disorders, mental disorders, diabetes, chronic respiratory conditions and various other conditions caused 80 per cent of the health problems and early deaths in Queensland.

In 2001 in Australia, the treatment of those chronic diseases accounted for \$30 billion in health care or 60 per cent of health expenditure. More than 2.9 million Queenslanders live with a long-term chronic condition. If the life expectancy of the average Queenslanders is adjusted for the loss of their healthy life, a total of eight years are lost, bringing the average life expectancy down from 80 years to 72. While one of the pleasing aspects of health care in Queensland, and in Australia generally, is that our life expectancy continues to increase, my point is that chronic diseases and the lifestyle conditions that lead to those diseases pose a major risk to our life expectancy going forward. It has been noted that the generation being born now is the first generation to face the risk of having a shorter life expectancy than their own parents, which is a scary thought. I think that Queenslanders would prefer to have another eight years of their lives to share stories of their childhood with their grandchildren or take a well-earned break at the end of their long careers, rather than give it up for chronic disease.

The evidence is clear that our lifestyle choices are the major cause of growing rates of chronic disease. Those choices include lack of physical activity, an increase in sedentary behaviours, poor nutrition and the impact of smoking and alcohol misuse. Unfortunately, it is a fact that Queensland is one of the worst performers in Australia when it comes to most of those lifestyle factors. In fact, in Queensland over half of adults and one-fifth of children are overweight or obese, one in eight people aged 14 years and older misuse alcohol, with alcohol misuse causing 706 deaths per year. For every one of those lifestyle factors—whether it be smoking, heavy alcohol consumption, lack of physical activity or poor nutrition—Queensland continues to have some of the worst rates in the country.

However, the Bligh government has a strong record in taking decisive action to arrest the growth in chronic disease and our poor performance in lifestyle factors. Some of the things we have done in relation to children include introducing healthy tuckshop menus at schools and making it mandatory for primary schoolchildren to have a minimum of 30 minutes per week of physical activity and for secondary students to have a mandatory minimum amount of physical activity as well. We have also run a range of public education campaigns on lifestyle factors, such as the Go for 2&5 campaign, skin cancer

campaigns, Quit campaigns and alcohol campaigns. A range of innovative programs have been introduced to help sufferers to manage chronic disease, such as the hospital in the home trials being conducted around the state to ensure that people can receive dialysis, for example, or other treatments for chronic disease in the home environment rather than having to turn up to hospital, placing further pressure on our hospitals.

The member for Yeerongpilly has been asking me whether there is anything more that we have been doing. I am pleased to remind him of the Q2 target that was set last year by the government to reduce by one-third by 2020 obesity, smoking, heavy drinking and unsafe exposure to the sun. One of the first things the Bligh government has done to address this Q2 target is the awarding of the Healthy Queensland Awards last week. The awards were established at the Premier's instigation, with a total prize pool of \$1.6 million, to award innovative practices that promote healthier lifestyles. There are three categories of award: healthiest community, healthiest school and healthiest workplace. I was pleased to be involved in the presentation of the awards last week.

This year, Queensland's healthiest community was awarded to joint winners Texas Visitors Association and the Gladstone Regional Council. The healthiest workplace is Jellinbah Mining in the Bowen Basin. The healthiest school is Emmanuel College on the Gold Coast. Along with this year's winners, a select number of highly commended entries shared in the prize pool. The highly commended entries were the Logan Healthy Schools Alliance—and I was pleased to see the members for Waterford and Woodridge present—Trinity Beach State School, Century Yuasa, Townsville City Council, Cook Shire Council, Shooting for the Stars Club in the Downs education district and the University of Queensland. All were worthy winners.

### **Annual Local Government Conference**

**Mr HOBBS** (Warrego—LNP) (12.04 pm): I wish to give a summary of the 113th annual local government conference held in Brisbane recently. Local government is the third sphere of government and an important partner of government in delivering services to our communities. I have to report to the House that the state Labor government has walked away from its responsibilities as a partner of local government in Queensland. The Minister for Local Government was the only minister to deliver a report to the annual conference of local governments, and she only stayed for a few hours on one day of the three-day conference. For the first time that I can recall from attending those conferences over 30 years, there was no update or report from the Minister for Transport, the Minister for Main Roads or, in more recent times, the Minister for Infrastructure and Planning.

Councils are furious that the state government has slashed funding from 90 existing approved schemes worth \$36.9 million and \$45 million in existing grants and subsidy schemes was also lost and many councils, whose budgets had either been brought down or were in the final stages, had to rework those budgets. After 2011, \$100 million will be lost in water and sewerage grants. Councils had long-term plans in place for water and sewerage upgrades that have now been put on hold or scrapped. What galled councillors the most was the fact that the minister could not tell the truth about the cutting of those grants and subsidies. The minister and the government have lost all credibility and have gone into hiding. The minister has not attended any regional meetings since the budget.

Great concern exists about the financial positions of local governments in Queensland. Treasury has predicted that council debt will double over the next three years. It is also estimated that rates will rise by six to eight per cent each year in the foreseeable future. Many recently amalgamated councils have and will bring down deficit budgets—a position that was not acceptable in past years. Amalgamated councils are still equalising rates, resulting in significant rate rises of up to 40 per cent in some cases. Recently a community attitude survey was carried out that found the lowest level of satisfaction with recently amalgamated councils since the survey began 12 years ago. Satisfaction levels were similar to last year for non-amalgamated councils. Councils are desperate for government assistance. Twenty-five amalgamated councils have made submissions claiming \$185 million in forced amalgamation costs, forced upon their ratepayers by this Labor government. The reform process has been a financial disaster for councils and ratepayers, and this government has simply walked away.

The minister has told the House that one council had achieved huge financial gains from this amalgamation. The minister spruiked this in the parliament and around Queensland. Unfortunately, I must advise the House that this is simply not true. The particular council concerned—and I will not name the council—had to bring down a deficit budget, it has not realised any savings and it has had to fund part of its budget by accessing savings from its general reserve.

The Minister for Local Government has not ruled out more forced amalgamations of councils. It is hard to believe the stupidity of such a move as the last very recent experiment has generally resulted in increased rates for ratepayers, difficulty in providing the same level of service that ratepayers had previously, financial difficulties and, while putting in a huge effort, councillors having great difficulties working through amalgamation processes resulting in ratepayers being dissatisfied, as reported in the satisfaction survey. The government has not compensated ratepayers for the last round of amalgamation costs.

Councils provide a wonderful service to our communities. However, to give the best service, they need the support of the state government. The president of the LGAQ told the annual conference that he will not enter into any more intergovernmental protocols while he is president. 'There is no point in flogging a dead horse', he said. This government has broken every protocol with local government so many times that local government cannot trust it anymore. This is an indictment on the minister, the Premier and this Labor government which has lost interest, lost direction and lost the confidence of the people of Queensland. Councils are doing it tough because the state government has not fulfilled its responsibilities. Any trust that there was is now gone. Being untruthful is a feature of this government's approach towards local government. Even written assurances are not honoured. When he was Minister for Local Government, the Treasurer did not tell local governments that councils that had been forced to amalgamate would be considered financially capable of funding their own water and sewerage projects and would lose \$1 billion over the next decade. The president of the LGAQ said that the state government had walked away entirely from the state's largest urban councils.

*(Time expired)*

### **Smith's Snackfood Co.; ClimateSmart Home Service Roadshow**

**Mr KILBURN** (Chatsworth—ALP) (12.08 pm): Today I rise to inform the House about a wonderful collaboration between government and business in my electorate of Chatsworth that is increasing job security and providing environmental benefits to my electorate. The Smith's Snackfood Co. in Tingalpa, which operates on 23 acres from a 15,000 square metre factory and an 8,800 square metre warehouse, has recently introduced a number of new lines supported by the Queensland government. The Queensland government has provided funding to support the company to invest in installing two new lines of low-fat Red Rock Deli chips. This world-first technology was developed in partnership with Heat and Control Pty Ltd of Mount Gravatt. Interestingly, this technology has now been exported to other PepsiCo companies internationally and the chip line is now being exported around the world. That is a real coup for the Chatsworth electorate and the company I am speaking about.

This company has also provided job security for the people who work there. There are 720 people in my electorate employed by this company, so it is a major employer in the area and I congratulate the company on doing this. As I said, it provides job security and income for local suppliers such as engineering firms, and the product—the potatoes—is sourced locally wherever possible. So it has a positive benefit for potato farms in the region.

The Queensland government has also provided \$2.7 million as part of a \$9.6 million project to provide recycled water at the Tingalpa plant. The plant was identified as the 15th biggest water user in South-East Queensland in 2008. The project, supported by the Queensland government, will recycle 70 per cent of the water used on site, saving over 200 million litres of water a year. The new recycled water technology involves microfiltration and reverse osmosis. Recycled water will be used for boiler feed, oil cooling and potato handling. I was fortunate enough recently to visit the plant and see it in operation. The first water from the recycling plant was due to come online this month.

Once again, this is a fantastic example of this government supporting business to secure world leading-edge technology, providing support to workers and also helping the environment. It is a fantastic outcome, and the government should be commended on its efforts.

I was fortunate enough yesterday to attend the opening of the ClimateSmart Home Service roadshow at Carindale shopping centre.

**Ms Jones:** Hear, hear!

**Mr KILBURN:** I acknowledge the minister over there. I was lucky enough to attend and I would like to encourage as many people in the Chatsworth electorate as possible to attend this roadshow over the next couple of days. The service is available for everyone at the Carindale shopping centre from yesterday until 4 September. I was fortunate enough to be joined by 'No One', the mascot for the ClimateSmart initiative. I must say that he is a very nice fellow. I did say that I hope we are providing him with some sort of psychological support, because being called 'No One' for 12 months would certainly dent anyone's self-esteem. He assured me that he was all right.

This is a great initiative and another great example of this government providing fantastic environmental outcomes for this community. Contrary to what we hear from those opposite about dirty deals with the Greens, this just shows the commitment that this government has to working with business and providing good outcomes for everyone in Queensland.

The ClimateSmart household program is just about to sign up its 100,000th household. There is actually a prize for that person. So I encourage everyone to go and enrol.

**Ms Jones:** A television.

**Mr KILBURN:** A television—a six-star LED television. But the good thing about this program is that it has already stopped 1.1 million tonnes of greenhouse gas emissions from entering the atmosphere and it has enabled Queenslanders to save millions of dollars in water and electricity bills. It is a fantastic initiative. I commend the initiative and I encourage everyone in the Chatsworth electorate to attend the Carindale shopping centre and make a booking for the ClimateSmart Home Service.

### Beaudesert Hospital

**Mr McLINDON** (Beaudesert—LNP) (12.12 pm): I wish to highlight to the House two completely unacceptable circumstances and series of events that have occurred at the Beaudesert Hospital in the last fortnight. On Friday, 14 August at 12.30 pm a 91-year-old man was admitted to the hospital after a possible angina attack. It took several hours before a junior doctor could assess the situation. A few hours later, at 7.30 pm, he had still not been treated by a doctor or seen to. Whilst he was incapacitated and unable to be moved in a normal vehicle, the gentleman was keen to get home so at least he had a bed to lie in. A very reluctant staff member came and said that there was no chance an ambulance could take him home either that Friday night or over the weekend. A staff member said that they felt terrible when at 7.30 pm the man, with an undiagnosed broken wrist following an angina attack, was sent home in a wheelchair which took him some 20 minutes. They did, however, give him blankets given that it was a cold winter's night. This was completely unacceptable. Unfortunately, seven days later the man has since passed.

The second incident involved an 82-year-old lady who collapsed at 1.20 in the afternoon on Monday, 24 August. She collapsed one block from the Beaudesert Hospital. She was just a block away from the Beaudesert Ambulance Station and the Beaudesert Hospital, yet it took 45 minutes until an ambulance arrived from the Jimboomba station and she was then taken to the PA Hospital in a one-hour trip in the ambulance. And then the ambulance was ramped up for another two hours and 45 minutes. It took five hours before this 82-year-old lady, who collapsed one block from the Beaudesert Hospital and was suffering from blood clots, was even attended to.

How can that happen? How does that give surety to all these people in this area who have paid their taxes for all their lives? These people have pioneered this country. They have paid their dues and the least they could expect is a basic level of emergency services when it comes to health in the Beaudesert region.

These two incidents have been brought to my attention and I have been aware of the lack of service that has been occurring at the Beaudesert Hospital in the last 18 months. This is completely unacceptable. In the 5½ months I have been here it has seemed that the Minister for Health is completely unaware of his portfolio. He had opportunities to discuss the initiatives of Queensland Health this morning and he gave us less than 30 seconds of drivel. Mind you, that was an answer that had already been composed in response to a question that he was well aware of. So if the minister can only afford to speak for 28 seconds on his portfolio while there are instances happening across this state—in particular in the Beaudesert region—that are matters of life and death, I ask the minister to either roll his sleeves up or give the portfolio to somebody who cares. People are dying as a result of the lack of services and facilities in this region.

Beaudesert is a region of some 60,000 people, yet there are only 22 beds. The upsetting thing is that there are more beds. There is a whole wing of empty beds in that hospital that are unfunded. They are all sitting there completely isolated, gathering dust. It is nothing more than a storage room. How can they send a 91-year-old home in a wheelchair on a cold winter's night with a broken wrist after he had suffered an angina attack? How can a lady collapse only one block away from the Beaudesert Hospital and it take five hours, ramped up in an ambulance at the PA Hospital, for her to be attended to? This is absolutely outrageous.

I urge all members of the public in the Beaudesert region to come forward, because I can tell them that the Beaudesert Hospital is in the spotlight and it will continue to be. I was extremely disappointed at the level of input the minister has had to this extremely sensitive portfolio. He clearly does not care. I am very concerned that this portfolio is in the wrong hands.

I would like to praise the staff and doctors who are working extremely well under such conditions. Time and time again these poor staff and doctors have to put up with immense pressure because of the lack of facilities. It is not good enough that there are only 22 beds for a region of 60,000 people. It is not good enough to send a 91-year-old home with a broken wrist in a wheelchair on a cold winter's night. It is not good enough for an 82-year-old to collapse from a blood clot to be seen five hours later at the PA Hospital when she collapsed less than 100 metres away from the Beaudesert Hospital.

I call on this cold, heartless government that is made up of centralising extremists, with a health minister who is missing in action, to do something for the Beaudesert region. As I said, these people have pioneered this country and it is an absolute disgrace that they get sent home in a wheelchair or get whisked away to another hospital an hour away. It is not good enough and I will continue to highlight this until such time as the facilities are installed.

### Wednesday Without Words

**Mr MOORHEAD** (Waterford—ALP) (12.17 pm): Speech is the tool of trade for us as members of parliament. It is an important part of our daily work. It is how we communicate with our constituents, it is how we resolve their issues and it is how we understand what our constituents' concerns are when they

raise them with us. It is difficult for us to imagine a daily life denied the tool of speech. But for many that is the reality of their life. For some, not only is it a difficult challenge in their workplace; it is also a difficult challenge that they face when going about the daily tasks of life—buying milk at the shops or going to the bank.

Wednesday Without Words is the annual awareness program by the Australian Aphasia Association. For the first time, Wednesday Without Words will be hosted at Parliament House on 16 September 2009. I do encourage all members to attend.

The Australian Aphasia Association has been working for many years to establish a greater community understanding of the challenges faced by those with aphasia. Aphasia is a language difficulty caused by damage to the brain, most often as a result of stroke. Often aphasia sufferers have difficulty with speech or processing written text and numbers. Too often this condition goes undiagnosed, with many people understanding it simply as a symptom of stroke. But, with support and treatment, the effects of aphasia can be minimised or overcome. Unfortunately, to the unaware, aphasia sufferers are often assumed to be intoxicated or suffering from intellectual impairment. Often these speech difficulties are misleading. People with aphasia are competent and intelligent people. They just have difficulty getting their messages out. Often written text is a challenge for them and they may better communicate with pictures or with notes that are more graphic to explain what they mean.

In my electorate I have a number of very strong advocates for the Aphasia Association, particularly Kay Casey, Peter Stuart and Melissa Valentine. Peter Stuart and Melissa Valentine I particularly admire because, despite being people who live daily with the challenges of aphasia, they have taken the challenge to tell their inspiring story to their local community. At local breakfasts and functions, Peter and Melissa explain how they came to be suffering from aphasia, the challenges that they face and what they have done to overcome those challenges. Melissa is a young woman in her 20s who, while studying at university, suffered a stroke. Melissa has been able to overcome those challenges, to return to study and is engaged to be married. I understand she will soon celebrate her marriage after saying the words 'I do' clearly, despite her condition of aphasia.

The Aphasia Association has had very strong support from the speech therapy profession who have been passionate about supporting those living with aphasia. In particular, at the 2008 conference there was significant support by Queensland Health to support both the Aphasia Association and the Stroke Foundation. Often these two conditions go hand in hand. The Aphasia Foundation and the Stroke Foundation have worked very closely.

I encourage members to come to Wednesday Without Words on 16 September here at Parliament House and learn more about aphasia. The Australian Aphasia Association has produced the Australian Aphasia Guide, which is also available in audio format for those people who might be suffering from aphasia. Most importantly, it is important for members to get out there and tell their community about aphasia and what can be done to support people who are suffering with this condition.

### **Taylor, Mr A and Mrs K**

**Mr WELLINGTON** (Nicklin—Ind) (12.22 pm): Last week I attended two school memorial services for our school chaplain Allan Taylor and his wife, Kari. Both were tragically killed on the Sunshine Coast Motorway recently. The Palmwoods and Woombye school memorial services were very moving occasions for everyone who attended. Students, teachers and friends shared with those who gathered their stories of how Kari, as a dance instructor, and Allan, as a school chaplain, enriched their lives.

At the Palmwoods State School I had the opportunity to say a few words and accordingly acknowledged the condolences of our Minister for Education, Geoff Wilson, and all members' sincere condolences to Kari and Allan's family on their loss. The member for Glass House joined me and our community at the Palmwoods State School service, as both of us represent the Palmwoods area. This Thursday I will attend the funeral service for Kari and Allan, which will be held at the Suncoast Christian Church. This service is scheduled to commence at 11 am. I acknowledge that the state parliament will also be sitting at this time. On this occasion I have chosen to join my community at the church service in preference to attending parliament.

As the Minister for Education said recently, Kari and Allan touched the lives of many people throughout our region. I understand their helping hands reached out far beyond our state boundaries to many corners of the world. This special church service will acknowledge their wide involvement in our region and the world. While attending these two school services, a number of parents stopped me to say how proud they were that the Minister for Education had publicly acknowledged the great work that our school chaplains do in our schools. They provide direct benefits to not just students but also staff and our whole community.

Whilst on my feet, I will take this opportunity to update the government on the state of development of a number of infrastructure facilities in my electorate. The Nambour Fire Station is progressing well and should be completed before Christmas. The Nambour Nursing Home is also due for completion before Christmas and the Nambour Hospital is undergoing a major extension.

After listening to the member for Beaudesert talk about the problems his hospital is experiencing, I want to share my views on how I believe we can significantly and immediately relieve the pressure on many of our hospitals, in particular the Nambour Hospital. I believe if our nursing homes were able to employ appropriately qualified staff, many of our elderly people who are currently in hospital beds would not need to be in those hospitals. Instead they would be able to be cared for appropriately in nursing homes. I use this opportunity to raise this matter for the benefit of the Minister for Health, the Minister for Community Services and the Premier to take it up with their parliamentary colleagues at the federal level to see if we can increase the allowance so that our appropriately qualified staff can be employed in our nursing homes. At the moment I believe we have too many staff vacancies in our nursing homes, which simply puts pressure on our nursing homes to put elderly people in a taxi and send them off to our hospital system, where clearly we have significant pressures.

### Emergency Services

**Mr RYAN** (Morayfield—ALP) (12.25 pm): The outstanding and selfless work performed by our emergency services workers is a testimony to their dedication to the wellbeing of the people of Queensland and the Queensland community generally. My electorate is fortunate to have highly skilled and dedicated emergency services workers based at the Narangba Ambulance Station, the Burpengary Fire Station, the Burpengary police complex, the Narangba police beat and the Morayfield shopfront police beat. I take this opportunity to thank them and acknowledge their hard work and commitment to the people of the Morayfield state electorate.

Recently I was honoured to accompany, as an observer, paramedics from the Narangba Ambulance Station on routine emergency calls. My time with those inspirational individuals highlighted to me the challenges faced by our emergency services workers. I take this opportunity to especially acknowledge their hard work and commitment.

Much has changed since the first ambulance service began in Queensland in 1892 after a military medic witnessed a riding accident at the Brisbane showgrounds during show week. Shortly afterwards, the first ambulance station in Queensland was opened. The station was based at the old Brisbane newspaper company building and was equipped with one stretcher only. At the time there was no vehicle, and patients had to be transported on the stretcher by foot.

Today there are more than 260 ambulance locations throughout Queensland, and members of the Queensland Ambulance Service are highly qualified individuals who have undertaken years of training. These individuals continually display the impressive qualities of excellence and selfless service to others. Whilst more modern medical and administrative equipment would always be welcomed by front-line ambulance officers, there is no question that the Queensland Ambulance Service represents a substantial improvement from the humble beginnings of the first service operating from the old Brisbane newspaper company building and is recognised as one of the leading ambulance services in Australia.

To support the valuable work of our emergency service workers, the Queensland government has imposed penalties for false or malicious calls to the 000 emergency hotline. Minimum fines of \$1,000 exist for single offences, and fines of up to \$10,000 or one year's imprisonment may be imposed for repeat offenders. Unfortunately, false, malicious and inappropriate calls to the 000 emergency hotline have the potential to delay an emergency response to a critical or life-threatening emergency. Penalties, therefore, play a vital role in ensuring our emergency services workers are able to quickly and effectively respond in emergency situations.

These penalties, along with the important 000 advertising campaign, are some of the ways that the Queensland government is assisting our emergency services workers. The 000 advertising campaign commenced late last year and in my view has been a successful promotion of the need to call 000 only in an emergency. The advertising campaign grew out of concern that some people were using the 000 emergency hotline for minor conditions that were not life-threatening, critical or serious. In fact, anecdotal evidence showed that some of the calls received by the 000 emergency hotline included calls for minor medical complaints like cuts and abrasions, toothaches, earaches, boils, ant bites, insomnia and hunger pains.

The use of the 000 emergency hotline for these minor medical complaints has the potential to divert emergency services workers away from potential emergencies. People need to understand that the 000 emergency hotline should be used only in life-threatening, critical or serious situations.

The advertising campaign uses slogans like, 'You wouldn't use a steamroller to crack a nut, so why call for an ambulance when it's not really needed?' The main message of the campaign was to remind people that the 000 hotline should be called only in life-threatening, critical or serious situations. For non-emergency advice or assistance people are reminded to call their doctor, pharmacist or the 13HEALTH hotline service.

The work of our emergency services workers is tremendous and contributes a great deal to the great lifestyle enjoyed by all Queenslanders. It is important to continually remind people how they can support our emergency services workers through proper use of the 000 hotline.

## MINISTERIAL STATEMENT

### Error in Answer to Question; Queensland Schools

**Hon. GJ WILSON** (Ferny Grove—ALP) (Minister for Education and Training) (12.30 pm), by leave: I wish to correct the record. In responding to a question in question time I made reference to teachers supervising students. That reference should also have included a reference to teacher aides providing supervision to students. I wish to correct the record to that effect.

## PERSONAL PROPERTY SECURITIES (COMMONWEALTH POWERS) BILL

### First Reading

**Hon. PJ LAWLOR** (Southport—ALP) (Minister for Tourism and Fair Trading) (12.31 pm): I present a bill for an act to refer certain matters relating to security interests in personal property to the Parliament of the Commonwealth for the purposes of section 51(xxxvii) of the Constitution of the Commonwealth. 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:* Personal Property Securities (Commonwealth Powers) Bill [\[800\]](#).

*Tabled paper:* Personal Property Securities (Commonwealth Powers) Bill, explanatory notes [\[801\]](#).

### Second Reading

**Hon. PJ LAWLOR** (Southport—ALP) (Minister for Tourism and Fair Trading) (12.31 pm): I move—

That the bill be now read a second time.

The Personal Property Securities (Commonwealth Powers) Bill 2009, which I shall refer to as the referral bill, provides for the referral of power to the Commonwealth parliament to make laws for the regulation of personal property securities. This will enable the Commonwealth to establish a single national register of security interests in personal property and a single national law for the regulation of security interests in personal property.

A personal property security is created when a person or entity, generally a financier, takes an interest in property, other than land, as security for a loan or other obligation. Examples of this sort of secured finance are loans secured against motor vehicles, equipment or trading stock. It also includes liens on crops, lease arrangements and the factoring of book debts. The reason for taking a security interest over personal property is that the property can be seized or sold by the secured party if the owner of the property defaults on their loan or other obligation.

Australia, as a federation of Commonwealth, state and territory jurisdictions, has developed laws governing some areas that are duplicated across jurisdictions. Sometimes this duplication is not quite mirrored from state to state. There are currently more than 40 registers nationally that record secured interests in personal property and over 70 pieces of legislation regulating personal property securities nationally. In Queensland, we have the Register of Encumbered Vehicles, which is commonly known as REVS, the Bills of Sale Register and the Register of Cooperative Charges. Similar registers are held by other jurisdictions. The effect of the current complex system of laws is that the process for registration of security interests in personal property, the priority afforded to competing interests and the enforcement of those interests is dependent upon the type of property secured, the legal personality of the borrower, the jurisdiction in which the property is situated and the financial transaction entered into.

The existence of multiple registers and regulatory regimes results in higher transaction costs for financiers, which can be passed on to consumers seeking finance, including individuals and businesses. This is because a financier may have to search a number of different registers across jurisdictions to assess the suitability of the party seeking to secure finance and the existence of other secured interests over the property that would be subject to the financial transaction. Also, in some cases a security interest must be registered in more than one jurisdiction and on multiple registers to be fully effective. Financiers also incur costs involved in ensuring compliance with the various laws and different registration and enforcement regimes. Also, some registers operate on paper based systems and lack the capacity for electronic lodgement. This can leave the security interest vulnerable during the delay between execution of the finance transaction and registration, and impose higher administrative costs on the parties.

Reforms to the law of personal property securities, which I will refer to from now on as PPS, have been driven by the Council of Australian Governments, or COAG, as part of a package of business and regulatory reforms aimed at delivering a seamless national economy. In April 2007, COAG gave the Standing Committee of Attorneys-General in-principle support for the establishment of a national PPS system. An intergovernmental agreement was subsequently signed by all states, territories and the Commonwealth to progress the reforms. The development of the reforms has involved examining the success of similar reforms overseas, such as in Canada, the United States and New Zealand. The legislation has been drafted to take advantage of the best of international laws and to account for unique Australian circumstances.

The Commonwealth Personal Property Securities Bill 2009, the Commonwealth PPS Bill, has been drafted in consultation with a consultative group comprised of nominees from the Standing Committee of Attorneys-General and the Ministerial Council on Consumer Affairs, the Law Council of Australia, the Australian Consumers Association, academics and industry representatives, including from the Australian Bankers Association and the Motor Trades Association of Australia. Equally, every Australian jurisdiction has had considerable input and scrutinised each draft of the Commonwealth PPS Bill as it was developed.

The draft Commonwealth PPS Bill was referred to the Senate Standing Committee on Legal and Constitutional Affairs for a public inquiry and the Commonwealth took steps to address concerns raised by the committee. The Australian government introduced the Commonwealth PPS Bill into the federal parliament on 24 June 2009, and it has been referred back to the Senate committee for further examination.

The Commonwealth PPS Bill will establish a single national law governing PPS and a single national electronic register for all personal property security interests—the Personal Property Securities Register or PPS Register. The PPS Register will be a real-time, online noticeboard of personal property over which there is a security interest. Interests will be able to be registered on the PPS Register over the internet using a web browser and via brokers. Users will be able to search the PPS Register via a web browser or alternatively via their mobile phone using SMS message connectivity.

The Commonwealth PPS Bill will provide for the rules and processes for registration of security interests and will provide for the rules for determining priority of competing interests and enforcement of those interests. The proposed national law will provide the same rules to all security interests in personal property, regardless of the type of property, the legal status of the grantor or the jurisdiction in which the financial transaction is entered into or where the parties are located. The PPS reforms should increase the availability of finance and reduce costs by providing for cheaper and less complicated arrangements for securing interests in personal property and by rationalising this area of law.

In a report to the Commonwealth government on the proposal to introduce a national system for the registration of personal property securities, Access Economics has found that the proposed national scheme should improve the ability to create and register a security interest and be a low-cost system with low costs for enforcing security interests. In relation to marketplace competition, the national personal property security system should open up finance options and lower finance costs for businesses that have assets that traditionally were unable to be used as collateral.

Access Economics also anticipates benefits for smaller financiers and new market entrants with lower barriers to entry. In fact, in its preliminary assessment, Access Economics was unable to identify any groups in the economy who would lose from the introduction of the scheme. The overwhelming opinion is that all stakeholder groups will recoup net gains.

I turn now to the referral bill being introduced here today. This referral bill is the first step in the reform process for Queensland. The provisions of this bill accord with the terms of an intergovernmental agreement signed by all jurisdictions. This referral bill is substantially in the same form as the model referral legislation developed by all of the Australian states and drafted by the Parliamentary Counsel's Committee. New South Wales introduced and passed its referral legislation on 17 June 2009 and Victoria introduced its on 11 August 2009. The remaining four states are now in the process of introducing referral legislation.

The referral bill provides for a two-stage approach to the referral of powers to the Commonwealth for PPS matters. The initial reference is a text based reference based on the text of the Commonwealth's PPS Bill as tabled in the Legislative Assembly of New South Wales, the first referring state. This text is the same as the text of the Commonwealth PPS Bill introduced into the federal parliament. I table a copy of the Commonwealth PPS Bill, which can be accessed electronically at the Commonwealth government website [www.comlaw.gov.au](http://www.comlaw.gov.au).

*Tabled paper:* Document titled 'Tabled text for Personal Property Securities (Commonwealth Powers) Bill 2009', certifying that the attached proposed Commonwealth bill was tabled in the Legislative Assembly of New South Wales on 16 June 2009 [802].

There is also a limited amendment reference. The referral bill will enable the Commonwealth to make amendments to the proposed PPS law in relation to the recording of security interests on the PPS Register, the recording of other information with respect to personal property and the enforcement of personal property security interests. An amendment reference can be made in relation to personal property, other than fixtures and water rights. The referral bill provides separately for amendment references relating to fixtures and transferable water rights.

The amendment references are prescribed separately to enable each one to be commenced separately and at different times. It is not intended for references regarding fixtures and transferable water rights to be commenced at the same time as the other provisions of the referral bill nor the Commonwealth PPS Bill. Indeed, the PPS Bill specifically excludes fixtures and tradeable water rights from the operation of the scheme. This reflects the agreement reached between the states, territories and Commonwealth to exclude fixtures and water entitlements from the proposed Commonwealth PPS Act upon its commencement. However, the referral bill enables these matters to be included in the Commonwealth PPS Act in the future.

The agreement to not include fixtures within the application of the national PPS law was because of concerns about the interaction with land laws and the potential for the Commonwealth law to impact on the state based Torrens registers. However, some stakeholders have expressed a keen desire for fixtures to be included in the national PPS scheme. The Standing Committee of Attorneys-General has been charged with further considering these issues before any decision is made on referring power to treat fixtures as personal property for the purpose of the PPS law.

Water entitlements in Queensland are also recorded on a state based Torrens register, the Queensland Water Allocations Register. This register records a range of information concerning water licences, including volume of water, extraction details, the water source, the expiry date and conditions, as well as ownership details and security interests recorded against the licence. There was a concern that including water entitlements on the PPS Register would result in unnecessary duplication with the Queensland Water Allocations Register and its equivalent in other jurisdictions. Also, the issue of a nationally consistent water access licensing regime is being considered under a separate COAG process. However, the amendment reference in relation to water rights will enable the treatment of water rights as personal property for the purpose of the PPS law, should all jurisdictions agree to this in the future.

The referral bill will limit the power of the Commonwealth parliament to use an amendment reference to exclude or limit the power of the state to administer, vary and abrogate any state statutory rights, such as licences, that it creates from time to time. This reflects the terms of the intergovernmental agreement that states and territories should be able to continue to regulate any licence, right, entitlement or authority created pursuant to state and territory legislation. It is appropriate that Queensland should be able to continue to create and administer statutory licences, rights and entitlements that are required for the good governance and law and order of the state.

The referral bill will also ensure that the Commonwealth PPS law cannot be amended to regulate state based statutory licences, entitlements, rights or authorities that have been opted out of the scheme by state law. Again, this reflects the terms of the intergovernmental agreement. Work is being progressed across Queensland government agencies to identify statutory licences, rights, entitlements and authorities that should be opted out of the proposed national PPS scheme. The government is proposing to introduce an ancillary provisions bill later this year for the purpose of ceasing the relevant Queensland registers, provide for transitional arrangements and make other consequential amendments around PPS matters, including certain statutory licences to be opted out.

The referral bill will exclude from the referral any law that limits or excludes the operation of Queensland law to the extent that the state law prohibits or limits a person from dealing with personal property or a security interest in personal property. This aims to ensure the Commonwealth PPS law will not invalidate any state law that enables the state government's intervention or action with respect to personal property for the purpose of enforcing the law of the state. Key examples of such laws are the Criminal Proceeds Confiscation Act 2002 and the Police Powers and Responsibilities Act 2000, which enable the state to confiscate property obtained through the proceeds of crime and vehicles used for hooning and other prescribed offences and in certain prescribed circumstances to dispose of that property.

The referral bill also enables Queensland to terminate all references of power, or any of the amendment references, should it be decided on sound policy reasons that it was appropriate to do so. By making this referral of power, Queensland will be helping to deliver an historic national reform to improve the way personal property securities are used by traders and consumers. This will deliver cost savings for businesses and consumers alike in our community and have a significant positive impact on the economy and its growth.

I want to acknowledge the considerable efforts of the industry, legal and academic stakeholders, officers from the Commonwealth Attorney-General's Department and state and territory officers in progressing these important reforms to date. I commend the bill to the House.

Debate, on motion of Mr Stevens, adjourned.

## JUVENILE JUSTICE AND OTHER ACTS AMENDMENT BILL

### JUVENILE JUSTICE (SENTENCING PRINCIPLES) AMENDMENT BILL

#### Second Reading (Cognate Debate)

Juvenile Justice and Other Acts Amendment Bill resumed from 19 May (see p. 307), on motion of Ms Struthers, and Juvenile Justice (Sentencing Principles) Amendment Bill resumed from 3 June (see p. 694), on motion of Mr Springborg—

That the bills be now read a second time.

**Mrs MENKENS** (Burdekin—LNP) (12.46 pm): I note that the Juvenile Justice and Other Acts Amendment Bill and the Juvenile Justice (Sentencing Principles) Amendment Bill are being debated cognately. The Juvenile Justice (Sentencing Principles) Amendment Bill was introduced into the House by the Deputy Leader of the Opposition as a private member's bill. This does seem a rather unusual move; however, I note that there are many similarities within these two bills and the cognate debate gives those members who wish to speak a broader range to discuss the many issues.

**Ms Struthers:** We try to be fair.

**Mrs MENKENS:** The minister says that the government tries to be fair. I intend to deal with these bills individually, and specifically I turn first to the Juvenile Justice and Other Acts Amendment Bill 2009. In so doing, I inform the House that the opposition will be supporting this bill, albeit with some important amendments.

Growing youth crime figures are of major concern and are an indictment upon our society. It is imperative that this issue be addressed, but it is patently obvious that under the current legislation the rehabilitation and treatment of juvenile offenders is simply not strong enough to provide a deterrent to these youthful perpetrators. The current legislation and the current penalties imposed are simply not providing a deterrent to the majority of offenders. Instead, we are seeing young offenders appear and reappear in our system, far too often going on to fill our adult courts and prisons in later years.

The latest Commission for Children and Young People and Child Guardian report *Views of young people in detention centres* contains some very concerning figures. This report shows that more than three-quarters of all young offenders in detention have been there before and a staggering one in four have been behind bars at least five times previously. These findings confirm that this Labor government's current youth justice system is like a revolving door to jail. As well, we have seen internal government documents that show that 87 per cent of Indigenous youth offenders—in fact, almost 90 per cent—graduate to adult crime. This is a very disturbing trend.

The recent report from the Commission for Children and Young People and Child Guardian is quite damning evidence that the current youth justice policies are failing. It is very clear that rehabilitation and reform programs for young offenders in detention are not working. Roughly two-thirds of all of those in detention receive sentences of less than three months. That means that there is hardly enough time for them to complete proper rehabilitation programs. The behaviour that these young offenders are learning in detention is not of a rehabilitative or productive nature. At the moment, young offenders receive light terms of detention and are then released back into the community only to be picked up again to receive another short stint inside. As I say, it is like a revolving door. The majority of these young people, once they are caught in the cycle, remain in the justice system right through to their adult years.

