



RECORD OF PROCEEDINGS

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TUESDAY, 9 FEBRUARY 2010

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.

Mr SPEAKER: It is my pleasure to welcome to the Speaker's Gallery this morning Mrs Robin Wood and her daughter, Stephanie. Robin is the widow of the late member Peter Wood. I would ask all honourable members to make them feel welcome in the Speaker's Gallery.

Honourable members: Hear, hear!

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: 3 December 2009

"A Bill for An Act to provide for the making of declarations and orders for the purpose of disrupting and restricting the activities of organisations involved in serious criminal activity, and of their members and associates, and to make related amendments to other Acts"

"A Bill for An Act to provide for an integrity commissioner, to facilitate the giving of advice to Ministers and others on ethics or integrity issues, to establish a register of lobbyists and provide appropriate limitations on the contact between lobbyists and government representatives, including by providing for a code of conduct and prohibiting the payment of success fees, and to make particular related amendments of this Act, the Government Owned Corporations Act 1993, the Local Government Act 2009, the Parliament of Queensland Act 2001, the Public Sector Ethics Act 1994, the Public Service Act 2008 and the Right to Information Act 2009"

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

3 December 2009

Tabled paper: Letter, dated 3 December 2009, from Her Excellency the Governor to the Speaker advising of assent to bills on 3 December 2009 [[1596](#)].

SPEAKER'S STATEMENTS

Removal of Tabled Papers

Mr SPEAKER: Honourable members, in accordance with standing order 19(3), I advise that I gave leave for certain tabled documents to be removed from the precinct on 20 January 2010 in order to be scanned by State Archives for historical research and parliamentary education purposes. The documents were subsequently returned on 28 January 2010. A list of the documents removed and returned will be incorporated in the *Record of Proceedings*.

Tabled paper No. 127 of 1894—Petition requesting that the suffrage be extended to women (female petition 7,781 signatures).

Tabled Paper No. 128 of 1894—Petition requesting that the suffrage be extended to women (male petition 3,575 signatures).

Tabled paper No. 63 of 1897—Petition requesting that the suffrage be extended to women (3,869 signatures).

Duty of Confidentiality, Parliamentary Committee Members

Mr SPEAKER: Honourable members, the new standing rules and orders of the Legislative Assembly have been printed. At the commencement of this new parliamentary sitting year, I would like to draw all honourable members' attention to standing order 209. That standing order places a duty of confidentiality on all members of parliamentary committees. Observance of this standing order is crucial for effective bipartisan operation of parliamentary committees.

Parliamentary Committees, Membership

Mr SPEAKER: Honourable members, I advise that, in accordance with standing order 195(3), the honourable member for Maroochydore has resigned from the Economic Development Committee and the honourable member for Hervey Bay has resigned from the Integrity, Ethics and Parliamentary Privileges Committee. I table the letters of resignation tendered by each member.

Tabled paper: Letter, dated 5 February 2010, to the Speaker from Ms Fiona Simpson, member for Maroochydore, resigning from the Economic Development Committee [1597].

Tabled paper: Letter, dated 5 February 2010, to the Speaker from Mr Ted Sorensen, member for Hervey Bay, resigning from the Integrity, Ethics and Parliamentary Privileges Committee [1598].

MOTION OF CONDOLENCE

Wood, Mr P OAM

Hon. AM BLYTH (South Brisbane—ALP) (Premier and Minister for the Arts) (9.32 am): I move—

1. That this House desires to place on record its appreciation of the services rendered to this state by the late Peter Wood, a former member of the parliament of Queensland.
2. That Mr Speaker be requested to convey to the family of the deceased gentleman the above resolution, together with an expression of the sympathy and sorrow of the members of the parliament of Queensland, in the loss they have sustained.

Peter Wood was born in Toowoomba on 4 November 1935, and he was educated at the Toowoomba state primary and secondary schools. After finishing school, Mr Wood attended the Queensland Teachers College and took up employment as a teacher. Later in his life, Mr Wood was a school principal and a university administrator.

The son of Leslie Wood—who himself was a member of this House from 1946 to 1947 and 1950 to 1958, and Leader of the Australian Labor Party and Leader of the Opposition from 1957 to 1958—Peter Wood was, like his father, active in the Toowoomba political scene as a member of the Australian Labor Party. It is a rare occurrence for a child to follow a parent into this place and to make the sort of contribution that both Peter Wood and Leslie Wood have made.

Peter Wood unsuccessfully contested the seat of Toowoomba East at the state elections of 1960 and 1963 before being elected to the Queensland Legislative Assembly by winning the seat of Toowoomba East at the state election of May 1966. Mr Wood retained the seat at the 1969 election and, following a redistribution in 1971, which essentially divided the city of Toowoomba into north and south electorates—as we see it today—he won the seat of Toowoomba South at the election of 1972. However, at the state election of December 1974, Mr Wood was but one of many ALP members of this House at that time who lost their seats at the victory won by the National and Liberal party coalition government.

During his time in this House, Peter Wood had the rare distinction of serving the people of Queensland not only as the son of Leslie Wood but also with his twin brother, Bill. Bill Wood was the member for Cook from 1969 to 1972 and the member for Barron River from 1972 to 1974. Mr Speaker, I can only imagine what sort of fun and mischief identical twins could create here in the House. I am reliably informed that as schoolboy rugby players at the then Toowoomba State High School the identical Wood twins, who were the First XV flankers, confused many an opposing half-back. Their jobs were, if State High lost the scrum, to break away quickly and try to nab the opposing side's half-back. Toowoomba High did not win too many games apparently, but many an opposition half-back left the field completely bewildered at the speed of the flankers who seemed to appear so rapidly and seemingly from the other side of the scrum.

Rugby was only one of Peter Wood's great loves. He was an avid sportsman—a footballer, a cricketer, a tennis player and later a golfer. At school he was a hurdling champion—no doubt a skill he used well later in his political life. Peter Wood was a man with a very deep commitment to community service. He again sought public office at the 1975 federal election in the seat of Darling Downs. While unsuccessful in this attempt to enter federal parliament, in 1982 Mr Wood was elected to the Toowoomba City Council, where he went on to serve the people of Toowoomba on that council until 2004—just over 20 years of service.

During his time in council, Mr Wood served as Deputy Mayor from 1991 to 2004 and was chair of various council committees. When you consider that Mr Wood was first elected in 1966 to his state seat and retired from his council position in 2004, you see that he spent almost 40 years contributing to the public life of his community and his beloved city of Toowoomba. There are few people on any side of politics who can make this claim to serving the people of their community. I pay tribute to his dedicated service. I would like to acknowledge that Mr Wood enjoyed the respect of all sides of politics and enjoyed the widespread respect of his community.

From 1987 to 1990, Mr Wood served on many, many committees and associations that helped the community in addition to his council role. Amongst some of those was his service as President of the Toowoomba and Golden West Regional Tourist Association. At other times he was an executive member of the Urban Local Government Association of Queensland, a member of the Community Jobs Priorities Committees, the Regional Community Forum, the Queensland Urban Water Advisory Committee and the Local Government Grants Commission. At the time of his passing, Peter Wood was also serving the people of Queensland on the Queensland government's iconic places assessment panels. I know that in this role he was a wise and thoughtful contributor, as he was in so many of his other public roles.

It was pleasing on Australia Day 2007 to see Peter Wood awarded the medal of the Order of Australia for his service to local government, to the Queensland parliament and to the community and people of Toowoomba, particularly for his service on cultural organisations. A service for the late Peter Wood was held at Toowoomba's TS Burstow Chapel on 29 January 2010. I take this opportunity to extend my sympathy and that of this House to Mr Wood's family and friends. I would particularly like to acknowledge Mr Wood's wife, Robin, and daughter, Stephanie, who are here today in the gallery. Like the family members of all of us who serve in these political positions, they understand the great sacrifices that he and his family made and I think the great debt of gratitude that Queensland owes Peter Wood, particularly that which the people and community of Toowoomba owe Mr Wood.

Mr LANGBROEK (Surfers Paradise—LNP) (Leader of the Opposition) (9.39 am): I rise to speak on the passing of Peter Wood, a member of this House from 1966 to 1974 when he represented the constituents of Toowoomba East and Toowoomba South. Peter Wood came from a strong Labor family. As the Premier has said, his father, Leslie Wood, held the seat of Toowoomba North from 1953 until 1958. It was a tumultuous time after the Labor split in 1957. Leslie Wood was elected opposition leader in that year but died of a heart attack in 1958. For Peter Wood the loss of his father was devastating. But politics was in his blood and he sought preselection and stood for the seat of Toowoomba East in 1960 and again in 1963, losing narrowly both times—indeed, by just 11 votes in 1963.

After the narrow loss, Peter Wood headed to London, where he worked as a teacher and also for the British Labour Party on its 1964 campaign. In London he met his wife to be, Sydney girl Robin Hadorn. They returned to Australia and married in Sydney in 1965 before they settled in Toowoomba. The next year, 1966, Peter Wood won the seat of Toowoomba East which later became Toowoomba South. He loved the challenge, and his teaching background gave him the grounding to serve as Labor's shadow minister for education from 1968 to 1974.