Although these amendments provide us with an opportunity to rectify these problems—rectification that is needed urgently as the government's own reports show—all we really see is a series of small amendments that tinker around the edges of the main issues. The bill increases alternatives for youth sentencing and strengthens some areas of juvenile justice. A relevant clause in the bill changes the name of the act to the Youth Justice Act 1992. Specific references will then be to youth and not juveniles. This is an unusual amendment in that the only other jurisdiction in the country that shares that new title is the Northern Territory jurisdiction. This amendment also continues to disguise the fact that the bill, in truth, deals not with crimes but with offenders and the options available in the rehabilitation of those offenders.

I wish to foreshadow that I will be moving an amendment to this name change so that the act will become known as the 'Youth Offenders Act'. The reasoning behind this amendment is so that the name of the act reflects fully the purpose of its function and to emphasise the seriousness of its application in terms of youthful offenders and the crimes that they may have committed. The amendment puts the focus on offences and the offending people. It also puts the focus on the sentencing of such offenders. We believe that this amendment provides more appropriate terminology. I add that this amendment also aligns the name of this legislation with that which exists in New South Wales, South Australia and Western Australia. Currently, only the Northern Territory retains the title Youth Justice Act.

The legislation we are debating today comes about as a result of a review of the act which was publicly announced on 31 May 2007 with the aim of providing a best practice youth justice system that has the capacity to respond to current demands and challenges. Two and a half years on, this bill tinkers with four acts: the Aboriginal and Torres Strait Islander Communities (Justice, Land and Other Matters) Act 1984, the Juvenile Justice Act 1992, the Child Protection Act 1993 and the Young Offenders (Interstate Transfer) Act 1987 as well as other relevant legislation.

This bill sets into legislation the powers for the court to place curfews on juvenile offenders in an effort to reduce the chances of them reoffending and to ensure that they are properly supervised. These directions will be specified by the court. The imposition of a curfew would be as a condition of a probation order, intensive supervision order or a conditional release order. Currently, the ability for the court to order the imposition of a curfew exists and quite frequently a court will order a curfew for young people. This bill sets into legislation those powers. Curfews certainly have a place in the imposition of penalties on offenders. But it must always be considered that there can be downsides to such a curfew. Often young offenders are on the streets because the situation in their home is far from satisfactory or safe. So the imposition of a curfew, which does not allow those youngsters the freedom of movement, could in some cases be catastrophic owing to some of the home situations of these offenders. That is an issue that the Department of Communities would need to be very aware of.

The LNP certainly does not oppose the imposition of curfews. In fact, it is something that the opposition has been calling for over the years. In fact, there are many situations where curfews have been the main factor in creating community harmony in certain neighbourhoods. There has certainly been documented evidence from Western Australia in recent years outlining how successful the imposition of curfews has been in some communities in that state. However, as always, there needs to be a degree of caution applied in the imposition of such sentences. There also needs to be adequate attention and resources given to services that will ensure the fair and suitable application of these sentences. For example, without an effective and reliable child safety system, these measures could change from being a good tool to a dangerous weapon.

This legislation will widen the court's powers in relation to the naming of juvenile offenders. It will allow the court to issue orders to allow the publication of identifying information about the child if the court considers that it would be in the interests of justice to do so. Various stipulations are attached to these powers, mainly being the need to protect the community and the safety and wellbeing of other people who may be implicated.

As far back as 2006 Chief Justice Paul de Jersey stated in an article in the *Sunday Mail* that the courts should have the power to name juveniles who persistently break into houses, steal cars and spray graffiti. Of course, this power to name also certainly affects juvenile perpetrators of more serious crimes. I again foreshadow that I will move an amendment in relation to the naming of juvenile offenders. This amendment seeks to extend the provision for the publication of young offenders' details to all serious offences as defined in section 8 of the act. As I mentioned, Chief Justice Paul de Jersey's article in the *Sunday Mail* prompted a large number of blogs. It was not hard to read from those blogs the community's feelings about this issue.

The bill increases the mandatory non-parole period from 15 years to 20 years. Also, the minimum detention period for young people convicted of multiple murders is increased from 15 years to 20 years imprisonment. These amendments bring those provisions into line with similar legislation that relates to adult offenders. Stronger provisions are given to police in the arrest of children or young people who do not comply with youth justice conferencing requirements, those who contravene an agreement, or who may fail to attend a drug assessment. Thus this legislation should give police some stronger powers for the arrest of such children as a result of such a warrant.

New provisions have been included in the legislation that will ensure that a notice given to a child under the various sections of the act—and these are sections 164 through to 167—must include a warning that the court may issue a warrant for the child's arrest should the child fail to appear before the court in answer to that notice, or fail to attend a conference, or fail to attend a drug assessment and education program.

The amendments to the Child Protection Act 1999 regarding restrictions on reporting certain court proceedings require that the publication of information that identifies a child victim of a crime will be automatically prohibited. Identifying information about a child means information that identifies or is likely to lead to the identification of that child as a witness in a proceedings for an offence, or a person in relation to whom an offence was committed or is alleged to have been committed. The actual information stipulated is the child's name; the child's address, school, or place of employment; or a photograph or film of the child or of a person who could be connected to that child which may lead to that child's identification. If a child is a witness in a proceeding for an offence of a sexual nature, a report of the proceeding must not identify the child. If the proceeding is for an offence other than of a sexual nature, the court may order that a report does not disclose identifying information. I note the fact that the court may order it. The maximum penalty for publishing information that would identify a child victim is 100 penalty points, or two years imprisonment for an individual or 1,000 penalty points for a corporation.

Sitting suspended from 1.00 pm to 2.30 pm.

**Mrs MENKENS:** Clause 13 outlines the grounds that may allow a court to authorise publication of identifying information of a child if it expressly deems it. Those grounds would be if a court considered it would be in the interests of justice to do so having regard to the need to protect the community, the safety or wellbeing of a person other than the child or the impact of publication on the child's rehabilitation.

Courts will be required to consider setting a date for the transfer of offenders from detention as youths to adult prison when a sentence is imposed on a young person who will exceed the age of 18 while in detention. This will probably only apply to young offenders who are 16 years or older at the time of sentencing. This act allows a process for the court to consider what the likely sentence will be for a youthful offender when deciding whether to release young people on bail. This process is an effort to reduce remand levels.

A further clause outlines amendments to provide that a child should only be kept in custody where, if released, the child's safety would be endangered because of the alleged offence. An example of this could be a threat of retribution from a victim, the victim's family or even a co-accused.

As well as these more specific areas, there are a number of minor amendments that seek to clarify existing legislation. Victims at a conference would be allowed to invite more than one person, such as a lawyer acting for a victim, a member of the victim's family or a support person. This would be, of course, at the victim's request. I note that this is the only area in this act that refers to the victims of crime. Surely these are the people who have been wronged, whose lives have been severely disrupted or ruined. There seems to be a notable absence of acknowledgement. While I understand that they are youthful, there seems to be protection of the perpetrator but no mention of the victim.

With reference to the copy of a court order to be given to the child or parent, an amendment requires courts to put decisions on referrals to conferences in writing. This is in line with other court orders. Where a court decides to take no action in an alleged misdemeanour before the court, there is a classification that this not be recorded in a criminal history. Another amendment will give the courts the power to shorten the time period a young offender has to complete a community service order. For orders less than 50 hours these must be completed within 12 months.

Section 200 is amended to clarify that when a young person is subject to multiple community orders these orders will operate cumulatively. Further amendments clarify the situation where a young person may be found guilty of an offence while on a supervised release order which would be a breach of that order. Those amendments state that if a young person breaches a supervised release order and then spends time in detention, that time is counted towards their sentence. An application for cancellation of a young offender's supervised release order would expire at the same time as their sentence expires.

It is also noted that information that would be classified as confidential may be disclosed to the Commissioner of the Police Service by the chief executive. This would only occur if the chief executive was satisfied that such a disclosure would be in the public interest.

A section of the Aboriginal and Torres Strait Islander Communities (Justice, Land and Other Matters) Act 1984 is to be amended to change the calendar year of the annual reporting period for the Island Industries Board. This is retrospective legislation to correct a drafting error in a previous amendment to this act.

Youth crime is a serious issue that seems to be ever increasing. It provides a huge challenge for police and the legal profession. Changing patterns of lifestyle, economic conditions and family structures no doubt all contribute to youth crime. I believe that it is a critical area that must be seriously addressed. Feedback from right across the community as well as law enforcement agencies is that the community is sick of widespread criminal activity, which is very frequently from young people. Youth crime is as serious as adult crime. In fact, in many ways it is more serious because juveniles grow up and will continue to commit that crime until they are shown that they will be punished or disciplined appropriately for that crime.

Queensland laws need to be sufficient to provide a deterrent to these children. Young people must know that the community will simply not stand for lawlessness and that the courts will punish them. However, the punishment has to reflect what the wider community feels is appropriate. These offenders have to be punished appropriately. That may be by detention but, most importantly, must be with meaningful rehabilitation. Periods of detention need to reflect the seriousness of the crime and for a time long enough to ensure that during the time of detention the offender is able to undertake meaningful rehabilitation programs. I personally believe that rehabilitation of young offenders can occur. I believe that the No. 1 priority is to rebuild their self-esteem. We must rebuild that feeling of worth and give these kids the chance to make better choices. In the vernacular, they need a kick in the pants but they also need a leg up. In some cases these kids choose the paths that they take, but in many situations there are many more underlying causes that have brought them to this situation.

Of particular concern is that almost one in five young people in detention were under the care of the child safety department before being placed in detention. These figures come from the government's own reports and reflect poorly yet again on the child safety department. These are children who are trapped in a cycle of misery and despair and the Bligh government just lets it keep happening. It is clear from these latest findings from the Commission for Children and Young People and Child Guardian that we need a major overhaul of youth justice rehabilitation services. Another concern is that nearly two-thirds of all young offenders in detention were Indigenous. This government has given up on redressing the overrepresentation of Indigenous people in detention.

Rehabilitation programs are clearly failing Queensland's Indigenous youth, with nearly 90 per cent continuing on to adult crime. A recent internal government report showed that 87 per cent of Indigenous youth offenders went on to adult crime. This is a figure that is totally unacceptable. It shows how ineffective the Bligh government's juvenile justice system really is and how the Department of Communities' rehabilitation programs are failing and falling short, in particular with our Indigenous young people.

Rehabilitation is vital to stop the spiral into adult crime. Between 2005 and 2007 there were more than 2,490 Indigenous juveniles under the supervision of the Department of Communities. Sadly, the government's own internal report states that of those 2,500 young offenders nearly 2,200 will end up reoffending as adults; only 300 will not reoffend.

Labor has spent 11 years dumbing down juvenile justice services and rehabilitation. The result is that Indigenous offenders, both as children and adults, are grossly overrepresented in Queensland's courts and jails, at great cost to both the Indigenous community and the wider community. Certainly it has been a decade of failure. We have gone backwards. No inroads have been made in reducing the number of Indigenous offenders. It is past time for Labor to dump its failed policies and revamp its rehabilitation and support services for young offenders.

Queensland's youth detention centres are increasingly being used as remand lounges rather than as centres for convicted offenders. This is revealed in a new independent report from the Institute of Criminology, which also confirmed that Queensland has one of the nation's lowest rates of detention sentencing for young criminals. The Bligh government says our detention centres are full, but they are mostly full of young people waiting for trial and/or sentencing. The vast majority of young people in detention centres are there on remand waiting for the finalisation of their cases. They are not there serving a sentence.

Under this government Queensland's youth justice system has become a revolving door for young offenders. Labor's soft-on-youth-crime sentencing policies are not working. The government says our detention centres are full, but certainly they are not full of convicted offenders serving sentences. The Institute of Criminology found only one-quarter of children in Queensland detention centres were serving sentences. At 30 June 2007, only 34 of 136 were serving sentences. Labor is filling our detention centres with children on remand and this is a symptom of our Children's Court having one of the worst backlogs in the country, as detailed in the 2009 report on government services that was released earlier this year. No child gets access to rehabilitation or reform programs on remand because they, the children, may not be there after sentencing.

The Institute of Criminology's report was the third report of recent times to show deficiencies in Labor's youth justice system, coming on the back of internal documents showing nearly 90 per cent of Indigenous youth offenders graduate to adult crime and the report from the commission showing roughly two-thirds of all those in detention receiving sentences of less than three months. That is hardly enough time to complete proper rehabilitation programs. What is happening at the moment is that young offenders are receiving light periods of detention and are released back into the community, only to be picked up again for another short stint inside.

This bill did offer a chance to implement major groundbreaking changes to the current youth justice system. I am disappointed that the government has bypassed that opportunity, put much of it into the too-hard basket and continued to neglect a situation that is simmering away by instilling into the heads of a generation the idea that detention and prisons are punctuation points in antisocial lives as there is a reliable return to a system that dishes out the same as it has previously. I note that at the recent estimates hearing the minister remarked that detention was not a deterrent. I have to agree with her that, under this failed system of juvenile justice, revolving-door detention is most definitely not a deterrent.

For that reason and to highlight that under a justice system there are both offenders and victims—a point overlooked in this bill—I will be introducing amendments to this bill. It is essential we look to support the victims of crime. To the victim of a crime it matters little whether the offender is classified as juvenile, youth or anything else. The impact of the crime is a result of the crime, not the age of the offender. We must give victims a voice in youth justice, just as we do in justice for adults. There also comes a time when we have to protect the victims from ongoing trauma and harm from the crime. In the cases of serious and particularly sexual crimes, facing the offender in the context of conferencing can make the experience even worse for the victim. Yes, the offender needs to be rehabilitated, but not at the expense of the wellbeing of a victim who has already suffered enough.

Victim impact statements are very powerful messages and can illustrate the reality of the crime even and especially to the offender. There is no better way to bring home to a young person who is falling into a life of crime the impact of what they are doing than to have it put to them in the victim's own words and emotions. It is a powerful tool in turning a prank or initiation rite, a dare or a rebellion even, into reality. A crime, particularly in the eyes of the offender—

**Ms DARLING:** I rise to a point of order. Mr Deputy Speaker, I would ask for your ruling. I know that the Victims of Crime Assistance Bill is before the House and is laying on the table. I understand the points that the honourable member is making, but can I ask for your ruling on whether it is appropriate to be debating it in this particular bill?

**Mr DEPUTY SPEAKER** (Mr Wendt): Order! Your comments are noted. I was in discussion with the Clerk at the time and did not hear the comments. I remind the honourable member that matters within bills that are on the table at the moment should not be discussed.

**Mrs MENKENS:** As a word of explanation, I was describing an amendment that I have already circulated to this particular bill which does actually refer to a victim of crime. I realise that there may be a double-up there. The bill that is before the House is about victim compensation. I am discussing a victim impact statement. I hope that provides some clarification for your benefit. Thank you for that ruling, Mr Deputy Speaker.

Victim impact statements are powerful messages and can illustrate the reality of the crime, particularly and especially to the offender. There is no better way to bring home to a young person who is falling into a life of crime the impact of what they are doing. It can be a powerful tool and we believe it is essential if social reintegration, which must be the aim of a juvenile justice system, is ever to be achieved. We need to put a stop to multiple repetitions of punishments for multiple repetitions of crimes. If the offender is fronting up again and again for the same antisocial behaviour and is given the same caution, conferencing or take-no-action order again and again, it is obvious that something is not working. This is a strong message that is being heard every day across the community. In the long term I do not believe that this bill, in its present form, will effect the changes that are necessary to bring about the improvement in youth crime that the community expects. The youth justice system must be strengthened and to that extent I support this bill.

I would like to make some comments about the Juvenile Justice (Sentencing Principles) Amendment Bill that was moved in this House by the shadow Attorney-General and shadow minister for justice and that we are also debating this afternoon. This private member's bill amends the legislation to provide the wording required to ensure juvenile offenders learn that going to detention is not a holiday. The bill also consolidates the comments that I have made in my contribution on the previous bill. The main point of the private member's bill is to remove the reference in section 150 of the act from 'detention as a last resort' to 'detention where appropriate and for a length of time that is justified in the circumstances'. I particularly note that in his speech the shadow minister said that figures released by the Australian Bureau of Statistics in late February this year indicated that only five per cent of all juvenile offenders were sent to detention in 2008. That is self-explanatory.

The judicial system must be given the tools to be able to dole out the sentences that reflect the seriousness of the crimes that are being committed by young people. As a northern member or a member from North Queensland—

**Ms Boyle:** The best part of Queensland.

**Mrs MENKENS:** I will definitely take that interjection. I thank the minister. It is the best part of Queensland, very much so.

**Ms Grace:** That's debatable.

**Mr DEPUTY SPEAKER** (Mr Wendt): Order! Member for Brisbane Central.

**Mr Shine:** What about in January and February?

**Mr DEPUTY SPEAKER:** Order! Member for Toowoomba North. The member for Burdekin has the call.

**Mrs MENKENS:** Thank you, Mr Deputy Speaker. It is the best part of Queensland and I will stand by that. However, as a member from the north, I was very concerned to read a report in the *Courier-Mail* on 22 February 2007 that people in North Queensland are more likely to be the victims of assault or other violent crimes than residents in the rest of the state. That is a very, very concerning figure.

In the Queensland Police Service annual report for 2007-08, the main group committing assaults are boys aged 10 to 14. Even more disturbing are the figures that show this age group commits the most sexual offences. Recent figures show that having detention as a last resort has meant that most of these violent young rapists and armed robbers never see the inside of a detention centre. None of the 35 juveniles who were convicted of producing or supplying dangerous drugs went to detention in 2007-08 and 114 of 147 convicted violent robbers also escaped detention in 2007-08.

If we cast our mind back to the public outcry that we heard over the gang rape in Aurukun in Far North Queensland some time back, the community was outraged because the nine offenders, most of whom were juveniles, initially escaped jail and many did not get convicted of the crime. Detention must not be seen as a holiday or a break for young offenders. It must provide real rehabilitation and reform to break the cycle of violence and give these young people a chance to have a better future.

According to a commission for children survey in 2007, almost 75 per cent of the 60 young detainees had been there before and most had been there five or more times. Periods of detention need to reflect the seriousness of the crime and for a time long enough to ensure that the offender is able to complete meaningful rehabilitation programs. The same survey found that for over half the juveniles in detention the average length of imprisonment was less than three months. This is not long enough for these children, for that is what they are, to complete meaningful rehabilitation. We know from adult corrections that it can take months to get prisoners on to a rehabilitation program and for that program to be effective it needs to be intensive.

I know in my electorate the same offenders seem to appear in court and if they had access to a program it may give them a much more meaningful path in life. If this were done now, perhaps our citizens would not have to take to the streets in protest, as they did in Ayr in July last year. Residents in my electorate were sick of being held to ransom by increasing incidents of theft and intimidation, so they took to the streets to send out a zero tolerance message to the offenders—and these offenders are nearly all juveniles. They also presented this parliament with a petition signed by 2,835 Burdekin residents on 8 October last year. The community held a series of public meetings over two months. In fact, that group is still meeting. What came from those meetings was that the penalties are not harsh enough to deter people from repeat offending. There is another petition going around Home Hill for exactly the same reasons. That community group is still meeting and is still voicing their huge concerns.

I would expect that these offenders, many of them juveniles, have been through the court system a number of times, getting slaps on the wrist as a result. This obviously has not provided any sort of deterrent to them. This bill would restore some common sense to the sentencing of these repeat offenders. The community expectation is that the punishment should fit the crime, and it does not matter what age they are. If the crime is serious enough, the punishment must fit the crime. The courts should have the legislation which will enable them to suitably deal with these juveniles.

Just to show the inequity of punishment and the community expectation of punishment, let us have a look at some recent juvenile sentencing figures. In 2007-08, of the 26 juveniles convicted of rape, only nine were jailed. In 2006-07, of the 14 juveniles convicted of rape, 11 did not go to jail. In 2005-06, 23 juveniles were convicted of rape and 18 escaped a jail term. In addition to these deplorable statistics, not one of the 35 juveniles convicted of producing or supplying dangerous drugs went to jail in 2007-08, and 114 of the 147 convicted violent robbers did not get sentenced to jail time. These dangerous youths—and I have to say that they are dangerous youths—are getting dealt with too softly and it does not reflect the community expectations of tougher sentences. Only four per cent of young criminals are sent to jail, and this is as a result of the government's detention as a last resort policy.

This softly, softly approach is not working. We can see from the court reports the number of juveniles who are committing offences is on the increase. In 2006-07, the Children's Court had a 13.4 per cent increase in the number of juveniles fronting the magistrate, growing from 1,741 to 1,945. Of the 455 juveniles who pleaded guilty or were found guilty, only 42 received a custodial sentence as their most serious penalty. The most common penalties were probation, 36.9 per cent, and community service orders, 31.8 per cent. In the magistrates courts there were 6,200 juvenile defendants dealt with in 2006-07, and that was an increase of 1.1 per cent on the previous year. The largest number of charges disposed of by the courts were for theft and related offences. They accounted for 3,437 of the 14,339 charges before the courts. This was followed by property damage, 2,617, and unlawful entry with intent, 2,022.

These are the sorts of offences that the people of the Burdekin in my electorate are sick of having to deal with. We must give a deterrent to these young offenders. We must show them that detention is not a holiday. We must show them that they will be punished for their crime. The problem with giving these juveniles a slap on the wrist is that the court does not get the respect it deserves. Almost 35 per cent of all court orders were breached. What does that figure say? I will tell the House what it says. It says that these juvenile offenders not only have no respect for the laws but also have little or no respect for our courts or punishment system. The laws need to provide a deterrent to these children. They need to know that people will not stand for lawlessness and that the courts will punish them. The punishment has to reflect what the community feels is appropriate.

I agree that it is not just the courts and it is not just the justice system that is needed. What is needed is a holistic approach. Our social system is suffering. Much more work must be done with families to provide the support system to youths and to assist in so many family situations. Many of these children are coming from less than desirable circumstances. Certainly there are many, many causes for what is behind so much of this. We can feel very concerned and very sorry for these children. However, at the end of the day, there must be a deterrent and there must be something that stops this behaviour.

These offenders have to be punished appropriately, and that will be by detention with meaningful rehabilitation. As I said, youth crime is as serious as adult crime. Juveniles grow up and will continue to commit the crime until they are shown they will be punished appropriately for their crime. Ten years of Labor in government has done nothing for the reduction of juvenile crime. The Labor government can do something to help reduce juvenile crime just by changing a few words, as suggested in the Juvenile Justice (Sentencing Principles) Amendment Bill.

Let us get serious about juvenile crime and stop the lack of appropriate punishment. Let us show juvenile criminals and the long-suffering Queensland community that we mean business. Let us, as representatives of our various electorates, empower the courts with the option of detaining these offenders for an appropriate length of time. Let the courts dish out detention for a long enough period to be able to rehabilitate that offender, not just a couple of months after which they are let out without being rehabilitated and are ready to reoffend. This parliament can do this by passing these bills. I commend the bills to the House.

**Mrs STUCKEY** (Currumbin—LNP) (3.00 pm): I rise this afternoon to contribute to the debate on the government's Juvenile Justice and Other Acts Amendment Bill 2009 and the opposition's Juvenile Justice (Sentencing Principles) Amendment Bill 2009, which we were informed this morning by the Leader of the Opposition will be a cognate debate. I turn first to the government's bill, which was introduced by the Minister for Community Services and Housing and Minister for Women on 19 May this year.

The Juvenile Justice and Other Acts Amendment Bill seeks to amend the Juvenile Justice Act 1992, the Child Protection Act 1993 and the Young Offenders (Interstate Transfer) Act 1987 for the stated purpose of providing a best-practice youth justice system with the capacity to respond to current demands and challenges. The Juvenile Justice Act, in its original form, was given assent on 19 August 1993 and commenced operation in its entirety in September of that year. This bill follows the third review into the act and its operation. In 1996 the act was reviewed as a means of determining the best practice for the juvenile justice system in Queensland and was undertaken largely as a means by which to bring this state up to par with other states nationally. That review saw the institution of court diversion programs and saw the implementation of victim consideration and community protection in sentencing principles. In 2001 the act was again amended following consultation that led to the introduction of conferencing provisions and largely implemented the recommendations of the Forde inquiry. The principle behind the drafting of this bill provides a mechanism by which to institute various recommendations of the May 2007 review of the Juvenile Justice Act.

In respect of the terms of reference of the review, several key recommendations coming from the evaluation were focused toward the redevelopment of the legislative framework to ensure police powers and sentencing principles are altered to make the punishment of serious juvenile crimes more punitive. However, what we have before us today is an impotent half-hearted attempt to be seen to be taking juvenile crime as seriously as the LNP. As honourable members have heard from the shadow minister the honourable member for Burdekin, the LNP will not be opposing the sentiment of this bill, but we do not believe it goes far enough and we will be moving some amendments. I myself remain manifestly unsatisfied with some of the government's proposed amendments, and it is my argument that they fail to pass muster, so to speak, in respect of providing any change of substance.

This government, under the stewardship of the honourable member for Algeester, has continued to skirt around the very real issues of juvenile justice. What we have here is a typical Socialist Left approach, amounting to a mere tinkering around the edges. The minister in her second reading speech to the bill in May this year stated—

The changes proposed in this bill are based on a range of evidence and community feedback gathered during the review of the Juvenile Justice Act 1992.

Having read the consultation report released after the review, I note that there has been a widely variegated response to the terms of reference for that review. I also note the balancing of diversion, remedial, rehabilitation and punitive approaches evinced by academics, youth advocacy groups, the Department of Communities staff and the public at large. Further, community responses found in favour of early intervention programs and the like that would see support programs addressing the precipitating factors of offending—that is, drugs and alcohol courses, unemployment and youth skilling workshops, and mental health early intervention programs.

It seems foreign to me, then, that, instead of providing adequately for these programs that would see the diversion of young malcontents from the juvenile justice system, this government has decided to assist by changing the name of the act. The bill fails to address much needed resources to fund these programs. It fails to provide tangible assistance to juvenile offenders in curbing their arrested development, and it fails to engage young offenders in programs diverting them from their negative behaviours.

It is the stated intention of this bill that its primary focuses are to increase police powers in the arrest of juvenile offenders and to provide the court with sentencing principles which would see young offenders penalised for their serious crimes. The bill will achieve this by enacting the following powers. It provides an increase in sentencing powers to raise the minimum mandatory detention period for juvenile

multiple murderers from 15 to 20 years. It provides the judiciary with the powers to implement curfews as a condition of a probation, intensive corrective or conditional release order when sentencing juvenile offenders. It increases the punitive powers of the court and affords judges and magistrates a discretion to name juvenile offenders and permit the publication of identifying particulars where necessary in order to serve as a name-and-shame type arrangement. It will provide police with stronger arrest powers, allowing them to arrest and remand offenders who do not comply with the requirements of justice conferencing, who contravene an agreement or who fail to attend a drug assessment session. In addition, it will continue to ensure that remand is a last resort in sentencing principle by ensuring that a child is to be remanded into custody only when if released from detention the juvenile's safety would be endangered because of the offence. Finally, it will amend the name of the Juvenile Justice Act 1992 to the Youth Justice Act.

While crimes are becoming ever more severe, it seems this government is adopting a lax approach and is taking juvenile crime less and less seriously. I find it difficult to believe that this government, which espouses a tough-on-crime attitude, is not prepared to fully address the situation. While I commend the communities minister—and I will repeat that: I commend the communities minister—for making some attempts to address—

**Ms Struthers:** What was that?

**Mrs STUCKEY:** Maybe third time lucky. I will say it again: I commend the Minister for Communities for making some attempts—we have that on record well and truly now—to address maleficent youth behaviour. But it appears the only true benefit to come from this bill is the curfew power and the increase of detention period for multiple murderers under clause 20. Aside from those two valid clauses, I am finding it difficult to deduce what exactly the government is achieving by this bill, and I have no doubt the minister in her summation will try to espouse that further for us.

Naming and shaming might sound as though it is a get-tough response, but without any enforcement for a perpetrator to do the community service time, like so much of this socialist legislation, it is impotent. What chance is there of achieving any positive lessons from rehabilitative behaviours that aim to re-engage youth in their communities and build a degree of community spirit if the punishment is not enforced? Recent reports show that well-disciplined children are less likely to offend and, therefore, less likely to end up in this system, which we would really not wish upon anyone, but unfortunately some find themselves within it.

I wish to address the House on the provisions relating to curfews. The measures by which to provide the judiciary with the powers to implement curfews as a condition of a probation, intensive corrective or conditional release order when sentencing certain juvenile offenders are ones which both I and the LNP have advocated for the past two years. Honourable members, along with many Queenslanders, would remember the savage 19 November 2007 attack of an off-duty police officer at Coolangatta. Constable Rawson Armitage and his girlfriend, Mitchell Dodge, were set upon by a gang of youths aged 10 to 20. Certainly a curfew as an option for those offenders would limit further similar behaviours and send a strong message that unprovoked feral attacks such as this will not be tolerated.

Parental cooperation is paramount to the success of curfews. Without them the effect of this sentence would be severely impinged upon. In this case, I acknowledge the shameful lack of parental supervision that permitted these youngsters to be out on the streets kilometres from home during the wee hours of the morning. That said, Queenslanders have the right to feel safe on their streets and our youth must learn that certain actions do have consequences that are more than a slap on the wrist.

At this juncture, I would like the House to take note that whilst the opposition has been advocating for the use of a curfew for the past couple of years the Labor government has only just come to the party. I recall the criticisms I received when I previously called for a curfew. Excuses given by the minister at the time to my suggestion and those of the opposition were the difficulties of policing youth under curfews.

**Ms Struthers:** They already exist.

**Mrs STUCKEY:** So it is only fair that I ask how the minister intends to have these curfews policed. Adding curfews as a potential sentence for the judiciary as a means of punishment is one thing, but I question whether, under this incompetent Labor government, the Queensland Police Service has the necessary resources to enforce these curfews when its capacity is diminished by insufficient numbers to deal with its present duties. Police shortages are no secret. Without extra funding to the Queensland Police Service it would be almost impossible to enforce these judicial sentencing options.

In commending the minister for finally entering curfews as a sentencing option I do call on her and the police minister to commit to the provision of the necessary resources to enforce this option in the sentencing of our juvenile offenders.

**Ms Struthers** interjected.

**Mrs STUCKEY:** It would be interesting to know, seeing the minister keeps telling me we have these powers, just how many of our youth could have been redirected during this time into healthier social activities. How many vicious fights could have been avoided if only the government had intervened? What we have seen in the past week or so in the form of youth participating in brutal attacks with deadly consequences, such as the schoolyard tragedy in Mullumbimby, which is just over the New South Wales border, is exactly what I was worried would happen if juvenile offenders were not apprehended and punished.

One provision that would increase the minimum period of detention for juvenile multiple murderers from 15 to 20 years imprisonment would appear to be the government's sole example of being tougher on crime. It is my strictest view that juveniles with a capacity to act like adults and commit heinous crimes that shock the sensibilities of the public at large ought to be subject to the same penalties as adults.

In what appears to be a purely machinery of government change the bill provides amendments to the Young Offenders (Interstate Transfer) Act 1987 that will see escapees or potential escapees charged with an offence, the penalty for which may not be served concurrently with their present term of imprisonment. Notably, this section applies to detainees who escape whilst the young offender is not within the territorial limits of Queensland or the receiving state and brings them under the jurisdiction of Queensland.

Additional punitive detention will be required to be served on the completion of detention for the current misdeed. It would also see that any period at large would not be counted as part of the current period of detention. As honourable members would be aware, my electorate abuts the south-eastern border of New South Wales and is one affected by potential escapees attempting to return to their home state. A section of concern is the effect of clause 12 of the bill proposed which states—

... that a child is only to be kept in custody where if released, the child's safety would be endangered because of the alleged offence.

This provision would mean that a magistrate or judge is no longer compelled to, as a matter of law, keep the offender in remand if they are intoxicated. Considering the high level of alcohol abuse amongst our youth it seems that this government, far from being tough on crime, is pandering to their behaviours by providing more concessions to young offenders whilst allowing fewer powers to judicial officials to remand young offenders.

The LNP has reintroduced the Juvenile Justice (Sentencing Principles) Amendment Bill 2009 as proposed by the Deputy Leader of the Opposition and shadow Attorney-General, the member for Southern Downs, after it lapsed mid-debate in the 52nd Parliament. The bill would 'remove the reference to detention as a last resort' and replace it with 'detention where appropriate and for a length of time that is justified within the circumstances'.

The Bligh government's spare the rod and spoil the child approach has been an abject failure. Government members will no doubt bleat away with lame arguments to support their stance. The LNP amendment is not about locking up an ever-increasing number of our youth. As I said in my previous speech in February of this year, it is about making sure that young people who deserve detention are placed in detention.

This government continues in its latest slew on juvenile justice to ignore any meaningful attempts at early intervention or appropriate rehabilitation for those who enter the system. What we have here is a cache of bandaaid solutions that focus on patching the problems once they have occurred when we should be focusing on support programs for people as young as primary school age all the way through high school and into their early 20s.

Research has proven time and time again that juvenile crime patterns almost always lead to adult offences. I am pleased to see that the minister has agreed on this point. A report in the *Gold Coast Bulletin* in mid-July revealed that one particular school in the region has had its short-term suspension rates increase some 175 per cent, with long suspensions increasing 300 per cent and exclusion rates jumping some 200 per cent. Instead of increasing early intervention programs, which would reduce juvenile offending, the state government has neglected valuable programs such as the school based police officers, which may serve both as a deterrent and remedy to the escalating violence in our public schools.

An example I would like to share with the House of a successful early intervention program is provided by Mission Australia across the border in New South Wales. In its recent report entitled *Young people and the criminal justice system: new insight and promising responses* it talks of the three programs that Mission Australia runs in south-west Sydney that work with young people aged 10 to 17 who are in contact with the criminal justice system. These programs—Campbelltown post release support program, the juvenile justice employment skilling program and the Pasifika support services—are collectively known as the Young Offender Support Program, or YOSP.

The Pasifika program, which served as a program for young offenders from a South Pacific island background, ran from 2005 until the state Labor government cut its funding. Interestingly, the program produced results at two per cent of the cost of remanding an offender. The program managed to reduce reoffending by more than half and reduced serious offences by more than two-thirds. We are talking about significant sums of money here.

These early intervention programs cost as little as \$5,000 per offender per year of support, whereas in New South Wales it has been reported that the remand of a juvenile offender costs as much as \$150,000 a year and this does not include post detention support. Perhaps in the interest of outcomes for juvenile offenders this state government will look towards establishing similar programs that would protect our community, prevent young offenders from recidivist tendencies and ultimately save the bottom line of this debt-ridden government.

Proactive early intervention measures are required to address escalating youth violence which may well see these teenagers caught in the juvenile justice system. Earlier this year I tabled a petition for a police beat in a local shopping centre due to the disruptive actions of a number of youth, but this was knocked back. Thank goodness the police in my area do not play politics and did what is best for our community. They found a way to establish a police booth within the centre at certain times of the week, and guess what? The behaviour has diminished.

At a time when truancy and teen violence was rising this government cut funding to school based police officers despite calls for several years for one for schools in my electorate. Once again, my local police found a way to provide a police liaison officer for the two large high schools in my electorate. Constable Emily Pike commenced her duties in mid-July and has already shown the benefit of her presence. She does not have to stay based at the school. She can go out and participate in truancy initiatives and similar programs. Truancy is a real problem, as are suspensions, expulsions and schoolyard violence which can all lead to further offences. As a society we have cause for concern.

No doubt many honourable members have seen ugly fights between girls and boys which are posted on the web. The attitude of onlookers and other teenagers is sickening and should be sending alarm bells to the government. But their key response to date has been to call another task force, another talkfest and then not act upon the recommendations therein.

During the third week of July Constable Emily apprehended three truants lighting fires behind the Currumbin RSL and reports of fewer fights in school grounds are already coming through. Bullying, as we know, leads to aggressive behaviour which can not only lead to criminal actions but also cause victims to commit suicide. We must act quickly to save our youth from self-destruction.

I am deeply upset by the level of senseless attacks on and by our youth on each other and others who come to their aid, such as our well-meaning police and dedicated ambos. I am sure that seeing them react like pack animals sickens every member of this House. The cost of bullying in financial terms is massive. In 2006 five payouts equalled \$84,926. In 2008 that figure leapt to a massive \$612,869. It is difficult to quantify long-term costs, but intervention programs would certainly be cheaper in the long run.

The police are disillusioned with the continual mockery of the system and their hard work that so often sees perpetrators get off scot-free. They tell me that kids have no fear of the system so they keep doing bad things. If community work was enforced and kids were made to do the hours, then fewer would progress to detention. It could also be said that the current system operating under a Labor government—a Labor government soft on crime—is actually breeding and feeding the vicious juveniles of tomorrow by not taking a tougher stance today and not investing in the number of programs we need to reduce the number of shocking incidents that are shown on TV, social networking sites and newspapers on a regular basis. Let us make sure the safety nets are in place to keep as many kids as possible out of detention and also make sure those who deserve detention get the rehabilitation they need to help them lead fulfilling and meaningful lives.

**Mr EMERSON** (Indooroopilly—LNP) (3.20 pm): I rise to contribute to the cognate debate of the Juvenile Justice and Other Acts Amendment Bill 2009 and the Juvenile Justice (Sentencing Principles) Amendment Bill 2009. The issue of youth justice is an extremely challenging one for everyone in our community. The issue gives rise to many legitimate but sometimes opposing viewpoints. It also elicits strong emotions. For a caring and civilised community, it is always distressing when our youth commit crime. We are torn between a natural instinct to recognise the inexperience and lack of maturity of the young and appropriately responding to the sometimes devastating impact on the victims of that crime with appropriate deterrents and rehabilitation.

Sadly, in recent days we have seen reports of youth violence—with youths both as victims and allegedly as assailants. Even today there are new reports that claim that the carrying of knives has become commonplace among some groups, and this is particularly disturbing. North Brisbane District Detective Inspector Graham Clark was reported as saying that teenagers carrying knives 'seemed to be the culture these days'. An article went on to say—

Young people believed they needed a knife for self-defence but 'if no one had them, they wouldn't need them,' Insp Clark said.

Reports show that fears about teenagers carrying knives are supported by figures from the latest police statistical report, with 667 males aged 15 to 19 charged with weapons offences last year, up from 547 two years earlier. Mark Ellis from Gatecrash Security said that pocketknives and flick-knives were almost standard accessories for young people. Mr Ellis said—

They carry knives because other people carry knives, that's the perception. They don't go out intending to stab someone, but they want to have one for their own protection.

Having said that, I acknowledge that last year the state government introduced tougher laws against carrying knives in public. In the past decade almost 300 people have presented at hospital emergency rooms in Brisbane with stab wounds, with males more than three times more likely than women to be the victims. In these cases, especially when they deal with the young, emotions can overwhelm us. However, as always with juvenile justice, our responses must be measured and, particularly important in this area, based on evidence and research. I note that in her second reading speech the minister said that youth crime trends for our state have improved over the past seven years. But I also note that research released last year shows that violent crime by young people is on the rise in Queensland, including among girls.

Professor Paul Mazerolle from Griffith University found that violence was concentrated among young people, with a rapid increase of violence around 15 to 16 years of age which starts to go down at 18 to 20 years of age. The professor's analysis found that in Queensland the number of assaults committed by males aged 15 to 19 grew by 15 per cent between 1996 and 2005, and during the same period the number of assaults committed by females rose dramatically. The professor admitted that it was a complicated story in explaining this rise in violence, but he did identify alcohol as a factor, and this intertwining of alcohol with violence is a modern plague on our society. We all struggle to find the right solution—whether it is restricting trading hours, instituting 3 am lockouts or ensuring that alcohol is not given illegally to minors. We need to constantly review all of these approaches as we strive to deal with alcohol fuelled violence, especially as it affects our young.

The Juvenile Justice and Other Acts Amendment Bill outlines a package of changes on youth justice—changes I do support with some amendments. Specifically, the package includes giving courts specific powers to impose curfews on dangerous young offenders, as well as the power to impose a curfew as a bail condition or as part of an intensive supervision order. The courts already have the ability to order curfews, but the measure has never been specifically spelt out in legislation. Under the new measure, judges will be able to set a specific address for the curfew as well as the times that will restrict an offender. Curfews are an important tool in dealing with youth criminals. There is significant evidence that curfews have been effective in other jurisdictions. Of course, the state government also needs to ensure that sufficient resources are provided so that the curfews are monitored. However, I am not confident that that will occur.

Other parts of this legislation include giving courts wider powers to name and shame dangerous young offenders convicted of serious offences, with the courts able to order that that information about the child be released in the interests of justice. I recognise that this is a controversial amendment. Submissions to the review of the act with respect to this amendment were divided, with numbers evenly divided between those in favour of greater naming, those opposed to any naming and those believing the current laws are sufficient. Those in favour of widening the existing provisions included comments that young offenders should be named in the interests of public safety, particularly with regard to violent and sex offenders. Those opposed to any naming pointed to research that the naming of young offenders would unduly label and further stigmatise and criminalise young offenders.

While I believe there must be caution with regard to the naming of young offenders, the amendment clearly indicates that naming will only be done where it would be in the interests of justice to allow publication having regard to the need to protect the community, the safety or wellbeing of a person other than the child, the impact of publication on the child's rehabilitation, and any other relevant matter. In supporting this amendment, I also note the 2006 comments of Queensland's Chief Justice, Paul de Jersey, who wanted courts to have the power to name juveniles who repeatedly break into homes, steal cars or spray graffiti. The amendments also include giving police stronger powers to arrest dangerous young offenders who have breached bail and supervision orders.

As I said, I do support this package of amendments with some concerns, but these changes are welcomed. However, I believe that an additional change could be made to the act. I am always especially conscious of the impact of crime on victims. I believe this bill should have included allowing a victim to present a victim impact statement to the court at the time of sentencing of a young offender. The decision to present that statement would rest with the victim and it could be read or tendered.

On the issue of sentencing, it will be of concern to the community that not one of the 35 juveniles convicted of producing or supplying dangerous drugs went to detention in 2007-08 and 114 of 147 convicted violent robbers were not detained in that same period. Our courts' sentencing practices should reflect community expectations. As with the naming of juveniles, the decision on whether or not to jail a juvenile must be a considered response to the circumstances. The removal of a specific

direction of jailing as a last resort should not be taken to mean that detention should be a first resort, but it should be seen as a strong indicator that the broader community does expect that detention should be considered as part of a range of sentencing options. As such, I support this amendment by the Deputy Leader of the Opposition and shadow minister for justice.

In recent weeks I have had two meetings with constituents from my electorate which have touched on the issue of youth crime in different ways, and I want to mention those briefly. The first was with Chris and Lee Rush whose son Scott is on death row in Bali for drug running. It is almost three years to the day since Scott Rush's appeal against his sentence to life imprisonment saw him sentenced to death. I do not wish to discuss the specifics of this case, except to put on the record my condemnation of the illegal drug trade and my opposition to the death penalty. However, I would like to recognise how difficult it often is for the parents of juveniles and young men and women who commit crime. As I told the Rushes, while I can sympathise with their very difficult journey, I cannot pretend to know what they are experiencing. As a father of teenage children myself, I can imagine the questions caring parents naturally ask themselves: what could I have done differently? What could I have done better? While the victim of a crime should always be our priority, with juvenile crime the family of the perpetrator may also suffer.

The second meeting was with a young man in his early 20s who had been detained for several months more than three years ago for an assault, which was linked to alcohol.

**Ms Grace** interjected.

**Mr EMERSON:** I take the point that the member for Brisbane Central raised. With juveniles, the point is that the parents are often victims themselves, because they raise the question themselves about what their youths may be doing. I accept that Scott Rush was older than a juvenile, but the situation still applies.

As I said, the second meeting was with a young man in his early 20s who had been detained for several months more than three years ago for an assault, which was linked to alcohol. He was a juvenile at the time. He came to see me on the advice of the local police, because he was applying for a career in the military and they thought that it might help his application to say that he had spoken to his local MP. He told me that since leaving detention he had been in full-time work in the same job for more than three years, he had a long-term partner and a young child and now had only one beer on his birthday. He wished he could undo his past but, as William Faulkner said, the past is not dead; it is not even past. But this young man can and is trying to create a better future.

I mention both of these cases to emphasise how complex and challenging the issue of youth crime is. We need to meet the public's expectation on the issue of youth crime. Our society rightly expects our community to be safe and people very strongly support the rights of victims. We need to have appropriate deterrents, but we also need positive rehabilitation for young people and positive outcomes for their families.

**Mr CHOI** (Capalaba—ALP) (3.31 pm): I rise today to speak in support of the Juvenile Justice and Other Acts Amendment Bill 2009, recognising that this bill is now being debated in cognate with the Juvenile Justice (Sentencing Principles) Amendment Bill 2009. In doing so, I first of all thank the previous minister, Lindy Nelson-Carr, for seeing the safe passage of the Juvenile Justice and Other Acts Amendment Bill through the House. This bill is designed to provide robust and comprehensive changes to the Juvenile Justice Act 1992—changes that are based on evidence and evidence alone, not on emotion, rhetoric or ideology and largely based on community response to the government's 2007 issues paper. That paper generated 174 submissions from the public, including youth advocacy groups, victims of crime and academics. More than 50 responses were received from young people themselves.

The Bligh government seeks to honour the commitment that it made during the recent election campaign to address certain areas of the current act, which is quite old. We need to improve youth justice service delivery and make it relevant to contemporary community expectations and to the world in which young people live today. We need to give our courts specific powers so that they can provide boundaries and guidelines for young offenders. We also need to address the issue of naming juvenile offenders, enabling our courts to allow the publication of identifying information if and only if it is considered to be in the interests of justice. We must also continue to prohibit the publication of any information that would identify a child victim. We also need to increase the minimum mandatory detention period, unfortunately so, for juvenile offenders who have been convicted of multiple murders from 15 years to 20 years. This is indeed a very harsh punishment for a very serious crime, but it will bring juvenile justice legislation into line with the laws that exist for sentencing adults who have been found guilty of the same crime.

Under this bill, when young people who are in detention reach the age of 18 they will become part of the adult penal system rather than remain in the juvenile justice system. This bill will improve the workability of the relevant acts by giving victims of crime the right to bring more than one support person with them to a formal youth justice conference. It will also give our Police Service stronger powers to arrest young offenders who have failed to comply with youth justice conferencing requirements, who have contravened an agreement or who have failed to attend a drug assessment meeting in order to then take them to court.

It is imperative that we try to reduce the number of juvenile offenders in prison today. To help achieve that goal, we need to reduce remand levels and enable our courts to consider what the likely sentence would be when deciding whether to release a young offender on bail or to place him or her on remand. Currently, decisions to remand young offenders in custody consider factors such as the risk of reoffending, community safety and also the gravity, of course, of the offence. The juvenile justice principles contained in schedule 1 of the Juvenile Justice Act 1992 provide that a child should be detained in custody only as a last resort. Our Queensland government remains committed to this principle. To that end, we are committed to finding appropriate alternatives to keeping juvenile offenders in custody. We believe that incarcerations should always be used as a last resort once all of the other options have been exhausted.

Less than 10 per cent of young offenders who are remanded in detention subsequently receive a jail sentence but nearly 33 per cent of them will spend up to eight days in jail while on remand. Only three per cent of the submissions that we received advocated remand as a deterrent while 13 per cent emphasised the need to deal with the challenge of social welfare issues, particularly in terms of alternative accommodation options, to obviate detention while young offenders waited for the law to deal with their cases. We also need to consider ways of diverting some of these young offenders into support services or to consider other options such as reprimands, fines and orders for community service.

Some 71 per cent of the submissions to the 2007 paper commented on the sentencing of youth offenders and diversionary options. Not quite half of those submissions felt that the current sentencing and diversionary options were not appropriate and about half felt that they were. Some suggested a specialised children's court. Of all of the submissions received, only 20 submissions—or less than 12 per cent—wanted to see harsher penalties imposed on young offenders, particularly for violent crimes and reoffending. This same percentage was opposed to considering diversionary options.

There is also a growing focus on mental health issues or substance abuse in the context of juvenile crime. Some 34 per cent of the submissions called for a greater emphasis on options that are designed to treat the underlying causes of offending by young people. Those submissions recommended a mix of prevention, early intervention and rehabilitation programs, including mental health interventions, drug and alcohol programs and counselling. More than half of the submissions referred to the role of parents in preventing or causing their children's offending, with a split of nearly fifty-fifty in opinion regarding the need to make the law more punitive regarding parental responsibilities.

There is a desperate need to find a workable way to help stop juvenile crime occurring, to support young offenders from reoffending and to help them transition back into society. I ask members to listen to the following plea for help from one young respondent—

People expect you to be really bad. People don't respect or trust you. Make a program for young people when they get out to help them make better decisions.

We also need to place a special focus on how we can reduce the number of Indigenous offenders in our prison system. Indigenous offenders are overrepresented in the youth justice system and underrepresented in diversionary processes. We must find ways for the Queensland youth justice system to adequately respond to the particular profile and needs of Indigenous young offenders. One suggestion was to establish a youth Murri Court to operate in several locations in Queensland.

Nearly half of all submissions received suggested changes to policy or legislation to achieve better outcomes for young Indigenous people, including how we can improve Indigenous conferencing provisions by investigating more creative solutions to reflect Indigenous family and community relationships and other intercultural issues.

This bill will ensure that young offenders are not detained any longer than required by the term of their sentence. The focus of this bill and of this government is not about keeping young people locked up longer than they have to be. The chief executive and not the court will review remand credit and other considerations when determining release dates to enable a more timely resolution of the young offender's case and his or her release.

To provide clear boundaries so that young people understand the rules, a court will be able to immediately hear an application to return an offender to detention, reducing delay while providing a significant deterrent to young offenders. This bill is designed to protect our community and young offenders from themselves by confirming that the Department of Communities can inform the police when a young person has committed further offences where police are unaware of the reoffence.

In summary, this bill will provide legislative changes based on sound evidence—not on rhetoric or ideology—review of contemporary legislation in other states and countries and significant community feedback. This bill will support victims of crime and meet community expectations of justice; address the high levels of young people in remand by considering more diversionary options; improve transition options for young offenders; improve conferencing provisions, particularly with regard to young Indigenous offenders; and enable young offenders in long-term sentences to be moved to an adult prison when they reach 18 years of age. I commend this bill to the House.

**Mrs ATTWOOD** (Mount Ommaney—ALP) (3.41 pm): I rise to support the Juvenile Justice and Other Acts Amendment Bill and would like to focus on police responses in youth justice. Since before I was elected as the member for Mount Ommaney over 11 years ago I was a volunteer member of the community advisory committees at Moreton A and Moreton B prisons at Wacol. These prisons have since ceased to be operational. However, there are other community advisory committees of the Sir David Longland Correctional Centre, the Wolston Correctional Centre and the Brisbane Youth Detention Centre, all at Wacol, which I became a member of and have been involved in to some extent over past years.

It is so important that links between the community and prisons are established and maintained. There comes a time when prisoners will be released after rehabilitation and hopefully will become law-abiding and contributing members of our society. There were many community events and fundraisers where prisoners played an active role behind the scenes. For example, prisoners made furniture items that were sold at auction for a local charity. It is especially important for young people to learn the value of contributing to community and to become responsible citizens who care about others.

Whilst there is strong support from some parts of the community for tougher sentencing of juveniles, the issue is divisive. Putting juvenile offenders in detention centres is not always the appropriate way to deal with these young people. The Bligh government recognises the need to keep the community safe from serious young offenders and we need to ensure that we take into consideration public expectations about their sentencing.

I often get complaints about young people milling around local parks, sometimes drinking or taking drugs or causing disruption to local residents. My response to that is to talk to local police about these issues in an attempt to work out a solution that addresses the community's fears and concerns. Young people, like adults, need to be held accountable for their actions. There are various ways juveniles can be made accountable that take into consideration the seriousness of the offence and its impact upon the community.

This bill contains amendments that make it much easier for diversionary orders to be enforced. This will increase court confidence that diversionary measures provide an appropriate response to offending and ensure that young people are held accountable for their offending. Referrals to conferencing and to drug assessment and education sessions are valuable tools for the court. Conferencing means that young offenders have to meet their victims face to face and hear firsthand the impact that their offending has had on the victim. In 2008-09, 2,437 young people were dealt with through youth justice conferencing. Of those involved in youth justice conferencing in 2008-09, 97 per cent of participants, including victims, reported being satisfied with the outcome of the conference. Conferencing is a powerful tool for holding young people accountable.

Drug assessment and education sessions are an option for young people entering the youth justice system in relation to certain drug charges. The young person can be referred to the diversionary measure which can directly address the offending behaviour. It is aimed at helping the young person deal with their drug problem and thereby divert them from further drug related offending. In 2007-08, 140 people—including adults—per week were referred to the police drug diversion program with 81 per cent of people referred meeting attendance conditions.

Referral to drug assessment and education sessions through the Illicit Drugs Court Diversion Program consistently has an attendance rate of more than 90 per cent. This includes adults and juveniles. Of 12,628 referrals—adults and juveniles—11,258 people successfully completed the diversion program. However, to have a real impact these diversionary options must be able to be meaningfully enforced.

There has been a lack of clarity in the Juvenile Justice Act 1992 about the impact of failure to reach a conference agreement, breach of conference agreement or nonattendance at a drug assessment and education session. Currently in these situations the young person can be brought back before the court for re-sentencing. A notice of the court date is issued to the child. However, there are no provisions for the court to issue a warrant if the child fails to appear on that date. The bill contains amendments to sections 164, 165, 166 and 174 by clarifying that a warrant for the child's arrest can be issued if the child fails to appear before the court. To ensure a child understands the possible consequences of failing to appear in court on a breach, an additional amendment to the sections is proposed to state that the notice given to the child must include a warning that a warrant may be issued if the child fails to appear in court on a specified date. The amendments uphold the integrity of these diversionary processes, demonstrating that they are serious options with serious consequences for noncompliance. I commend the bill to the House.

**Mr MOORHEAD** (Waterford—ALP) (3.47 pm): I rise to support the Juvenile Justice and Other Acts Amendment Bill and congratulate the minister for bringing this bill to the House. When it comes to youth justice, Labor's approach has been strong and consistent: tough on youth crime but also tough on the causes of youth crime. Our policy has been consistent and based on evidence. When one looks at the evidence one can see a measure of success. The evidence shows a reduction in youth crime from

9.3 offences per 100 people to 8.1 offences per 100 people over the last seven years. That is a 13 per cent reduction. Those great results have come from initiatives like our youth justice conferencing, which has seen overwhelming satisfaction rates for both offenders and victims, providing real justice for those people who want to access those options.

This should be clearly contrasted with the LNP approach to this issue which is to use it as a source of political opportunism with policies that are untested or, in the case that they are tested, simply do not work. In the past we have seen announcements about boot camps. The evidence on boot camps is that they simply do not work. That does not stop the LNP continuing to peddle those ideas, trying to get a few votes out of the issue of youth justice and youth offending.

It is important to get the balance right: protecting the community from those who pose a threat to community safety while ensuring that we can put people on track to a life without offending rather than turning young offenders into adult prisoners. I was interested to hear the comments of the member for Burdekin about the revolving door of youth detention. What struck me is that if youth detention is the revolving door, why do we want to put more people through it? Detention is not always the answer. We have to maintain the opportunities to make sure that the Children's Court can provide appropriate sentencing in appropriate cases.

As the bill currently provides, we should only use detention as a last resort when other options that have proven to be more successful have been exhausted or are simply not appropriate.

The bill before the House makes some changes in respect of how young people can be held on remand. As members would know, a great many young people in our youth detention centres have not been found guilty. Currently, young people can be held in youth detention centres because of a threat to their safety. Under the proposals in this bill, a young person will be held on remand because of fears for their own safety only if the threat relates directly to the offence. Less than 10 per cent of people on remand will be sentenced to detention. People are spending time in youth detention centres before being found guilty and often when they are sentenced it is found that detention is not the appropriate penalty, despite the fact that they have already spent time in detention. I am sure the minister is aware that this places a great obligation on the Department of Communities to find accommodation options for young people, making sure the court has every option to ensure safe accommodation for young people. This system gets the balance right. It ensures that people who have not been found guilty are not inappropriately held in detention. In this situation we have to ask what we would think if it were our own child, rather than thinking of a young person accused of crime as a number or a faceless person.

In this cognate debate we are also debating the Juvenile Justice (Sentencing Principles) Amendment Bill proposed by the Deputy Leader of the Opposition, which is very similar to a bill that was introduced in the last parliament. In my short time in this place there have been a number of occasions when the LNP has been beating the law and order drum, trying to whip up prejudice against young people wherever it can. Essentially, the only thing it has been successful in whipping up is a great trail of apathy, because the state government has the system right. We have the balance right. We have brought in this legislation because we think that there is a need for change. It is well researched and based on the evidence of youth offending.

However, the LNP proposal to remove the principle of detention as a last resort will mean a move away from what is currently a very sensible position. The sentencing principles now say that detention should be used where it is needed to protect the community or deter crime, but not unless it is actually needed. This is simply another example of an opposition that is not held back by the evidence, because the evidence shows that detention does not provide a long-term solution to youth offending and may actually increase the incidence of reoffending. Again, when we debate juvenile justice legislation we need to think about how would we see this legislation operating if it affected our own children.

The member for Burdekin has foreshadowed an amendment. I must commend the member for Burdekin for her honesty. To have an LNP member say that the LNP is removing justice from its youth justice bill is quite accurate. To label all young people as offenders, before they have had a hearing, accurately reflects the LNP position. 'Juvenile justice system' means that young people come under the jurisdiction of the act when they are accused of an offence, but have not yet been found guilty. They may be found guilty, they may not be found guilty. The current title of the bill is quite appropriate and it is important that we keep justice as an important principle of the bill. When we talk about young people we should be careful that we are not quick to label them as offenders.

We have to keep coming back to my initial point, which is that the policies put in place by this Labor government are working. Those policies are supported by the evidence and have been successful so far. This bill provides a finetuning of our juvenile justice legislation. I commend the bill to the House.

**Ms BATES** (Mudgeeraba—LNP) (3.55 pm): Today I rise to make a contribution to the Juvenile and Other Acts Amendment Bill 2009 and the Juvenile Justice (Sentencing Principles) Amendment Bill 2009. The objectives of the first bill are to amend the Juvenile Justice Act 1992, the Child Protection Act 1993 and the Young Offenders (Interstate Transfer) Act 1987 and other relevant legislation to provide a best practice youth justice system with the capacity to respond to current demands and challenges.

The bill proposes the following legislative amendment: firstly, to give courts specific powers to place curfews on juvenile offenders to reduce the chances of them reoffending and to ensure they are properly supervised. Under this new measure, judges will be able to set a specific address for the curfew, as well as the times that will restrict an offender. This is a radical change of direction for the state Labor government, after previously refusing to entertain the idea of curfews for under-age offenders. The community has been demanding that young people be held more accountable for their actions, but until now this government has not given to juvenile crime the serious consideration that it deserves and, moreover, that the public expects.

Statistics show Queensland's juvenile crime rate is increasing at an alarming rate. Juvenile arrest rates for violent crimes have increased by more than 250 per cent and 115 per cent in Victoria and Queensland respectively over recent years. The AIC study shows the majority of children, over 90 per cent in many countries, commit at least one unlawful act before adulthood. It also shows that a small proportion of juveniles, six to seven per cent, are responsible for a disproportionately large share of all crimes. On 2 May 2009 the *Gold Coast Bulletin* quoted criminologist Ross Homel from Griffith University as stating—

Early intervention is needed to head off the early onset of offending or we will continue to pay the price.

It is already costing the community billions of dollars a year and the earlier kids start offending, the more likely they are going to continue to offend and commit more serious and more frequent offences.

In general, Australia overall has one of the highest rates of crime in the developed world and juvenile crime is a growing problem.

In a landmark study, the Australian Institute of Criminology followed what happened to 1,500 Queensland children who had received supervised juvenile justice orders between 1994 and 1995. The results showed that most of those offenders went on to become adult criminals and about half of them went to adult jails. If you were Indigenous, jail was almost inevitable.

Gold Coast youths in particular have made the national headlines for all the wrong reasons, including bashing police officers, rioting in parks, committing robbery, attacking citizens in their own homes and fighting one another with weapons on the street. Despite that, all too often they are punished by the courts with a slap on the wrist. Faced with similar problems, New Zealand authorities have trialled a boot camp style program. One of the people driving the current military program that is supported by the New Zealand Army and police is police officer Sergeant Bevan Seal. He has stated—

If you give kids three square meals, some direction, some leadership, help them stop taking drugs and alcohol and show them how to prepare for the world—its not brain surgery, but it works.

The program is showing signs of success. However, the national manager of Blue Light, Brendan Crompton, is quoted as saying—

The problem is (when they complete the program) they then have to go back into the community and because often those communities don't have the knowledge to support the kid coming back, they slip back to their old ways.

Often the family hasn't had any support themselves and often the families have very high drug and alcohol addiction, gang affiliations or a complete lack of parenting skills or knowledge of how to look after children.

The bill also proposes the following legislative amendment: to widen court powers in relation to naming juvenile offenders, allowing orders to be issued allowing publication of identifying information if the court considers it to be in the interests of justice to do so. This reform will give courts wider powers to name and shame dangerous young offenders convicted of serious offences. Courts would be able to order that information about the child be released in the interests of justice. It is pleasing to see the government support the Liberal National Party's stance to name and shame not only young rapists and murderers but also juveniles who have committed the same offence three times.

In the *Sunday Mail*, March 2009, Chief Justice Paul de Jersey said, 'Courts should be allowed to name persistent offenders as a powerful deterrent to young people.' Many believe, including Gold Coast police, that these measures and proposed changes however are nothing more than 'political posturing'. An article in the *Gold Coast Bulletin* on Wednesday, 20 May 2009 states—

'The courts have had these powers for years but they never use them,' said the source.

'The Government has appointed a whole bunch of civil libertarians who are more interested in protecting offenders than informing the public.

'If they were fair dinkum on naming and shaming your offenders they would make it compulsory.'

More recently we have seen an increase in the number of violent juvenile crimes using internet sites such as YouTube and MySpace to upload footage of these disgraceful attacks. Gold Coast police have stepped up to the plate and taken action and have started to charge offenders in relation to these crimes being filmed.

Gold Coast police acting superintendent Des Lacy, quoted in the *Courier-Mail* on 16 May 2009, said that the charges were a turning point in the bid to stop violence in schools. He said that the police Child Protection Investigation Unit had decided to test the law, which allows for those who incite or encourage an assault to be charged. The article continued—

'Violence in schools isn't new but the advent of social networking sites has allowed it to be more easily displayed,' he said.

'By taking this action (laying charges), we're sending a very clear message that we want to stop it.'

The LNP has always maintained a tough-on-crime approach and pledged to overhaul the act to close the 'loophole' which meant that jail was a 'last resort' for juveniles irrespective of the severity of the crime.

This bill also aims to give police stronger powers to arrest and take to court young people who do not comply with youth justice conferencing requirements or who contravene an agreement or who fail to attend a drug assessment session. This reform will also give police improved powers to arrest young offenders deemed dangerous who breach bail and supervision orders, including curfews. It will also require courts to consider setting a date for the transfer of offenders from youth detention to adult prison when sentencing young offenders to be detained beyond the age of 18, and it will automatically prohibit the publication of information which identifies a child victim. This reform would give the courts the power to ban the publication of any information that could identify a child victim of crime.

It is proposed to allow the court to shorten the period within which a young offender must complete a community service order of less than 50 hours. The amendment is also intended to ensure that orders are completed in line with the juvenile justice principle No. 11, which requires that a decision affecting a child should, if practicable, be made and implemented within a time frame appropriate to the child's sense of time. In stipulating the time frame, the court will be required to consider what is reasonable in the circumstances of the case. Allowing the order to be completed in a more timely way will ensure that young people do not have the order 'hanging over their head' any longer than necessary.

Anyone who has teenage kids would know that they have absolutely no sense of time. Put any child in front of a Nintendo or a PlayStation and they will play right through the night if they were allowed to. The only sense of time in this case is how long it takes to become 'Death Incarnate' on *Grand Theft Auto* or like-minded violent video games. Insofar as juvenile offenders not having a community order hanging over their head is concerned, they should be in fact hanging their head in shame, but of course this does not happen because those opposite have done nothing to make these orders mandatory.

The amendment in relation to confidentiality and the disclosure of information to the Queensland Police Service would have the effect of allowing information, such as possible further offending, to be passed on to the Queensland Police Service. This is considered to be justified given that a young person who commits an offence should be held accountable and encouraged to accept responsibility for the offending behaviour.

Juvenile offenders now face a warrant for a child failing to appear after an unsuccessful conference, a contravention of an agreement and failure to attend a drug assessment and education session. Further, it will ensure consistency in dealing with a young person who has breached a term of a community based order. In addition, it will be a requirement to issue a warning to children that an arrest warrant may be issued if the child fails to appear in court.

Parents also need to be held accountable for the actions of their children. On the recent riots on Australia Day at Burleigh Heads, police Inspector Des Lacy made the following comments to the *Gold Coast Bulletin*—

'There were kids as young as 12, it was ridiculous. I felt like a teacher on playground duty. If kids are going to Burleigh they need to go with their parents—they should come down and see what their kids are up to.'

'Parents need to take responsibility for where their children are going, this is not Australian patriotism, and its hooliganism.'

In a recent survey of the electorate of Mudgeeraba, over 62 per cent of residents cited law and order issues as the most important to them. Of these, the majority were calling for tougher sentencing, demanding that graffiti criminals clean up their own mess or that of others and that hoons had their cars not only impounded but crushed.

Our local police consultative committee meets on the first Monday of every month at the Mudgeeraba Police Station and invariably the discussion centres around the government and the judiciary being soft on crime. I routinely encourage members of the public to attend these meetings and to continue dobbing in offenders not only so that we can assist the police apprehend these juvenile criminals but so that the crime statistics accurately reflect what is going on in our community so that we can force the government to increase the police numbers in our local area.

Too many times we hear the catchcry of the civil libertarians and the bleeding heart Left that children are the product of their upbringing. If that were the case, I am sure that many of us in the chamber today would not be here. How often do we hear residents say, 'In my day.'? Well, in my day the local police sergeant was not known as Kojak for nothing, and we all knew that his form of justice was either a swift kick up the backside or a visit to your parents. We were not afraid of Kojak. We respected him, as we did our teachers. Today juveniles know their rights so well that they can and do quote them verbatim to their teachers, parents and the law. Juveniles know the difference between right and wrong, even if they are not taught it at home. It is often left to teachers to try to instil these values in school hours. The only difference between a juvenile committing an offence is choice. Peer group pressure and a bad home environment do not take the most valuable decision away from our young. That decision is to make a choice—the choice between right and wrong and if you fail to make the right choice then you should suffer the consequences.

It was interesting to note that while researching the internet on this subject the majority of front-line law and order enforcement bodies advocated zero tolerance and tougher penalties whilst the vast majority of other learned ponderings were by left-wing academics who are nowhere near the thin blue line that protects ordinary residents from criminals. This brings me to contribute to the cognate bill, the Juvenile Justice (Sentencing Principles) Amendment Bill 2009. The amendments to the sentencing principles of the Juvenile Justice Act 1992 are in response to the need to strengthen juvenile justice sentencing with a focus on deterrence and sentences that are reflective of the violent crimes being committed by our young people. The reference to detention as a last resort has undermined the sentencing principles of deterrence and community standards that the justice system is expected to deliver.

The amendment seeks to remove this impediment to sentencing courts when dealing with juvenile offenders and inserts a new provision that ensures that courts can consider detention as a sentencing option for juvenile offenders if appropriate for the crime that has been committed. Recent juvenile sentencing figures indicate that, in 2007-08, 26 juveniles were convicted of rape and 17 escaped jail time; in 2006-07, 14 juveniles were convicted of rape and 11 did not go to jail; and, in 2005-06, 23 juveniles were convicted of rape and 18 escaped jail. In addition, not one of the 35 juveniles convicted of producing or supplying dangerous drugs went to jail in 2007-08, and 114 of 147 convicted violent robbers also escaped jail in 2007-08.

The objective of the bill is to amend the Juvenile Justice Act 1992 to remove reference to detention as a last resort. The reason for this bill is to restore balance and faith in our justice systems sentencing of juvenile offenders, in particular those who commit serious violent crimes. The public has a right to feel safe. They have a right to expect that when our hardworking police apprehend these juveniles the judiciary will deal with the crime appropriately and enforce punitive measures to ensure further crimes are not committed.

The residents of Mudgeeraba entrust me to voice their concerns on law and order in this place and to continue a tough stance on crime, and I do not take their concerns lightly. They want to see a justice system, not a legal system.

**Mr WELLINGTON** (Nicklin—Ind) (4.08 pm): It gives me a great deal of pleasure to rise to speak to the Juvenile Justice and Other Acts Amendment Bill and the Juvenile Justice (Sentencing Principles) Amendment Bill. I think it is great that these bills are being debated together and I look forward to proceeding to the consideration in detail stage where we can debate some of the amendments that are proposed.

I have been listening to members speak to these two bills. I indicate that I certainly support the need to strengthen our communities and make it very clear that people have to take responsibility for their actions. Unfortunately, it seems to me that most people in our community get themselves into strife usually as a result of the influence of alcohol or drugs. Recently I moved a motion to refer a matter in relation to drugs to the all-party Social Development Committee. I am certainly looking forward with a great deal of interest at how that committee considers the issue of the linkage between drugs and mental illness.

On the topic of alcohol, can I say that young people certainly have problems with the consumption of alcohol and knowing when to stop. By the same token, many adults have problems knowing when to stop. Suffice it to say that alcohol, in my view, is one of the major causes of so many of the problems we have in our community today and the problems we have had in the past.

This morning I was reading an article in the *Australian* which I want to quote for the benefit of honourable members. The front-page headline reads 'Alcohol controls do most to cut indigenous crime'. The article states—

CONTROLS imposed by government on alcohol consumption in indigenous communities in Queensland have been the single most important reason why crime has decreased markedly and the lives of women and children have improved ...

**A government member:** Good Labor legislation.

**Mr WELLINGTON:** Good legislation. The message comes from recently retired District Court judge Michael Forde, who spent 15 years on the bench and presided over 420 jury trials. He was a circuit judge for Mount Isa and the Gulf of Carpentaria communities of Mornington Island, Doomadgee, Normanton and Burketown for four years from 2002. He kept statistics on the offences that had come before him. They revealed that since alcohol restrictions were introduced in Doomadgee and on Mornington Island in 2003 crimes of violence had decreased by up to 50 per cent each year. Mr Forde's strongest message was about the need to provide full-time health therapists and social workers in remote communities so that people with problems have someone to turn to. For a full report, there are further articles on page 2 of the *Australian*. I would urge members to seriously consider those comments. I believe that we need to look at preventing these problems, as prevention is better than cure.

I note that in her second reading speech the minister talks about the consultation on this proposed bill. In particular, she noted that the majority of submissions to the review on Indigenous overrepresentation highlighted the need to address underlying factors that contribute to offences being committed, such as poor educational attainment, dysfunctional families and limited access to health, legal and social services. I believe that controls on alcohol can play a significant role in improving the health of our communities and improving the lives of many people in Queensland.

The other issue I would like to touch on is the involvement of chaplains in our schools. For the last 15 years I have been a strong supporter of our school chaplains on the Sunshine Coast. When I spend time with our school chaplains and I speak with them about their involvement with our young people—our juveniles; the young people in our schools—the message I receive is that sometimes those problems of conflict at a very early stage when in school flag that a young person is in need of help. It seems to me that the school environment is the best place in which to provide that support, because once they leave the school environment often their families are at a loss. We also do not have the contact that we desire. I would love to see more support provided to enhance school chaplains in all of our schools because of the significant benefits that we are able to demonstrate time and time again in improving the behaviour of our young people. No matter what we do, it will cost a lot of money to respond to the juvenile justice problems in our community, but I personally believe that alcohol control, drug control and financial support from the state government to our school chaplains will be significant steps in preventing young people embarking on a life of crime or embarking on irresponsible and illegal behaviour.

We certainly need to ensure that young people take responsibility for their actions. Too often we hear people talking about their rights and about how they should be entitled to this and entitled to that. Recently there was an article in the *Sunshine Coast Daily* about a person who was claiming a right to certain entitlements. The comments in response certainly demonstrated that many other people have different views. I think we need to ensure that our young people take responsibility for their actions. We as members of parliament, the government, the opposition and Independents all have to work together to put our best ideas forward to try to come up with the most sensible and effective ways of responding to that.

In this cognate debate today there are two bills, both of which seek to achieve similar outcomes: to improve the safety of our community. I certainly support the intent of strengthening the legislation. I certainly support the right of victims of crime to be justly heard, but I do believe we have a capacity to do more in preventing our young people embarking on illegal behaviour by better supporting our school chaplains, strengthening the anti-alcohol legislation and hopefully taking stronger action in relation to illegal drugs in our community.

**Mr McLINDON** (Beaudesert—LNP) (4.15 pm): I rise to make a contribution to the Juvenile Justice and Other Acts Amendment Bill and the Juvenile Justice (Sentencing Principles) Amendment Bill. I support the bills before the House and acknowledge that there are several steps within the bills that are certainly heading in the right direction in terms of the consequences imposed on those youths who find themselves offending and in many cases reoffending. Among the reforms, courts will have powers to place curfews on juvenile offenders to reduce the chance of their reoffending and ensure they are properly supervised; to publicly name juvenile offenders who have committed serious crimes, if it is in the interests of justice; to increase the minimum mandatory detention period for a juvenile convicted of multiple murders from 15 years to 20 years; and to give police stronger powers to arrest and to take to court young persons who fail to comply with court orders such as youth justice conferences or attending drug assessments.