His twin brother, Bill, won the seat of Cook in 1969. They made history as the first twin brothers elected to any Australian parliament. Peter and Bill Wood lost their seats in 1974, but Bill Wood subsequently served in the ACT legislature. I had the pleasure of meeting him at a Commonwealth Parliamentary Association conference in 2004 in Perth when he was in his final term.

Peter never lost his interest in politics and turned his energies to local government and became a councillor for Toowoomba City Council. It is here that he undertook arguably his greatest and certainly most recognised community service, not just through the council but also through many community and cultural groups. Peter Wood was first elected to Toowoomba City Council in 1982. He was deputy mayor from 1991 until 2004 and served on a host of planning and community service committees.

Peter Wood was always a strong advocate for Toowoomba and the region. In his maiden speech to parliament he spoke of decentralisation and the benefits of businesses moving to Toowoomba and other regional centres. Interestingly, he spoke of the great benefit of the state owned railways in serving his communities and regional Queensland. To use his words, the railways played a vital role in helping decentralise Queensland.

In that speech, made 44 years ago, Mr Wood said that the task of government should be to minimise centralisation and aim to build moderately sized cities instead of one large one. Even back then, Peter Wood warned of the problems of Brisbane's unfettered growth and the financial burden it was placing on council and the state government. He also spoke of the need for Toowoomba to develop secure water supplies.

Peter Wood believed there was more to a city's development than simply managing growth. He also placed great importance on cultural development. As the Premier has mentioned, he was a strong patron of the arts. He chaired the Regional Art Galleries Association of Queensland after helping

establish the Toowoomba Regional Gallery in 1994. He helped establish the Lionel Lindsay Gallery and Library Society in 1991 and also encouraged talented young artists through his own Peter Wood Acquisitive Award.

Peter Wood was awarded the Order of Australia Medal in 2007 after being awarded a Centenary Medal in 2001. The LNP passes on its condolences to his wife, Robin, and Stephanie and family and friends of Peter Wood.

Hon. PT LUCAS (Lytton—ALP) (Deputy Premier and Minister for Health) (9.43 am): Peter Wood OAM was born on 4 November 1935. He was a schoolteacher and elected state member for Toowoomba East and Toowoomba South from 1966 until 1974. He served for two decades on the Toowoomba City Council, including as deputy mayor of that council for a 13-year period between 1991 and 2004. That is no small feat in a council that is not political in its composition.

He was awarded a Medal of the Order of Australia General Division for service to local government, the Queensland parliament and Toowoomba's cultural organisations. For any one of those categories he would have deserved acknowledgement. He of course achieved the award for all three.

He was known for his commitment to Toowoomba's cultural life. Previous speakers have indicated that. He was tremendously proud of the Empire Theatre, which is a wonderful piece of heritage preserved in that great city of heritage that many of us have been to on a number of occasions.

Peter Wood was a great student of history. He had lived during the most turbulent times of the Labor Party in the last millennium. The two devastating things for Labor were the 1957 split—only to have his father die of a heart attack in 1958—and in 1974 when we were reduced to the size of a cricket team. He and his twin brother lost their seats as a result of that.

Politics, as they say, is in the blood. Why any child of a politician would want to follow them into politics I do not know. There are a number of them here. Having said that, Peter followed his father into politics and his brother followed him.

I met Peter on a number of occasions. I cannot remember when I first met him, but he was someone that I sought out to meet after that. As a keen student of history, he was worth talking to to get his perspective in his polite, appropriate and erudite way. Peter was someone it was very worthwhile talking to if you wanted to understand the problems and lessons of those eras.

I was also pleased as a minister to appoint him to two state government bodies—the Public Records Review Committee and later the Iconic Places Review Panel. Neither of those were big-money positions. They were important positions that someone of Peter's skill and talent was well deserving of assisting the community in. His appointments were well supported on a bipartisan basis.

People on both sides of the House, and indeed people in the broader political movement, whether it be today, 50 years ago or the time in between, would do well to study the lessons of political history. There was never a better teacher of Queensland political history than Peter Wood. It was a joy to talk to him about Labor history. There were very few peers of Peter's when it comes to that.

He passed away on Sunday, 24 January 2010. I was unable to attend Peter's funeral. I had a commitment in Brisbane that I was unable to get out of. My condolences go to his wife, Robin, his children, Stephanie and David, and his twin brother, Bill. Politics will be the sadder for losing someone who was an absolute gentleman and someone who showed intellect and was a keen student of history and politeness and service. That is something that we would all do well to emulate.

Mr HORAN (Toowoomba South—LNP) (9.46 am): It is indeed an honour and privilege to be able to speak in this House today about Peter Wood. Peter was a wonderful friend of so many of us in Toowoomba. His commitment and loyalty to the city of Toowoomba and people of that city has been quite outstanding. Peter came from a wonderful family. His father was very highly regarded. They say that people lined the streets as his cortege went to the service.

I heard Peter at one Anzac Day service speak so glowingly of his father, who had served throughout World War II as a lieutenant and served with great distinction with units associated with Toowoomba. Peter came from a very political family, a very loyal family. He was loyal to the ALP. He has served in this parliament. He also served in other ways for the people of our city.

My wife and I had great respect for Peter and Robin. Wherever we went and met them, we found him to be a true gentleman. He was always supported by Robin. Peter did not bring politics into the Toowoomba council because it was an independent council without politics. He served that council well.

He was a very well educated and a cultured man. He had very humble beginnings. Peter then went out to teach at one-teacher schools in places like a little township near Millmerran. Before he died he was in the process of writing a book of stories. Some of those were read during the funeral service in Toowoomba. Those stories really showed the humble beginnings that he had. Those stories showed how dedicated he was as a schoolteacher to the children that he taught and to the community that he served as the principal of a one-teacher school.

Peter made two attempts to enter this parliament and failed both times. Prior to that he was considering standing but because Jack Duggan stood for seat he did not stand. There were really three times that he considered standing for parliament. He then stood, won and served in the seat of Toowoomba East, which eventually became Toowoomba South. He lost that seat in 1974.

Peter then attempted to stand for federal parliament, continuing his commitment to the party that he was a member of, but unfortunately he was unsuccessful. He then worked at the institute, which then became the university, and then finally was elected to the Toowoomba council and served there for 22 years. During that time Peter served as a deputy mayor under Mayor Di Thorley, under Mayor Tony Burke and also under Mayor Ross Miller. When Peter served under Mayor Ross Miller, he did not get the highest number of votes of those who stood for the council. It was the tradition that the councillor who received the highest number of votes was deputy mayor. But Peter was so highly thought of by Mayor Ross Miller that he appointed him as his deputy. Subsequently, those two were the driving force for a number of things that happened in the city during the next term of the council, in particular the restoration of the Empire Theatre. Peter had a love of the arts and a love of the theatre. He was a very cultured and educated man. He was a wonderful support and ally to Ross Miller. Together, against a lot of opposition at the time, the two of them restored what is possibly one of the most beautiful theatres in the world.

Peter was a loyal and faithful servant to the people of Toowoomba. He was interested in sport, he was interested and cared about the people, he cared about the university and he cared about the railway workers. He was a very caring person and Toowoomba was everything that he worked for. Peter was just so wonderfully supported by Robin in all that he did and Toowoomba was very lucky and fortunate indeed to have someone like him to serve the city and its people so well and so faithfully for so long.

Peter showed great courage in his later days with his illness. His daughter, Stephanie, gave a beautiful eulogy at the service, and told us something that most of us never even knew about—that Peter had battled with the difficulty of depression. But he certainly covered that over and worked for the city so none of us were ever aware of it. On behalf of the people of Toowoomba South and the members of this parliament, I would like to pass on my deepest sympathies and prayers to Robin and her family.

Mr SHINE (Toowoomba North—ALP) (9.52 am): At the outset I seek leave to incorporate an obituary which appears in today's *Courier-Mail* and an obituary that appeared in the *Toowoomba Chronicle* last Saturday, 6 February with respect to the late Peter Wood.

Leave granted.

60 OBITUARIES

Labor politics in his blood

PETER Wood was both witness to and victim of some of the most momentous events in Australian political history.

The grandson of a shearer, he cut his political teeth beside his father Leslie Wood, who held the seat of North Toowoomba from 1953 until 1958.

In the violent and bitter election campaign after the 1957 Labor split, Peter Wood was constantly by his father's side.

He chauffeured him around Toowoomba in an old Whippet as his father lobbied for votes, and stood beside him on the back of a Cobb & Co tray truck during the final, riotous rally before election day. Leslie Wood was elected opposition leader from the shattered Labor survivors of the election, but he died of a heart attack in 1958.

It was a crippling blow for his family and a turning point for Peter Wood, a school teacher.

He decided to seek pre-selection for his father's seat, only withdrawing when former minister Jack Duggan, defeated in the 1957 election, announced he would be the candidate.

But politics was in his blood.

Peter Wood
politician
Born: November 4, 1935,
Toowoomba
Died: January 24, 2010,
Noosa

He stood against the popular member for Toowoomba East and former mayor Curly Anderson in 1960, losing by 100 votes. He ran again in 1963, losing by only 11 votes. He later said he should have abandoned politics at that stage.

Disheartened, he headed overseas. During his two years based in London working as a supply teacher, he worked for the British Labour Party's 1964 campaign.

He also met a young Sydney woman, Robin Hadorn, at a party in London and married her in Sydney in 1965.