I would like to stress, however, that we cannot merely focus on the actual punishment as a benchmark of what will provide an appropriate rectification of behaviour patterns. We must also look at how that punishment is carried out. I will never forget the behaviour of one of the kids at the after-school care facility I worked at in 1996-97. His behaviour deteriorated to a point where he practically required one-on-one attention every morning and every afternoon, as he continually found himself banned from the computer or sent to the back of the room. But, amidst his reckless and often alarming behaviour, I knew he had potential and there was no way I was going to give up on this erratic little punk rocker who made my life hell and who made me earn every last cent of my \$11 an hour. After some thought, I decided to give him a lead role in the afternoon's activities by nominating him as the referee for the hockey game we had organised and gave him as much input as he wished into the running of the afternoon, and in minutes he was fit to be on the payroll himself. He lined all the kids up, designated team captains, explained the rules and became ruler of the field. He earned himself the respect he deserved that day, and over the next few months he transformed into a champion leader, as long as he stayed off the raspberry flavoured icypoles.

I think we need to give young people a sense of responsibility which will encourage them to take the reins of leadership and lead by example while giving our youth a sense of worth. Let us face it: as kids we all played up, pushed the boundaries, broke the rules and rebelled at some stage in our life.

**Mr Hoolihan:** Speak for yourself!

**Mr McLINDON:** Some of us are still doing it and those who do not admit it are probably not telling the truth, which is another form of immaturity. But there is a concerning emergence of a higher level of violent crime amongst the youth of Queensland. In today's paper Mark Ellis from Gateway Security stated in relation to a stabbing at a private school party—

A lot of the time the kids don't realise the situation they can get into by having a knife and the danger they face if the knife is taken off them ... I think they need to be taught the whole cause and effect of breaking the law because at the moment they think they can get away with anything.

I believe there is merit in pursuing investigations into a truly civic solution to juvenile crime. The state's juvenile justice system stands at a crossroads. Facing us is a new culture of violent crime amongst juveniles coupled with disturbing increases in abuse, neglect and violence committed against and by Queensland's youth. We need to look at why rehabilitation programs are failing youth. Three-quarters of young people in detention have been there before, and one in four has been behind bars at least five times. It is time to look at solutions.

Robert Litan states—

Free societies do not prosper, or do not remain free, unless citizens voluntarily and enthusiastically devote themselves to advancing the common good, through public work and public achievement.

I think this positive concept could be used in terms of looking at a positive rehabilitation process. Justin Villere also wrote that nearly 48 years ago John F Kennedy defined the essence of citizenship when, in an anxious time, he implored Americans to put the country's collective interests ahead of individual preoccupations. He viewed an engaged citizenry as the greatest way to meet the immense challenges facing the country. This dream birthed the Peace Corps, the US space program and ultimately much of Lyndon Johnson's great society.

However, after the 1960s numerous indicators of civic participation either stagnated or declined. The country's shared commitment to a common purpose eroded as the greatest generation gave way to the me generation. We need to go beyond the current framework of community service punishments for juvenile offenders. We need to investigate the merits of a state civic service as a mandatory measure for juvenile offenders where appropriate.

If we look at the Singapore Civil Defence Service as a model for juvenile justice and punishment reform we see that Singapore gained independence in 1965. Many were pessimistic of its success. The idea that this big city or small state with no hinterland of approximately two million people could survive in what was and, in many ways, still is a challenging and troubled region was considered almost impossible.

The most extraordinary reality is that not only did the country beat the odds it has grown into one of the most successful developing nations in the world. We need to look and think outside the square and look at these innovative social and economic solutions that have produced many of the reforms needed. Juvenile crime and justice is just one of those challenges this battler of a country has had to face.

Another country in South-East Asia that found civic service to be of state significance is Nepal. Don Messerschmidt from the Washington University in St Louis found this to be the case in his study titled, 'Civic service in south Asia: A case study of Nepal'. If a significant consequence of civic service is to foster democratic citizenship, then, as the author's case suggests, it is necessary to examine the nature and life course of service programs. What this idea proposes is compulsory civil service, such as an ambulance, SES or other traditional public service role for offenders aged 15 to 18 where appropriate.

Civic service breeds pride in one's community. It fosters a state and national pride beyond anything we have seen before. A civil responsibility is what has been missing. Even left-wing commentators who traditionally like to make people feel guilty for national pride and civic duty are coming on board as seen in Tim Soutphommasane's latest book *Reclaiming Patriotism: Nation-Building for Australian Progressives*. Suspicion of patriotism has often been identified in Australian life. The late Donald Horne was not entirely incorrect in his calling for a civic faith.

Numerous studies into restorative justice and other justice paradigms—such as those from Klein in 1980, Schneider in 1985 and Maloney's paper in 1989—show that some of the most creative and successful rehabilitative innovations have come in the form of work service intervention. It is key that we look at breaking that well-studied and tragic cycle of violence by addressing youth victimisation, abuse and neglect.

A civic service program would seek to instill the discipline and structure not uncommon in the basic training of emergency services personnel. Studies like Bryant's seminal paper of 1979 have shown that such an environment has the greatest capacity to encourage a responsible lifestyle and discourage criminal behaviour. Sampson and Laub's 1993 study illustrated how juvenile civic service programs can actually be a positive turning point in the lives of delinquents, because it is an environment that provides them with an attachment to conventional society and informal social norms.

Elder's 1999 study provides three possible reasons such service has this beneficial influence in life. They are: it encourages social independence, it provides time away from the pressures of the transition to adulthood and it allows for a broader range of perspectives than otherwise may have been encountered. As Christopher Uggen and Michael Massoglia illustrate in their 2007 study—

... this transition to adulthood has generally become more individualised in the past 50 years, with fewer young people attaining the classic markers of adult status in an orderly progression. The average age of first marriage or age of entry into full-time employment has also increased dramatically in recent decades. Despite such changes, however, the notion that adults eventually 'settle down' and desist from delinquent and deviant behaviours persists across shifting familiar and economic arrangements. As they become fully fledged adults, people generally cease or at least moderate many forms of criminal behaviour, substance use, and other antisocial activities.

Why is this? What are the processes and mechanisms underlying this? The theory and research is abundant on desistance from crime and deviance, as are the investigations into the extent to which such desistance constitutes a separate dimension of the multifaceted transition to adulthood. We ignore the recidivism rates at our peril. We ignore the research and evidence at our peril.

The well-established researchers of desistance from youth crime, Laub and Sampson, again illustrate some important findings, this time in a 2001 study. They note that whilst there are many pathways to desistance there are actually some general processes and mechanisms at work. They found that what appears to be important in the desistance process is the following: a 'knifing off' of the past from the present, new situations that provide both supervision and monitoring as well as new opportunities for social support and growth, and new situations that provide opportunities for transforming one's identity. In fact, they find that this 'knifing off' from their immediate environment and the opportunity and offering of a new script for the future is consistent with what civic service strives to accomplish. Thus there are very well-founded reasons to believe serving in civic and military services facilitates desistance from crime. Indeed, Laub and Sampson concluded that such service was a significant factor in understanding desistance from crime.

Well-established long-term and longitudinal studies from the Glueck samples of the 1960s through to Rand in 1987 to more studies from Sampson today also support these conclusions. The juvenile recidivism data cannot be ignored. In their 2004 paper on the need for a civil engagement model, Bazemore and Stinchcomb illustrate that the civic service experience may accomplish desistance in two ways: by developing participants' public standing through increasing skills as human capital and by creating opportunities for the development of more effective connections associated with social support.

In addition to the vast amount of restorative justice based and life course based research, it just makes sense to consider the very real prospects for individual offender reformation in this regard. In fact, such a program could and should be extended beyond young offenders to youth generally, which is very similar to a UK conservative proposal where nonoffenders could be involved in a program. The nonoffenders program has a cash award for graduates of the service. In this program 50 per cent of the award would go to a charity of the individual's choice. Employers would be encouraged to take note of an applicant's involvement in the service in the same way they currently take note of Duke of Edinburgh Award involvement, for example. At the end of the course the volunteer will have to make a pledge of allegiance to the state and Commonwealth and explain what they have learnt. It is only with civic engagement, pride in work and service, and the prospect of a different script on the horizon that today's potential offenders are tomorrow's reformers.

**Mr RYAN** (Morayfield—ALP) (4.26 pm): I rise in support of the Juvenile Justice and Other Acts Amendment Bill. This bill amends the Juvenile Justice Act 1992. The amendments fulfil a number of purposes. The first one is to fulfil a number of election commitments taken to the last election by this government. It also sends a message to the community that this government is not only tough on crime but also addressing community expectations about justice and the rehabilitation of young people. It also reinforces the fundamental belief in the potential of young people to reform, the potential of young people to be rehabilitated, the potential of young people to accept responsibility for their actions and the potential of young people to be valuable contributors to our community.

This bill is about continuing the good work of youth justice services and the good work of investing in young people and communities by limiting reoffending of young people and also sending clear and positive outcomes to the community generally about the value of young people. This bill is also supporting victims and recognising the potential for the rehabilitation of young offenders.

Youth offending is a complex issue. An effective youth justice system requires a holistic approach to youth offending. This system draws on the expertise and collaboration of both criminal justice services and human services agencies. On a day-to-day basis both government and non-government agencies are working together to deliver a range of youth justice services, policing, youth justice conferencing, court related services, community supervision and detention. These youth justice services are supported by a range of services aimed at supporting young people, families and communities to address the causes of offending. Some of those services include the treatment of young people for drug and alcohol problems and anger management problems, access to health services and access to educational opportunities.

Some of the initiatives currently being progressed focus on information sharing between agencies and reducing the rate of young people remanded in custody. The aim is to make sure young people can move through the criminal justice system as quickly as possible and address a range of factors contributing to their offending behaviour. Evidence clearly shows that by focusing on support services and by focusing on diversionary programs the recidivism rate of young people is dramatically reduced.

Currently, youth justice services around Queensland are supporting young people, building partnerships in local communities and reducing the incidence of juvenile crime. The amendments in this bill continue the great work of Queensland youth justice services and will build upon strategies which are reducing the incidence of juvenile crime in our communities. In Queensland youth justice services are facilitated by the Department of Communities and a number of service centres are located throughout Queensland. I am honoured and pleased that in the Morayfield state electorate the Caboolture Youth Justice Service is helping young people stay on the right side of the law. I note that this service was officially opened by the state member for Pumicestone over five years ago. I must say what a great legacy the member for Pumicestone has left for the people of Morayfield by officially opening that service.

The Caboolture Youth Justice Service supervises young people on community based court orders and works with other departments, community agencies and families across the Caboolture, Redcliffe and Pine Rivers areas to address offending behaviour through programs and services that focus on reducing youth crime. The programs run by the Caboolture Youth Justice Service include a flexi-school for young offenders that provides an opportunity for young offenders to graduate in year 10 English and maths; a motor vehicle offenders program involving young people in responsible decision making, training in first aid and responding to simulated vehicle accidents in the role of emergency service response personnel; and the Youth at Risk Network, which involves government and community agencies in early intervention and prevention programs, connecting young people and parents to support agencies. A youth justice conferencing program that receives referrals from the police and the courts is also operated by the Caboolture Youth Justice Service.

Youth justice conferencing is about bringing people together who are affected by a crime committed by a young person. The conference not only holds the young person accountable for their actions but also provides an opportunity for the young person to take responsibility for their actions and to make reparations to the people affected. People affected by the young person's behaviour are included in and empowered by the process as those people have an active role in how the young person may make amends for their behaviour. Figures show that youth justice conferencing actively discourages further offending by the young person and thereby protects the community.

Successful youth conferencing agreements have been achieved at the Caboolture Youth Justice Service for 98 per cent of all conferences held, and the satisfaction rates are outstanding. In particular, I note that the police have a 98 per cent satisfaction rate, victims have a 97.6 per cent satisfaction rate and the young offenders have a 98.9 per cent satisfaction rate. It goes to show that youth justice conferencing is not only reducing crime in the Morayfield state electorate but also leaving participants empowered and feeling positive about the process. This bill builds on the success of the youth justice services facilitated by the Department of Communities.

I also want to flag two additional services that are operating in and around the Morayfield state electorate. One is the South Pacific Youth Justice Service, which is assisted by Theresa Butler and Veve Campbell. In addition to other members of the South Pacific community, these two ladies provide support to young South Pacific offenders and are able to guide them through not only the court process but any other process associated with their offending behaviour. The other service is the Murri Court, which has Auntie Lynne Matsen, a local Indigenous leader, supporting that process. In the Morayfield state electorate there is a lot of support for and a lot of interest in youth justice services and a lot of support for diversionary and preventative early intervention strategies as a priority over and above the primacy of a detention policy.

The amendments contained in this bill are well considered and well respected and researched. In fact, Mission Australia makes a number of recommendations in a recent report titled *Young people and the criminal justice system: new insights and promising responses*. Those recommendations state that governments around Australia should work to reduce the number of young people in detention. The report says that we should focus on early intervention, prevention and rehabilitation. It also says that governments should work with locally based community programs such as South Pacific support services and also says that investment should be made to enhance the ability of community and educational sectors to build the capacity of people and organisations in young people's lives. All of these strategies and recommendations of Mission Australia show a significant decrease in the amount of juvenile offending in our communities. Research clearly shows that early intervention and diversionary programs reduce the prevalence of young people in the criminal justice system. This bill builds on those principles.

I also want to quote a little from the Mission Australia report. It states—

A system that prevents harmful behaviour and keeps society safe is essential for any state that seeks to enable its citizens to lead productive, fulfilling lives. As has been observed around the globe however, there are different ways of responding to the problem of crime. One option is to 'build our way out of crime' through incarceration ... This is the path that appears to have been taken by some jurisdictions in the United States where it has been said that entire subsets of the population are being systematically incarcerated ...

Another option is for society to recognise that contact with the criminal justice system, especially for young people, is an indicator of serious social disengagement and to take action to address this. It suggests the need to work on a number of fronts to prevent young people ending up in the criminal justice system, especially detention, by tackling the underlying causes of offending behaviour. Detention is a form of 'treatment' for offending behaviour that is unfortunately necessary in exceptionally serious circumstances. However, it frequently intensifies the need for significant support, postrelease. This is particularly the case for young people given they are still going through significant developmental changes. The effectiveness of detention is also questionable, given the strong association between early imprisonment and offending behaviour into adulthood ...

Mission Australia captures the principle set out in this amending bill that prevention, early intervention and diversionary programs are critical to young people who come into contact with the criminal justice system. However, it also emphasises—and this is emphasised in the bill—that when young people commit serious offences they need to be accountable for their actions. This bill is by no means soft on crime. In fact, this bill reinforces the government's key message of being tough on crime and making young people accountable for their actions, but it also recognises that young people need support, especially during the developmental stages of life.

I want to highlight a couple of statements that were made in a recent *Four Corners* program. I want to quote briefly from it because the statements themselves highlight a key focus of this bill and a key focus of youth justice in Australia. *Four Corners* reporter Matthew Carney stated—

Research shows it's—

meaning detention—

not always the best answer—it's just creating a harder and bigger breed of criminal.

He says that in respect of detention. He also stated—

Juvenile Detention centres have become holding houses for the most disadvantaged and marginalised.

He makes those statements in respect of the New South Wales juvenile justice system. Of course, in Queensland the focus that is highlighted in this bill is not on detention per se but on support for young people.

The other statement I want to highlight from that program was made by Hilary Hannam, a magistrate from the New South Wales Youth Drug and Alcohol Court program. She states—

I don't think deep in their hearts most people in the community do like the idea of a revolving door. I think despite all this rhetoric that goes on about tough on crime, I think when the people in the community actually realise that these kids are not that much more different than all other kids, that it is ... just damning them to lock them up. But this way it gives them hope—

and she is referring to diversionary programs—

and they don't usually let themselves down or the community down.

I want to highlight a couple of key amendments in the bill. I think they are outstanding amendments and they continue the great work of building a strong and accountable youth justice system in Queensland. These amendments require a court to consider what the likely sentence would be when deciding whether or not to release a young person on bail. They also ensure that young people are not refused bail simply for welfare reasons. The statistics show that nearly one-third of young people who are remanded in detention spend eight days or fewer on remand, and that less than 10 per cent of those people are actually sentenced to a period of detention. So we have this situation in which young people, for whatever reason, are spending time in the watch-house or in a detention centre and then not receiving a sentence. These amendments are significant for not only welfare reasons but also the wellbeing of young people generally.

The other amendment that I would like to comment on briefly is the requirement for courts to set a date for the transfer of young offenders from a youth detention centre to an adult prison when the young offender is to be detained beyond the age of 18. This, of course, is a sensible amendment. It ensures that young people who are in detention are detained with other young people and are not detained with people who are, in effect, adults. It is also about accountability. If a person is to be detained after the age of 18, to be accountable for their actions they should serve that part of their sentence in an adult correctional facility.

The final amendments that I want to comment on briefly are the amendments that relate to community service orders. They ensure that the court can provide that young people who have to complete a community service order of fewer than 50 hours in 12 months can perform that community service in a shorter period and for those community service hours to be served cumulatively. Of course, that is just another accountability issue.

Before commending the bills to the House, I would like to pay special tribute to the people working in the area of youth justice. In particular, I would like to thank the staff of the Department of Communities' youth justice service for their dedication and their commitment to youth justice services in Queensland. Specifically, I would like to publicly acknowledge the staff of the Caboolture Youth Justice Service, which operates in my electorate of Morayfield. The support of the staff from that centre for young people in the Morayfield electorate is selfless and makes our community a safer and more supportive place. I thank all the staff of the Caboolture Youth Justice Service for all they do in supporting young people, in preventing crime, in limiting reoffending and in assisting young people to achieve their full potential. By supporting young people and young offenders, youth justice workers are making our community a safer place.

A recent article in *About the House* provides an important message about young people and their place in our communities. In that article, Professor Vickers from the University of Western Sydney states—

The whole community is responsible for the wellbeing of our young people ... That responsibility includes being compassionate, respectful and helpful. Assisting young people manage the many transitions along the diverse pathways that eventually lead towards adult lives requires joint efforts from teachers, parents, employers, students themselves and others in their communities.

This bill continues and builds upon the good work of youth justice services in Queensland and I commend it to the House.

**Mrs SCOTT** (Woodridge—ALP) (4.44 pm): It gives me great pleasure to speak to the Juvenile Justice and Other Acts Amendment Bill 2009, for I believe how we treat young offenders can set the course for the rest of their lives. If they are merely locked away—and I note that the shadow minister wishes them to be locked away for a longer period so they can complete courses—they are far more susceptible to being socialised into a life of crime, becoming angry with society and reoffending. Although those young people take part in education while in detention, they are still locked up.

I have seen ample demonstrations of young people at risk having their lives turned around by caring adults working with them in our community through a number of programs. Most young people who commit a crime—and I am not talking about serious offenders—given the right people around them and a targeted program will go on to live responsible, successful lives. The measures contained in this bill will not only strengthen how we deal with young offenders to ensure that every effort is made to turn their lives around but also treat those who commit serious crimes, such as multiple murders, as adults. Those who have descended into serious criminal behaviour will feel the full force of the law and, on conviction, will have their minimum mandatory sentence increased from 15 years to 20 years.

This bill increases powers to place curfews on young offenders, widens the powers of the courts to name juveniles and gives police stronger powers to arrest young people who simply thumb their noses at youth conference requirements, agreements made and attendance at drug assessment sessions. The courts will also be required to indicate a date at which a juvenile should be transferred to an adult prison should that sentence take them beyond turning 18.

An important amendment takes into consideration the possible sentence for a crime when judging if bail will be granted and also whether it is appropriate, given the threat arising from the crime, to remand the offender in detention or not. Given the importance and success of the many services within the electorate of Woodridge that deal with young people, and particularly those at risk of offending or those who have already entered the realms of youth justice, I wish to in the strongest possible terms support the policy of detention as a last resort, except for very serious crime. I have witnessed time and time again young lives changed irreversibly. Many young people have a pretty tough hand dealt to them in life. Some who have come from dysfunctional homes may never have received a word of positive encouragement from a parent. There may have been drug and alcohol abuse and physical abuse or neglect in their homes. Some have lived on the streets. Yet we still see good, caring workers reach them through various programs.

I have spoken in this place about the many excellent services that are provided in the Logan area that have talented, dedicated workers who have an absolute commitment to the young people they serve. Our youth justice centre, through youth conferencing, has witnessed a vast reduction in recidivism. Conferencing helps young people face their victim and understand the impact that their behaviour has had on their life as well as witness the devastation their behaviour can have on their own family. There is also the YMCA, BoysTown, the PYPS program, The Spot, the PCYC, the Centre Education Programme, the continuing education at Kingston College, Nutch, Youth & Family Service, ACCES Services, MultiLink and many others. We also need to recognise the valuable contribution of our elders and leaders in our Indigenous community as well as our multicultural communities. The Police Service is also ready to roll out the CRYPAR program locally, which will work with local organisations to engage with young people at risk within their family.

This morning, it was my privilege to speak at a conference on issues relating to early intervention in the area of child and youth mental health. This conference, which is held over two days, has been organised by the child mental health unit of Logan and Beaudesert Community and Allied Health Services. The information gained through their line-up of guest speakers and the sharing of ideas will result in positive outcomes.

Early intervention is the key to many of our issues. We need not only our services working with young people but also better partnerships between our schools, with their chaplains, guidance officers and care groups, and parents, carers and community members. We are all in this together. We need to value our young people and engage them in worthwhile activities to keep them busy and to help find where their skills lie so they may use them in the best possible way to ensure a bright and successful future. I am happy to support the bill.

**Mr WATT** (Everton—ALP) (4.49 pm): I am pleased to support this bill. As the minister said in her second reading speech, this bill strengthens the government's approach to juvenile justice to ensure that Queensland's youth justice system promotes community safety, meets public expectations, acknowledges the rights of victims and contributes to positive outcomes for young people and their families. The bill also delivers on a range of commitments given by the government at this year's state election.

Youth justice is definitely a difficult subject. It is prone to simplistic solutions but it requires an approach that is based on facts and ensures that we make every attempt to rehabilitate juvenile offenders so that they can contribute to society rather than rot in detention. I agree that there are some young people whose crimes are so serious and whose risk of reoffending is so high that detention is the only appropriate punishment, but this is not the case for all young offenders and we need to take a sensible, balanced approach that imposes the appropriate punishment for the crime.

The changes proposed in this bill are based on a range of evidence and community feedback that was gathered during the review of the Juvenile Justice Act 1992. The consultation found that in general the community largely supported the Juvenile Justice Act in its current form. This is not surprising when we consider the level of juvenile crime in Queensland today. Contrary to the sensational media reporting we see every day, Queensland is not in the grip of a crime wave, nor is it in the grip of a youth crime wave. I was very pleased recently to see that crime rates involving adult offenders continued to fall across almost every form of crime. Again one would not believe that when one sees what is reported in the media. One would think that every day crime was on the increase. In actual fact, crime rates are falling across almost every single crime. Similarly, juvenile crime rates are on the improve in Queensland. Youth crime trends for our state have improved over the past seven years, with the number of offences per 100 young people dropping from 9.3 in 2001 to 8.2 in 2008. Every single year the level of youth crime continues to go down per 100 young people. This is a great credit to police, youth services, public servants and parents. I congratulate them all for this achievement.

However, I think that most of the credit should go to young people themselves. At this point I want to take issue with the attitude that we have heard from the opposition today. Speaker after speaker has made a series of derogatory remarks about young people. They have painted a picture of young people being out of control and deserving of severe punishment regardless of the crime.

**Mr Bleijie** interjected.

**Mr WATT:** I take the interjection from the member for Kawana who encourages me to wait for his speech in which he is also going to continue the trend of derogatory remarks about young people. I would have thought that, as one of the youngest members of this House, the member for Kawana would have a little more empathy for young people, that he would understand that not all young people are criminals and that each crime deserves to be dealt with on its merits. Again, one would expect that he would know better being a former lawyer. But it seems that he wants to contribute to this approach from the opposition that makes derogatory remarks about young people as if they are all offenders.

Those opposite have painted a picture of young people being out of control and deserving of severe punishment regardless of the crime. I think that this is another example of the extreme, intolerant and out-of-touch views we have seen from the opposition since the election and that unfortunately continue to be reflected in the views of some of the new members of the opposition. I know that a number of members of the opposition have teenage children. I am wondering if the attitude that they have expressed about young people is the regard with which they hold all young people, including their own children, or do they adopt that age-old double standard that all young people are bad except their own children.

It is easy to posture in this place about being tough on crime. We have seen speaker after speaker from the opposition do that. It is much harder to take a position that is based on the facts. The facts are very different from what we have heard from the opposition. The facts are that rehabilitation and community based punishments for less serious crimes are far more cost effective than detention. The 2007 bulletin of the New South Wales Bureau of Crime Statistics and Research noted that multisystemic therapy, which is one of the most widely used forms of intervention with young offenders and which has been trialled in Western Australia, was estimated by American researchers to cost about US\$4,264 per participant. However, programs to reduce reoffending such as these can, of course, save a lot of money as well. The same study estimated that each placement on multisystemic therapy in the United States saves about US\$9,622 in criminal justice costs alone. There is some cost in adopting these kinds of community based and preventive programs with young offenders but they save an awful lot of money—in fact, it would appear over twice as much money—compared to a detention approach.

These cost savings are reflected in Queensland. I asked the minister's office to supply me with some statistics about the current number of young offenders. I appreciate the provision of that information by the department. Again, when one hears the opposition talk about youth crime waves one would expect that our juvenile detention centres would be bursting at the seams with young offenders in detention. In fact, as at 1 September last year, there were 135 young people in detention. That meant that only 135 young people were deemed by the relevant authorities to be deserving of detention for the offence that they had committed. The cost of detention per day works out to about \$600 per young person. In contrast, as at 30 June 2009, there were 1,498 young people on supervised youth justice orders in Queensland—that is, in an alternative form of punishment that did not involve detention but involved them being in the community on a supervised order. Not surprisingly, community based supervision such as this is an awful lot cheaper. In fact, it works out to about \$30 per day. So \$30 per day for a community based approach compared to \$600 per day for putting a young person in detention. It is about \$570 per day more to detain a young person than imposing a community based order.

I did some quick calculations and worked out that to throw every young person on a community based order into detention—the approach that would appear to be supported by the opposition—would cost an extra \$855,000 per day. That works out to \$312 million per year. I am not surprised, I suppose, to hear the opposition calling for this kind of spending. We saw the hypocritical approach of those opposite to this year's state budget where they opposed some of the difficult but necessary economic reforms that the government introduced, yet opposition speaker after opposition speaker replying to the budget continued to call for local projects in their electorate which were going to cost many millions of dollars to fund. Here is another one: those opposite want to cut back on spending but they also want to increase spending on juvenile justice by \$312 million per year by locking up more and more offenders regardless of the evidence as to whether that promotes reoffending. This is the opposition's approach. We have to ask: is it a smart approach? I do not think that it is a smart approach when we consider the success of supervised releases following detention.

Information that was provided to me via the minister's office was that ordinarily what happens when a young person is released from detention is that they go on to a supervised release order. In the period 1 July 2008 to 31 May 2009, 83 young people were released from youth detention centres. Members might ask how many of them obeyed the conditions that were imposed on them on their release. Well, 67 have completed their supervised release orders without breaching the conditions—that is, 67 out of 83. That, of course, leaves 16. I was thinking that that must mean that the other 16 had breached their orders. In actual fact, the other 16 are yet to complete their supervised release order. If I have interpreted this information correctly, what that means is that not one of the young people who was released from detention in that period has actually breached the conditions of their orders. I think we can see that there is some success in adopting community based approaches to juvenile crime rather than continuing to lock young people up for longer and longer periods at additional cost to the taxpayer.

One issue that was not canvassed in this bill, but that I would like to raise with the minister and ask her to reply to, is the ongoing issue of the detention of 17-year-old young people in adult prisons in Queensland. This is an issue that I have talked to the minister about previously. A number of people on our side of politics have some difficulty with it. I understand that currently the cost of moving 17-year-old offenders into juvenile detention as opposed to adult prisons is very high and is something that the government cannot currently afford. But I know that the minister is aware that Queensland is the only state in Australia that detains 17-year-old offenders in adult prisons and I would hope that at some point in the future when the money can be found that this could be addressed. I do not think that it is the correct approach for 17-year-old offenders and I would ask that that be considered a priority for future legislation.

In summary, as the member for Waterford mentioned, this bill gets the balance right. It is important to impose the appropriate penalty for a crime. It is important to distinguish between serious crimes that deserve a hefty punishment and more minor offences that deserve a considered approach that is directed towards ensuring that a young offender does not continue a life of crime or to be a burden on the taxpayer by being in jail but can contribute to society. To follow the opposition's approach would see us lock up more and more young people for minor offences. The government's approach, as seen in this bill, provides a robust youth justice system that gets the balance right, delivering tough sentences for serious crimes and more measured punishments, combined with rehabilitation, for minor offences that are committed by young people with strong prospects of redemption. I commend the bill to the House.

**Dr DOUGLAS** (Gaven—LNP) (5.00 pm): Our children are our future. Every generation has had a belief that the lessons from their own childhood have not been carried on to the next generation. The implication is that there is a perceived weakening in the controls that parents, the community and the wider society have with regard to managing the behaviour of children and juveniles. This bill is a rather blunt instrument in addressing some of the changes needed by society to control and regulate young people's behaviour, but it is a rather soft approach in doing so. It is a reactive bill that makes somewhat minor adjustments to the former Juvenile Justice Act 1992.

In her speech the minister correctly stated—

Youth justice is a complex and challenging area that requires balanced, evidence based approaches and actions.

Youth justice is complex and simplistic approaches based on knee-jerk responses to arising problems will not address the unacceptable behaviour or lead to a substantive change in that behaviour across-the-board. In January 2007 *Time* magazine correctly stated—

One of the neuroses that afflicts a youth-obsessed society is the fear that childhood isn't what it used to be.

The central theme of this statement is the key to understand much of what is wrong with our approach to how we deal with problems as to and when they arise with offending behaviours that we, as an amorphous group of communities, find occurring. It is no wonder that the behaviours are increasing, that they are becoming more offensive and that individuals are becoming much harder to rehabilitate.

I wish to highlight that as adults we are youth obsessed. As adults and communities we are spending too much time reflecting on young people and way too little time keeping them busy. I would go further and state that modern parents avoid being actively involved in their children's lives. They use paltry excuses such as quality time, or 'it's not my weekend' or, worse still, ignore them. Children are everyone's responsibility. What you do with them makes them into the adults they mature into. The Jesuits were not wrong when they made the claim, 'Show me the child at seven and I will show you the adult at 27.' It then stands to reason that, if one reaps what one sows and our input is purely one of criticism with no participation, we then have to formulate new policies to try to restrain inappropriate behaviour.

The current government is not entirely to blame for what is going on, as this issue affects all communities in First World countries. Where it is not seen is in very poor communities, where children are closely involved with their siblings, cousins, families and friends. What the Labor government has failed to notice is that when other countries embrace change remarkable things happen to youth offending: it decreases. The information is clearly available. Interestingly, the universal factor that links areas that seem to work in relation to stopping offending behaviour in juveniles is keeping young people busy. They need to be kept occupied, challenged, interested and enjoying all of those things that a balanced childhood should deliver. This bill implements some of that change and addresses some of the preventive strategies that I have raised.

A curious statement to come from the minister's second reading speech is that youth crime trends for our state have improved over the last seven years, with the number of offences per 100 young people dropping from 9.3 in 2001 to 8.2 in 2008. This is of itself good. What follows from the minister is the incorrect assumption that things are improving. They are not. What was not explained was the evolving nature of offences and the increasing number of incidents of violence involving young people. This is overwhelmingly the major challenge facing us.

Whilst the minister stated correctly that most young offenders who come in contact with youth justice do not reoffend, what she does not state is that, whilst they may not again come in contact with the justice system in detention, their later lives are not necessarily enriched. They have much higher death rates in motor vehicle accidents, poor health, early death, alcoholism, addictive behaviour and further dysfunctional family issues such as domestic violence issues. The minister also correctly acknowledges that young Indigenous people are 15 times more likely to be detained than non-Indigenous people, so it stands to reason that 26 per cent of the near 6,000 adults in custody are Indigenous. That remains a continuing tragedy that seems to suggest the sins of the father are carried over to the children, but the relationship is perverse.

Continuing the theme that many of the problems that we see in our children are really of ourselves, every social ill affecting kids—drug use, suicide, early sex, bad grades—is rooted in society's relentless message that the young should act older. It is a huge mistake to treat them as mini adults when they are not. In Australia teen pregnancy is in decline and abortion rates are static. However, our educational standards have also been in decline, with youth suicide rates rising. As a percentage of our population, we have one of the highest rates in the Western World. Sexually transmitted disease rates compared to that of adults have also risen disproportionately higher. The United States has clearly highlighted the link between educational standards, youth suicide and incidents of violent crime. The significant point is that we must aim to massively increase the content of our educational opportunities to our children and commensurately raise the overall standards that children achieve in a correctly assessed, age corrected scholastic assessment. It has been shown to be an associated factor in addressing the problem of youth crime. The research clearly shows that the young are merely attempting to grow up fast and copy bad habits of adults and, yes, they failed to manage the consequences of it.

It is significant that the bill proposes to rename the Juvenile Justice Act to the Youth Justice Act, which is in line with the Northern Territory only. All other states have a Young Offenders Act. I think this is a mistake and I suggest that it should be changed. I note the comments of the Victorian parliamentary committee, and I will refer to those in depth in a moment.

It is also significant that the bill proposes a reduction in the numbers of cautions and conferences limited to three for a young offender; the presentation of a victim impact statement in the court at the time of sentencing of the young offender; limiting the court to the number of times it can take no further action with a young offender to three times for a like or similar offence; and making a new order relating to a child offender guilty of a serious offence and the court must order that identifying information about the young offender be published unless exceptional circumstances can be demonstrated as to why the information should not be released. All of that seems fine and I note the suggestions from the member for Burdekin, which I support.

The emphasis is obviously on repeat and serious offenders and greater transparency of process and crime. This obviously reflects what is really occurring. Offences may be down by one percentage point, but the offences are more serious and recidivism by major offenders is an increasingly difficult problem. Speaking as an experienced person involved in this area of corrective services, this change is a critical one. Every day, irrespective of one's beliefs regarding the news editor's motives, we are assailed with terrible stories about shocking crimes perpetrated by juveniles upon other juveniles and adults with little or no provocation. While often emotive and exaggerated, the crimes are often inexplicable and callous in the extreme.

Extending those ideas, it is now timely that there is greater transparency regarding the crimes committed by very serious juvenile offenders. In 2002 the Labor government brought in the Juvenile Justice Amendment Bill and, in his second reading speech, the minister stated—

... this Government promised that young people who commit the most serious violent offences will no longer be able to hide behind the shelter of confidentiality provided by the Juvenile Justice Act.

Seven years later and it seems that the government has made little, if any, progress on this matter. Seven years ago the government promised to make sure serious offenders would be identified. Seven years later, the government still has not fulfilled its promise. The people of Queensland have been calling for serious action for serious youth offenders.

I believe the changes to the act made by the minister regarding the court settling a deemed transfer date for those offenders turning 18 during the sentence is a sensible approach that is to be commended. The other amendment that is to be commended is the change to the Child Protection Act, where the bill proposes to automatically prevent the disclosure of the identity of child victims of crime. This will expand young victims' rights and match those of the privacy provided to young offenders. The offence is matched with a significant fine to an individual or corporation. In view of the recent issues highlighted on Sydney radio in particular, I think this is appropriate. One hundred thousand dollars is the sum mentioned.

Before moving to a wider discussion about juvenile sentencing issues, I want to raise issues that were raised with the Parliament of Victoria Drugs and Crime Prevention Committee inquiry into strategies to prevent high-volume offending by young people. I think many people in the House would not have read this, but the final report came down in July 2009. The chair's foreword in the report alone makes an interesting read. He stated—

Media often report very negatively on the youth in Victoria. These reports are very far from the truth. Most young people are good, sensible and lawful, and will grow into great adults.

He highlights the common themes leading to youth crime—a troubled childhood, mental and intellectual disabilities, little education and a lack of adult mentors. These are overwhelmingly overrepresented in the juvenile justice system. The key strategies that have been shown to work are keeping young people at school, in training or in work. It is the same theme that I mentioned earlier—work, education and keeping busy. This is where we are failing our young people because we shun work for them, we will not push them to be educated and many think that television is keeping them busy.