The newlyweds settled in Toowoomba where Mr Wood started work on his third election campaign.

In 1966, he won the seat of Toowoomba East (later Toowoomba South). He spent nine years in Parliament, serving as

opposition education spokesman and delighting in the cut and thrust of parliamentary debate and in serving his constituents.

He was greatly respected for his deep knowledge, intellect, mental agility and sincerity.

In an interesting twist, his twin brother Bill won the seat of Cook River in 1969 – the first time twin brothers had been elected to any parliament in the Commonwealth. But in 1974 the brothers fell victim to the backlash against the Whitlam federal government, which spread to state level, and were swept from office.

It was a traumatic time, made worse by premier Joh Bjelke-Petersen's vindictive act to refuse them employment with the Department of Education.

Peter Wood instead found work with the then Darling Downs Institute of Advanced Education (now the University of Southern Queensland), but politics was never far from his mind.

After the 1975 dismissal of the Whitlam government, he unsuccessfully stood for the federal seat of Darling Downs and also ran twice more, with-

out success, in state elections.

In 1982 he was elected to the Toowoomba City Council. His legacy as a councillor and later, deputy mayor, is still evident across the city, including the restoration of the Empire Theatre, the creation of the Toowoomba Regional Gallery and the preservation of Toowoomba's heritage precincts.

He was a driving force behind the city's new town plan, its tight financial management and improvements in accountability and openness.

He also served on many bodies. He was Regional Galleries Association of Queensland president, a Queensland Local Government Grants commissioner and Queensland Public Records Review Committee member.

After retiring to Sunshine Beach in 2005, he was appointed to the Noosa and Douglas shire Iconic Panels after council amalgamations.

In private, he was a gentle man and a lover of art, books and fine music.

Mr Wood is survived by wife Robin, children Stephanie and David, and two grandchildren.



POLITICAL ANIMAL: Peter Wood had a long political history and was elected to state parliament and local government.

Stephanie Wood

Incorporated by leave 9/2/10

Incorporated by Law 9/2/10

LIVESLIVED

Visionary MP lived a life far from ordinary

HIS was the most ordinary of mid-20th-century Toowoomba childhoods: A chook yard in the backyard, shepherd's pie every week, Sunday school at All Saints Church, sprinting for East State School at the Athletic Oval and carefree hours spent careening down the grass in Webb Park on a makeshift toboggan.

Luxuries were the occasional chook on the dinner table or a pie from Hudson's Pie Cart.

But Peter Wood, who died on January 24, aged 74, was not destined to be ordinary.

Nor was his to be an ordinary life. From his influence in the 1950s and 1960s as an earnest and dedicated primary school teacher at schools from Clontarf to Chinchilla, to his nine years in the Queensland Parliament and his 13 years as Toowoomba Deputy Mayor, Peter Wood dedicated his life to public service.

Born in November 1935, Peter was the second child of Leslie Arnold Wood and Anne Alice Margaret Wood (nee Reymen); his identical twin Bill, tumbled out quickly behind him.

Devotion to public service seemed a genetic inheritance for the Wood twins. A 1928 obituary for their paternal grandmother, Henrietta (nee Hoepfer), referred to her work during World War I for

Obituary

Peter Wood

Born: Toowoomba, November 4, 1935
Died: Noosa, January 24, 2010

- ▶ Primary school teacher
- ▶ Member of the Queensland Parliament from 1966-1974 (first as the member for Toowoomba East, then Toowoomba South)
- ▶ Administrator and academic registrar, University Southern Queensland (1974-1998)
- ▶ Toowoomba City councillor (1982-2004) Deputy Mayor (1991-2004)

the Red Cross among many other organisations; her "zeal in her earnest work in the name of charity".

And Mr Wood's father, Les, was to inherit his mother's energy and selfless commitment to public service.

Born in 1907, Les was a schoolteacher who served as a captain with the 25th battalion at Milne Bay.

In later years, Peter Wood would recount stories of poignant farewells on the platform of

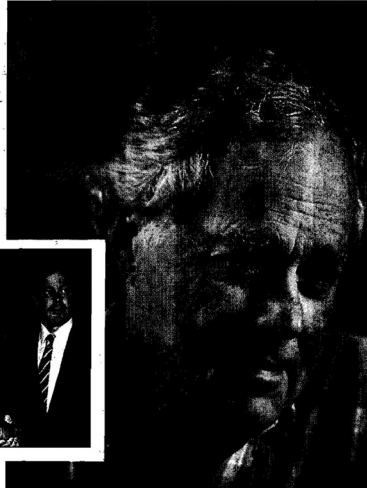
Toowoomba Railway Station at the end of his father's leave, and recall that his father mailed a coconut to the twins with their names and addresses carved into it.

On his return from the war, Les nominated as the Labor candidate in the 1946 by-election for the seat of East Toowoomba after the sudden death of the conservative member, Herbert Yeates. He won the seat but was defeated by Gordon Chalk in the general election a year later.

He stood for the seat of North Toowoomba in 1953 and held it until 1958. But by 1957, it became clear that the Wood family's fortunes would always be at the mercy of the vagaries of the political mood of the day.

After the bitter Labor Party split in 1957, Les Wood was elected Opposition Leader. A heart attack killed him less than one year later. The family was devastated and Toowoomba mourned the loss of its much-loved leader at the city's first state funeral.

On Monday, April 1, 1958, hundreds of people lined Ruthven Street in drizzling rain to pay their



ABOVE: Former Toowoomba City councillor and Deputy Mayor Peter Wood, OAM, dedicated his life to public service. LEFT: Mr Wood with Bob Hewke. Picture: FILE/SUPPLIED

respects as his mile-long cortege passed. Les's death would be a turning point for Peter; he decided to seek preselection for his father's seat, only withdrawing when former minister Jack Duggan, who had been defeated in the 1957 election, announced he would be the candidate.

But politics was in his blood. Peter stood against the popular member for Toowoomba East and former Toowoomba mayor, "Curly" Anderson, in the 1960 election, losing by some 100 votes, and again in 1963, losing by only 11 votes.

CONTINUED NEXT PAGE

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LIVESLIVED



Peter Wood was a man who was never destined to be ordinary. Picture: SUPPLIED

FROM PREVIOUS PAGE

In later years, he would say that he should have abandoned politics at that stage.

Disheartened, he determined he would head overseas and, in late 1963, travelled on the S.S. Canberra

from Sydney to Southampton via the Suez Canal.

It was a lesson in life for the naive, chaste and painfully shy former St Luke's altar boy: A cross-dressing table steward, incomprehensible menus ("Crème Chevreuse", "Ducking a la

Suedoise") and interperate young women.

During his two years based in London working as a supply teacher, Peter worked for the British Labor Party's 1964 general election campaign, wiring articles about the campaign back to The Chronicle.

In one, he wrote: "I have been fortunate enough to have been asked to speak on several occasions, once with Earl Attlee..."

In the same year, he attended the 1964 Democratic Party convention in Atlantic City where he heard a "stirring speech" by Robert Kennedy and an "uninspiring speech by President Lyndon B Johnson, who seemed tired and dispirited".

But it would be a modest and conservative young Sydney woman whom he met at a party in Tooting, south London, who would have the greatest influence on the young man.

When Peter sailed back to Australia on the Orsova ocean liner early in 1965, he started a daily correspondence with the slender, attractive Robin Hadorn, which would lead to their marriage in Sydney in December that year.

The newlyweds settled into a flat in Campbell Street and Peter started work on his third election campaign.

In 1966, he finally won the seat of Toowoomba East (later Toowoomba South). He would spend nine years in the Queensland Parliament, serving as Opposition Education spokesman and delighting in the cut and thrust of parliamentary debate and in serving his constituents.

He was acclaimed for his deep knowledge, intellect, mental agility

He was acclaimed for his deep knowledge, intellect, mental agility and sincerity.

and sincerity, speaking out on issues ranging from teachers' working conditions and the imbalance between male and female teachers, to the need for a national superannuation scheme.

His twin brother, Bill, entered Parliament as the member for Cook in 1969. But in 1974, those vagaries of the political mood of the day reversed Peter's fortunes.

He and Bill were traumatically swept from office in an election that left the Labor Party with only 11 members of Parliament. And, in one of the most notable of Premier Joh Bjelke-Petersen's acts of vindictiveness, both brothers were refused employment with the Department of Education.

Peter was employed by the then Darling Downs Institute of Advanced Education (now USQ), but politics was never far from his mind.

After three unsuccessful state election campaigns, he was elected to Toowoomba City Council in 1982 and it was as a councillor, and later Deputy Mayor, that he made an impact on the city like few of his predecessors or contemporaries.

He was a visionary — a forceful and highly principled advocate for retaining, restoring and creating strong cultural institutions for the

city and for conserving the natural environment.

He was a tireless campaigner for the restoration of the Empire Theatre, the creation of the Toowoomba Regional Gallery and the preservation of Toowoomba's heritage precincts in the face of relentless development.

He was a driving force behind the city's new town plan and the city's tight financial management, and played an enormous role in increasing the accountability and openness of council.

Peter Wood also served for countless other bodies, most notably as president of the Regional Galleries Association of Queensland, as a commissioner for the Queensland Local Government Grants Commission, and on the Queensland Public Records Review Committee.