Considering that report in greater detail, the major recommendations are that the police should produce annual statistics on the number and characteristics of high-volume and repeat youth offenders and those statistics should be published. In doing so, the police should provide ongoing analysis of such group data, including the monitoring of the longitudinal and adulthood outcomes of the 1984 and 1994 age groups as well as comparative analysis of new birth groups as they enter the criminal justice system.

Other major recommendations include the implementation of youth offending plans. Service delivery and programs aimed at supporting young people, particularly those who have been in youth detention, should not cease by reason only of the person reaching 18. There is a need for more comprehensive prevention and early intervention strategies addressed at youth offending. And the Department of Human Services in Victoria needs to expand infant welfare services to deliver outreach programs to disadvantaged new parents—in other words, start very young. Other recommendations were to evaluate the pilot therapeutic residential unit after 12 months and, if successful, extend it and to enhance the parenting and family support program throughout the state.

In simple terms, these recommendations are: educate them; retain them in school; implement a state-wide enrolment database with school reporting requirements; record who was away without a note, in particular those who were away for longer than two weeks; and introduce a service whereby you report this to the government. The Minister for Education this morning was talking about the issues of truancy and the fact that it should not be recorded. Victoria is saying that it must be recorded. I say, 'Back to school, Minister.'

The recommendations also include train youth workers; promote, build or find a mentoring program; expand diversionary programs; evaluate diversionary programs; introduce procedures and guidelines for police cautioning; expand youth justice group conferencing to all areas; deal with issues quickly—no long remand; liaise with Aboriginal groups; develop culturally and linguistically appropriate programs; support and train police—do not condemn them; increase youth accommodation; review all youth justice crime with disabilities; build new forensic mental health units; provide short-term housing for the transition of young people from where they are being held in detention; improve transport for younger people; train transit officers and use new skills—try to avoid young people getting caught for not paying for their traffic violations; use appropriate strategies to deal with drug and alcohol; research why they offend; collect data and evaluate; use a whole-of-government approach, from data collection to dealing with juvenile criminals; evaluate everything—a cost-benefit analysis; and introduce triennial funding.

The report is a shocking read. One key theme is that violent and serious crime may be a career pathway to crime. Victoria has had a serious issue with major organised crime figures who have been involved with the criminal justice system all their lives. They do not pretend that they have a handle on the issue, and they are not pretending that the number of crimes is not increasing. This Bligh Labor government needs a reality check here, too.

So we are getting to the key second bill, and I want to use some of the information gleaned from the reports to emphasise why we need to change our sentencing principles. The Victorian parliamentary report states—

... that high volume offenders contribute significantly to the overall prevalence and cost of crime. Their offending behaviour is such that targeted interventions provide promise for sustainable reductions in crime and improvements in community safety into the future.

These are youth and juvenile offenders. There has been a remarkable similarity of speakers on the government side grouping all offenders together as a holistic, singular group. I put it to all members today that these offenders are not one holistic group. They range from the plain stupid to the dangerously psychopathic. Most are young people who make mistakes. Some only learn through mistakes that create an offence. The management of each individual should address the person, the crime, the victim, the community and the extenuating factors, but overwhelmingly the punishment should reflect the seriousness of the offence. Only by doing so will mutual respect be gained. That is a key word—respect.

I, like many, am very curious to see how this Juvenile Justice and Other Acts Amendment Bill, being considered cognately with the Juvenile Justice (Sentencing Principles) Amendment Bill, will go. I say this because the Bligh Labor government has seemed to explicitly avoid this area and has taken two years since the last review to progress its own bill. Today we presume that government members will vote for their own bill but against the sentencing amendment bill of the opposition. I commend them to do the opposite.

I will be very interested to hear the minister's speech in reply after comments here today by speakers on both sides on the issues. It goes without saying that the move to have sentencing principles is an appropriate response to a very serious issue. When one does nothing at the input end to resolve a problem then it is only at the output end that one can respond. This is sensible, whilst other measures can be implemented at the same time. I can only emphasise why I went into practical alternatives in such depth prior to speaking on the issue of sentencing.

The member for Southern Downs is quite correct in stating that—

Violent and dangerous young offenders are a genuine threat to the social order of Queensland.

The Victorians say the same thing. Actual numbers of crime have risen and the crimes are more violent. I highlighted earlier the offences committed. They are dreadful and extremely violent, but only five per cent of all juvenile offenders were sent to detention in 2008. Of those, most stayed a month or less. Ninety per cent of Indigenous offenders graduate to adult crime. Two-thirds of all offenders in detention are Indigenous. Two-thirds spend less than three months in detention. One-fifth of those in detention were in the care of the department of child safety before being detained. The vast majority of offenders in detention are awaiting sentencing and are on remand. Queensland has the lowest rate of juvenile sentencing.

Before moving to the core ideas of what needs to be done, let us reflect on the statistics again but look at them in a slightly different way. Ninety-five per cent of offenders get no detention. Of the five per cent in detention, 80 per cent are on remand, 66 per cent of the total population are Indigenous and 20 per cent are in child protection. No record is made of education standard literacy or average age. We

are doing something wrong. Before moving back to those themes about adults obsessing about their idealised view of childhood, having 7,000 children in foster care and doing nothing about the plight of the Aboriginals, as Noel Pearson says, what do you think happens? You get chaos, and that is what we have at the moment.

The minister herself, just as the former corrective services minister did years ago, condemned boot camps. I want to touch on this issue because it has been mentioned a couple of times this afternoon. Minister Struthers claimed at estimates that the New Zealand boot camps were disbanded in 2002. That is not true. There is evidence that they do work and there are other countries that run similar programs. We have to realise that we have to take multiple practical steps to run these programs. The average sentence is four weeks in detention. Detox and processing takes two weeks and then you try to get them healthy and out the revolving door they go. That is what happens to the five per cent in detention. Heaven help the 95 per cent who do not get there.

Ideological opposition flies in the face of evidence. I refer the minister to her own words in the second reading speech. She said that the changes were based on evidence and that 'Queensland's youth justice system comprises a range of prevention, detention, supervision, rehabilitation, diversion, police and court services'. The minister said, 'These interventions must be strengthened.' I agree. After 15 years of looking after offenders in the corrective services system, the government should do exactly that. It should not say one thing and do another. It is bad enough with an adult, but with a juvenile you are asking for trouble. If one has to detain, then do so appropriately in an appropriate environment and give it time.

The Westbrook days are long gone. No-one is talking about brutalising children here. The period of detention must be proportionate to the crime and there must be time to access meaningful programs after a reasonable time to detox, if necessary. Remember that a lot of these are drug related offences. Avoid the idea of saying to yourself, 'If it has to be detention, it has to be like a holiday camp.' It is the same theme again—stop the revolving door. At the same time the community is reassured that efforts to rehabilitate are being made and community safety is assured.

It is worth considering these statistics: 20 per cent of all sex offences—that is the whole lot—are committed by children; and 30 per cent of all robberies are committed by children. Most escape detention and then reoffend, yet the government policy is detention as last resort. I ask: the last resort to what? While Labor makes excuses for violent young criminals, the LNP is ensuring that young criminals are held accountable for their actions and that punishment for their crimes is justified in the circumstances. To that end, removal of detention as a last resort is appropriate. It has failed. The line 'detentions as a sentence where appropriate and for a time that is justified in the circumstances' is the best method. Stand up for your community and support it.

In conclusion, the people of Queensland—most certainly the people of the Gaven electorate—want tougher law and order measures. A majority of Gaven constituents have prioritised law and order as one of their top three concerns. Furthermore, one-third of constituents placed our local youth as one of their top three priorities.

The bills have been considered as sensibly linking one to the other. The juvenile justice bill needs amendments, and the member for Burdekin has highlighted those. I put it to honourable members that to do nothing or very little when dealing with children's lives says a lot more about ourselves than it does about our children. To pretend they are mini adults and then fail to understand when it all goes awry is to be irrelevant. This is not a discussion about 'spare the rod and spoil the child'; it is more about a sensible approach to a common problem. Appropriate punishment for a juvenile will do more for the offender than it will ever do to massage one's philosophical mores.

*(Time expired)*

**Mr SPRINGBORG** (Southern Downs—LNP) (Deputy Leader of the Opposition) (5.20 pm): I rise to contribute to the debate on the Juvenile Justice and Other Acts Amendment Bill. I would like to put on record my support for the contributions made by the shadow minister and other opposition members. This bill is the result of a review that was announced in May 2007—a review where the submissions were never made public. Rather, we had a watered-down final report with no real detail of what members of the community had submitted. The result is that this bill is a far cry from a major overhaul or a new approach to juvenile justice or addressing young offending. Instead, it is a bill that barely touches the sides and provides nothing major in the way of reform.

Young offenders continue to make up a large proportion of crime and disorder. This is not to say that the majority of young people are committing crimes, but, rather, a large number of crimes are committed by young people. The key aim of a strong youth justice response to children who commit crimes is to balance the needs of victims of crime and to work with child offenders to stop them committing further crime and guide them on a path to well-adjusted, law-abiding adulthood.

Youth crime in Queensland has continued to grow. Youth violence is one area where there has been a growth in the number of young people being both arrested and found guilty of youth crime. In 2006-07 the Children's Court found that, despite an increase in the number of children dealt with by way of youth conferences, overall crime that came through the court rose by 2.6 per cent. There was a 17.2 per cent increase in the number of charges against young people—up almost 2,500 in one year alone.

**Mr Shine** interjected.

**Mr SPRINGBORG:** I take the interjection from the member for Toowoomba North. Certainly it belies that which has been put forward on the other side that there has been a significant increase. If what they were saying on the other side were true, we would be seeing a significant decrease in youth crime, and certainly that is not the case.

These figures grew further in many areas in 2007-08, and that was outlined in the Children's Court annual report. The annual report shows a big jump in the number of robberies being committed by juveniles and a frightening jump in the number of sexual assaults. The report stated that only four per cent of young criminals were sent to detention in 2007-08, and this was because of Labor's preferred and increased use of conferencing and detention as a last resort policy.

Young offenders need to be held responsible for their crimes, and serious violent offenders should be punished accordingly. Victims of juvenile offenders are predominantly also young people, 61.7 per cent of whom are aged under the age of 20 years. I reiterate that under this government there has been an erosion of personal responsibility when it comes to youth offending, and excuses and blame have crept into the juvenile justice system which for too long has played to the offender, whilst failing to rehabilitate and reform the young offender, and has completely forgotten the crime.

Police report frustration and dissatisfaction at the current way in which the juvenile justice system is being managed. Youth advocates also express concern at the lack of early intervention and prevention strategies in place to assist at-risk young people. Currently in Queensland almost \$32 million is spent on two youth detention centres in Brisbane and Townsville. Whilst Queensland spends \$27.5 million on youth justice community supervision, an additional \$13 million will be spent in 2008-09 on staff training and support services.

There is little or no official reporting on youth justice in Queensland. The Department of Communities released a two-page summary for services in its annual report. There is no annual reporting for youth detention centres or youth justice services. Recent trends have shown evidence of a rising knife culture among young people that has gone unaddressed by this Labor government. Based on recent announcements by the Premier and the various ministers, it seems everyone wants to blame everything but the offenders committing the crimes.

The 2007-08 police statistical report found that 97 per cent of weapons offences were committed by males between 15 and 19 years of age. So what has been missing from juvenile justice and responding to crime in general in Queensland over the past decade? It is a government that is willing to hold offenders accountable for their actions. Instead, what we have seen is an explosion in the use of diversionary responses to young offenders, yet at the same time crime continues to grow. Those opposite may try to hoodwink the community by dragging out selected crime rates, but the record number of victims of young offenders tell another story.

To take this further, last year it was revealed through opposition questioning that violence in detention was worse than in adult prisons. Staff working in Queensland juvenile detention centres are more likely to be assaulted by young violent thugs than in the adult prison system. There were 98 assaults on detention staff by violent youth in the last three years—that is, between 2005 and 2007. There were 53 assaults on corrective services staff in the Queensland adult prison system in 2006-07, which had a population of 5,567 inmates at that time. This compares with 40 assaults of corrective services staff by juvenile detainees last year, with a juvenile detention capacity of 150.

I want to turn to the shocking statistics that have arisen of the revolving door that juvenile detention has become under this Labor government. More than three-quarters of all young offenders in detention have been there before and a staggering one in four have been behind bars at least five times previously. The findings of the latest Commission for Children and Young People and Child Guardian report, *Views of young people in detention centres*, confirmed that Labor's youth justice system was a revolving door to jail. Clearly, rehabilitation and reform programs for young offenders in detention are not working. The report released showed roundly two-thirds of those in detention received sentences of less than three months—hardly enough time for them to complete proper rehabilitation programs.

In listening to the contributions of members opposite during the day, it has been fairly clear to me that this 'excuse and blame something else in society for this problem' approach continues to permeate the thinking on the other side of this House. It is absolutely wrong to assert that those on this side of the parliament believe all young people are bad. I believe, and I would say the majority of my colleagues believe, that the majority of young people are inherently and intrinsically good, and set fine examples in

their community and set fine examples in their homes. Through social decay, social disorder, peer group pressure in some cases and the slap-on-the-wrist approach of this Labor government we have a small number of offenders committing a large number of crimes in our community, which is giving our young people a bad name. This should not reflect upon the majority of young people.

If one looks at the speeches made by the great Greek philosophers a couple of thousand years ago or more we find that they talked about the young people of the day. Today people talk about the young people of the day. Nothing has actually changed in the way that society muses about that. But one thing that has remained constant over that time is that those young people who are causing problems are in the minority. The simple reality is that those juveniles who are doing things wrong are, in many cases, doing things spectacularly wrong and need to be dealt with differently from the way they are dealt with by this government under the policies of the past.

Having said that, there are things that the government is proposing that are a step in the right direction. There are other things which should be amended and strengthened. It is certainly true that there is a small minority of young offenders who are terribly violent and who are as bad, if not worse, than most violent adult offenders. Therefore, we should welcome the implementation of the Premier's commitment to ensure an increase in minimum mandatory sentences from 15 to 20 years.

I noted the interjection from the honourable member for Toowoomba North, the former Attorney-General, a moment ago. In recent times we have seen some of the most dreadful and unbelievably heinous crimes committed in his community, the community of Toowoomba. That has cast a pall over the general safety of that community, at least in the minds of some people. In many cases, those crimes have been committed by some dreadful juvenile offenders. They have been unspeakable crimes of unspeakable violence. They have actually been replicated in other places around Queensland.

That is exactly why we need an increase in mandatory minimum sentencing for these very serious juvenile offenders. We need to ensure that they are treated akin to adult offenders who commit terribly heinous, calculated, cruel and brutal crimes that, in many cases, lead to somebody losing their life. The cases that I have mentioned in that city have resulted in multiple lives being lost and other people being maimed. That is certainly a step in the right direction.

I wish to look at some other aspects of the legislation. I will particularly look at that part of the legislation which deals with the issue of naming juvenile offenders. The government's bill does not go far enough in addressing the issue of the naming of serious juvenile offenders by the courts. It is also fair to say that I, like most people, believe that juvenile offenders, because of their youth, need to be given a chance that would not necessarily be given to adult offenders. We have all been young and we need to learn. That does not mean that we should be giving people a second chance, a third chance, a fourth chance or even a 20th chance as we have seen happen around Queensland. We need to draw the line in the sand somewhere.

Some of these juvenile offenders actually get off on breaking the law. The law treats them in a very cavalier fashion and in a way that does not make them atone for their criminal behaviour. They know that. Many kids who are given a warning and counselled by a police officer do not do the same thing again. But there are a number of young offenders—and disturbingly an increasing number of young offenders—who continue to be warned and counselled by police officers and given a chance by the juvenile justice system who then thumb their noses at the law.

I have spoken to police officers, as I would say many members of this parliament have, who are completely distressed and beside themselves. They have been through the process of counselling a young offender or a young offender has been through the juvenile justice system and they have then gone straight out of the court doors or the police station doors and made all the signals of disrespect in our community; they have kicked over rubbish bins as they have left and laughed at what has just happened to them. They have been through it all before and seen no consequences for their actions.

Again, that may be a minority but it is the minority who is giving all young people a bad name. Even those young people who have committed only one or two indiscretions in their life are given a bad name. It is the minority that we are talking about. They are quite hardened.

That brings me to the issue of naming offenders. The government is saying that these changes with regard to the naming of juvenile offenders will mean that those offenders who commit the worst types of crimes will be named by our courts in more instances. One would hope that it is better than what we have seen in recent years in Queensland. This law was announced with great fanfare by a previous minister, the current Leader of Government Business. In the first two or three years no-one was actually named. I cannot see things changing all that much. We have to change this culture.

Whilst young people generally deserve a veil of anonymity as they seek to get their lives back in order if they have committed one or two indiscretions of a minor nature, it should not go too much beyond that. We do know that there are young offenders out there who actually enjoy this veil of anonymity which allows them to commit certain crimes and misdemeanours in the community. They use that to their advantage. We need to look at going further to ensure that recidivist juvenile offenders who have been involved in ongoing property crime, for example—and some of them have multiple offences for break and enter and robbery—are ultimately named down the track. Even if they are not going to change their ways it allows the community to make their property and their families safe.

If we are going to have a juvenile justice regime in Queensland that rightly treats young people differently from adults it also has to have at its very core an understanding, a philosophy, an ideology that is driven and motivated by rights and responsibilities. If we are going to have rights for these offenders that are different from those for the adult community who commit certain crimes, then they have to face up to fact that they have some responsibilities if they are going to be given chances that are not given to adult offenders in the community.

I actually support the notion of early intervention. There is no doubt about it. One of the things that I have noticed over the years is that Labor talks a lot about early intervention. It talks about getting involved at the early stages, detecting these things and case managing but nothing really happens. Things continue to get worse. This is the difference between spin and action and the difference between substance and reality.

Those opposite should go into our schools—that is where I was last week—and speak to the teachers about what they are noticing with regard to a certain culture. There are many people—and it comes back to parental responsibility in many cases—who just do not care. So what happens then? Someone else has to be responsible for that issue. It goes to the department of child safety, which often does not get to the nub of the issue. It then comes into the education system.

I must admit that I am absolutely dismayed that we have a growing number of teachers becoming quasi-parents, de facto parents, for kids. They have to feed kids and clothe kids. We have to be prepared to be more judgemental and intervene more at the nub of the problem rather than saying that anything will go and we will spend any amount of state resources on trying to fix a problem not very well at the other end. We have to look at society and its breakdown in general. We have to look at the cost of all of this and be prepared to be a bit harder in response. I think they call it tough love.

If we look at the amount of resources going in to fix things because of the soft response and not having the right ideology, it would distress us all. If honourable members do not believe what I am saying, they should go and talk to their teachers and those people in the community who are involved at the front end to see what they have to say. There is a bit more to it than the namby-pamby 'it'll be okay' philosophy of blaming it on something or other such as a bad childhood. We know that those things can influence children to an extent, but that then becomes an excuse not only for a child but also for an adult who wants to blame somebody else as they basically abrogate their responsibility to look after their own children. I am not one who says that things do not go wrong in society. Of course they do, but sometimes I think we give people too many excuses.

In conclusion, bipartisanship cuts both ways. We intend to support the government legislation with some suggested amendments along the way. I believe the government should be prepared to support our legislation, which seeks to ensure that the protection of the community should be the paramount consideration of the sentencing court, not the last resort. Then we would have a clear demonstration of bipartisanship.

*(Time expired)*

**Mr MALONE** (Mirani—LNP) (5.40 pm): The front page of the *Courier-Mail* says it all: 'Armed and dangerous'. The reality is that throughout our communities nowadays a number of young people are out of control. However, they still represent only a very small proportion of our community. I want to commend the Deputy Leader of the Opposition for his speech, particularly the remarks he made towards the end that across Australia—certainly here in Queensland—some of our teachers are also becoming de facto parents. I hear the comments of the teachers in my schools that they have to actually feed children early in the morning and they spend a fair bit of their own money sometimes in doing that. When we think about it, that is very disappointing. The reality is that a small number of parents in our communities are not doing the right thing. We need to be looking very carefully at the way in which those parents are actually bringing up their children. I do not have the answers to that, but we certainly have to slate home the responsibility to the place where it belongs. Certainly some parents in our communities are not doing the right thing.

I have recently taken on the role of representing the town of Mount Morgan. I was horrified on my first visit to hear of a couple of children who were basically dumped with their 80-year-old grandmother, who is almost blind. These 17- or 18-year-old kids were left with her and she had no hope in hell of ever looking after them. Those young people formed a nucleus of young people who were doing an enormous amount of damage. They were attacking older people in the street, breaking windows and creating absolute havoc in the town. In the six months that I have represented that town, there has been conflict between police and corrective services and the Department of Communities. At five o'clock the office door of the Department of Communities closes and then when these young people commit a crime the police are called out to take them away. The police would take them down to Rockhampton, they would be charged and they would beat the police back to Mount Morgan. That situation is still going on.

I will not impose on the time of the parliament too long, but I have received an email from Kerrilyn Page, who runs the newsagency in Mount Morgan. She tells of a young 14-year-old boy of Aboriginal descent—and she has spoken to me about him many times—breaking windows in the town, and it goes on and on. This same event seems to recur. The police are absolutely at their wit's end, as are the communities. If early intervention had taken place and those young people from Mount Morgan had been taken away and given some early training to straighten them out, I am sure the situation would have been reversed. My estimation and that of others is that more than \$100,000 damage has been done to businesses and properties in the town of Mount Morgan and, of course, theft and other issues are added on to that. This is but one little town where two or three young people are creating havoc, and the cost to that town in police and community resources is large. Early intervention may have done some good.

I come back to the very essence of the problem: families. Then the children move on to the education system. There have been many recent innovations in education, and I speak in this House quite regularly of the Sarina Rural Skills Centre where young people can study agriculture—they have cattle, chickens and goats—or horticulture. It also has a major engineering shop. Young male and female students are going through that skills centre. Seventy-five per cent of Sarina State High School students actually have some interaction at the skills centre. I see young people, mostly young blokes, who have basically walked away from the education system who were almost unruly at the main high school come to the skills centre and suddenly find that they have an interest in welding, looking after cattle or growing horticultural products. In their own way through the skills centre they learn; they are using computers. They have to find out the pH level of the water for the fish, how much tucker to give them and all sorts of things. They are using their numeracy and literacy skills. Those kids are lining up at the gate to enter the school in the morning and the teacher has to chase them home at night. I have seen some wonderful examples of young people being turned around by an education system that looks outside the square and looks at the needs of young people and creates an opportunity for them. I am very pleased and proud to be involved with that. Without patting myself on the back, some of my equipment was used in building that site.

There are other examples right around Queensland where we need to look outside the square. We need to be innovative in dealing with young people. It is about time we realised that we do have a problem. I was talking to my good friend Mike Horan, the member for Toowoomba South. There is no doubt that when we were young blokes we used to get up to some pretty ordinary things, too. It was sort of accepted in those days.

**Ms Jones** interjected.

**Mr MALONE:** We will not go into that, but the reality is that we have come through it—hopefully, anyway. We are pretty responsible people nowadays I think.

There are a lot of opportunities. There are young people who, with some intervention—and possibly not even a lot—could be turned around quite easily. If we delay that effort and let those young people reach the age of 18 or 19 with no help, suddenly we find they have become hardened criminals. They are hardened in the ways of life. As the deputy leader pointed out, suddenly they are thrown into a prison with adult prisoners and more than likely will lead a life of crime from then on. The intervention period should be between the upper levels of primary school and into the early years of high school. We need to look at ways of getting hold of those kids and giving them and their parents some support. That would cost a lot less to society than waiting until they are 17, 18 or 19 and are absolute toughened little criminals.

I want to commend the workers in our community. Another speaker this afternoon was speaking about the chaplaincy program. Chaplains do a great job in our schools. It is with a great deal of pride that I think back to the Howard government which actually introduced chaplaincy throughout schools across Australia. That program does not cost the government a lot of money. I would like to think that the amount of money it saves our society in the end is a great deal more than we ever put into it.

We have youth workers throughout the state. I am very proud to talk about Neil Kempe and his wife, Lisa. Neil originally worked with the Mirani Shire Council and now, owing to council amalgamations, works with the Mackay Regional Council. Neil is a wonderful guy. He really gets involved with the young people. He runs programs throughout the valley. As I said, he works with the regional council. We have to take our hats off to those people who work with the young people in our society.

Another young bloke is Paul Scott, who lives up at Coppabella. He is actually a train driver. I have known him for only 12 months. I am absolutely amazed that this guy volunteers to work with the youth at Coppabella, Nebo and Glenden. He pulls them all together and they play football and all the rest. This guy works 12- and 14-hour shifts driving a train and then comes back and does that work on his weekends and in his time off. Of course, for many years Margie Ward worked with the young people in Sarina. Margie is now taking some time off and we now have a new youth worker at Sarina.

We should commend those people in our communities who are in that position of guiding our young people. But they need all the support they can get. They are overloaded with work. We certainly have some families who are going through some tough times. Quite frankly—and I am not being overcritical—a lot of parents are probably not really up to speed with raising children and they need a lot more support. I think we can direct some support to those people.

It is particularly interesting to note in relation to these bills that compensation for victims of crime is upgraded. An amount of \$6,000 can be paid to people who are victims of crime as initial start-up funding. I have always been concerned that in many cases people were not able to receive criminal compensation even though it is set at a substantial amount. In particular, very often those people who were disadvantaged or who did not have good legal representation did not receive any compensation whatsoever. Of course, there were also those who rorted the system to a certain extent. So it is good to see that in that regard the bill is moving forward.

I would like to commend the bills to the House. We have to understand that we have a small group of young people in our community who are deserving of and are requiring some extra support. It is about time we ensured that support was put in place at an early stage rather than trying to fix problems that occur further down the track. I commend the bills to the House.

**Mr POWELL** (Glass House—LNP) (5.52 pm): I rise to address the House as part of the cognate debate on these juvenile justice bills. In terms of the Juvenile Justice and Other Acts Amendment Bill, I acknowledge that, in line with the terms of reference for the review, the bill proposes legislative amendments that cover a range of aspects, such as giving the court specific powers to place curfews; widening the court's powers in relation to naming juvenile offenders; increasing the minimum mandatory detention period for young people convicted of multiple murders; giving police stronger powers to arrest and take to court young people who do not comply with youth justice conferencing requirements, or who contravene an agreement, or who fail to attend a drug assessment session; requiring the court to consider setting a date for the transfer of offenders from youth detention to adult prison; automatically prohibiting the publication of information that identifies a child victim; reducing remand levels; updating the name of the act; and other minor amendments.

I also acknowledge and add my support to the amendments proposed by the shadow minister which are designed to complement the approach proposed in the government's bill whilst also responding to a need for community protection and recognising the victims of young offenders. Given we are debating these bills cognately, I add my support to the private member's bill of the member for Southern Downs, the Juvenile Justice (Sentencing Principles) Amendment Bill. As the member stated in his explanatory notes—

The reference to detention as a last resort has undermined the sentencing principles of deterrence and community standards that the justice system is expected to deliver.

The amendment seeks to remove this impediment to sentencing courts when dealing with juvenile offenders and inserts a new provision that ensures that courts can consider detention as a sentencing option for juvenile offenders if appropriate for the crime that has been committed.

It is clear that there is a need to strengthen this legislation. Most contributors to this debate will discuss and have discussed the research that supports widening the court and police powers in the area of youth justice. But it would also be good to look at strengthening the early intervention and prevention sector.

I would like to pick up on comments that were made by the member for Lockyer during the debate of the Corrective Services and Other Legislation Amendment Bill during the last sitting. I note also that the member for Capalaba and, most recently, the member for Mirani have also picked up on this aspect in this debate. I also know that this government is always looking for ideas. It seems to be bereft of its own. So I have one for it.

I would like to refer members to Project Circuit Breaker. In my previous career I had the pleasure of coming across this fine service, Project Circuit Breaker, which is run by Mission Australia. I will refer to and eventually table a document from the ninth Australian Institute of Family Studies Conference, which was held in Melbourne in 2005, titled *Developing resilience at every stage of a young person's life*. The research definitely shows that a number of factors impact on the wellbeing of children and young people. This paper suggests that they are grouped under five broad headings of: the child's own or personal factors, family factors, the school context, life events and community and cultural factors. The research demonstrates that where a factor increases the likelihood of poor outcomes that factor is known as a risk factor. Such factors are low self-esteem, poor problem solving, a lack of empathy, homelessness, early school leaving, family violence, poor supervision, harsh or inconsistent discipline, school failure, bullying, peer rejection, divorce, death of a family member, neighbourhood violence and crime and a lack of support services. These are the factors that can start a young person or a child down the path of potentially offending. They are the factors that we have to try to build resilience against.

The research also shows that most people, including children, will experience some form of adversity or risk factor or factors at some time in their lives. It is important to build up resilience—the ability to bounce back or recover after such adversity or hard times. Resilience allows people to overcome adversities that ought to disrupt their development and even build positively on those adversities. To help build that resilience and to get a positive outcome for children and young people, we need to be looking at protective factors that promote that resilience. Some of those factors include attachment to family; a general optimistic outlook; a good coping style; supportive, caring parents; secure and stable families; pro-social peer groups; a sense of belonging; meeting a significant person in their own life; and potentially moving to a new area. Those factors also involve accessing the right support services or having access to support services, community networks and an attachment to the community. The idea is to minimise the impact of those risk factors, enhance resilience and maximise the impact of protective factors. Hopefully, all of those strategies will build a better outcome for the child or young person.

However, the research demonstrates clearly that there is no right time in which to intervene or get involved in the child or the family. The research shows that developmental pathways can change and that children who exhibit difficult characteristics during childhood do not necessarily become problem adolescents and that such a change is common. This is where a service like Project Circuit Breaker would come in.

Project Circuit Breaker is an early intervention and prevention service for families with children aged 10 to 16 years living in the northern suburbs of Brisbane. Its clients are families experiencing first-time involvement with child protection authorities or who are at imminent risk of further involvement. The project's referral networks include Child Safety Services, Queensland Health, the Police Service, the department of education, the community as a whole as well as self-referrals. In one year alone—back in 2004—Project Circuit Breaker saw some 260 clients. Project Circuit Breaker aims to enhance family functioning, improve family resilience and reduce involvement and/or a need for statutory intervention by Child Safety Services or, in this case, the Department of Communities.

It offers a range of services. This aspect of the service really makes it work well with these families. It can provide individual or family counselling, practical skill development, practical support, conflict resolution, negotiation, group work, advocacy referrals, active follow-up and community development. It is that multifaceted approach that is benefiting many of the clients who are using that service.

I acknowledge that the government has had its struggles with services such as Project Circuit Breaker and I think it is largely because of the nature of its response, which does not necessarily fit within one funding stream. I am hoping that now that many of these services have come together under the Department of Communities it will make it easier for the government to get its head around a service such as Project Circuit Breaker. The reality is that, because of its nature, it does not meet the monitoring criteria set by government. Perhaps it is time for government to be looking at other monitoring criteria, particularly around client outcomes. If one looks at this report, which I now table, one sees that they are significantly positive and worthy of noting.

*Tabled paper:* Document by Mission Australia, titled '9th Australian Institute of Family Studies Conference, Melbourne, 9-11 February 2005—Developing resilience at every stage of a young person's life' [803].

I would really love to see organisations such as Project Circuit Breaker expanded to be able to deal with low-risk youth justice cases. Ideally, I would love to see it expanded so that we could get these kids in touch with a service such as this long before they ever come to the knowledge of the Department of Communities, the court system or the Police Service. I know that there are plenty of intervention services once a young person does begin offending, but we really need to get serious about heading such kids off before they do offend.

Services such as this that parents can go to for help, that teachers or chaplains can refer to when they notice that first instance of a family breakdown or a relationship breakdown between the child and their parents or the child and their peers, would be ideal. I know that there is investment in early years, but this needs to be complemented in this eight- to 12-year-old age bracket, where the first signs of relational discord tend to arise. It would be great to see services such as this expanded across the state. It would be great to see services such as this targeted in Indigenous communities offering Indigenous-specific services and also in community groups such as the pan-Pacific communities that we have in the north of Brisbane and in the Logan area.

It is my belief that a tougher youth justice bill, one that includes the opposition amendments and takes into consideration the sentencing principles proposed in the private member's bill of the member for Southern Downs, along with a more targeted approach to preventing youth offending, will achieve the desired outcomes of stronger families, more resilient young people and a reduction in youth offending and the need for detention in its entirety.

**Ms STONE** (Springwood—ALP) (6.02 pm): I rise to speak briefly in this cognate debate. A juvenile justice system should be accountable and fair, it should protect the community and it should also aim to provide reintegration of offenders into their communities. That is what the government aims to do with the introduction of this bill.

While the majority of young people in our communities are doing the right thing and will never come into contact with the justice system, it is important that we strike the right balance for those who do become involved in the system. Earlier this year I visited the Townsville Youth Detention Centre and noted its educational activities along with its sporting resources. I congratulate the staff of the centre for their work in building self-esteem and helping young people turn their lives around. The centre is currently being expanded, and this will enable even more educational and rehabilitation services to be provided. It is these types of services that truly help turn an offender's life around.

The PCYC is also assisting young people to have a positive relationship with their communities. I acknowledge the hard work of everybody involved in the Logan PCYC. This includes supporters, sponsors, volunteers and police officers who give much of their own time to make this PCYC successful. I congratulate Sergeant Rachel Whitford and her team for their commitment to creating better communities through youth development.

It was disturbing to learn from the Youth Violence Task Force, a task force that was set up by the former minister for police, the Hon. Judy Spence, that young people between 15 and 19 years of age are the most likely group to be the victims of violence and are also most likely to be the perpetrators. A change that I am very pleased to see in the government's bill before the House is the amendments that automatically prohibit the publication of information that identifies a child victim of crime.

A constituent of mine, whom I will not name in order to keep this matter private, came to see me as her son had been viciously attacked. While she and other family members were dealing with the situation of her son being in intensive care and what had happened, on top of all that they also had to deal with a barrage of media. Her words to me were—

Here was my son lying seriously injured in hospital. I nor other members of the family felt it appropriate or necessary to be speaking to the media when all we wanted was our loved son to be out of danger and to be well. Our minds and energies were with our son not with dealing with the media. It is something we believe should never happen to us or should never happen to any other family in the future.

Her son was identified in the media, which caused angst amongst family members as they felt this could put her son and family members at risk of more violence due to reprisal attacks. Yet the offenders were not named and had their privacy protected. She lobbied me and the former minister, the Hon. Lindy Nelson-Carr, about changing the law regarding the naming of child victims. Tonight I stand here and I thank the former minister and her staff for listening to my constituent and acting to ensure that child victims of crime will have their privacy protected. I know that my constituent is extremely pleased with this part of the bill. She can be very proud that she helped make a difference to our juvenile justice system.

In respect of the opposition's bill, it once again shows the old outdated solutions that the LNP would like to impose on our communities, particularly our young people. While some of its proposals may sound all right, the reality is that domestic and international research does not support it. In fact, it states that there are no good outcomes to be produced from going down this path with juvenile justice. The recent *Four Corners* program on young offenders in detention centres demonstrates this quite clearly. I congratulate the minister for bringing this bill before the House and I commend the government's bill before the House.

**Mr SHINE** (Toowoomba North—ALP) (6.06 pm): It is a pleasure to speak tonight in relation to this important piece of legislation brought in by the Minister for Community Services and Housing. At the outset I refer to a remark made by the Deputy Leader of the Opposition with respect to a very tragic murder that occurred in Toowoomba in recent years. First I make the observation that the perpetrators were not Toowoomba people at all; they were youths from outside Toowoomba, from another regional part of Queensland well away from Toowoomba. Unfortunately, the victims were Toowoomba-ites. I have been informed by the minister that the parents of two of the victims, Mr Nothdurft and Margaret Wilson and Mr and Mrs Thompson, are in the gallery tonight such is their interest in furthering the reforms that the minister has brought into the House. I commend them for their application to the task and seeing that this legislation has been effected in the manner in which it has and in a form which is, according to media reports, very acceptable to them, at least as quoted by Mr Nothdurft and Mrs Wilson.

They are people whom I admire greatly. They came to see me on a number of occasions as the local state member of parliament and in my then capacity as Attorney-General and they never let up on the determination to right what they felt was a deficiency in the law. Tonight is the culmination of their efforts and they are to be commended for that.

The principal legislation is that of Minister Struthers. It amends the Juvenile Justice Act 1992 as a result of a review that was undertaken, associated with which was a discussion paper looking into sentencing, diversion, accountability—including naming—reducing the remand levels, Indigenous young people, transition into the community and conferencing.

All told, 174 submissions were received with respect to the issues paper. It was well supported and created a substantial amount of interest in the community and, as would be expected, the results of that consultation were somewhat diverse. Those results have been referred to in earlier speeches by

members tonight and I will not go over them. The end result of the review, the consultation and this legislation is that important changes will be made in several areas. First of all, the bill changes the title of the act to reflect contemporary terminology. In the future the act will be known as the Youth Justice Act.