After retiring to Sunshine Beach in 2005 he was appointed to the Noosa and Douglas Shire Iconic Panels.

Peter Wood's public works reflected his private and cultured appreciation of beautiful things. He was an art and a book lover — his collection of books on Australian art numbers in the thousands — and he adored classical music, regimens and opera.

In his last days, the coastal landscape and native vegetation of Sunshine Beach brought him great joy.

Peter Wood, a man who was never destined to be ordinary, is survived by his wife Robin, the children Stephanie and David, daughter-in-law Joanne, and grandchildren Marni and Finn.

Contributed by Stephanie Wood

Mr SHINE: I had the great pleasure, in a sense, of being asked by Peter to deliver at his funeral that section of his eulogy that relates to his public life. I acknowledge that at Peter's funeral the Hon. Neil Roberts, the Minister for Police, Corrective Services and Emergency Services, represented the Premier and the government of Queensland and Senator Claire Moore represented the Prime Minister and the federal government.

As has been mentioned, as Peter came from the family of a greatly loved and respected man, Les Wood, it was not surprising that he had politics well and truly in his blood. As has been mentioned, Peter first contested the seat of Toowoomba East in 1960 and again in 1963 and on both occasions the results were very narrow. In fact, on the second occasion the *Courier-Mail* had called him the winner. But Peter went on to lose by only about 10 votes.

In 1964 Peter went overseas to Great Britain where he worked for the British Labour Party. He spent most of his free time in the House of Commons, which turned out to be valuable experience for his later parliamentary career. In 1966 Peter was successful in winning the seat of Toowoomba East and subsequently was a member of parliament for Toowoomba South until the massacre of the Labor Party in 1974.

When one peruses Peter's parliamentary speeches what stands out are his breadth and depth of knowledge, his remarkable intellect, his ability to properly deliver and explain his message, his gifted mental agility, his consistency on causes that were worthwhile to him and, above all, his sincerity. I read a speech by the then member for Mount Gravatt, Mr Chinchin, about a year after Peter was elected as a member of parliament. He followed a speech made by Peter and he said the following about that speech—

We are accustomed to this honorable member making extremely good speeches... beautifully phrased... forthright and very well delivered... is a man of ability, which no-one on the other side of the house has. His speech was quite striking.

That was very high praise from the other side of the House. Not surprisingly, Peter's passion in parliament was education. He was acknowledged as being an authority on many of its facets, ranging from the conditions of teachers, student-teacher ratios, school hygiene, the need for an additional high school in Toowoomba and the imbalance between male and female teachers—and that was occurring in 1967. Peter was an advocate of no discrimination against handicapped children, the holiday use of school facilities and adult education. Peter also had a very deep understanding of the relevant education reports of the time—the Radford and the Karmel reports. As I see it, Peter's vision of how to achieve Chifley's explanation of the purpose for the existence of the Australian Labor Party in his light on the hill speech was that, through education, we could give that leg-up to attain social justice in this country.

However, Peter's interests were not restricted to education. He spoke well on many topics, ranging from ministerial responsibility and the need to reform question time. I saw a photo in the book to which the honourable Leader of the Opposition referred—or it might have been the member for Toowoomba South—of him advocating the wearing of shorts in parliament. That gained a photo in the *Courier-Mail*. Mr Speaker might take that on board.

Peter had a vast range of interests—economic reform, student nurses' conditions, decentralisation, drought relief, poverty and Aborigines. Well before his time, Peter was an advocate for a national superannuation scheme. It would be remiss not to mention Peter's advocacy for the arts, especially for the then Australian Opera Company, to which each state made financial contributions, and the Queensland Art Gallery. But for the turn of the political wheel, there is no doubt that Peter would have achieved very high office in a Queensland Labor government.

On his defeat, Peter attempted to regain employment, as did his brother, Bill, with the department of education. In one of the most notable vindictive acts of the late Mr Petersen, he prevented both Peter and Bill, who had been defeated for the seat of Barron River, from receiving such employment. As has been mentioned, Peter then worked at the USQ and he also had a distinguished career as a member of the Toowoomba City Council, serving as deputy mayor for 13 years.

Peter was particularly a tower of strength to his last mayor, who was Di Thorley. Those members who know Di would not imagine that Peter and Di were a great match at all in the sense of personality, but they complemented each other. Peter's time as deputy to Di Thorley could at least be said to be interesting. I will give an instance to the House. Di often caused Peter some trepidation—and she certainly did on the occasion of her first enterprise bargaining negotiation with the staff of the Toowoomba City Council. It was held with Dudley Watson of the AWU. So exasperated did Di become that she threatened to throw Dudley off the front veranda of the council building.

Mr Schwarten: No mean feat.

Mr SHINE: I will take that interjection. Peter calmly advised Di that, in his experience, throwing the AWU organiser on to Ruthven Street was not the most advisable strategy in which to achieve a satisfactory conclusion to an EB negotiation.

The former mayor did remind me the other day of Peter's unique skill in attending many and varied a function but leaving ever so discreetly so as not to create attention. Doing a 'Peter Wood' is a skill envied by many in public office.

When I visited Peter at the Noosa Hospital, he asked me to ensure that I mentioned in my speech on this motion his appreciation of the high standard of care and attention he received at the Nambour Hospital and his appreciation of staff of that public hospital.

We discussed a number of topics over recent times, and one of the topics of conversation was the improvements in the facilities at this place, particularly in terms of the living conditions. At the time he stayed at what was called The Lodge, a mosquito and cockroach infested building on which the Annexe now stands. From what I can gather, the accommodation was essentially dormitory in nature with a shared toilet and bathroom on each level. Sleep was often difficult, with members coming in at all hours. The level of assistance that members had in those days, particularly frontbenchers who had shadow ministerial responsibilities, was non-existent.

Earlier I mentioned his advocacy for shorts. He had many pleasant experiences, particularly with the late member for Lytton, Mr Burns. On one occasion they were electioneering in the country and they came across a flock of ducks. Tom Burns pulled up the car and said, 'I can catch one of those,' and proceeded to do so. Again with Mr Burns he obtained another photo in the *Courier-Mail*—if not a photo at least a mention. This was on the opening of parliament. Neither Mr Burns nor Peter was overly fond of attending the garden party thereafter. I will read from the book which has been referred to before. It states—

On the third and final occasion that I attended the opening of Parliament, Bill and I ignored the garden party. Tom Burns persuaded us that it was a bit of a bore, which we knew, and took us to afternoon tea with a group of pensioners in his electorate. It was, of course, a publicity stunt. It worked—we got our photos in *The Courier-Mail*. And we didn't miss the garden party one bit.

On another occasion he and his brother, if not Robin, his wife, were keen to avoid having to shake the hand of the then Premier. They searched long and hard to find a door that was unlocked in these precincts so that they could get in without having to do that.

Peter was deservedly honoured as patron of many charitable and sporting bodies. In his time he received the high honours of Order of Australia, the Centenary Medal and life membership of the Australian Labor Party. He gave over 40 years public service as a conscientious and assiduous representative of the people. He was a good, noble and faithful servant of the people.

Hon. RE SCHWARTEN (Rockhampton—ALP) (Minister for Public Works and Information and Communication Technology) (10.03 am): I first met Peter in about 1968, when my father brought us to Parliament House. The second time I met him I remember very well. It was about 1970 when he came to Rockhampton and addressed a forum on the alternative government's policy on education. I remember vividly how eloquent he was at a time when such eloquence was not freely available on the political front. He was a man of great passion and education, and that is witnessed by the statements that have been made today endorsing that.

I will be very brief, because there is not much more one can say after what other speakers have said here today except to say that every single word members have heard said is absolutely true and testament to this great bloke.

He and his brother suffered political persecution; they copped it on the chin and they got on with their lives. They saw more downs in the Labor Party than most of us in the Labor Party will ever see. There was the frustration of Duggan's case, where he stood aside for Duggan. The common view was that he could have won the seat over Duggan because Duggan was unpopular at that stage. However, he stood aside. Then, of course, the tide was turning in 1960. He was unsuccessful at the next election, but he kept at it. He was caught up in the great swirl of anti-Labor sentiment in 1974. In my view, the great contribution that the Labor Party could have made was ended there. After that he endured personal political persecution in employment, as did his brother Bill, who ended up being a teacher in Rockhampton for a while before he went to the ACT. I had a lot to do with both of them in recent years: Bill as the housing minister in the ACT and Peter, as the Deputy Premier pointed out, in his position on the records committee at the Archives. Peter was not only a walking encyclopaedia of Labor history but also a walking encyclopaedia of Australian and particularly Queensland history.

There is very little else one can say about a man who has made such a great contribution. The Labor Party chose to give him the highest honour it possibly can in life membership, and there is no better deserving person. My father always spoke very highly of his father, Les. He said that it was a great tragedy that he was cut down because the history of the sixties may well have been different. He stuck with us during the split and, of course, as members have heard, that is exactly what the other Wood brothers did, too: they stuck through hard and tough times and made significant contributions in every area that they served.

Today we bid farewell to somebody who never forgot where he came from. That is pretty hard. There is an old saying: it is a good horse that can stand corn. The reality is that he never forgot the trials and tribulations that working-class people have to endure. When I last spoke with him, regrettably too long ago, at a community cabinet meeting in Toowoomba last year, he was still talking the talk of somebody who had been a working-class warrior all his life. He was somebody who never deserted his principles along the way and paid the price for that. He was prepared to do that and cop it on the chin.

One can say no more about a bloke than to say that he was a good Labor man. He was a good Labor man. May he rest in peace. To his family, Robin and Stephanie: my heartfelt condolences. I am sorry that I was not able to be at the funeral to share that occasion with you.

Question put—That the motion be agreed to.

Motion agreed to.

Whereupon honourable members stood in silence.

Mr SPEAKER: In accordance with sessional order No. 4, the order of business will now resume and question time will commence one hour from now, at 11.08 am.

APPOINTMENT

Opposition Deputy Whip

Mr LANGBROEK (Surfers Paradise—LNP) (Leader of the Opposition) (10.08 am): I wish to advise the House that the new deputy whip for the LNP is the member for Hervey Bay.

PETITIONS

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

Cairns, Bruce Highway

Mr Pitt, from 1,288 petitioners, requesting the House to ensure that other options are considered for the development of the Bruce Highway development in the southern corridor of Cairns [[1599](#)].

The Clerk presented the following e-petitions, sponsored by the honourable members indicated—

Gympie, Department of Transport and Main Roads Office

Mr Gibson, from 188 petitioners, requesting the House to ensure that the regional office of the Department of Transport and Main Roads North Coast remains in Gympie and is not relocated to Maroochydore; the existing level of staffing remains; and the office be maintained as a service centre for both the North Coast Region and the Wide Bay/ Burnett Region [[1600](#)].

Capalaba, Eastern Busway

Mr Choi, from 539 petitioners, requesting the House to bring forward the promised delivery of the Eastern Busway to Capalaba as designed by 2012 [[1601](#)].

Milla Milla, East Evelyn Road Intersection Upgrade

Mr Knuth, from 20 petitioners, requesting the House to update the intersection of East Evelyn Road and Malanda-Milla Milla Road via Milla Milla [[1602](#)].

Rabbits, Domestic

Mr Knuth, from 879 petitioners, requesting the House to remove existing prohibitions and allow the keeping of domestic rabbits, with appropriate controls and restrictions, as is the case elsewhere in the Commonwealth [[1603](#)].

Altruistic Surrogacy Committee, Recommendations

Ms Darling, from 245 petitioners, requesting the House to implement the unanimous recommendations of the investigation into Altruistic Surrogacy Committee tabled on 23 April 2009 [[1604](#)].

Gumdale, Licensed Premises

Mr Kilburn, from 233 petitioners, requesting the House to ensure that the proposed development of a licensed premises directly adjoining the Gumdale State Primary School is not approved [[1605](#)].

Giles Road and Cleveland-Redland Bay Road Intersection

Mr Dowling, from 7 petitioners, requesting the House to provide traffic lights at the intersection of Giles Road and Cleveland-Redland Bay Road [[1606](#)].

Mackenzie to Carindale Shopping Centre, Public Transport

Mr Nicholls, from 61 petitioners, requesting the House to reconsider TransLink's decision that it is not viable to provide bus services between Mackenzie and Carindale shopping centre [[1607](#)].

Gympie, Police Resources

Mr Gibson, from 326 petitioners, requesting the House to increase police presence in Mary Street, Gympie on Friday and Saturday nights [[1608](#)].

Mandatory Sustainability Declaration, Withdrawal

Mr Gibson, from 5,532 petitioners, requesting the House to immediately withdraw the mandatory sustainability declaration [\[1609\]](#).

Classification of Computer Games and Images Act 1995

Ms Jones, from 5,891 petitioners, requesting the House to amend the Classification of Computer Games and Images Act 1995 to permit computer games to receive the R18+ classification when they have been refused classification under the Commonwealth Act [\[1610\]](#).

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—

27 November 2009—

[1515](#) Response from the Minister for Main Roads (Mr Wallace) to an ePetition (1300-09) sponsored by Mr Powell from 364 petitioners requesting a dedicated cycleway and footpath as part of the upgrade of the Maleny-Kenilworth Road, including the Reesville Road intersection, to link the communities of Maleny and Witta

[1516](#) Residential Tenancies Authority—Annual Report 2008-09

[1517](#) Residential Tenancies Authority—Annual Report 2008-09: Late tabling statement

[1518](#) Response from the Minister for Transport (Ms Nolan) to a paper petition (1206-09) presented by Mr Lucas from 399 petitioners requesting the House to expedite negotiations with the lease holder of the Coast Guard pontoon at Manly Boat Harbour and the Port of Brisbane Corporation so that facilities can be upgraded to accommodate the demand for services provided by Sailability Bayside

[1519](#) Queensland's river improvement trusts: Summary of annual reports and financial statements 2008-09

[1520](#) Queensland's Category 2 water authorities: Summary of annual reports and financial statements 2008-09

[1521](#) Response from the Minister for Tourism and Fair Trading (Mr Lawlor) to a paper petition (1330-09) presented by Mr Powell from 174 petitioners regarding consultation on amendments to the Manufactured Homes (Residential Parks) Act 2003

[1522](#) Law, Justice and Safety Committee: Report No. 70—A Preamble for the Constitution of Queensland 2001, and Report No. 71—Options for modernising the oaths and affirmations of allegiance in the Constitution of Queensland 2001: Submissions 1 to 50

[1523](#) Law, Justice and Safety Committee: Report No. 70—A Preamble for the Constitution of Queensland 2001, and Report No. 71—Options for modernising the oaths and affirmations of allegiance in the Constitution of Queensland 2001: Submissions 51 to 104

[1524](#) Law, Justice and Safety Committee: Report No. 70—A Preamble for the Constitution of Queensland 2001, and Report No. 71—Options for modernising the oaths and affirmations of allegiance in the Constitution of Queensland 2001: Submissions 105 to 155

[1525](#) Law, Justice and Safety Committee: Report No. 70—A Preamble for the Constitution of Queensland 2001, and Report No. 71—Options for modernising the oaths and affirmations of allegiance in the Constitution of Queensland 2001: Submissions 156 to 202

30 November 2009—

[1526](#) Response from the Minister for Natural Resources, Mines and Energy and Minister for Trade (Mr Robertson) to an ePetition (1212-09) sponsored by Mr Mickel from 262 petitioners in relation to the proposed construction of high voltage overhead power lines (Loganlea to Jimboomba upgrade) along and across the Logan River and the Logan River floodplain

[1527](#) Response from the Attorney-General and Minister for Industrial Relations (Mr C R Dick) to a paper petition (1299-09) presented by Mrs Cunningham from 1265 petitioners regarding opposition to legislation that would decriminalise abortion in Queensland

[1528](#) Local Government Electoral and Boundaries Review Commission: Final Report on a Change of Name by the Dalby Regional Council to Western Downs Regional Council, April 2009

[1529](#) Local Government Electoral and Boundaries Review Commission: Final Report on a Change of Name by the Roma Regional Council to Maranoa Regional Council, April 2009

1 December 2009—

[1530](#) Response from the Minister for Natural Resources, Mines and Energy and Minister for Trade (Mr Robertson) to an ePetition (1290-09) sponsored by Mr Wellington from 168 petitioners requesting the House not to proceed with Powerlink's construction of the proposed 270 KVA overhead transmission lines that will destroy the unique and fragile environmental corridor of Ridgewood to Eerwah Vale but to seek further independent consultation to choose a more appropriate and safer option

[1531](#) Response from the Minister for Transport (Ms Nolan) to a paper petition (1332-09) presented by Mr Wettenhall from 689 petitioners and an ePetition (1315-09) sponsored by Mr Wettenhall from 137 petitioners requesting the House to extend the Sunbus service contract to include the Freshwater Valley (Redlynch), Cairns

[1532](#) Statutory Review of the Biodiscovery Act 2004 (Queensland)

2 December 2009—

[1533](#) Response from the Minister for Police, Corrective Services and Emergency Services (Mr Roberts) to a paper petition (1289-09) presented by Mr Dowling from 213 petitioners requesting the House to provide a police presence on Coochiemudlo Island