With respect to bail and custody, understandably concern has been expressed that less than 10 per cent of young people remanded in detention are subsequently detained. In other words, those people are held in detention, they are restrained and denied their liberty, but ultimately they are not sentenced to a term of imprisonment. In many instances they are serving a term of imprisonment unjustifiably. That is a real concern in a system of justice such as Queensland's, which adheres to international standards for the application of justice. The government is addressing that issue through clause 12 of the bill, which requires a court to have regard to the sentence order or other order likely to be made for the child when deciding whether to grant bail. Early on in the piece, the court will have to address that issue. I think that will lead to the healthy position of fewer juveniles being in prison awaiting trial, which is a desirable result simply on the basis that children, as well as adults, are entitled to the presumption of innocence. Of course, an exception to that exists where the child's safety is involved. The example given in the research paper prepared by the library relates to a child who is intoxicated or who might be subject to threat or violence from other people. If it is in the child's own interest to remain in custody, that may well be the case.

Another area being addressed is the introduction of curfews. At first blush people are concerned that the restriction of an individual's rights might be adversely affected, in terms of people being told where they can be. However, the legislation refers to the imposition of reasonable curfews as part of conditions, for example, of bail, probation orders, intensive supervision orders or conditional release orders. In my view, in that context the application of a curfew makes eminent sense.

With respect to sentencing, the law will be altered considerably. This brings to mind the Toowoomba case to which I referred earlier. In her second reading speech, the minister advised the House that the addition of this item fulfils the Premier's promise that the minimum mandatory detention period for young people convicted of multiple murders would be raised from 15 years imprisonment to 20 years imprisonment, which is the same length of time as for adults. The minister said that this government recognises the need to protect the community from serious young offenders and meet public expectations about their sentencing. Although the courts are currently able to sentence those young offenders in the same way as adults, the Juvenile Justice Act has enabled the young offenders to be released earlier. This amendment ensures that this no longer happens in those types of cases. There can be no argument about that reform.

Another reform being dealt with in this legislation is the publication of identifying information. This was the subject of diverse submissions. In her second reading speech, the minister stated—

The Bill delivers on our commitment to reinforce court powers in relation to the naming of young offenders. The Bill provides specific guidance to courts about the naming of a young offender who commits a crime that is considered extremely serious and repugnant and naming is seen as appropriate for the purpose of protecting the community.

Prior to the introduction of this legislation tonight, that has had limited application with respect to life offences or offences that involve violence, but the offence had to be particularly heinous. That has been a stumbling block for, in this case, the Supreme Court judges. The reforms being introduced tonight will see that apply to a far wider area of offences. Of course, the test that will have to be applied will be the interests of justice, having regard to the need to protect the community, the safety or wellbeing of a person other than the child, the impact of publication on the child's rehabilitation and any other relevant matter. The bill makes considerable worthwhile amendments to the act.

Also being amended is the Child Protection Act, dealing with the identity of child victims. We will all recall the incident that occurred about a year or two ago when students at an inner-city school in South Brisbane were named on television as being the victims of an assault that occurred during lunch time at the school. The perpetrators could not be named, although they were in the same category as far as their age was concerned. Clearly there was a defect in the law. The legislation before the House tonight addresses that issue. I commend the minister for so doing.

I now address the bill introduced by the Deputy Leader of the Opposition and shadow Attorney-General. In my view, this bill should be opposed as it would lead to a lessening of thresholds and safeguards regarding detention and, therefore, would lead to a larger number of children and young people being detained. In my view, the amendment bill would interfere with the fundamental rights and liberties of particularly vulnerable individuals in our system and is inconsistent with accepted policy objectives regarding the treatment of children, particularly Indigenous young people. In my view, the second reading speech of the relevant minister, the member for Burdekin, and indeed the speech of the Deputy Leader of the Opposition fail to provide any justification for the changed position that they advocate.

If we look at the history of the detention as a last resort provision, Australia has been a party to the UN Convention on the Rights of the Child, or CRC, since 1990. The CRC articulates internationally accepted minimum standards and sets out human rights obligations relevant to the juvenile justice

system. The sentence provisions of the 1992 act have referred to detention being used only as a last resort and for the shortest appropriate period to be imposed and have therefore incorporated part of Article 37(b) of the CRC from its commencement. This is in keeping with the legislative attempt when the act was first introduced. On 18 June 1992, in his second reading speech the minister identified that—

The harsher the treatment of a child, the more likely he or she is to become involved in a career of crime. The Bill provides a balance between these realities and the intention to make children responsible for their actions.

On this basis, the Bill enshrines the principle of detention being used only as a last resort.

To my mind, that makes eminent sense. Last year the honourable member for Mirani and on previous occasions the honourable member for Gregory and other members of the opposition have agreed that putting children into prison will usually have a certain result, particularly with older offenders, which is that they will come out worse than when they went in. The principle of last resort is based on that with respect to many offences. Certainly it does not apply in relation to those grave offences or heinous offences to which we referred to earlier.

The Juvenile Justice Act 1992 was amended by this government in 2002 to include the Charter of Juvenile Justice Principles and give them the effect of underlying the operation of the act. The charter adopts a number of articles of the CRC, including Article 37(b)—that is, the arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time.

I am concerned that any legislative amendment will cause a change in how the act is interpreted by courts simply by the fact that the legislature has seen fit to make the amendment—that is, the amendment with respect to what is proposed by the member opposite. It is anticipated that such change may indicate the legislature's intention to weaken the threshold and safeguards for detaining children, particularly when having regard to the fact that the explanatory notes to the bill clearly indicate an intention to promote the sentencing principle of deterrence by increasing the rate and length of detention. Whilst the notes refer in particular to serious violent juvenile offenders, the wording of both the bill and the proposed amendments to the bill apply generally to all offences.

The proposed amendments to the bill could have the unsatisfactory effect of increasing the number of young people in detention and therefore be inconsistent with what should be the government's priority and our priority as a society to reduce remand rates, reduce the overrepresentation of Indigenous young people in detention and a commitment to the Queensland Aboriginal and Torres Strait Islander Justice Agreement.

I refer to the statistics that have been referred to earlier of the rate of detention of juveniles in Queensland. In fact, Queensland has a rather high rate of detention of juveniles. We have 152 as at 30 June 2007. Only New South Wales, a much larger state, had more—279. The other states had fewer—Victoria had 49, as opposed to our 152; Western Australia, 139; South Australia, 60; Tasmania, 16; Northern Territory, 34; and the ACT, 13. In terms of the suggestion that we have not got enough children in detention, the figures themselves do not back that up. It is wise that we do stick to facts.

There are negative consequences of remanding children in custody. I refer honourable members to the words of the then minister for families, the Hon. Judy Spence, who in 2002 said, 'Children who go into detention are at the greatest risk of identifying themselves as criminals, at great cost to themselves and the community.' For me, I query the need for any change with respect to this aspect of the bill.

The annual report of the Children's Court for the 2007-08 period reported an overall decrease in the number of juveniles whose cases were disposed of in Queensland. Her Honour Judge Julie Dick SC noted that the number of juveniles offending is not increasing steeply but is slightly declining or, at worse, holding steady. The report also noted a 7.3 per cent decrease in those appearing in the higher courts, traditionally the more serious offences—in particular, a 66.7 per cent decrease in those appearing before the Supreme Court. Of note, there was an increase in 2007-08 from the previous year in the Children's Court of Queensland of 65.1 per cent in actual detention orders made. In her report Her Honour expressed a hope with regard to the current review of the act that the review will maintain the guiding principles of youth justice and CRC.

In my view, the case for any change as proposed by the opposition in this cognate bill has not been made out. If we were to go down that track, then we would be placing ourselves out of kilter with not just the other states of Australia but indeed with the other enlightened countries of the world. We would also be putting ourselves, as a country, Australia, in possible and probable breach of our international commitments, treaties and undertakings pursuant to our participation in the United Nations agreement. For that reason, the opposition's cognate bill cannot on any reasonable basis be supported by members of this House tonight.

On the other hand, the legislation that has been brought in by the minister, after a great deal of due consideration and wide consultation with all interested stakeholders and anybody else for that matter who wanted to have a say, has reached a state of ultimate proper maturity. I urge all honourable members to consider it carefully and to support it—that is, Minister Struthers's legislation—tonight in its

entirety. It represents another milestone in the progressive, enlightened legislation dealing with young people that was started, as I said, in the 1990s by the Goss government, improved on in 2002 and now finally in 2009 has come to that level of maturity to which I referred and which, in my view, deserves the entire support of the House. I commend the minister's cognate bill to the House.

Sitting suspended from 6.26 pm to 7.30 pm.

Debate, on motion of Ms Grace, adjourned.

## **DANGEROUS PRISONERS (SEXUAL OFFENDERS) AND OTHER LEGISLATION AMENDMENT BILL**

### **First Reading**

**Hon. CR DICK** (Greenslopes—ALP) (Attorney-General and Minister for Industrial Relations) (7.30 pm): I present a bill for an act to amend the Dangerous Prisoners (Sexual Offenders) Act 2003, the Penalties and Sentences Act 1992 and the Births, Deaths and Marriages Registration Act 2003 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:* Dangerous Prisoners (Sexual Offenders) and Other Legislation Amendment Bill [\[804\]](#).

*Tabled paper:* Dangerous Prisoners (Sexual Offenders) and Other Legislation Amendment Bill 2009, explanatory notes [\[805\]](#).

### **Second Reading**

**Hon. CR DICK** (Greenslopes—ALP) (Attorney-General and Minister for Industrial Relations) (7.30 pm): I move—

That the bill be now read a second time.

This bill is the product of a comprehensive review of Queensland's public protection legislation. The bill amends the Dangerous Prisoners (Sexual Offenders) Act 2003 and provisions of the Penalties and Sentences Act 1992 that deal with the indefinite sentencing regime. These two pieces of legislation are key planks in Queensland's legislative response to the risk posed to the community by dangerous sexual and violent offenders. The amendments contained in the bill are aimed at enhancing the effectiveness of these legislative options.

The Dangerous Prisoners (Sexual Offenders) Act 2003 was a groundbreaking piece of preventative detention legislation that paved the way for other states in Australia to introduce similar laws. The act enables the Supreme Court of Queensland to order the continuing detention or supervised release of serious sex offenders beyond the expiry date of their sentence. Under the Dangerous Prisoners (Sexual Offenders) Act, the court must make a determination of whether there is an unacceptable risk that the prisoner will commit a serious sexual offence if they are released from custody, or released from custody in the absence of a supervision order. The act states that the paramount consideration for the court in deciding whether to make a continuing detention order or supervision order must be the need to ensure the adequate protection of the community.

The bill amends the threshold test and obliges the court, in considering whether or not to impose a supervision order, to consider not only the need to ensure the adequate protection of the community but also whether the adequate protection of the community can be reasonably and practically managed by a supervision order and whether any appropriate conditions of the supervision order can be reasonably and practically managed by corrective services officers.

This amendment will enhance the ability of corrective services officers to monitor the compliance of released prisoners, as court ordered conditions will be required to reflect what should reasonably be expected in terms of supervision, monitoring and surveillance of offenders living in the community.

The bill will also provide corrective services officers the power to issue binding directions to released prisoners on supervision orders in relation to matters such as where they are to live, if they are required to engage in treatment and restrictions in relation to alcohol and other substance use. This will enable corrective services officers to deal with risk factors that develop in these discrete and common problem areas without necessitating a return to court for an application to amend the conditions of an offender's supervision order.

This new power is not without fetter. Such a direction can only be made if it is not directly inconsistent with a requirement of the existing order. Additionally, the direction must also be considered reasonably necessary by the corrective services officer to ensure either the adequate protection of the community or the prisoner's rehabilitation or care or treatment.

An offender's failure to comply with any such direction would allow a corrective services officer to commence a formal contravention process under division 5 of the Dangerous Prisoners (Sexual Offenders) Act which results in the offender's immediate detention and appearance before the Supreme Court. There is currently no limit on the length of a supervision order that may be imposed by the court.

The bill amends the Dangerous Prisoners (Sexual Offenders) Act to limit the maximum period of supervision orders to five years. It is considered that the highest risk period for offenders is the first few years after their release from custody. In order to effectively supervise the increasing number of released prisoners, it is considered that a limit is required to the length of supervision orders and that a period of five years supervision should provide adequate protection to the community. This proposed amendment will, however, allow for unlimited applications for further supervision orders where risk factors remain.

Currently, continuing detention orders are reviewed annually. The bill increases the interval for the first review to two years but retains an annual review mechanism for all subsequent reviews. An initial review period of two years will ensure that prisoners have enough time to complete rehabilitation programs. Generally this period represents a more appropriate interval to allow prisoners to demonstrate a reduction in their risk of reoffending.

The bill also amends the Dangerous Prisoners (Sexual Offenders) Act to better serve victims who have an interest in the Dangerous Prisoners (Sexual Offenders) Act, including the option for victims to opt out if they do not wish to be notified about contravention proceedings.

The bill amends part 10 of the Penalties and Sentences Act, which provides for a regime of indefinite sentencing. Currently, an indefinite sentence may only be imposed for Queensland Criminal Code offences carrying a maximum penalty of life imprisonment where the offence involves violence or is one of five specified sexual offences. The bill expands the range of offences for which an indefinite sentence may be imposed. A specific schedule of offences, carrying maximum penalties ranging from 10 years to life imprisonment, is inserted into the Penalties and Sentences Act containing sexual and violent offences where the risk posed by the offender to the community is likely to be most acute. New offences included by virtue of the amendments include torture, maintaining a sexual relationship with a child and indecent treatment of a child under 16.

Currently, pursuant to section 174 of the Penalties and Sentences Act, an offender who has been discharged from an indefinite sentence and sentenced to a finite term is liable to five years parole supervision, regardless of the time remaining on their sentence. For example, a prisoner serving a 20-year nominal sentence who applies for and is granted parole at 18 years would be subject to up to five years parole, notwithstanding that he or she only had two years of their sentence remaining. Incongruously, this five-year supervision period only applies where the offender submits an application for parole and is approved for release to parole. Offenders who serve their full-time nominal sentence are not subject to any parole upon release.

The bill addresses this inconsistency by amending section 174 to provide that, where an offender has been sentenced under section 173(1)(b) and is not granted parole before the end of the term of their imprisonment, the offender, at the end of that term of imprisonment, must be under the authority of the Queensland Parole Board and the supervision of an authorised corrective services officer for five years.

The Dangerous Prisoners (Sexual Offenders) and Other Legislation Amendment Bill 2009 is another measure taken by this government to enhance protection of the community from the risk posed by high-risk sexual and violent offenders. I commend the bill to the House.

Debate, on motion of Mr Springborg, adjourned.

## CRIMINAL CODE (MEDICAL TREATMENT) AMENDMENT BILL

### First Reading

**Hon. CR DICK** (Greenslopes—ALP) (Attorney-General and Minister for Industrial Relations) (7.37 pm): I present a bill for an act to amend the Criminal Code to ensure the lawfulness of particular medical matters. 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:* Criminal Code (Medical Treatment) Amendment Bill 2009 [806].

*Tabled paper:* Criminal Code (Medical Treatment) Amendment Bill 2009, explanatory notes [807].

## Second Reading

**Hon. CR DICK** (Greenslopes—ALP) (Attorney-General and Minister for Industrial Relations) (7.38 pm): I move—

That the bill be now read a second time.

The purpose of the bill before the House is to ensure that our Criminal Code remains relevant to the realities of life in Queensland today and into the foreseeable future. The amendments contained in the bill clarify that the section of the Criminal Code that applies to surgical procedures should also apply to medical procedures. The government's overriding policy prescription is to clarify the law. It is not to alter the current law with respect to abortion, either to increase or decrease its prevalence or availability.

I fully accept that members of parliament from either side of the House and Independent members of parliament have varying views on the substantive issue of abortion, and that these views are honestly and legitimately held. This legislation is not about seeking to alter the current law, which has been clear in Queensland since 1986. It is about making sure that the law is, as far as is possible, certain for both health professionals and the public.

There can be little doubt that when Sir Samuel Griffith drafted the Criminal Code he could not have foreseen many of the technological or medical advances that have occurred over the last century, and therefore the provisions necessitate revision from time to time to ensure they remain clear. Section 282 of the Criminal Code is one such section. This section relieves a person from criminal responsibility where they perform an operation on a person for the patient's benefit or where the operation is performed upon an unborn child for the preservation of the mother's life. To obtain protection currently under section 282, the surgical operation must be (a) performed in good faith; (b) performed with reasonable care and skill; and (c) reasonable having regard to the patient's state at the time and all of the circumstances of the case. The section has operated since the inception of the code as a general excuse for a range of surgical procedures that, but for the operation of the section, would be a criminal offence.

Historically medicine concerned itself with the diagnosis of illness with limited tools for treatment or care. Surgery grew from responding to emergencies such as a trauma, injury and tumours large enough to disrupt normal physiological functions. The 20th century saw a phenomenal growth in the range of medical and surgical interventions including antibiotics, chemotherapy, radiotherapy, safer anaesthesia, ventilation, cardiac surgery and laparoscopic surgery. Fifty years ago the concept of a cardiologist being able to stent a coronary artery or replace an aortic valve without a surgical operation was unheard of. Now, daily, patients have heart arteries unblocked through catheters passed from an arm or a leg. Similarly, radiologists will unblock a renal artery without the need for surgery. The historical distinction between medicine and surgery is being challenged.

Moreover, increasing best practice in the treatment of many conditions requires a combination of surgical and medical treatment. Cancer patients will often have initial surgical treatment and the combination of radiotherapy and chemotherapy depending on various prognostic factors. In some cases medical approaches have become the first line of approach, with surgery reserved for those unsuitable for medical treatment or who fail medical therapy.

When the Criminal Code was originally written the only safe approach to terminations of pregnancy to preserve the life of a mother was surgical. In some cases this remains the best approach. But in the overwhelming majority of cases, termination of pregnancy is now undertaken using a combination of medications. This is the world standard resulting in fewer long-term complications and removing the need for anaesthesia. It makes no logical sense for the protection that section 282 offers for surgical interventions not to apply equally for drug interventions for the same procedure in the same circumstances. It makes no sense that a cardiologist, radiologist or gastrologist would not have the same defence in law available to them as a surgeon when they carry out procedures that are not usually defined as surgery but achieve a similar outcome.

Should there be a difference in law between surgical removal of a tumour, the embolisation of the tumour or the implications of radioactive pellets or local infusion of a toxic drug? It does not make sense. However, the current section 282 excuse does not explicitly state that it applies to non-surgical medical treatment—for example, prescribing or administering a drug, as well as surgical operations.

The government's amendments clarify this situation to make it clear that the same protection, under the existing law, applies to medical as well as surgical treatments. This protection for surgical and medical procedures is a general defence for proper medical practice and is not specific to terminations. As I noted at the outset, medical science has advanced since the inception of the code. There are a range of medical treatments that now provide an alternative to more traditional surgical methods. Such medical alternatives are frequently less invasive, involve fewer risks to the patient and do not necessitate an act upon the patient that could otherwise constitute a wounding or grievous assault.

Gastric and duodenal ulcers were traditionally treated surgically, but medical developments now mean that they can be effectively treated through the use of antibiotics and anti-ulcer medications. Likewise, benign prostatic hypertrophy, voluntary castration or behaviour-altering brain surgery now have medical alternatives.

Another common example of medical treatment would be modern cancer treatment, where radiation and chemotherapy are commonly used in treatment. In relation to terminations, the amendments reflect the development of medical treatment—namely, the use of drugs—which provide alternatives to traditional surgical procedures. Bearing these medical advancements in mind, there is no substantive reason to distinguish between surgical and medical actions for the purposes of the excuse. The core policy goal remains to ensure that doctors who are lawfully providing a treatment can do so in the way that is best for the patient without fear they will be prosecuted because they administered a pill rather than an operation.

Were a doctor to be presented with a patient in need of treatment, it would seem incongruous for a treating doctor to be criminally liable for treating the person with a pharmaceutical or other medical treatment but be protected from criminal liability for achieving the same result through what may be a more risky and painful surgical procedure. Doctors and others need to be certain of the legal protection they enjoy when administering appropriate medical treatment to patients. Clarification that the same legal protection applies to both forms of procedure is consistent with both good public policy and responsible medical practice.

The proposed amendments to the Criminal Code will extend the operation of the section 282 excuse to the provision of medical treatment. Section 282 applies to a person who performs in good faith and with reasonable care and skill a surgical operation upon a patient for the patient's benefit or upon an unborn child for the preservation of the mother's life. The defence will be amended by mirroring the 'performance of a surgical operation' with the concept of 'providing medical treatment' for both parts.

The bill also introduces an amendment to the Criminal Code to insert a subsection which clarifies that a person does not commit an offence under the code where that person allows a treatment to be delivered to them or who self-administers a treatment if the treatment is administered, conducted, prescribed or otherwise delivered under the protection of section 282 as amended—that is, if the treatment falls within the excuse in section 282, then the patient will be relieved of criminal responsibility. This will also apply where a person acts upon the reasonable belief that the direction of a health professional to self-administer a medical treatment is lawful. A patient, therefore, will not be charged with a criminal offence where they have followed a reasonable direction, albeit one they could not have known was unlawful. In the context of medical treatment, this provision is important because such treatments often involve a component of self-administered prescription drugs. Therefore, it is necessary to clarify that a patient does not commit an offence by self-administering a treatment in compliance with a prescription.

Section 11 of the Criminal Code already provides that a person is not criminally responsible for conduct unless the conduct constituted an offence when it occurred and at the time the person is charged with the offence. The final aspect to the amendments of note is that, in addition to the section 11 provisions already within the code, it will apply retrospectively to any proceedings already commenced. It should be noted in this context that no such proceedings exist. It was, however, important to ensure that the medical community in Queensland were given the highest possible certainty as to the implications for these amendments to ensure that business as usual in hospitals across the state was not affected.

There is little doubt that there are many that will view these amendments through the single issue of terminations of pregnancies. It would be naïve to suggest that this issue has not been a key consideration in the reform of this provision of the code. However, the proposed amendments should not be misinterpreted as doing anything to alter the current position at law of abortion within the state.

Section 282 is a general excuse at law. Whilst limb 2 of the section may make clear provision for the situations in which the operation of the excuse will intersect with procedures involving an unborn child, limb 1 has a far more general application. The current amendments are intended to clarify the excuse to ensure it allows medical practitioners and others who provide surgical and medical treatment to patients with the certainty to do their job.

I conclude by reiterating that the government's overriding policy prescription in introducing this bill into the parliament is to clarify the operation of the criminal law in Queensland. It is not to alter the current law with respect to abortion. As I noted earlier, members of parliament from either side of the House and Independent members of parliament have varying views on the substantive issue of abortion. The law in Queensland has been clear since 1986 and these amendments are intended to make sure that the law is, as far as is possible, certain for both health professionals and the public. This bill is not about altering the substantive law concerning abortion; it is about clarifying the current law in our state. I commend the bill to the House.

Debate, on motion of Mr Springborg, adjourned.

## JUVENILE JUSTICE AND OTHER ACTS AMENDMENT BILL

### JUVENILE JUSTICE (SENTENCING PRINCIPLES) AMENDMENT BILL

#### Second Reading (Cognate Debate)

Juvenile Justice and Other Acts Amendment Bill resumed from p. 1979, on motion of Ms Struthers, and the Juvenile Justice (Sentencing Principles) Amendment Bill resumed from p. 1979, on motion of Mr Springborg—

That the bills be now read a second time.

**Ms GRACE** (Brisbane Central—ALP) (7.48 pm): I rise to support the Juvenile Justice and Other Acts Amendment Bill and participate in this cognate debate. As many speakers before me have said in this House, juvenile justice is indeed a difficult issue and one that has to be addressed sensibly, bearing in mind that we are talking about children aged 10 to 16 who commit or are alleged to have committed offences.

Currently in this state the youth justice system comprises a range of prevention, detention, supervision, rehabilitation, diversion, police and court services to deal with young offenders. However—and I do not know if other members of the House saw the *Four Corners* program—recently the *Four Corners* program on juvenile detention interventions stressed that interventions must be strengthened if we are to achieve any real changes and improvements in this difficult area. It was clearly portrayed in that program that simply detaining young people without the added support is not working and we need to change the manner in which we view the detention of young people in our society. We must recognise, for example, that many of these offenders have dysfunctional families, a situation which I find hard to understand coming from a very loving Italian family. They have poor educational attainment. Some have mental health needs, drug and alcohol problems and limited access to health, legal and social services, particularly young Indigenous people who are 15 times more likely to be detained than non-Indigenous young people.

Community input is essential if we are to strike the right balance. I was very glad to have seen many submissions on the issues paper with regard to this issue and, in particular, early intervention, prevention and assistance. I commend the workers in this area who do a wonderful and dedicated job. I refute the comments made by the member for Southern Downs when he said that a lot of these programs are not working. I see them firsthand. Go and visit the Youth Emergency Services, the Brisbane Youth Service, Open Doors, CityCare, PCYC and Mission Australia in Fortitude Valley and see the work that these dedicated community based organisations do with young people. They do a marvellous job. They have turned many of these young people's lives around. Without their assistance and without their work in the community the rate of youth detention would be far worse than it currently is in this state. Any time the member for Southern Downs would like to come into the Brisbane Central electorate I will gladly show him around. He will have the ability to look at some of these organisations at work and see how they are assisting the young people at risk in our community.

I also welcome in this bill the honouring of this government's 2009 election commitments in the following areas: firstly, giving courts specific powers to place curfews on juvenile offenders. This is aimed at reducing the chance of them reoffending. The main issue in this bill is to reduce the chances of young people reoffending. We have heard speaker after speaker say that it is like a revolving door, that the same people are caught up in the system. We have to look at ways in which we can break that cycle and assist these young people out of that revolving door system.

I also welcome widening court powers in relation to naming juvenile offenders, of course, if considered in the best interests of justice to do so. The bill will broaden guidance to the courts by directing them to particular relevant matters in their determination, and I welcome this. I think that it is most definitely a step in the right direction. I also welcome increasing the minimum mandatory detention period for multiple murders from 15 years to 20 years imprisonment. I think that goes to also demonstrate that, where clearly they are serious offences that have been committed, this government is about sending a clear message that multiple murders, for example, require mandatory detention. An increase in imprisonment is also what I view as saying to society, 'These are serious matters that must be seriously addressed.'

The bill also provides stronger police powers to arrest young people who do not comply with conferencing requirements. We have seen the benefits of conferencing. Under this bill if they breach an agreement or fail to attend a drug assessment session it may be treated by the courts as a breach of a sentence order and the offenders will be duly treated according to the level of the breach.

I welcome the updated contemporary name of the Youth Justice Act 2009. I think it also demonstrates that Queensland is leading Australia in this area. I also welcome the fact that it talks about 'youth justice' and not about 'youth offenders'. This also requires a court to consider what the likely sentence will be when deciding whether to release a young person on bail. This is aimed at preventing young people being remanded in detention unnecessarily, thereby reducing remand levels.

Also in the bill there is a provision that young people should not be refused bail simply for welfare reasons and assistance should be offered where possible to these young people. This is all about ensuring that we are not remanding young people unnecessarily. Once again, I welcome the change. I think it is a definite step in the right direction as is setting a date for transfer from youth detention to adult prison. Currently some offenders remain in youth detention until they are 21 years old. I believe this matter being rectified by the amendment in the bill is very much welcome.

I also welcome—and I, too, have constituents who have spoken to me about this issue—the privacy protection for the child victim of a crime. A provision to automatically prohibit publication of information which identifies a child is definitely well accepted and very much wanted in the community. Any family whose child is the victim of a crime would definitely welcome this part of the bill.

I do not support changes, as introduced by the member for Southern Downs, to the bill which will place the Queensland government in breach of international law. In particular, I refer to Article 37 of the UN Convention on the Rights of the Child 1989. The current wording is in line with this convention, which aims to only use detention, arrest or sentence as a last resort, and this should be retained. The evidence is irrefutable. Lengthy detention is not helping young offenders. In fact, in some cases it is making the matter worse for many involved in juvenile crime. Quite clearly, as demonstrated even in the *Four Corners* program, it is not a deterrent. Evidence based responses for effectively assisting juvenile offenders include specialist programs to tackle offending behaviour by young people, engaging them in educational and diversion programs and linking them with various community programs aimed at solving the root of their problems. These are much more effective than locking them up and throwing away the keys. I welcome any steps—and the combining of those services in the one department—that would assist those young people with those programs.

I have witnessed many young people change their lives through these programs. I have also seen those who have achieved very little because they were not afforded the same opportunities and support.

The changes in this bill go a long way to improve service delivery and ensure our state has a responsible, robust youth detention system. I congratulate the minister and her staff on the work undertaken with the community to develop this bill. I think young offenders will be better off. I think young people in our society will be better off. I commend the bill to the House.

**Ms van LITSENBURG** (Redcliffe—ALP) (7.57 pm): I rise to participate in this cognate debate. The Juvenile Justice and Other Acts Amendment Bill 2009 acknowledges the complexity of issues around juvenile justice. It looks at the causes of youth offences and applies a balanced and measured approach. It encourages best practice in the management of our young offenders.

This issue is often an emotional issue in the community as many people have had their property tagged or damaged and they demand strong action. Strong action is needed, but punitive action on young offenders, especially first offenders, can cause long-term damage. If we have a leak in a water pipe or our profits do not measure up to our expectations according to our business plan we look for what went wrong. However, when young people offend there is a cry from some sectors of the community, including many of those opposite of, 'Lock them up.'

I would not want to see a 12- or 15-year-old nephew or niece of mine in detention for graffiti or less serious crimes. I doubt that many adults, parents or other relatives would. Neither would we, as adults, expect to be jailed for speeding. The minister has instituted measured and evidence based strategies that are vital if we are going to turn these young people around to become good citizens. People are our most valuable resource and we cannot afford to throw these young people on the scrap heap.

In education circles, it is common knowledge that children act out of issues that they have. If they are feeling uncertain about aspects of their lives because things have changed in some way—a sick parent, a grandparent dying or a divorce—their behaviour often changes and they may behave uncharacteristically. Of course, such a change in behaviour is not common for adults in similar circumstances. Sometimes youth offending is an extension of this—acting out of anger over something that they feel powerless about or reflecting behaviour that happens to them.

This bill consolidates the current range of prevention, rehabilitation, diversion and training programs that are aimed at getting young offenders back on track. It entrenches the current juvenile justice legislation that views detention as a last resort for young offenders. It is important to give young offenders the opportunity and the support to turn their lives around as a very high proportion of them come from disengaged families and many of them are victims of abuse. They also tend to have poor levels of educational attainment, have emotional and mental health needs, suffer from drug and alcohol abuse, are homeless and have limited access to health care, legal and social services. They have not had a fair go from the beginning and that is hardly Australian. It is important for our community to rally behind these young people and give them the support they need to give them a fair chance at a decent life within our community. Our juvenile justice system is the face of the community for these young people. Let it be a fair and compassionate face—the face we would want our own children to meet if they had been caught offending.

The strengthening of the current provisions in the Juvenile Justice Act for youth conferencing and developing agreements and conditions for young people enables each young person to have an individual plan that will help them to get back on track and change their lives. The majority of these plans are successful and most young people who come in contact with the youth justice system do not reoffend. There is also a heartening downturn in youth offending. These are indicators that the current legislation is working. The provisions of this amendment will hone the act and bring greater success for our young people.

Although the improved options for sentencing and the refining of conferencing will set young people on a positive path, the bill also contains provisions that will make serial offenders more accountable by providing stronger sentences for serial offenders. Protecting young offenders from exposure to detention while on remand is an important provision, because detention exposes those young people to repeat offenders and can provide an environment in which they can learn wrong behaviours when their offence would not warrant the punishment of detention. This is a positive equity move for young people. It allows for alternative provisions to be made for homeless young people who may have been placed in detention while on remand for their own safety. This bill also includes a provision to protect the identity of young victims, which is important in terms of allowing the victims of crime to move on after the event.

I would like to commend the Premier for her strong stance on juvenile justice. I also commend the minister for her measured and balanced response, which looks at best practice when considering the long-term welfare of our young offenders. Who knows what they will become if they get back on track? Some of them may sit in this House at some time in the future. I support the Juvenile and Other Acts Amendment Bill 2009.

**Mr BLEIJIE** (Kawana—LNP) (8.04 pm): I rise to speak in support of and add my contribution to this cognate debate of the Juvenile Justice and Other Acts Amendment Bill, which was moved by the government, and the Juvenile Justice (Sentencing Principles) Amendment Bill, which was moved by the opposition. I would like to preface my address by congratulating the Deputy Leader of the Opposition and shadow Attorney-General on recognising the increasing societal problem we are experiencing and for showing leadership in this parliament in recent months on juvenile justice issues. The fact that we are debating both bills together would also indicate that the government recognises the leadership shown on this issue by the Deputy Leader of the Opposition. It is a shame, though, that it is not supporting the bill.

While debating juvenile justice and juvenile detention, one cannot help looking back at the record over the past 11 years of Labor governments in this state. Under Labor we have seen a breakdown in young offenders being held accountable for their crimes. Over the past 11 years we have seen the real levels of violent crime rise, and detention seems to remain a last-resort punishment for offending youth. That is a record that no-one can be proud of and I am glad to see that the government is finally taking some of these issues seriously.

The Juvenile Justice and Other Acts Amendment Bill will amend the Juvenile Justice Act 1992, the Aboriginal and Torres Strait Islander Communities (Justice, Land and Other Matters) Act 1984, the Child Protection Act 1999 and the Young Offenders (Interstate Transfer) Act 1987. This bill came about as a result of a review of the Juvenile Justice Act 1992—a review which was long overdue. The review commenced on 31 May 2007 to provide a best-practice youth justice system with the capacity to respond to current demand and challenges. The review was launched with the release of an issues paper in 2007 by the then minister for communities, disability services, Aboriginal and Torres Strait Islander partnerships, seniors and youth. Public consultation was sought on the issues paper. It is notable that, out of 174 submissions, 53—that is almost one-third of those submissions—were made by young people.

This Juvenile Justice and Other Acts Amendment Bill will grant courts specific powers to place curfews on juvenile offenders; it will expand the existing court powers in relation to the meaning of 'juvenile offenders'; it will increase the minimum mandatory detention period for young people convicted of multiple murders; and it will provide our Police Service with stronger powers to arrest and take to court those young people who do not comply with youth justice conferencing requirements, or contravene an agreement or fail to attend a drug assessment session.

This Juvenile Justice and Other Acts Amendment Bill will also require the courts to consider setting a date for the transfer of offenders from youth detention to adult prison at the time of sentencing when young offenders are detained beyond the age of 18. It will prohibit the publication of information that identifies a child victim. It will amend the name of the Juvenile Justice Act 1992 to the Youth Justice Act 1992, in line with legislation in other states. It will also make a minor amendment to improve the workability of the relevant acts. This government amendment seeks to contribute to reducing remand levels by requiring courts to consider the likely sentence when making any bail decisions and clarifying that if a young person is remanded in detention because of a threat or harm to their safety then that threat must arise from the circumstances of the alleged offence itself.

While I recognise the work by and the intent of the Minister for Community Services and Housing and Minister for Women and her department in seeking to bring about reform in this area of youth justice, I must note in this House that this bill does not make any groundbreaking changes but is more of a finetuning—or rather a service—of existing legislation. When we look at our justice system, we need to decipher the actual purpose of the definition. Are we trying to discourage our youth from recommitting crimes in the future? Or does the slap-on-the-wrist approach actually assist in helping rehabilitate the offender so that they will not end up a career criminal? One can only refer again to the past 11 years of Labor governments in this state and see how the soft approach has adversely affected our society.

It is time to stop making excuses for violent young offenders. Certainly, we should not lock up every juvenile offender who is found guilty of committing a crime. But we need to allow the courts and the judges the discretion to punish offenders for those crimes of a serious nature rather than use detention as a last-resort deterrent. By then it is almost too late.

We need a youth justice system that is tough but fair. We need to ensure that the community feels safe but also gives young offenders the ability to rehabilitate. We need to stop making excuse after excuse for the offenders and start to look at what we can do to assist the victims. We need to have a system that recognises personal hardship and is empathetic, but that should only be for the extreme cases.

I applaud the government and the Minister for Community Services for the introduction of the government legislation and enacting several legislative reforms that toughen up our justice system. However, we need not only a system that deters our youth from committing crime but also we need to look at what we can do as a society to prevent these crimes from occurring and prevent our youth from being troubled in the first instance.

Research has shown that many young offenders have themselves been victims of childhood abuse and neglect. As a community we need to break this cycle and improve how we can identify and protect all our children, especially those children who are at risk of abuse and harm. We need to look at prevention of offences by our youth, and in turn by our adults, by breaking the cycle of victimisation, violence and neglect.

On the broader issue, as a society we need to look at what we can do to educate our youth that while people in our society have certain rights, with these rights come responsibilities. I believe that this starts within our education system. If the parents are not going to teach their children any sort of responsibility it is going to be up to our teachers. I know that teachers have a hard enough job as it is, but this can easily be done by ensuring that behaviour management policies within schools send the message that if a student does the wrong thing there will be consequences. The problem—and I am certainly empathetic for teachers and principals—is that students in our schools, particularly high schools, are far too often getting away with irresponsible acts. That crucial high school age from 13 to 17 is a time when our children go through adolescence. They enter the high school as a child and finish upon the verge of adulthood. These five years of schooling are crucial, particularly in terms of developing those in our future society.

**Mr Hoolihan** interjected.

**Mr BLEIJIE:** You do not think the five years are crucial? This will ensure that young people get the message that it is not all right to vandalise property, it is not all right to assault another person and it is not all right to steal someone's car. By the time it gets to the extent that the police have to deal with these people, often it is too late. I use this opportunity to ask the honourable Minister for Education and Training to follow on from this legislative reform from the Minister for Community Services and look at how we can be proactive in our schools when dealing with those students who constantly do the wrong thing and disobey the teachers and principals.

We need to instigate a front-end investment in our children. This government needs to resource early intervention and prevention strategies to help Queensland families and young people in order to break this cycle. We need to do this at an early stage and well before any offending event occurs in the first place. Our children and youth should not have to enter the juvenile justice system before our community and we as legislators deal with these issues. As legislators we need to be seen as contemporary and be dealing with issues by reforming previous legislation. This legislation responds to the need for greater community protection and also recognises the victims of young offenders.

The level of juvenile crime continues to rise and Queensland's youth detention centres are overcrowded and our children's courts are overwhelmed with cases. Something needs to be done to bring about reform. We need to stop this revolving door cycle and implement intensive prevention and intervention strategies and provide strong rehabilitation and reform programs. Only then can we start to see a reduction in the level of crime that is being committed by our youth.

I add my support to the amendments proposed by the shadow minister for community services and housing and minister for women, the member for Burdekin, en bloc. I will, however, speak to one of the amendments that seeks to limit the number of times a young offender may be dealt with under the act by way of caution to three. This will obviously strengthen the use of a police caution as well as make

it effective as a warning system—a 'three strikes and you're out' policy, if you like. However, in this case three strikes means that a conviction will be recorded. I believe this is extremely important, as anyone who disciplines a child knows that shallow threats are harmless and indeed pointless. We need a system that does allow for some warning and leniency but is also limited to a three-caution policy. That way the offender knows what the exact consequences are if they are caught committing and recommitting a crime. There is no grey matter in the middle. The act should be black and white. I think the amendment will help achieve this. I also believe that it is important as a path of consequences, if you like. Recommitting offenders would know exactly where they are in terms of punishment. This not only reinforces that what they are doing is wrong but also puts in place a level of tolerance that simply says if they are going to continue to re-offend and subsequently be caught then they will be punished by the laws which govern our society. I believe that it is tough but it is also fair.

A number of constituents, particularly senior constituents, have issues with how young offenders seemingly continue to get away with what may be considered petty crime in the grand scheme of the Criminal Code but which nonetheless significantly affects our community. We have to get terms like 'joyriding' out of the general community vernacular. The term 'joyriding' sounds fun and to the layperson hearing or reading the term out of context, who would not want to have a joyride! What should be reported and, if you like, sensationalised, is the fact that joyriding refers to one's motor vehicle being carjacked or stolen with the offenders driving around in the stolen property as if they do not have a care in the world. It does nothing except seemingly condone the act and show utter disrespect and disregard to the innocent victim who actually had their vehicle stolen. I understand the media has its own spin on things, but the general lack of respect often shown to the victims of crime and the heroic status given to the prankster attitude amongst our youth is appalling.

The Juvenile Justice (Sentencing Principles) Amendment Bill moved by the Deputy Leader of the Opposition will toughen up the penalties for juvenile offenders committing very serious crimes such as rape. Figures released recently by the government on juvenile sentencing indicate that in the 2007-08 period 26 juveniles were convicted of rape. Out of those 26, 17 escaped jail time. In the 2006-07 period, 14 juveniles were convicted of rape and 11 did not go to jail. In 2005-06, 23 juveniles were convicted of rape and 18 out of the 23 escaped jail. Those figures indicate Labor's soft stance on crime and sentencing: 73 per cent of those juvenile offenders convicted of rape escaped jail time. What message is this sending to not only the offenders but also the victims of these heinous crimes?

Labor's soft stance on crime is nothing that is new. In the mid-1990s we had the ridiculous laws under the Goss government that required adult offenders be sentenced as a last resort. Thankfully this was corrected under the Borbidge government which ensured serious violent offenders went to prison. This soft stance on crime is what we have come to expect from concurrent Labor governments in this state. I hate to say it but, as I remind the House every time I speak, soft crime is in Labor's DNA. This Labor government has failed in sending the message to juvenile offenders that it is not all right to commit crime, it is not all right to steal, it is not all right to sexually abuse women and it is not all right to vandalise property. The statistics speak for themselves. Almost 20 per cent of all sexual offences are committed by children and over 30 per cent of all robberies are committed by children. Enough is enough.

**Government members** interjected.

**Mr BLEIJIE:** We as a society need to stop making excuses. Here we go. I am basically being told to hush up when I am stating that as a society we have to stop making excuses for offenders. The Labor Party on the other side have the hide, when I stand up as a member in this parliament to say enough is enough about offenders continually getting let off the hook, to say that the member for Kawana should shush. Shame! We must deter juvenile offenders from committing these crimes in the first place.

Earlier today I heard the member for Waterford make comment along the lines that the Labor Party or the Bligh government is tough on crime. Then we had the member for Chatsworth next to him grinning and nodding his head in agreement. That is a load of guff. The Labor Party is not tough on crime. It is not tough on juvenile crime. That is anything but the truth. When the member for Everton was speaking and I interjected he said that members of the opposition, including the Deputy Leader of the Opposition and specifically the member for Kawana, think all youth are criminals. What a load of rubbish! I never said that. The interjection never said that. In fact, the Deputy Leader of the Opposition stood in this place this afternoon and said that the majority of young people are not responsible for these offences. We are talking about a minority. Once again, I recognise the work done on this issue by the Deputy Leader of the Opposition and commend both amendment bills to the House.

**Mr DOWLING** (Redlands—LNP) (8.19 pm): Tonight I stand to talk in support of and at the same time raise some questions about the bill. We are debating the Juvenile Justice and Other Acts Amendment Bill 2009 and the Juvenile Justice (Sentencing Principles) Amendment Bill 2009 as cognate bills. I begin by echoing the minister who, in her second reading speech, stated that Queenslanders expect the government to provide a strong and effective youth justice system. To that I would say, 'Hear, hear!' We would all welcome that. Sadly, it has not been seen to be done and certainly my community is not optimistic that it will be achieved through the passage of this bill.

I am concerned about the process by which a juvenile can be named. That process is designed to reflect a level of scrutiny that sets out to protect the offender and the offender's family or to ensure the privacy of victims who need to be protected. In some cases this will have the desired result. The embarrassment and shame caused may correct the behaviour. However, it is yet to be proven that it has any real value as a deterrent, and this is where the bill lacks any worth. I sought advice and comment from people who I felt would be able to add value to the bill. I met with social workers and others involved in juvenile justice and youth issues, those directly involved in corrections, law enforcement officers and agencies. Their concerns focused on proactive support networks. Again, I almost hear myself echoing comments made during the debate on the corrective services legislation that this is about the front end rather than the back end.

As many of the children who will be affected by this legislation come from dysfunctional families or are part of a broken home life, there needs to be an emphasis on family and behavioural counselling. We need prevention actions. We need to disarm the young offenders. We need to stop the weapons culture that seems to be rife. Kids roam the streets in a gang culture and take over our streets for brief but increasing intervals. Quite often when coming home late at night—and I am sure other honourable members experience the same thing—as I drive through the streets I see large groups of young people, ranging in age from eight to 16.

**Mr Finn:** It doesn't happen in my area.

**Mr DOWLING:** Maybe there are more police in the member's part of town. Sometimes those groups consist of 50 or more young people. That begs the question: where are the parents of those kids? Do they know where they are? In some cases, are they actually safer on the streets than they are at home? Sadly, some may be safer on the streets. This is happening in every single suburb.

**An honourable member** interjected.

**Mr DOWLING:** I take the interjection. One does not have to go too far from this building to find it on any given day of the week. This pack mentality actually seems to fuel incidents of bravado and one-upmanship. How can we break that cycle? Residents of my electorate need the cycle to be broken at the start rather than at the end. They are concerned about the stories that come straight from the headlines and the lead stories in the media. While in most cases the incidents of youth violence are removed from the Redlands, they are still beamed into our homes daily. Many live in fear. They know only too well how the community has deteriorated from the days they remember because of the soft sentencing and cotton wooling of offenders by Labor rather than preventing and/or punishing offenders.

In reading the bill I was trying to find how this legislation would have prevented the recent home invasion and bludgeoning to death of an elderly resident in my area, but nothing in the bill would have changed that outcome. I was looking for something in the bill that would have saved Matthew Stanley from being beaten to death as he was leaving a party one Saturday night, but nothing in this bill would have changed that outcome. Nothing goes to the heart of those issues. That crime was compounded by the fact that the offender was sentenced to five years but released after only 2½ years and, until recently, was living happily in the same suburb. My residents are concerned that the police are underresourced, that the process of charging offenders is laborious and that it takes officers off the road for far too long if any punishment is measured out at all.

In my opinion, naming and shaming is a high-risk strategy. Naming offenders has the potential to become a badge of honour among a youth culture. It could almost become a bragging right and a tag of honour. This is something we will not know until it is too late. Based on the evidence of YouTube, SMSing, video phones, Facebook and similar technology, naming will not be a deterrent. It will provide a very public, high-profile, in-your-face way to brag about exploits. For that reason, I caution all honourable members about the naming and shaming provisions.

Many of my residents have raised the issue of curfews. While it sounds good in theory, how will it function in reality? How can the police possibly manage this process, especially when they are already overwhelmed by paperwork and processes? I note from the briefing that this will not cost any more. How can all of those extra programs, hurdles and implementations come at no cost? Clearly the police cannot manage the curfews.

What message is sent by increasing mandatory sentencing from 15 to 20 years? I believe it sends a media message. Does it send a message that things are different? No. I believe it is a press grab or a headline: 'Labor tough on juvenile crime'. In a most Australian way, I quote from *The Castle*: 'Tell them they're dreaming.' Labor is looking like it is doing something, but it is doing something at the wrong end of the process. It is doing something not when things begin but when it is too late. When we have victims and people suffering in the community, we try to pick up the broken pieces. This government is big on studying, calling for reports, looking into issues and consulting but rarely delivers. Things have changed for the worse, and it is under the soft-sentencing regime that is Labor.

Some current programs attack the source or the root cause of the problem. Sentencing and detention should be a last resort and not the only tool. We need to be ahead of the game. Parents need to be responsible for parenting. We share that role with schools. Again, we need to address the issue

up-front. We need to make the streets safe again. The community is outraged by police bashings. It is further outraged by soft sentencing and the revolving door process that the system is creating. The community is outraged that kids roam the streets at night and that apparently nothing can be done about it. The community is outraged that we foster the idea of knowing our rights but not our responsibilities, that the system protects the perpetrator rather than the victim and that we pay lip-service to the community when we address law and order. It is always reactive and not proactive.

We need to protect juveniles from slipping through the cracks. Again I refer to the minister's second reading speech in which she stated—

I would like to put on the public record my absolute commitment to tackling the issues associated with youth crime, including strengthening processes to ensure young people found guilty of offences can be dealt with effectively. I am also equally committed to supporting the victims of crime and the provisions of intervention, diversionary and support services to prevent and reduce youth crime.

I see nothing in this bill that would have changed the outcome in the murder of Matthew Stanley and the sentencing in that case. That struck very close to home and polarised all Queenslanders who heard about it. She continued—

Honourable members, youth crime trends for our state have improved over the past seven years, with the number of offences per 100 young people dropping from 9.3 in 2001 to 8.2 in 2008. This drop can be attributed largely to the efforts of many people, youth services and police who have been determined to tackle the causes of youth crime.

Can I suggest that there is actually a mood out in the community that people are sick of phoning the police because they cannot or will not respond because they are underresourced and that when they are called—

**Mr Hoolihan:** Rubbish!

**Mr DOWLING:** This is the attitude of the community and I am echoing their sentiments. They have lost faith in the system. They have lost faith in the ability of the police to do their job. They have not lost faith in the Police Service or the men and women who are the thin blue line. While we call them the 'thin blue line', I suggest that the police are under that much pressure that the line is barely visible at all.

I also bring to the attention of members that the amendments in this bill 'can be made without additional resourcing'. Therein lies the complete joke in this strategy. Youth violence is a personal issue for me and others. I have heard many members on both sides of the House who have children voice their concerns. Some have teenagers; some have children entering their teens. I have a teenage son and I worry, not because of what he might do but because of what others might do to him in a society that seems not to pick up the pieces ahead of the game. Early intervention is critical.

I have heard a number of speakers in this House raise the chaplaincy issue, and I concur with that regardless of which side is putting it forward. Chaplaincy needs to be put into our school network. I cannot speak highly enough of the school chaplaincy program. I do remind members of the House that the Howard government was the first government to introduce it into the state system some years ago and I would love to see that continued. We need to get back to the values. We need to have respect in the community and we need to have responsibility. The community also needs to have the right to feel safe. With that, I will be supporting the bills but with reservations.

**Mrs CUNNINGHAM** (Gladstone—Ind) (8.31 pm): I rise to speak to the Juvenile Justice and Other Acts Amendment Bill and also to the Juvenile Justice (Sentencing Principles) Amendment Bill 2009. This is the first time that I can remember when a private member's bill and a government minister's bill have been cognately debated. It is a very mature approach, whether we agree with them both or not. I thank the minister's office for the briefing on this bill. It was certainly very informative and well structured.

There are a lot of good things in this legislation in relation to young people. On coming to Brisbane yesterday I saw the face of what we are debating, in part at least. As I walked into the airport terminal, there were two young people—they looked about 18 or 19; I am not good at guessing ages—sitting in the foyer of the airport, supervised by a couple of police officers and another person in attendance. They were obviously in some form of custody and being transported to some other venue. One was a young woman and one was a young man, and they both looked quite dejected. Thinking about the potential loss of their futures was saddening to say the least. As I think other speakers have said, the majority of people who do the wrong thing only do it once. If they are young people, they make a foolish decision and act upon it. Had they taken a moment to think about the consequences, they probably would not have done it.

One young bloke—and this is going back a lot of years now—with a couple of mates pinched all the hub caps off a lot of vehicles. This was before mags came all in one piece. The young man lost his apprenticeship and that changed the direction of his life forever. What do you do with 20 hub caps? Nothing. But it seemed like a good idea at the time. That was a single offence. There were no follow-up offences. Thankfully, the juvenile justice system deals with people in such a way when their offence is just a one-off. But in this legislation we are dealing in a lot of instances with the minority of offenders who are repeat offenders.

At this point in time I would like to place on the record my appreciation for the community corrections in my electorate. They are predominantly young men and women. They do a brilliant job. When you talk to them you know that they have their heads screwed on. They are very measured in the way that they manage their client base. They can almost pick, by their behaviour and by their response to their community service orders et cetera, the ones who will end up having to go back and fulfil perhaps custodial sentences. But for those who want to improve and do not want to return to the justice system they will do everything they can to help them progress to a better future. I place on the record my appreciation to anyone who works in that system because it can be very, very difficult but I am sure in many ways very, very rewarding.

This bill will give the court powers to place curfews on juveniles in relation to bail, probation, intensive supervision orders and conditional release orders. I think that is welcomed. For some young people it will reinforce at least the notion of restricted freedom and that if they do not do the right thing that restriction will be a permanent restriction on their freedom. It will also remove the temptation, I think, for some of them who offend at night to be out and be tempted. I welcome that.

The bill widens the powers for courts in relation to naming juveniles. It sets out the parameters to be considered by the court in relation to that naming. If there is an issue that is raised with me by members of the community it is that they feel aggrieved by the fact that many juvenile offenders are not named. They feel that they should be. They feel that they should not be protected by anonymity, particularly repeat offenders. However, this bill does set out the concerns that the court must give consideration to in allowing publication of identifying information. The court must consider the need to protect the community; the safety or wellbeing of a person other than the child; the impact of publication on the child's rehabilitation; and any other relevant matter. It is an accumulative consideration; it is 'and', 'and', 'and', not 'or'. There is a very clear process for the court to consider.

The minimum detention period for young people convicted and sentenced to life for multiple murders will be increased from 15 years to 20 years. That is in line with the minimum for adults. I think for such a serious crime the community would welcome that in terms of the minimum detention period.

Police will also be given stronger powers to arrest young people who do not comply with youth justice conferencing requirements or who contravene an agreement or who fail to attend a drug assessment session. I again believe that the community will welcome that, because these particular individuals have been given an opportunity to bypass a custodial sentence and if they throw that opportunity away then they also need to understand the consequences.

The courts will be required to consider the likely sentence when deciding whether or not to release a young person on bail. The briefing advised that it does not prevent a court from refusing bail but it certainly gives the courts cause to pause and think about the potential sentence at the end of the process.

Young people can be refused bail currently if there is a threat to their own safety. I think it is very interesting that this bill proposes to change that to clarify that they can only be held in custody when the threat is related to the offence—that is, the person who is accused of a crime might be harmed by somebody who is involved also in the execution of the crime. They cannot be placed in detention to protect them from, say, child protection related matters. What that does is place a responsibility on child protection officers to ensure there is a good, clear conversation with the court system and also resources available to departmental officers to ensure that child is protected in terms of DOCS type issues, and that will be a resource requirement on the minister's department. I think it has always been easier in those circumstances to place the child in custody because that would ensure their protection from whatever the risk might be. Certainly this change will require greater cooperation between the department of child safety and the court process.

This bill also introduces a requirement to not publicise any information that identifies a child victim of a crime irrespective of what that crime is. There has been increasing protection for children who have been the victim of sexual offences, and this bill proposes to introduce protection for all offences. Whether it is a child victim or an adult victim, I believe they deserve protection. They do not need to be traumatised over and over again, irrespective of the basis of the crime. This strengthens the protection for child victims of all crimes, and I certainly welcome that.

The briefing that we received outlined a number of things. The bill also introduces what was regarded as minor amendments to allow victims at a conference to invite more than one support person, and again I welcome that. I think individuals are supported in different ways by different people. If a victim is particularly traumatised, he or she may need additional people to give them support, and I certainly welcome that measure.

Section 166 of the bill will amend the act to clarify that, when a court decides to take no action, this is not recorded as a criminal history. At the time of the briefing I expressed concern, because I believe the community would like to see that, if an offender is a repeat offender, the courts have some way of knowing that this particular person has a history of offending. The minister perhaps would be able to clarify how the court, in hearing a case of an offender who has prior criminal activity but who, on the basis of section 166, does not have convictions recorded, will know of that previous activity and

perhaps take that into account when deciding sentencing. Certainly the community does not want to see repeat offenders constantly avoiding a custodial sentence or appropriate sentencing, whether that is diversionary activities or whether it is ATODS. The community wants to see that a person's true activity is available to the court if there is subsequent illegal activity.

I also welcome the changes to community service orders. If a young person is subject to multiple community service orders, the orders will be cumulative. That will again reinforce to a young person the seriousness of their offending. I am firmly of the belief that the vast majority of young people do not reoffend. As I said earlier in my contribution, what we hear about mostly is a smaller percentage of younger people who reoffend. It is always a disappointment to me that even in the regional media if there are 20 good stories about how young people take leadership roles in schools, how they walk and raise funds for charities, they will hardly get a mention in the paper, but if one kid graffiti's or vandalises something it is on the front page and on page 3 for about a week. We have that out of balance. We build this impression that young people are predominantly bad where the majority are not; they are really good kids. If those who offend are made to understand the seriousness of their offending, I believe for the vast majority it will be once and once only.

A number of other amendments were proposed in the bill. As I said, it is not an easy area. It is a difficult area to balance community expectations with appropriate judicial process. I certainly think there are many in the community who feel that young people who are repeat offenders use the system. They know the system. They are able to use it, and they would like to see those young people made accountable for their actions.

The other bill that we are debating is the Juvenile Justice (Sentencing Principles) Amendment Bill. I intend to support this amendment, too, not because I want to see children thrown into detention as first offenders on minor matters, but because I believe it reflects what my community expects. In the second reading speech the member for Southern Downs stated—

This bill will reintroduce an amendment to the Juvenile Justice Act that will remove the reference to 'detention as a last resort' and replace it with 'detention where appropriate and for a length of time that is justified in the circumstances'.

I believe that that reflects overwhelmingly the view of people in my community. It has been expressed through the media, it has been expressed to me and in letters to the editor et cetera the frustration that is felt in the community with repeat offenders, in particular, never seeing the inside of a detention centre of any description and therefore failing to understand the seriousness of their actions or the implications of their actions into the future.

Other members have cited statistics. The member for Southern Downs stated—

Not one of the 35 juveniles convicted of producing or supplying dangerous drugs went to detention in 2007-08, and 114 of the 147 convicted violent robbers also escaped detention in 2007-08.

I do not believe that result reflects community expectations at all. I believe that the community wants to see people, particularly repeat offenders who engage in violent criminal behaviour, destructive criminal behaviour, get appropriate sentencing.

As I said, I do not believe it is an easy area to administer. I commend the minister for the changes that she proposes in the Juvenile Justice and Other Acts Amendment Bill. Again, I re-emphasise that the majority of our young people are young people who will lead us into the future and they will do it extremely well. For those who choose a life that is unacceptable, or who are led into a life that is unacceptable, we need ways to rehabilitate and redirect them into being constructive contributors to our community.

**Ms CROFT** (Broadwater—ALP) (8.48 pm): This bill is being considered as a cognate debate that includes consideration of the opposition's Juvenile Justice (Sentencing Principles) Amendment Bill 2009. I rise to speak in support of the Juvenile Justice and Other Acts Amendment Bill and oppose the opposition's proposed amendments that propose to remove the juvenile justice principle No. 17 that 'a child should be detained in custody for an offence, whether on arrest or sentence, only as a last resort and for the least time that is justified in the circumstances'. The opposition proposes that a child should be detained where appropriate and for a time that is justified in the circumstances to meet the intent of its bill to increase the rate and length of detention. I understand that this is the opposition's answer to reducing violence.

This proposal by the opposition, I understand, would be in direct conflict with the established standards of the United Nations Convention on the Rights of the Child 1989 that the use of detention would be used as a last resort. To accept the opposition's amendments today would put the Queensland government in breach of international law. It concerns me greatly that the opposition would even consider proposing such an amendment.

I feel that the opposition is stuck in the Dark Ages and is out of touch with the current evidence that demonstrates that detention is an ineffective deterrent to juvenile offending. I understand that recent UK research has reported that 88 per cent of young people reoffend within two years of release from custody. In fact, numerous studies demonstrate that young people who are placed in detention are more likely to reoffend upon release than those who receive community based sentences.

Research conducted by the Victorian government has found reoffending rates among young people following community orders appear to be lower than the very high reoffending rates following incarceration. The belief that a short period of remand in custody acts as a short sharp shock—and this is clearly what the opposition thinks—detering offenders from further offending has also been disproved. A British study found that this can lead to significant increases in subsequent offending. The study showed that 64.3 per cent of young people held in custody on remand reoffended compared to 36.6 per cent of young people placed at home on remand.

The assumption that harsher penalties will act as a warning to the public, deterring current and potential offenders from committing offences, is also contradicted by research evidence. For example, in the three years following the introduction of mandatory detention for juveniles in the Darwin region unlawful entry offences rose by 48 per cent. Research evidence routinely demonstrates that the increased use of detention does not lead to a reduction in criminal behaviour. Furthermore, it is likely that the increased use of incarceration will result in an increase in recidivism.

During the last election campaign I ran into a gentleman who had actually done his time in jail. He was talking to me at one of my street stalls. He said that he had been in and out of jail since he was a young boy. By going to jail and not getting the required support it really only contributed to his ongoing activities. The people that he associated with contributed greatly to his lifelong entry and re-entry into jail and the activities that he participated in.

Evidence also shows that punishment alone does not help stop offending. Rehabilitative measures aimed at addressing the factors that are contributing to young people's offending are more effective in reducing the risk of reoffending. It is therefore necessary for courts to have a range of sentencing options which can be employed according to the seriousness of the offending—from diversion through cautioning to conferencing, to relatively minor offending for which a reprimand or a good behaviour order may be appropriate through to detention for more serious offences. As it currently stands, the youth justice system allows serious penalties to be imposed for serious offences. The Juvenile Justice and Other Acts Amendment Bill 2009 builds on existing provisions which show the government is tough on youth crime.

The act currently provides specific ways of dealing with young offenders found guilty of serious offences compared to other offences. These include harsher penalties—for example, increased periods of detention up to seven years for serious non-life offences and up to life for serious life offences involving violence and increased periods of probation of up to three years. For a particularly serious offence the court can also order that a young offender be publicly named.

The act currently provides mechanisms for the review of all young offender sentences. The Attorney-General also has the right to appeal sentences that are considered inadequate. In the recent Aurukun case an appeal lodged by the Attorney-General resulted in the court's decision being overturned and harsher sentences being imposed. This demonstrates that avenues are in place to provide an effective means of responding to expectations about appropriate sentencing for young offenders and upholding community faith in the youth justice system.

The Bligh government's bill includes a number of mechanisms to further strengthen these provisions. For example, the minimum non-parole period for young persons convicted for multiple murderers will be increased from 15 years to 20 years. Young people who do not comply with conferencing agreements or who fail to attend a drug assessment and education sessions will be able to be arrested if they fail to return to court. Courts will be able to impose curfews on young people as a condition of bail or community supervision. Failure to comply with conditions such as curfews can see the young person return to court and remanded in custody for breach of a bail condition or be resentenced or have the order extended for a community based order.

The court's power to name a young person will be widened by providing that the court can order publication of it if it is in the interests of justice to do so having regard to the need to protect the community, the safety of a person other than a child and the impact of publication on the child's rehabilitation or other relevant matters.

To maximise the effectiveness of court ordered penalties a range of evidence based strategies are available to help young people address their offending behaviour. These strategies include sex offender treatment, anger management, behaviour modification programs, treatment for drug and alcohol problems, life skill development initiatives, cultural identity development, family and parenting skill linkages and education and vocational training. It is these evidence based responses that support the legislation to ensure that Queensland's youth justice system strikes a balance between responding to youth crime, protecting community safety, meeting victims' needs and reducing offending by young people.

I wanted to comment on the wonderful work that the Department of Communities does in relation to these matters. The Department of Communities applies these measures of addressing offenders through a systematic case assessment and planning approach when supervising young people on youth justice orders. This includes referrals to programs that challenge antisocial attitudes and encourage positive life approaches such as employment and training.

The Department of Communities also funds services to address some of these more serious matters, including youth homelessness and disengagement from education, support of young people who have offended to address their offending behaviour, support of vulnerable young people and their families and providing young people with participation and leadership and development opportunities.

I will comment on the minister's commitment and this government's commitment to this issue. The government has recently committed \$28.3 million to target persistent issues such as domestic violence, juvenile crime and literacy and numeracy levels in low socioeconomic areas. These initiatives are also targeted to meet the needs of Indigenous families and young people.

I believe all we have heard tonight is the opposition's tired old war cry that the government is soft on crime. That is plainly wrong. It demonstrates its lack of understanding of these complex issues. I congratulate the minister and her department on the amendments and on the bill before the House tonight. I commend the bill to the House.

**Ms FARMER** (Bulimba—ALP) (8.58 pm): I rise to speak in support of the Juvenile Justice and Other Acts Amendment Bill and the opportunity it presents to deliver a more efficient and effective youth justice service. Youth justice is an important and complex area. As such, our role as legislators is a complicated and multifaceted one. We must ensure that our laws meet community expectations, including those of the victims, and at the same time promote community safety.

However, our laws should also contribute to positive outcomes for the young people who come into contact with the youth justice system. As societies have developed responses to the challenges of juvenile justice, globally accepted rights for the treatment of young offenders have been developed and agreed upon and become important articles of international law. Global safeguards like the United Nations Convention on the Rights of the Child 1989 continue to reflect the local community's position on juvenile justice.

When speaking with community stakeholders in the Bulimba electorate about the juvenile justice system in Queensland, the most commonly expressed view was that our legislation needs to reflect the fact that the methods that we use to administer justice to young offenders have potential long-term effects on the lives of the offenders and the community.

Today this House is also giving consideration to the Juvenile Justice (Sentencing Principles) Amendment Bill 2009, the work of members opposite. In the bill presented by Mr Springborg we see reflected the keenness of the LNP to punish rather than rehabilitate juvenile offenders. The main purpose of Mr Springborg's bill seems to be to remould our current system and deliver Queenslanders a system based on detention rather than justice. Mr Springborg's bill would put the Queensland government in breach of international law, in particular the United Nations Convention on the Rights of the Child 1989. One of the key articles of the convention is the use of detention as a last resort. It would also place Queensland out of step with most other Australian jurisdictions. Surely the goal of legislation on this matter is to provide a fair and balanced response to young people in contact with the juvenile justice system. This response holds young people accountable for their actions, encourages their reintegration into the community and promotes community safety.

The Juvenile Justice and Other Acts Amendment Bill submitted by Minister Struthers contains amendments that seek to refine our juvenile justice system whilst protecting the rights of the children in the system. One such amendment will address youth justice conferencing, an integral part of the youth justice system and a topic that was the focus of considerable comment from community engagement.

Someone close to me experienced difficulties as a teenager. She was mixed up and unhappy, as many teenagers can be in that confusing time as they move towards adulthood. If she had made a mistake, as she was so close to doing, then under the punitive approach proposed by the opposition she may have ended up in detention. That would have been the end of her. It would have changed her life forever—and not for the better—without giving her a chance to choose to turn her life around.

This is one of the reasons I am so supportive of youth conferencing. It is a process that brings together the young person and victim to discuss the crime and its impacts and to help agree how that young person should be held accountable. Youth conferencing, which would be bypassed in favour of blanket detention under an LNP administration, is providing valuable outcomes for our communities. Feedback from 9,000 participant forms shows that victim satisfaction with this process is 98 per cent. Police satisfaction is also 98 per cent. The figures show that police and the courts have confidence in this program, with referrals for conferencing increasing by 14.9 per cent from 2007-08.

In discussions with members of the legal community in Bulimba, I found that many voiced strong opinions on juvenile justice. Specifically, many argued that measures like youth justice conferencing should be employed more frequently to resolve these matters to the satisfaction of all involved parties without forcing young offenders into the criminal justice system. The position of the community gives me a clear choice between which piece of legislation I should support in order to make our juvenile justice system more effective. On one hand we have a bill with amendments aimed at increasing the rate and length of detention of young people and on the other we have a bill that is embracing and refining a restorative approach to youth justice. This is one of the reasons why I strongly support Minister Struthers's bill.

Youth justice conferencing can act as a diversionary option when imposed by police as a pre-court sentence. The use of such an approach could reduce recidivism in young offenders, reduce remand levels and result in positive outcomes for the local community. Of the 174 submissions to the review of the Juvenile Justice Act 1992, respondents in 82 submissions suggested changes in legislation or policy to improve conferencing. I note that this bill, acting in line with submissions from respondents, seeks to legislate to improve youth justice conferencing.

Consideration has been given to ensure that the victims who engage in this process are empowered and properly supported. However, it is important to note that the government's bill is not about going soft on juvenile crime. The minister's bill also makes some important amendments that include provisions that will give police stronger powers to arrest young people who do not comply with youth justice conferencing requirements and to take them to court. Furthermore, the bill will enable a warrant for arrest to be issued for children who fail to appear at court following an unsuccessful conference. The amendment will also make it clear that a breach of an agreement made in a conference and which has subsequently been included in a sentence order by a court will be treated like a breach of a sentence order. Such amendments will allow the youth conferencing system to work in a fairer and more efficient way and will allow the system to better represent the community's expectation of appropriate and fair-minded outcomes for all involved in the juvenile justice system.

The minister's bill, unlike the single-minded alternative offered by those opposite, makes additional amendments to facilitate a more effective operation of the youth justice system, specifically with respect to the operations of the Department of Communities. These include that the Department of Communities is notified of applications for appeals or reviews and stays of proceedings or suspensions of orders so that it can action a stay or suspension promptly. For example, if a stay or suspension for a community service order is not actioned promptly, any time the child inadvertently serves during that stay or suspension is unable to be credited if the order is reinstated. Currently, the department is not notified of stays or suspensions unless it is by legal counsel. It also provides that pre-sentence reports will now be required within 15 business days, rather than 15 days. This ensures that the Department of Communities has adequate time to prepare comprehensive and meaningful pre-sentence reports to assist the courts in making sentencing decisions.

The bill also provides that courts will be able to reduce the time that a young person has to complete a community service order. This is intended to ensure that offenders are completing their order in the closest possible time frame to the offence. Although relatively minor and technical, these amendments will contribute to further strengthening Queensland's youth justice system by streamlining some practical issues and providing clarity around responsibilities so that the department, courts and police can work together to deliver a more efficient and effective youth justice system.

In considering these two bills, I am reminded of Blaise Pascal, who said, 'Justice without force is powerless; force without justice is tyrannical.' As such, I lend my support to the Juvenile Justice and Other Acts Amendment Bill 2009. These amendments will deliver a strengthened and streamlined juvenile justice system rather than the autocratic alternative on offer. I commend the Juvenile Justice and Other Acts Amendment Bill 2009 to the House.

**Ms JOHNSTONE** (Townsville—ALP) (9.06 pm): I am pleased to rise to speak in support of the Juvenile Justice and Other Acts Amendment Bill. My interest in the area of youth justice goes back a number of years and has recently increased due to the location of one of Queensland's two youth detention centres in my electorate of Townsville. In May this year I visited Cleveland Youth Detention Centre with the Minister for Community Services and Housing and Minister for Women, Karen Struthers. We spent a couple of hours there going through the different units and looking at the range of services available to the young people at Cleveland. Two things have stayed with me since this visit: firstly, the disproportionate number of Aboriginal and Torres Strait Islander young people who were in custody there and, secondly, the high number of children on remand.

I have listened carefully to the debate here today and note that many comments relate to parental responsibilities and the role of parents in being part of the solution to youth offending. I would like to remind the House of a range of services that are currently being offered in Queensland, in particular the Family Responsibilities Commission, which is a trial in the communities of Hope Vale, Aurukun, Mossman Gorge and Coen and has as its cause the aim of restoring social norms in these communities. This is not the place to debate the merits or otherwise of this commission. However, I want to make the point that we do have in place a range of strategies that are aimed at improving outcomes for vulnerable groups of Queenslanders.

As a society we must have a justice system that sends a message to both our juveniles and adults that illegal and antisocial behaviours will not be tolerated. When dealing with juvenile offenders, government has an obligation to have systems and strategies in place that show real consequences for convicted criminal offenders. Government also has an obligation to ensure that these systems have measures built into them that allow opportunity for rehabilitation. Ultimately, we want as many people as possible to make positive contributions to our society. Indeed, most young people do just that and I support the comments of the member for Gladstone in this area.

I wish to focus my contribution to this debate on the need to get the balance right when dealing with young people who are on the cusp of falling into a life based around criminal activity. I am particularly concerned about young people for whom the justice system feels that juvenile detention is actually the safest place for them to be whilst they are awaiting their matter to be heard through the courts.

In preparation for this debate and in addition to visiting Cleveland with Minister Struthers in May, I also attended the Youth Justice Centre in Townsville and have also met with associate professor of sociology Glenn Dawes from James Cook University to gain a further understanding of the current strategies for reducing remand.

Associate Professor Dawes is well regarded in the area of youth justice and, along with having conducted research into this area, he also works in the youth conferencing unit of juvenile justice in Townsville. It is his opinion that conferencing is an extremely effective strategy for the sentencing of first- or second-time offenders. The option to remand a young person in custody pending the finalisation of their criminal proceedings is an important feature of the youth justice system. It ensures protection for the community when the young person is likely to commit further offences and ensures that young people will attend their future court appearances.

Young people who are remanded in custody participate in a range of therapeutic, educational, recreational and cultural programs as well as programs to help them transition back into the community at the end of their period of remand. Queensland is experiencing a high number of young people on remand in detention. As at 31 July this year, there were 111 young people being held in Queensland detention centres. Of those, 79 were held on remand and 32 were sentenced to a period of detention.

The Queensland government has taken a number of steps to ensure that remand is used only where necessary and appropriate and only for an appropriate length of time. To start with, given the complexity of the issue, research was commissioned in 2007 to understand what is contributing to the high remand in custody numbers. This research has informed evidence based responses which aim to move young people through the system as quickly as possible and to provide young people with the greatest chance of addressing offending so that they can reside in the community.