- [1534](#) Response from the Minister for Tourism and Fair Trading (Mr Lawlor) to a paper petition (1341-09) presented by Mr Elmes from 139 petitioners requesting the House to refuse the application of MGW Hotels Pty Ltd for extended liquor trading hours at Villa Noosa Hotel-Motel, Noosaville
- 3 December 2009—
- [1535](#) Law, Justice and Safety Committee: Report No. 71—Options for modernising the oaths and affirmations of allegiance in the Constitution of Queensland 2001: Government Response
- [1536](#) Response from the Minister for Infrastructure and Planning (Mr Hinchliffe) to a paper petition (1328-09) presented by Mr Wellington from 1787 petitioners requesting the House to support amendments to the Queensland Integrated Planning Act for a new definition of Community Hospice Guest House
- 4 December 2009—
- [1537](#) Response from the Minister for Transport (Ms Nolan) to a paper petition (1343-09) presented by Mr O'Brien from 554 petitioners requesting the House to reverse the cuts in airline services and increases in fares by QantasLink to the Torres Strait and Weipa
- 7 December 2009—
- [1538](#) Department of Environment and Resource Management document titled 'Warrubullen Drainage Board—Final Report, 1 July 2008-7 November 2008'
- [1539](#) Response from the Minister for Police, Corrective Services and Emergency Services (Mr Roberts) to a paper petition (1322-09) presented by Mr Dowling from 102 petitioners requesting the House to authorise a permanent police presence on Lamb Island
- 8 December 2009—
- [1540](#) Queensland Motorways Limited—Annual Report 2009
- [1541](#) Response from the Minister for Climate Change and Sustainability (Ms Jones) to an ePetition (1268-09) sponsored by Mr Robinson from 952 petitioners and two paper petitions (1342-09 from 597 petitioners and 1355-09 from 21 petitioners) presented by Mr Robinson in relation to the new zoning arrangements for the Moreton Bay Marine Park
- [1542](#) Response from the Minister for Climate Change and Sustainability (Ms Jones) to an ePetition (1314-09) sponsored by Mr Sorensen from 263 petitioners and a paper petition (1338-09) presented by Mr Sorensen from 399 petitioners requesting the House ensures the destruction of Fraser Island dingoes ceases
- 9 December 2009—
- [1543](#) Response from the Premier and Minister for the Arts (Ms Bligh) to an ePetition (1262-09) sponsored by Mr Bleijie from 332 petitioners requesting the House and the Premier to reinstate the position of Minister for Seniors responsible for all matters relevant to that portfolio
- [1544](#) Response from the Minister for Main Roads (Mr Wallace) to an ePetition (1313-09) sponsored by Mr Dickson from 110 petitioners requesting the House to maintain the 2001 agreed route for the multi-modal transport corridor through Bundilla, rather than allow the proposed re-routing of the corridor through the suburb of Hideaway Waters
- [1545](#) Island Industries Board (IIB) operating as Islanders Board of Industry and Service (IBIS)—Annual Report for the Financial Year ended 31 January 2009
- [1546](#) Island Industries Board (IIB) operating as Islanders Board of Industry and Service (IBIS)—Annual Report for the Financial Year ended 31 January 2009: Late tabling statement by the Minister for Local Government and Aboriginal and Torres Strait Islander Partnerships (Ms Boyle)
- 10 December 2009—
- [1547](#) Response from the Minister for Child Safety and Minister for Sport (Mr Reeves) to an ePetition (1266-09) sponsored by Mr Stevens from 331 petitioners requesting consultation between the government and the Gold Coast City Council regarding possible parking sites at Skilled Stadium, Robina to ultimately have a parking option in place
- [1548](#) Response from the Minister for Natural Resources, Mines and Energy and Minister for Trade (Mr Robertson) to a paper petition (1288-09) presented by Ms Croft from 400 petitioners requesting that the Queensland Government reject a 63 hectare parcel on South Stradbroke Island from further future consideration as a potential site for desalination plant and that the Minister for Climate Change and Sustainability extend the South Stradbroke Island Conservation Park
- 11 December 2009—
- [1549](#) Response from the Minister for Transport (Ms Nolan) to an ePetition (1261-09) sponsored by Mr Springborg from 100,010 petitioners regarding the 20 per cent increase in motor vehicle registration fees
- [1550](#) Response from the Minister for Climate Change and Sustainability (Ms Jones) to an ePetition (1318-09) sponsored by Mr Sorensen from 81 petitioners and a paper petition (1339-09) presented by Mr Sorensen from 154 petitioners regarding a DERM raid on Jennifer Parkhurst's home
- 14 December 2009—
- [1551](#) Childrens Court of Queensland—Annual Report 2008-09
- 15 December 2009—
- [1552](#) Queensland Local Government Grants Commission—Report 2009
- 16 December 2009—
- [1553](#) Response from the Minister for Police, Corrective Services and Emergency Services (Mr Roberts) to a paper petition (1277-09) presented by Mrs Sullivan from 2249 petitioners requesting the re-establishment of a permanent police beat at Beachmere

17 December 2009—

[1554](#) Response from the Minister for Primary Industries, Fisheries and Rural and Regional Queensland (Mr Mulherin) to an ePetition (1278-09) sponsored by Mrs Menkens from 163 petitioners and a paper petition (1298-09) presented by Mrs Menkens from 1569 petitioners regarding the possible closure of the Burdekin Campus of the Australian Agricultural College Corporation

[1555](#) Public Accounts and Public Works Committee: Report No. 2—Review of Auditor-General Report 2 for 2007—Results of Performance Management Systems Audits of Funding to Non-Government Organisations: Government Response

21 December 2009—

[1556](#) Response from the Minister for Natural Resources, Mines and Energy and Minister for Trade (Mr Robertson) to an ePetition (1282-09) sponsored by Mrs Attwood from 468 petitioners relating to electricity rebate for home users of a life support machine

22 December 2009—

[1557](#) Quarterly report on Key Indicators in Queensland's discrete indigenous communities—July-September 2009

[1558](#) Response from the Minister for Local Government and Aboriginal and Torres Strait Islander Partnerships (Ms Boyle) to a paper petition (1329-09) presented by Mr Dowling from 1715 petitioners regarding vehicle parking in the Weinam Creek area

23 December 2009—

[1559](#) Response from the Minister for Education and Training (Mr Wilson) to a paper petition (1326-09) presented by Mr Hobbs from 159 petitioners regarding employment awards for community kindergarten employees

[1560](#) Response from the Minister for Natural Resources, Mines and Energy and Minister for Trade (Mr Robertson) to a paper petition (1351-09) presented by Mr Elmes from 1146 petitioners regarding the degraded state of Noosa River and the implementation of the Noosa River Plan

[1561](#) Response from the Attorney-General and Minister for Industrial Relations (Mr C R Dick) to a paper petition (1310-09) presented by Mrs Menkens from 1160 petitioners regarding the Home Hill police station, and police resources and crime issues in the Home Hill area

[1562](#) Response from the Minister for Primary Industries, Fisheries and Rural and Regional Queensland (Mr Mulherin) to a paper petition (1309-09) presented by Mrs Menkens from 58 petitioners regarding the possible closure of the Australian Agricultural College Corporation Burdekin Campus

[1563](#) Response from the Minister for Primary Industries, Fisheries and Rural and Regional Queensland (Mr Mulherin) to a paper petition (1354-09) presented by Mrs Pratt from 1205 petitioners regarding K & R Breeding Kennels in Wondai

[1564](#) Mental Health Court—Annual Report 2008-09

[1565](#) Family Responsibilities Commission: Report to the Family Responsibilities Board and the Minister for Local Government and Aboriginal and Torres Strait Islander Partnerships—Quarterly Report No. 5—July-September 2009

[1566](#) Response from the Attorney-General and Minister for Industrial Relations (Mr C R Dick) to an ePetition (1319-09) sponsored by Mr Foley from 2034 petitioners regarding surrogacy

24 December 2009—

[1567](#) Response from the Attorney-General and Minister for Industrial Relations (Mr C R Dick) to an ePetition (1317-09) sponsored by Mrs Cunningham from 6181 petitioners and a paper petition (1350-09) presented by Mr Rickuss from 33 petitioners requesting the House to maintain the abortion laws as they presently stand

[1568](#) Response from the Attorney-General and Minister for Industrial Relations (Mr C R Dick) to an ePetition (1281-09) sponsored by Mr Moorhead from 1975 petitioners and a paper petition (1307-09) presented by Mr Moorhead from 540 petitioners requesting repeal of sections 224, 225 and 226 of the Criminal Code to ensure that termination of pregnancy is no longer subject to criminal law

[1569](#) Response from the Attorney-General and Minister for Industrial Relations (Mr C R Dick) to an ePetition (1302-09) sponsored by Mr Moorhead from 1853 petitioners requesting repeal of sections 224, 225 and 226 of the Criminal Code to ensure that termination of pregnancy is no longer subject to criminal law

[1570](#) Response from the Minister for Transport (Ms Nolan) to a paper petition (1331-09) presented by Mr Dowling from 854 petitioners requesting the House to take control of the privately operated ferries which run to the Southern Bay Moreton Islands so that fares can be brought into line with other Government ferry services

[1571](#) Electricity Industry Code (Fifth Edition: made 20 November 2009 effective 1 July 2010) made under the Electricity Act 1994

[1572](#) Response from the Minister for Natural Resources, Mines and Energy and Minister for Trade (Mr Robertson) to an ePetition (1248-09) sponsored by Ms Male from 4662 petitioners requesting that no mining applications are granted on any part of the Steve Irwin Wildlife Reserve

[1573](#) Response from the Minister for Natural Resources, Mines and Energy and Minister for Trade (Mr Robertson) to an ePetition (1323-09) sponsored by Mrs Stuckey from 102 petitioners and a paper petition (1357-09) presented by Mrs Stuckey requesting independent monitoring of the brine output from the Tugun Desalination Plant

[1574](#) Response from the Minister for Climate Change and Sustainability (Ms Jones) to a paper petition (1352-09) presented by Mr Choi from 3368 petitioners and an ePetition (1260-09) sponsored by Mr Choi from 4528 petitioners regarding the protection of the koala population in the Redlands Koala Coast area

15 January 2010—

[1575](#) Response from the Minister for Transport (Ms Nolan) to a paper petition (1344-09) presented by Mr Dowling from 202 petitioners requesting the House to install appropriate disability access in accordance with Australian Standards to the jetties situated at Victoria Point and Coochiemudlo Island