Both legislative and non-legislative approaches were identified. The non-legislative approaches include the provision of programs that help young people to comply with bail conditions and to ensure that remand is used only where necessary and appropriate. For example, in 2008-09, the government funded the Conditional Bail Program to the amount of \$392,000 to help support young people to meet their bail conditions; the young offender program, where \$1.18 million was allocated to provide bail support services in Cairns to target Indigenous young people who are overrepresented in the justice system; and the Youth Bail Accommodation Support Service, which is funded to the tune of \$392,000 by the department to provide accommodation and support services to young people who are remanded in custody or who are at risk of being remanded because of a lack of stable accommodation. The Mount Isa Youth Shelter and Far North Queensland Bail Support Service were funded \$350,000 and \$390,000 respectively to assist young people to find and maintain accommodation in the community, ensuring that lack of suitable accommodation is not a factor in the decision to remand a young person in custody. The Young Offender Community Response Service in North Queensland is another program that provides support to these young people to stop them reoffending. The department is also working to address social factors such as homelessness, which can lead to young people being remanded in custody.

In 2008-09, \$20.7 million was allocated under the Supported Accommodation Assistance Program to non-government service partners to provide support and accommodation services to vulnerable young people experiencing homelessness in Queensland. An amount of \$3.97 million was allocated to the Social and Economic Development Service to support young people aged between 12 and 25 years who are identified as being at risk of offending, disengagement from education, learning and employment and who are from an Aboriginal or Torres Strait Islander background.

The Juvenile Justice and Other Amendments Bill 2007 contains several amendments to support the use of remand only in appropriate circumstances. Courts will be required to consider what the likely sentence will be when deciding whether to release a young person on bail. This aims to ensure that young people are not remanded in custody where a custodial sentence is unlikely, and this is important. The current legislation provides that a young person can be refused bail because of a threat of harm to their own safety. The bill makes it clear that this can happen only when the threat is related to the offence, for example, a threat of retribution from a victim or a co-accused. The purpose is to ensure that young people are not remanded in custody for welfare reasons, for example, a lack of accommodation.

Non-legislative responses for reducing remand rates also include strengthening partnerships between government agencies to ensure that they are working together to prevent unnecessary delays in the criminal justice system so that young people remanded in custody have their matters dealt with as quickly as possible. The passage of this bill will serve to strengthen the government's range of responses to ensure that remand is used only where deemed absolutely necessary and appropriate by the courts.

The recently published report titled *Juveniles in detention in Australia, 1981-2007* states that, as at 30 June 2007, there were 403 Indigenous youth per 100,000 population in detention compared with only 14.4 per 100,000 for non-Indigenous youth. No member here would argue against the fact that the disparity in these figures is too high and must be addressed. By looking at individual behaviours from a whole-of-society perspective, I believe that this government is putting in place a number of measures, which is a step in the right direction towards addressing this gap.

I am pleased to support this bill. My previous work in the community sector, particularly my work in the housing and homelessness sector in many SAAP agencies, means that the case presented by the government is mirrored by my own professional experiences. Many young people I came across in my work fell through the gaps because of a lack of adequate family and/or housing support. Many were victims of child abuse, had little or no positive role models and most had very few people around them who cared for and loved them. For those young people who undertake behaviour that puts them in touch with the justice system, it is our responsibility to ensure that every chance is given to them to allow them to make decisions that will have positive impacts on them.

I also support the clauses in this legislation that strengthen the sentencing options for serious crime and also widen the powers for courts and police to act decisively when young people are at serious risk of, or do, reoffend. Finally, I would particularly support the remand reduction strategies that are outlined in this bill. I congratulate the current minister and the previous minister on the work that has gone into the preparation of this bill. I commend the bill to the House.

**Ms DARLING** (Sandgate—ALP) (9.15 pm): I rise to make a brief contribution to the cognate debate on the Juvenile Justice and Other Acts Amendment Bill 2009 and the Juvenile Justice (Sentencing Principles) Amendment Bill 2009. I rise to speak in support of the first and to reject the second.

I want to reiterate most of the comments made by honourable members on the government side of the House. I thank my colleague the member for Townsville very much for putting a personal note in the debate when she summed up the struggle and the difficulties that are faced by a lot of young people who come into contact with the juvenile justice system. Very often these are children who are thrown into an adult world and who are faced with making adult decisions. We need to treat them firmly, but with sensitivity. I am pleased that the government's bill balances our dual responsibilities of ensuring that serious crime is appropriately dealt with and giving young offenders a chance to set their lives straight.

The amendments enact the government's election commitment to improve our youth justice system. I would like to congratulate and pay my respects to the staff of the Department of Communities' youth justice services. These staff are responsible for supervising young people involved in the youth justice system. They do a fantastic job in working with young people and with the family of those young people to address the factors that contribute to their offending behaviour and in encouraging young people to build positive connections with their community.

Youth conferencing has been mentioned by many honourable members in this debate. It is a very useful tool. It has been successful, because it ensures that the young person is held accountable for their offending behaviour. It gives them the opportunity to, first of all, accept responsibility and admit their offence and understand the consequences and hear about the impact of their decisions. Finally, youth conferencing gives young offenders an opportunity to make amends—to apologise or offer some form of restitution. Conferencing reduces recidivism. It gives victims an opportunity to be involved and to get some answers. This bill will give stronger powers to police to deal with those who do not comply with youth justice conferencing arrangements, who contravene an agreement or who fail to attend a drug assessment session. I am pleased to inform the House that the majority of young people who come into contact with Queensland's youth justice system never reoffend. So we are dealing with a minority of serious offenders.

I want to take this opportunity to mention a few fantastic local organisations that work with young people in the electorate of Sandgate. They have the sorts of programs that help young people connect with their community, which is so important to them in staying sound and grounded. A great program in the Metropolitan North police district is CRYPAR, which stands for the coordinated response to young people at risk. It is an early intervention prevention initiative that is being piloted. Under the program police work with young people aged 12 years and over who they believe are at risk of becoming involved in the juvenile justice system. So I congratulate all the officers who work in the CRYPAR program.

Jabiru is a fantastic organisation based at Bracken Ridge. It offers assistance to a range of suburbs on the north side. My colleague the honourable member for Aspley will know of the work Jabiru does because it is located throughout her electorate as well. It does not necessarily deal with offenders; it finds students who are struggling in the traditional school environment. It has a special classroom for young people who do not fit into the traditional way of schooling. Many of them are at risk of coming into contact with the juvenile justice system. The minister took the opportunity to come and visit the students. They were very pleased to have the Minister for Community Services visiting. They are a great bunch of young people in a really successful classroom that is off campus, away from the high school, providing the sort of support and connection that young people need.

I know that every member in this place will speak wonderful words about their Police Citizens Youth Club and the sorts of activities and support that it provides in the local community. Sandgate PCYC is going from strength to strength. I am its patron. I am pleased to be able to continue supporting it as it expands its program particularly into those teenage years. The PCYC is at one end of the Deagon sports field; the BMX bike and skating bowl is at the other end. They are seeing what partnerships and activities they can do together to really help strengthen the community.

Finally, the officers at my local police station at Sandgate, who are a great support to me and respond very quickly to concerns I raise on behalf of residents, work very hard with the young people in our area to make sure that we can catch those young people who may fall into the gaps. We have a fantastic youth population in our area. I know that the few people who really need help and support can rely on the police as well as those community services in the Sandgate electorate.

I congratulate the minister and departmental staff for the hard work that has gone into this bill. It has been very broadly consulted on. Congratulations on the fine balance that has been reached. I support the government's bill but unfortunately will not be supporting the private member's bill.

Debate, on motion of Ms Darling, adjourned.

## ADJOURNMENT

**Hon. JC SPENCE** (Sunnybank—ALP) (Leader of the House) (9.21 pm): I move—

That the House do now adjourn.

## Hotel Trading Hours

**Mr DICKSON** (Buderim—LNP) (9.22 pm): It is hard to pick up a newspaper today without seeing yet another story about alcohol fuelled violence. We see the dreadful results of glassing, a crime that was almost unknown not so long ago. The impact is not just on the victims or their families and friends; it is also on those who commit the attacks who end up in court and in jail. But while we deplore this violence and the drunken behaviour associated with it, we continue to allow hotels to trade ever-longer hours. It seems that the government is not willing to say no when there is revenue flowing from licensed venues, especially those with poker machines. Poker machines are virtually a licence to print money, both for the venue operators and for the government. Much of the misery they cause does not make the front pages of the papers. Problem gambling is a massive problem for many families.

Our response always seems to be to tinker around the edges of the problem. We read about proposals to replace glasses with plastic. There is, of course, the federal government's alcopop legislation. There are laws aimed to ensure children are not left unattended at gaming venues. But at the same time we see the hotel operators—including pubs owned by the two big companies Coles and Woolworths—asking for longer and longer trading hours. What happens when we let hotels trade until 3 am or even later? There is more opportunity for people to get drunk and get into trouble or to keep pouring money into poker machines.

It would be good to see big companies like Coles and Woolworths taking a more community minded approach. I find it hard to believe that Woolworths, with its huge range of retail businesses and such a huge market share, really needs the extra profits from its hotels. It is quite ironic that the slogan of Woolworths supermarkets is 'the fresh food people'. They are promoting healthy eating in their advertising and on their website, but they continue to apply for ever-longer trading hours in the hotels they own. We are not even talking about big-city or tourist venues; these are hotels in quiet residential areas, including my own electorate.

Binge drinking, alcohol fuelled violence and problem gambling will not be eliminated from our society by cutting back hotel trading hours, but extended hours certainly will not help solve those problems. In Victoria the government has placed a freeze on new late-night liquor licences. This means that new venues cannot trade past 1 am. They have recognised that much of the violence associated with drinking takes place in the early-morning hours. This would be a good place for Queensland to start if we were serious about addressing the problems caused by too much alcohol. Let us stop saying yes to extended hotel trading and big business and let us put our community first.

## Palmera

**Mrs ATTWOOD** (Mount Ommaney—ALP) (9.24 pm): Following the 2004 tsunami that devastated Sri Lanka, a number of young Sri Lankan Australians called in to my office to ask me to support their appeal to provide help to all of those people who were left homeless in its wake. I became their patron, and the young people set about organising a number of fundraising events including cricket matches, dinners, golf days et cetera in order to achieve their goals. Over \$20,000 was raised by their efforts and sent to those in need.

In July this year I was again contacted by those young people, who invited me to launch their Palmera youth organisation in Brisbane. This not-for-profit organisation is doing a great job delivering sustainable projects in the areas of health care, education and income generation to marginalised communities in Sri Lanka, Australia and Cambodia.

The Australian Palmeras started after the 2004 tsunami struck Sri Lanka, raising over \$30,000 to rebuild a local orphanage as one of its first projects. It is wonderful to have an organisation like the Palmeras right here in Queensland as many Queenslanders come from Sri Lanka or have Sri Lankan heritage. In fact, it is one of Queensland's oldest migrant communities, with early records indicating that the first Sri Lankan migrants arrived in Queensland in 1882. Many of those early settlers secured employment in the tough environment of Queensland's canefields. Since those early days the Sri Lankan communities have made and continue to make a wonderful contribution to Queensland through economic, cultural, sporting and social participation.

With young people like Shiv Kumarathesh and Prenaven Ganeesh leading the organisation in Brisbane, I am sure that the Palmeras will be strongly supported to achieve their charitable aims to make a difference by delivering sustainable projects in marginalised communities. What a great example these young people provide to their peers. Their energy, their enthusiasm and their compassion are things to be very, very proud of.

### **Redlands Electorate, Roadworks**

**Mr DOWLING** (Redlands—LNP) (9.27 pm): Tonight I rise to speak out for my school communities who share some common problems: roadworks budgeted for and planned back in early 2000 and intersection work that should be there now but is not. Students at my schools are being put at risk because this government is 10 years behind the times. I have a newly appointed principal already concerned for the safety of his students commencing next year. This Labor government has failed Redlands residents for far too long.

The intersection upgrade was announced years ago by the previous member. It has been reannounced over and over again and was reannounced again in this year's budget. The community is saying that it is taking too long. Thornlands will have two schools on an already overcrowded road network—Ziegenfusz Road. Faith Lutheran senior campus is also a victim of Labor neglect. Students' lives are being put at risk, with no thought for their safety. I will table a letter sent to my office. It is not the only letter. This letter documents a recent incident along Cleveland-Redland Bay Road at Thornlands. It is one of many incidents. The letter states—

Due to the fact that the traffic lights have still not been installed at the intersection of Cleveland-Redland Bay Road and Beveridge Road, two of our teachers volunteer each afternoon to escort a large group of our students across the road ... Our staff wear visibility vests as a safety precaution, and the volume of traffic at this time is very high and the speed of vehicles, unpredictable.

The letter goes on to highlight an incident and then states that this is yet another incident, following previous incidents, that points out the danger of the crossing and the situation at the college. They are in desperate need of traffic lights to control the traffic along this road. The letter continues—

As our College paid a large sum of money to Main Roads as a contribution towards the installation of traffic lights on this corner some years ago, it seems only fair that this matter should again be strongly considered as a matter of urgency.

I table the letter.

*Tabled paper:* Email, dated 13 August 2009, from Deb Osland to the Redlands Electorate Office concerning a traffic incident at Faith Lutheran College, Redland Bay [\[808\]](#).

I also bring to the attention of the House an issue whereby some students cannot get home because the route they travel is regularly blocked. This situation may see the schools having to let students go home early or hold them back after normal departure time.

Both scenarios require charter buses, cabs or parents and teachers providing a shuttle service using their cars. How could this happen in a modern, well-governed society? It is because this government has failed to clear the route home for those students and others. The channel needs re-profiling; it does not necessarily need dredging. Can members imagine how stupid this government would look if it allowed a road to be closed for up to three hours at random times, twice a month? It would be ridiculed for the joke that it is. I put it to honourable members that this is a road—a road used by boats. If a tree blocked a road it would be cleared. Why will this government not clear the roads in Moreton Bay for the citizens of Queensland?

### **Marburg Cemetery, Community Memorials Restoration Program**

**Mr WENDT** (Ipswich West—ALP) (9.30 pm): Tonight I want to alert the House to a visit I made last week to inspect the recent repair work that has been carried out on nine grave markers in the historic Marburg cemetery, which was established back in the early 1890's. As Queensland celebrates its 150th birthday, I think it is appropriate that we reflect on the state's history and the achievements and contributions of early Queenslanders.

Visiting a cemetery can be a very sombre experience, because they are places that provide important and very personal links to past generations. It is no different in the Marburg cemetery because, as you walk through this cemetery, you will see the names of many of the early settlers from the Marburg, Glamorgan Vale and Rosewood areas, and of course many of those family names are still well known in the area today.

In order to preserve the history of this cemetery for future generations and to prevent further deterioration, the Anglican Parish of St Luke applied for a grant under the Department of Public Works' Community Memorials Restoration Program. As members could imagine, a cemetery that is over 100 years old has quite a few graves that require attention. Even though it is not a very large site, some of the headstones had become loose or were leaning, and as such posed a safety risk to visitors. In addition, in a number of other grave sites, ornamental fences and rails had been damaged or had simply succumbed to the ravages of time. With no identifiable family located for nine of the most damaged headstones, the Department of Public Works and the Anglican Parish of St Luke at Rosewood each provided around \$7,000 towards the total repair bill of \$14,000.

I can report that the work was carried out by the local Ipswich based Haag Monumental Masons and Tilers and included repairs to sandstone kerbing, the pouring of concrete slabs, repairs to ironwork fencing and the replacement, repair and cleaning of headstones. I am reliably informed by the parish sexton that Haag also performed other minor repairs and restoration at no cost. All in all I believe that it was an excellent outcome for the local community, and also provided another opportunity for local business.

I think that it is also important at this point to advise other members here tonight that the Community Memorials Restoration Program, which commenced in November 2004, provides a dollar-for-dollar grant scheme that will allow the state to partner with local governments and community organisations to repair and restore important community monuments. This can include memorials, honour rolls, historical markers, park gates, obelisks, trees and plaques, not to mention projects like the one at Marburg and other significant cemeteries.

I am indebted to the Minister for Public Works, Mr Robert Schwarten, who as minister for this department has seen nearly \$3 million provided over the past five years in dollar-for-dollar subsidies to more than 240 restoration projects across the state. I sincerely thank those involved in this project, particularly the parish sexton, Mr Leo Lindstrom, who supervised the work, and the parish warden, Mr Graham Badham.

### Aspley Seniors

**Ms DAVIS** (Aspley—LNP) (9.33 pm): The Aspley electorate has a very vibrant seniors' community. Last week, 15 to 23 August, was Seniors Week and I was delighted to have the opportunity to meet with a number of the seniors groups in the Aspley electorate, including members of the Aspley National Seniors branch at their recent AGM. The AGM was held at the Aspley Hornets Football Club and the room was overflowing with 134 in attendance. That was a magnificent turnout. This is a testament to the hard work of the committee under the presidency of Mrs Margaret Lawrie. The committee seeks to encourage friendship and support through a range of events and activities. This is in concert with providing a forum so that the concerns of seniors are heard and acted upon by decision makers across government and business.

A current project for the men in the branch is participating in the establishment of a local Men's Shed. Men's Sheds aim to address the issues of men's health and engage men of all ages in sharing skills and interests. It is appropriate that as a society we do not expect that when men retire they should be sent to the tool shed to do woodwork, but I think that Men's Sheds can provide a connection for men and their community.

Also in attendance was National Seniors Zone chairman and policy group chairman, Tony Townsend. I had the pleasure of speaking with Tony during the election campaign where he conveyed most passionately the broad range of issues of relevance to seniors. The guest speaker was Ian Maurice who spoke about his association with the National Seniors organisation and regaled the meeting with a humorous account of his career in the media. An enjoyable time was had by all.

A day later I had the opportunity to meet with some of the resident committee members at Compton Gardens Retirement Village. During our meeting we spoke about a range of issues and they were particularly interested in what was happening in the parliament. The members were very keen to add to the debate on the upcoming Juvenile Justice Amendment Bill and can I say the opinions expressed were very diverse. I very much appreciated their contribution.

Across the road is Aveo Aspley Court retirement village. I was delighted to be invited to speak with them and enjoy a wonderful afternoon of music, followed by a delicious afternoon tea. Those residents are no shrinking violets and I left with a list of things to do. Aveo Aspley Court celebrates its 20th anniversary this month and I look forward to participating in the festivities.

One of the lovely moments was when I met Mrs Lillian Ferguson at the PM Retirement Village. Mrs Ferguson is 99 years of age and is legally blind. Her vision impairment does not stop her getting around the village and tending to her large garden of cactus plants. Her fearlessness is quite inspirational!

The seniors in Aspley are active in numerous community groups across the electorate. I very much look forward to working with them as their local representative.

### **Redcliffe, Justices of the Peace**

**Ms van LITSENBURG** (Redcliffe—ALP) (9.35 pm): Last week 200 justices of the peace and commissioners for declarations gathered at the Redcliffe Leagues Club for the first information seminar for some time. By the enthusiastic response prior to and in the days following the seminar, it was obviously appreciated and enjoyed by the participants. The seminar was launched by Attorney-General, Cameron Dick, who presented Julie Anne Home, Rodney White and Graham Lipp with their certificates for 25 years of service. It was great to learn that there were JPs present who had been serving since the early 1960's and who will be receiving certificates for 50 years service in the near future. The Registrar of the Department of Justice and the Attorney General, Damian Mealey, and the Deputy Registrar, Dimitri Glianios, discussed new issues for JPs and introduced the new Friday seminars to be held at their office. They also drew the attention of JPs to their upgraded website and walked them around it.

Detective Sergeant Tony Clowes spoke about identity fraud. This crime is becoming more prevalent and can devastate people's lives. It is a modern crime that JPs, in their role of verifying the authenticity of documents, go a long way towards combating. Redcliffe JPs were interested in hearing how identity fraud is perpetrated, how they can avoid it and how they can help safeguard their clients against it.

Many Redcliffe JPs work rosters at the court house or Peninsula Fair Shopping Centre to ensure Redcliffe people have open access to their services. The JPs were keen to learn more about many issues, including attending the seminars at the offices of the Department of Justice and Attorney General.

The Bligh government is ensuring that JPs have the support they need to provide a professional service to the community, even though they work as volunteers, by ensuring that community members can rely on their JPs. This is one small step towards the government's goal to provide life-long learning for Queenslanders and our ambition for all Queenslanders is to have the benefit of upskilling in different ways throughout their lives.

Many Redcliffe JPs work full time and will not be able to take advantage of the Friday seminars, but those JPs will not miss out. The President of the Redcliffe City Chamber of Commerce, Chris Elder, and his Wife, Haney, are both JPs and they intend to look at ways the chamber can support JP information seminars in Redcliffe in the future. This JP seminar has been a huge success and the beginning of continuing professional support for JPs in Redcliffe. I am proud to be part of the Bligh government, which is ensuring a wide variety of the community have access to quality, ongoing education.

### **Gold Coast, Public Transport**

**Dr DOUGLAS** (Gaven—LNP) (9.38 pm): The Gold Coast rapid transit route, also known as the light rail, is currently positioned to accommodate passengers between Parklands in the north and Broadbeach in the south. The route has no proposed connection with the heavy rail at Helensvale or the Southern Gateway to the Gold Coast Airport. Passengers who travel from the airport in Brisbane to the Gold Coast by heavy rail will be forced to disembark at Helensvale, travel by bus to Parklands where they will have to wait to connect to the light rail before travelling to Surfers Paradise. Can members imagine a conference delegate from the US arriving at the Brisbane International Airport being told that the trip to Surfers is a one-hour trip, but in reality will take two hours and twenty minutes on the air train, the bus connection at Helensvale and then the light rail using the rapid transit system? This route will exhaust the poor delegate before he or she is delivered to central Surfers or Broadbeach.

Similarly and closer to home, the residents of Gaven, Pacific Pines, Nerang and Maudsland will only be able to travel by irregular buses to Griffith University before getting on the light rail from Parklands to get to Surfers or Broadbeach. The rates notices of the residents of Gaven will see them being slugged hundreds of dollars for a system which gives them no benefit. I believe that this missing link will be the downfall of the rapid transit route.

The government's proposed rapid transit route that terminates at the Gold Coast Hospital in Parklands completely ignores the residents of Gaven. Well-healed patients from Surfers will have far greater access to our public hospital and university than will the residents of Gaven.

Griffith University and the university hospital by 2012 will have an average of 7,000 students and 1,000 staff passing in and out daily. Pacific Pines, Nerang and Maudsland are among the biggest growth corridor areas in Australia and the Southern Hemisphere and are completely excluded from the rapid transit route. This raises many concerns, as students are not able to get to Griffith University, and most of the staff and patients will not get to the new hospital without the critical link to this growth corridor.

Feedback from local employment agencies has found that lack of adequate transport is one of the major barriers to receiving and maintaining work in the Nerang postcode area. This points to another critical reason why the rapid transit route must extend beyond Parklands into the growth corridor region.

The missing link will fail the majority of people on the Gold Coast. The route will not only exacerbate the car-parking nightmare which currently exists in Southport; it will be a serious concern for small businesses in Nerang Street, Southport, and Surfers Boulevard. On-street car parking, loading and rapid access will be a thing of the past once the light rail is up and running. Level crossings will be hazardous as the rail crosses major roads without boom gates.

A telling example of this business closure and job loss was in Melbourne when the once vibrant Sydney Street in Brunswick had tramways in both directions built which then forced the closure of businesses on either side of the tram. The cost of this so-called Gold Coast Rapid Transit solution is outrageous if it includes the closure of many local businesses. It is not too late for us, but it was too late for Melbourne. We need the Bligh Labor government to acknowledge and address these concerns in the major growth corridor on the Gold Coast.

### **Jorgensen, Mr EN, OAM, MM; Carver, Mr R**

**Mr SHINE** (Toowoomba North—ALP) (9.41 pm): There are a great many individuals of this nation and of this state who possess considerable qualities and achieve remarkable feats that we admire and consider to be heroic, as indeed they are. We look up to those extraordinary people and sometimes forget that many times the truest of the Australian heroes are found at the grassroots of Australian society—those we see every day and pass on our local streets, those local men and women whose history of bravery and achievement continue to inspire awe decades after their feats and even after they have left this world behind.

I would like to speak about two such individuals tonight. Mr Errol Norman Jorgensen OAM, MM was buried on 21 August 2009 with a full military service in Toowoomba. Russell Street, a main street in Toowoomba, was closed off by police as a gun carriage bore the casket towards the church. People filled St James Anglican Church and more gathered outside. They came in droves to farewell a true Australian hero—to commemorate and celebrate Mr Jorgensen's life.

Mr Jorgensen was an infantryman in the 2nd/25th Battalion during the horror event that was the Second World War. Part of the heavy fighting during the Battle of Milne Bay and in Bougainville, he was awarded a military medal for acts of bravery during the four-day battle of Slater's Knoll. Mr Jorgensen was, as was so eloquently described in the Toowoomba *Chronicle*, an extraordinary man who lived an ordinary life. His acts of bravery during war were performed decades ago, but his unfailing service for our country will stand as a consummate example of the extraordinary nature and capability of Australian people. I would like to pay tribute to the life of Errol Jorgensen and extend my deep sympathy to his wife, Jackie, family and friends.

While Errol Jorgensen was a man who went to war and then came back to his hometown many years ago, there were a great many who went to war and never came home. Almost 40 years after he went missing during the Vietnam War, the remains of Pilot Officer Robert Carver will return to Toowoomba when he is buried this Thursday at St Luke's church. Pilot Officer Carver, along with Flying Officer Michael Herbert, disappeared on 3 November 1970 after, upon completion of a bombing mission, their aircraft disappeared from radar. Robert Carver had only served eight weeks in Vietnam.

With the discovery and retrieval of the remains of Pilot Officer Carver and Flying Officer Herbert, the last of Australia's Vietnam missing have been brought home. It is with sadness that I note that Pilot Officer Carver's parents are not alive to witness their son's homecoming and full military funeral or to have the sense of uncertainty that the term 'missing in action' must certainly be lifted. But we can all take from this event a sense of satisfaction of a local coming home to Toowoomba after a very long absence and a shared feeling of Australian pride in the bravery of our people.

War and conflict are common threads throughout our history. Currently, there are many Australian men and women in conflicts around the globe, and by commemorating the heroes of past wars we also recognise the local heroes from our nation who have dedicated and continue to dedicate their lives to protect this our home, Australia.

**Jorgensen, Mr EN, OAM, MM**

**Mr HORAN** (Toowoomba South—LNP) (9.44 pm): Tonight I speak of a wonderful Queenslander, Errol Jorgensen OAM, MM, who passed away recently in Toowoomba and was accorded a full military funeral on Friday, 21 August. With the approval of the Speaker, I seek leave to have Errol's obituary incorporated in *Hansard*.

Leave granted.

Errol Norman Jorgensen OAM MM

Born: Clifton, October 28, 1920

Died: Toowoomba, August 17, 2009

Milne Bay veteran

Recipient of Military Medal and Medal of the Order of Australia

Devoted husband and family man

KNOWN as the "living legend of the Milne Bay Museum", Errol Norman Jorgensen had a gift for telling the story of wartime that embraced his audience.

He had a passion to keep the Anzac spirit alive and to ensure that no-one forgot the sacrifice the men and women of the forces made to keep our country safe and free.

Errol related well with younger generations and was well-known around the school communities where he entertained and educated the children with his experiences.

Born on October 28, 1920 at Clifton Hospital, during the full eclipse of the moon, his mother used to say that "Lil Errol stayed awake all that night."

He was one of five children to Arthur Jorgensen and Wilhelmina nee Naumann—a brother to Mavis, Marjie (dec), Trevor (dec) and Fay.

At that time the family lived on their property at Ellangowan.

Errol first attended the Back Plains State School where he saw his first Charlie Chaplin film at the hall.

He then attended the Ellangowan State School.

When he was nine years old, the family moved to Toowoomba to the corner of Alderley and Ramsay Streets where they ran a dairy farm.

Errol attended Rangeville State School before finishing his schooling at South Boys State School when he was 14.

During Errol's school years, he exhibited a flair for sport.

He had represented Toowoomba in hockey and soccer and played cricket winning many awards.

Errol started his work life as a messenger boy for two chemist shops in Toowoomba, running medicines between the two shops.

He then started his training as a fibrous plasterer working for Charlie Penboss.

His call up to the Australian military forces came and he joined on December 23, 1941.

Errol joined the 25th Battalion, C Company, also known as the Koala Bears—couldn't be exported and couldn't be shot at.

The 25th Battalion left for Milne Bay in July 1942.

Errol said of the first night of the 10-day battle of Milne Bay, "When the shooting started that's when we grew from a boy to a man in five minutes."

The 25th also fought at Bougainville and it was here at the battle of Slater's Knoll that Errol was awarded the Military Medal.

The citation for which read, in part, "His leadership and courage inspired his men and assured success in repelling the continued attacks."

Errol's bravery on the battlefields of Milne Bay and Bougainville were nothing short of heroic.

Following his discharge from the Army on January 10, 1946, he married Estelle Bath.

Errol and Estelle had two boys—Gregory and Graham, both born in Toowoomba.

He formed a partnership with three plasterers and continued mastering his trade as a fibrous plasterer.

The family moved to the Gold Coast in 1954 where Errol continued to work as a plasterer with Cec Newport.

In 1972, Errol and Estelle divorced.

On March 12, 1977, Errol married his soul-mate Jacqueline in Toowoomba.

They spent some time in Victoria fruit picking and then returned to Toowoomba where they completed rearing Jackie's two younger children, young Jacqueline and Peter.

Errol's family grew to include Jackie's four children—Robbie, Bonnie, Jacqueline and Peter and their children became his grandchildren.

Errol's sense of humour was legendary but he never made a joke at another person's expense.

When Jackie was diagnosed with cancer in 1979 it was a huge blow to the family.

Errol's positive attitude held everyone together.

When Jackie faced cancer again in 1999, Errol was by her side once more—she was the most important person in his world.

Upon finding he had returned to Toowoomba, Errol's plasterer mates convinced him to come back to the trade.

He was a well-respected tradesman and a perfectionist—second best was never good enough.

Errol was a man of deep faith and commitment to his belief and his knowledge of the bible was extraordinary.

Errol and Jackie have been dedicated parishioners of St James' Anglican Church for many years.

The 25th Battalion Association was formed soon after the war finished and Errol, as a recipient of the Military Medal, was given free membership.

For 25 years he was voted in as president, holding the position from 1977 to 2002.

Errol was a great representative for the Association and his face could be found in The Chronicle or seen on local television on a regular basis.

The Milne Bay Military Museum became a large part of Errol's life—he sat on the committee, sometimes in executive positions, until this year.

On June 9, 2008, Errol was awarded the Medal of the Order of Australia for service to veterans through the preservation of military history and support of ex-service organisations, and to the community of Toowoomba.

Over the years, Errol and Jackie "accumulated" many family members.

Errol took much pleasure in his extended family and was very proud of his grandchildren and great-grandchildren.

He was a valued volunteer at the cancer council and a strong support to Jackie with many fundraising ventures for the council.

Errol was known as a true gentle man—a man who faced adversity with grace and dignity.

The death of Errol on August 17, 2009 is a great loss to his family and to the Toowoomba community.

He is survived by his wife Jackie and his family.

Lest we forget.

**Mr HORAN:** Errol was a friend to all in Toowoomba but he had a special love and affection for his wife, Jackie, family and his wonderful mates of the 25th Battalion Association, those who were veterans of the Milne Bay conflict. He was also a very good friend and volunteer at the Milne Bay Military Museum. Errol was a member of the 25th Battalion and, along with many other young men from Toowoomba and the Darling Downs, was called up in December 1941, just two weeks after the attack on Pearl Harbour. Together they all embarked to Townsville and joined other Australian battalions and Kittyhawk squadrons who fought to defend Milne Bay.

The Japanese intended to attack Australia via Papua New Guinea by two means—firstly through the Kokoda Track on land and secondly by sea to Milne Bay and there at Milne Bay to endeavour to take the three airfields that the Australians and other allies had built to defend Papua New Guinea. Through enormous battles in August and September over a period of 10 days, the Battle of Milne Bay raged. It was a savage battle, with over 700 Japanese killed, and 167 Australians died out of some 370 allied casualties.

Errol Jorgensen was part of that with his Toowoomba and Darling Downs mates in the 25th Battalion. Twice he was trapped and twice thought missing but he managed to escape back to the battalion. Errol made a great comment: 'We grew up from being boys to men in five minutes during that conflict.' He also said that Gallipoli made Australia but the Coral Sea and the Milne Bay battles saved Australia.

Errol was a leader of a wonderful group of old returned soldiers—all proud members of the 25th Battalion Association. They were part of a brave Australian force that turned and stopped the Japanese advance rolling towards Australia. Errol was a brave man, a jovial man, kind and caring to all but especially to the schoolchildren of Toowoomba. We were all fortunate just to know him and feel his genuine warmth. On behalf of this parliament I offer his wife, Jackie, and extended family our deepest sympathies on their loss of Errol and also the grateful thanks of a nation.

### **Byrne, Ms BM, OAM**

**Ms O'NEILL** (Kallangur—ALP) (9.47 pm): My friend and life member of the Labor Party and long-time activist Barbara Byrne OAM passed away on 15 August 2009. Barbara was a true believer and a tireless advocate for women's rights, workers' rights and the strength of the union. Barbara Mary Byrne joined the Australian government Public Service 56 years ago with the then Department of the Navy in Melbourne. In 1976 Barbara became the first woman to be made a 'Clerk Class 6' in the Department of Defence. This promotion in the male dominated Defence showed Barbara's immense determination and character.

When Barbara transferred with her elements of Defence from Melbourne to Canberra in 1978-79, she became a workplace delegate and was responsible for recruiting many members. She was an active delegate and official, and Barbara described this work as the most enjoyable of her career. Before she retired in 1990 Barbara was made a life member of the CPSU.

After her retirement from the Public Service, Barbara became more active in the Labor Party, becoming treasurer of her local branch and organising and setting up election booths. She was a tireless fundraiser and champion of workers' rights, and she served with the ACT volunteers association. Barbara also served on the board and as president of the Canberra Labor Club. Her contributions were recognised in July this year when the ALP National Executive made Barbara a life member of the ALP.

She was a true friend and supporter of singing competitions and of the Australian National Operatic Aria Competition in particular. She was herself an outstanding singer, trained at the Melbourne Conservatorium of Music. Because of her commitment to her community, she was awarded the Centenary Medal in 2001 and the Order of Australia in 2006.

I do not know whether Barbara would have described herself as a leader, but she certainly was. Her unashamed commitment and activism have strengthened and inspired countless working people to be involved, to aspire to and to achieve dignified and worthwhile working conditions. When an elegantly dressed, well-groomed woman of a certain age like Barbara was proudly union, and Labor, it made it possible for the less confident to step up. Barb's absolute certainty that it is our responsibility to seek a just and equitable society has strengthened me and everyone who knew her. I am a better person for having known her. Asking myself how I would explain myself to Barb has helped me make better decisions.

She had a delightful sense of the ridiculous, and people were obliging enough to give her lots of opportunity to use it. Even during my election campaign, when she was quite ill, she travelled to Brisbane, ran my campaign office, organised election night and kept everyone on their toes. She was formidable. She lived life with gusto. At her house, if champagne and chocolate were good then they were plentiful; food was excellent and beautifully served. There are too few women like Barbara in the world, and I am not just exactly sure what we will do without her, but I am certain that wherever Barbara is things are a bit better organised this week and the dinner parties are fabulous.

Question put—That the House do now adjourn.

Motion agreed to.

The House adjourned at 9.50 pm.

## ATTENDANCE

Attwood, Bates, Bleijie, Bligh, Boyle, Choi, Crandon, Cripps, Croft, Cunningham, Darling, Davis, Dempsey, Dick, Dickson, Douglas, Dowling, Elmes, Emerson, Farmer, Finn, Flegg, Fraser, Gibson, Grace, Hinchliffe, Hobbs, Hoolihan, Hopper, Horan, Jarratt, Johnson, Johnstone, Jones, Keech, Kiernan, Kilburn, Knuth, Langbroek, Lawlor, Lucas, McArdle, McLindon, Male, Malone, Menkens, Messenger, Mickel, Miller, Moorhead, Mulherin, Nelson-Carr, Nicholls, Nolan, O'Brien, O'Neill, Palaszcuk, Pitt, Powell, Pratt, Reeves, Rickuss, Roberts, Robertson, Robinson, Ryan, Schwarten, Scott, Seeney, Shine, Simpson, Smith, Sorensen, Spence, Springborg, Stevens, Stone, Struthers, Stuckey, Sullivan, van Litsenburg, Wallace, Watt, Wellington, Wells, Wendt, Wettenhall, Wilson