[1576](#) Response from the Acting Minister for Child Safety and Minister for Sport (Ms Struthers) to an ePetition (1301-09) sponsored by Mr Bleijie from 162 petitioners concerning funding towards the construction of a new grandstand at Stockland Park, Kawana

19 January 2010—

[1577](#) Local Government Remuneration Tribunal—Report 2009

21 January 2010—

[1578](#) Response from the Minister for Main Roads and Acting Minister for Transport (Mr Wallace) to a paper petition (1351-09) presented by Mr Elmes from 1146 petitioners in relation to the degraded state of the Noosa River and the implementation of the Noosa River Plan

[1579](#) Economic Development Committee: Report No. 2—Inquiry into identifying world's best practice by governments to effectively stimulate employment opportunities in Queensland: Ministerial response from the Minister for Local Government and Aboriginal and Torres Strait Islander Partnerships (Ms Boyle)

25 January 2010—

[1580](#) Overseas travel report—Report on an overseas visit by the Minister for Climate Change and Sustainability (Ms Jones) to the United Kingdom, Germany and Denmark from 9 to 18 December 2009—Report on overseas visit and attendance at the Climate Change Summit in Copenhagen

28 January 2010—

[1581](#) Stadiums Queensland—Annual Report 2008-09: Erratum to Annual Report

29 January 2010—

[1582](#) Quarterly Report to the Attorney-General and Minister for Industrial Relations (1 July to 30 September 2009)—Activities carried out by the Queensland Workplace Rights Office

[1583](#) Social Development Committee—Report No. 2: Chronic Diseases in Queensland

1 February 2010—

[1584](#) Letter, dated 22 January 2010, from the Acting Premier (Mr Fraser) to the Clerk of the Parliament enclosing a copy of material (Report 107) from the Commonwealth Parliament's Joint Standing Committee on Treaties listing treaties tabled in both houses of the Federal Parliament on 20 August and 15 September 2009

[1585](#) Perpetual Limited and its controlled entities—Financial Statements for the year ended 30 June 2009

[1586](#) National Australia Trustees Limited—Annual Financial Report 30 September 2009

2 February 2010—

[1587](#) Ninth Annual Report of the Controlled Operations Committee delivered pursuant to the Police Powers and Responsibilities Act 2000—1 July 2008 to 30 June 2009, together with transmittal letter, dated 14 January 2010, from the Chairperson, Controlled Operations Committee to the Minister for Police, Corrective Services and Emergency Services

3 February 2010—

[1588](#) Response from the Minister for Education and Training (Mr Wilson) to a paper petition (1340-09) presented by Mr Wilson from 17,915 petitioners regarding the Queensland teachers' enterprise bargaining agreement

4 February 2010—

[1589](#) Auditor-General of Queensland: Report to Parliament No. 1 for 2010—Audit of A1 Grand Prix Agreements: A Financial and Compliance Audit

[1590](#) Report by David Williams titled '2009 Gold Coast Motorsport Event Review'

[1591](#) Queensland Ombudsman: Complaints Matter—A review of the complaints management systems of Queensland Government agencies, February 2010

[1592](#) Correspondence from the Honourable Judy Spence MP, dated 4 February 2010, to the Speaker relating to the 2009 Gold Coast Motorsport Event Review prepared by David Williams

5 February 2010—

[1593](#) Commercial and Consumer Tribunal—Annual Report 2008-09

[1594](#) Training and Employment Recognition Council—Annual Report 2008-09: Erratum to Annual Report

8 February 2010—

[1595](#) Murray-Darling Basin Authority—Annual Report 2008-09 including the Murray-Darling Basin Commission Final Report 1 July to 14 December 2008

Statutory instruments

The following statutory instruments were tabled by the Clerk—

Water Act 2000—

[1611](#) Water Resource (Barron) Amendment Plan (No. 1) 2009, No. 266

Water Act 2000—

[1612](#) Water Resource (Barron) Amendment Plan (No. 1) 2009, No. 266, Explanatory Notes

Education and Training Legislation Amendment Act 2009—

[1613](#) Proclamation commencing certain provisions, No. 267

Fisheries Act 1994—

[1614](#) Fisheries Amendment Regulation (No. 1) 2009, No. 268

Personal Property Securities (Commonwealth Powers) Act 2009—

[1615](#) Proclamation commencing certain provision, No. 269

Gaming Machine Act 1991—

[1616](#) Gaming Machine Amendment Regulation (No. 1) 2009, No. 270

Gambling and Other Legislation Amendment Act 2009—

[1617](#) Proclamation commencing certain provisions, No. 271

Liquor Act 1992—

[1618](#) Liquor Amendment Regulation (No. 3) 2009, No. 272

Great Barrier Reef Protection Amendment Act 2009—

[1619](#) Proclamation commencing remaining provisions, No. 273

Corrective Services Act 2006, Health Services Act 1991, Recording of Evidence Act 1962—

[1620](#) Justice and Other Legislation (Victims of Crime Assistance) Amendment Regulation (No. 1) 2009, No. 274

State Penalties Enforcement and Other Legislation Amendment Act 2009—

[1621](#) Proclamation commencing remaining provisions, No. 275

Electrical Safety Act 2002—

[1622](#) Electrical Safety Amendment Regulation (No. 2) 2009, No. 276

Victims of Crime Assistance Act 2009—

[1623](#) Proclamation commencing remaining provisions, No. 277

Queensland Civil and Administrative Tribunal Act 2009—

[1624](#) Queensland Civil and Administrative Tribunal Amendment Regulation (No. 1) 2009, No. 278

Public Trustee Act 1978—

[1625](#) Public Trustee Amendment Regulation (No. 7) 2009, No. 279

Sustainable Planning Act 2009, Body Corporate and Community Management Act 1997, Building Act 1975, Coastal Protection and Management Act 1995, Electricity Act 1994, Environmental Protection Act 1994, Fisheries Act 1994, Iconic Queensland Places Act 2008, Liquor Act 1992, Marine Parks Act 2004, Nature Conservation Act 1992, Plumbing and Drainage Act 2002, Prostitution Act 1999, Queensland Building Services Authority Act 1991, Rural and Regional Adjustment Act 1994, State Development and Public Works Organisation Act 1971, Stock Act 1915, Transport Infrastructure Act 1994, Transport Operations (Marine Safety) Act 1994, Transport Planning and Coordination Act 1994, Vegetation Management Act 1999, Water Act 2000, Wet Tropics World Heritage Protection and Management Act 1993, Wine Industry Act 1994—

[1626](#) Sustainable Planning Regulation 2009, No. 280

Sustainable Planning Act 2009—

[1627](#) Proclamation commencing remaining provisions, No. 281

Land Act 1994—

[1628](#) Land Regulation 2009, No. 282

Land Act 1994—

[1629](#) Land Regulation 2009, No. 282, Explanatory Notes

Land Act 1994—

[1630](#) Land Regulation 2009, No. 282, Regulatory Impact Statement

Wild Rivers Act 2005—

[1631](#) Wild Rivers Amendment Regulation (No. 1) 2009, No. 283

Adult Proof of Age Card Act 2008—

[1632](#) Adult Proof of Age Card (Postponement) Regulation 2009, No. 284

Transport (New Queensland Driver Licensing) Amendment Act 2008—

[1633](#) Transport (New Queensland Driver Licensing) Amendment (Postponement) Regulation 2009, No. 285

Nature Conservation Act 1992—

[1634](#) Nature Conservation (Protected Areas) Amendment Regulation (No. 4) 2009, No. 286

Nature Conservation Act 1992—

[1635](#) Nature Conservation (Protected Areas Management) Amendment Regulation (No. 6) 2009, No. 287

State Penalties Enforcement Act 1999—

[1636](#) State Penalties Enforcement Amendment Regulation (No. 3) 2009, No. 288

Fair Work (Commonwealth Powers) and Other Provisions Act 2009—

[1637](#) Proclamation commencing certain provisions, No. 289

Health and Other Legislation Amendment Act 2009—

[1638](#) Proclamation commencing remaining provisions, No. 290

Health Services Act 1991, Pest Management Act 2001—

[1639](#) Health Legislation Amendment Regulation (No. 3) 2009, No. 291

Hospitals Foundations Act 1982—

[1640](#) Hospitals Foundations Amendment Regulation (No. 1) 2009, No. 292

Health Act 1937—

[1641](#) Health (Drugs and Poisons) Amendment Regulation (No. 1) 2009, No. 293

Health Practitioner Regulation (Administrative Arrangements) National Law Act 2008—

[1642](#) Proclamation commencing remaining provisions, No. 294

Mutual Recognition (Queensland) Act 1992—

[1643](#) Mutual Recognition (Queensland) Regulation 2009, No. 295

Petroleum and Gas (Production and Safety) Act 2004—

[1644](#) Petroleum and Gas (Production and Safety) Amendment Regulation (No. 1) 2009, No. 296

Prostitution Act 1999—

[1645](#) Prostitution Amendment Regulation (No. 1) 2009, No. 297

Building Act 1975, Electricity Act 1994—

[1646](#) Building and Other Legislation Amendment Regulation (No. 4) 2009, No. 298

Transport Operations (Marine Safety) Act 1994—

[1647](#) Transport Operations (Marine Safety) Amendment Regulation (No. 3) 2009, No. 299

Transport Operations (Road Use Management) Act 1995—

[1648](#) Transport Operations (Road Use Management-Driver Licensing) Amendment Regulation (No. 1) 2009, No. 300

Transport Operations (Road Use Management) Act 1995—

[1649](#) Transport Legislation Amendment Regulation (No. 3) 2009, No. 301

Travel Agents Act 1988—

[1650](#) Travel Agents Amendment Regulation (No. 1) 2009, No. 302

Adoption Act 2009—

[1651](#) Adoption Regulation 2009, No. 303

Environmental Protection Act 1994—

[1652](#) Environmental Protection Amendment Regulation (No. 1) 2009, No. 304

Forestry Act 1959, Nature Conservation Act 1992—

[1653](#) Forestry and Nature Conservation Legislation Amendment Regulation (No. 6) 2009, No. 305

State Penalties Enforcement Act 1999—

[1654](#) State Penalties Enforcement Amendment Regulation (No. 4) 2009, No. 306

Magistrates Act 1991—

[1655](#) Magistrates Amendment Regulation (No. 1) 2009, No. 307

Building and Construction Industry (Portable Long Service Leave) Act 1991—

[1656](#) Building and Construction Industry (Portable Long Service Leave) Amendment Regulation (No. 1) 2009, No. 308

Building and Construction Industry (Portable Long Service Leave) Act 1991—

[1657](#) Building and Construction Industry (Portable Long Service Leave) Amendment Regulation (No. 1) 2009, No. 308, Regulatory Impact Statement

Public Trustee Act 1978—

[1658](#) Public Trustee Amendment Regulation (No. 8) 2009, No. 309

Integrity Act 2009—

[1659](#) Proclamation commencing remaining provisions, No. 310

Health Services Act 1991—

[1660](#) Health Services Amendment Regulation (No. 2) 2009, No. 311

Radiation Safety Act 1999—

[1661](#) Radiation Safety Amendment Regulation (No. 2) 2009, No. 312

Sustainable Planning Act 2009—

[1662](#) Sustainable Planning Amendment Regulation (No. 1) 2009, No. 313

Exotic Diseases in Animals Act 1981—

[1663](#) Exotic Diseases in Animals (Equine Influenza) Repeal Notice 2009, No. 314

Nature Conservation Act 1992—

[1664](#) Nature Conservation (Macropod Harvest Period 2010) Notice 2009, No. 315

Professional Standards Act 2004—

[1665](#) Professional Standards (ACS Limited Liability (NSW) Scheme) Notice 2009, No. 316

Casino Control Act 1982—

[1666](#) Casino Gaming Amendment Rule (No. 2) 2009, No. 317

Electrical Safety Act 2002—

[1667](#) Electrical Safety (Codes of Practice) Amendment Notice (No. 1) 2009, No. 318

Petroleum and Gas (Production and Safety) Act 2004—

[1668](#) Petroleum and Gas (Production and Safety) Amendment Regulation (No. 1) 2010, No. 1

Education and Training Legislation Amendment Act 2009—

[1669](#) Proclamation commencing remaining provisions, No. 2

Transport Operations (Road Use Management) Act 1995—

[1670](#) Transport Operations (Road Use Management-Vehicle Registration) Amendment Regulation (No. 1) 2010, No. 3

State Penalties Enforcement Act 1999—

[1671](#) State Penalties Enforcement Amendment Regulation (No. 1) 2010, No. 4

Childrens Court Act 1992—

[1672](#) Childrens Court Amendment Rule (No. 1) 2010, No. 5

Queensland Civil and Administrative Tribunal Act 2009—

[1673](#) Queensland Civil and Administrative Tribunal Amendment Regulation (No. 1) 2010, No. 6

Public Trustee Act 1978—

[1674](#) Public Trustee Amendment Regulation (No. 1) 2010, No. 7

Workplace Health and Safety Act 1995—

[1675](#) Workplace Health and Safety (Codes of Practice) Amendment Notice (No. 1) 2010, No. 8

MEMBERS' PAPERS TABLED BY THE CLERK

The following members' papers were tabled by the Clerk—

Member for Kawana (Mr Bleijie)—

[1676](#) Non-conforming petition from 124 petitioners requesting a bus stop outside the Living Choice Retirement Village that would enable the residents of the village ease of travel to the Kawana Shopping Centre and Maroochydore Plaza

Member for Keppel (Mr Hoolihan)—

[1677](#) Non-conforming petition from 4790 petitioners requesting increased safety measures with a stronger police presence in the Yeppoon CBD area, foot patrols on Friday and Saturday nights and surveillance cameras in the CBD area

Member for Surfers Paradise (Mr Langbroek)—

[1678](#) Non-conforming petition from 914 petitioners requesting the House to cease immediately any further commitment to the Super GP motor race or any successor thereof on the streets of Surfers Paradise

MINISTERIAL PAPER

Ministerial Office Expenses

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (10.12 am): I lay upon the table of the House the public report of ministerial expenses for the period 1 July 2009 to 31 December 2009. This report shows that ministerial expenditure has remained responsible under my guidance and that fiscal responsibility is the cornerstone of our government's approach. Inevitably, some expenses are up and others are down. An increase in rent and utilities of \$190,600 is due to price increases and some accommodation lease increases have occurred during the period. My own office has had some expenditure increases, including rent and utilities increasing by 8.43 per cent. However, salary costs have increased by two per cent—well below enterprise bargaining increases. Overall, any cost increases have been well and truly offset by savings.

When compared to the same period in 2008, overall ministerial office expenditure has decreased by \$580,700, or 3.4 per cent. The key factors in this reduction were a decrease in total salary costs of some \$425,000 during the period, a decrease in domestic travel costs of \$207,000 and a decrease in other administrative charges of nearly \$110,000. I believe the report clearly shows that ministerial expenditure remains at a responsible level. I commend the report to the House.

Tabled paper: Public Report of Ministerial Expenses for the period 1 July 2009 to 31 December 2009 [[1679](#)].

NOTICE OF MOTION

South East Queensland Regional Plan

Hon. SJ HINCHLIFFE (Stafford—ALP) (Minister for Infrastructure and Planning) (10.13 am): I give notice that I will move—

That the House—

1. notes the regulatory provisions of the South East Queensland Regional Plan (the plan) that was tabled in the Legislative Assembly as part of the Plan on 7 October 2009; and
2. ratifies the regulatory provisions of the plan under section 66(3) of the Sustainable Planning Act 2009.

MINISTERIAL STATEMENTS

Bligh Labor Government

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (10.14 am): On this first parliamentary sitting day of the New Year, I extend a welcome back to this historic place to all members on both sides of the House and to every parliamentary staff member. I am sure all members would agree that 2010 is shaping up as a very busy year for the parliament as our government gets on with the job of delivering for all Queenslanders and taking this great state forward.

It is also the year that we will see the first real signs of economic recovery as we ascend out of the international phenomenon that characterised and encompassed 2009—the global financial crisis. I do not need to remind members of the devastating effects of the financial meltdown on all Queenslanders. However, I do want to remind everyone that hope is very clearly on the horizon. We are seeing an economy that is fighting back, and our government is delivering on major commitments just five weeks into the new year.

Government does not close its doors for business just because parliament is not in session—quite the contrary. In keeping with our government's strong commitments to all Queenslanders, we already have several important runs on the board in key areas of building Queensland for future generations. We are already delivering on our commitment to open up new industries and create new jobs for Queenslanders at a time when we will experience unprecedented population growth of almost 2,200 people every week.

Our government has provided Queenslanders with a genuine chance and a genuine opportunity to shape the future of our state education system. In January, the Minister for Education and Training, the Hon. Geoff Wilson, and I launched a green paper, *A flying start for Queensland children*. I seek leave to table our education green paper for the benefit of the House.

Leave granted.

Tabled paper: A Flying Start for Queensland Children: Education Green Paper for Public Consultation [[1680](#)].

Ms BLIGH: This green paper makes Queenslanders' views pivotal in our commitment to improve early childhood development and readiness for school, to invest in teacher training and new education infrastructure and to boost the performance of both our teachers and our students across our state schools. This discussion paper is about the future of education in Queensland and it outlines important proposals across a number of areas including a concerted push to lift our literacy performance with initiatives to encourage families to read to their children along with a new school literacy program, which will enlist an army of ready readers for our schools. Lifting literacy performance in Queensland starts at home, has to continue at school and can be supported by the whole community.

This green paper also asks for views and input on our proposal to move year 7 to secondary school in line with other states of Australia now that we have a prep year and our entry age for schooling has lifted. This is a significant structural reform. It is very important to get it right and Queenslanders will have their chance to be involved in that discussion. The paper further commits to a review of teacher training courses provided by universities, increased support for training teachers during school placements and a new single, independent education authority along with inspectors to maintain school standards. Education is a fundamental right, but it also is a partnership of parents, teachers, the community and government.

Queensland children are performing better in 17 of the 20 national testing areas, and the \$10 million that Education Queensland spends each and every day is placing state-of-the-art facilities and technology at our children's fingertips.

We are also undertaking the biggest investment in early childhood services in Queensland's history by constructing 240 additional new kindergartens, the first of which I was very pleased to be joined by the Minister for Education and Training and the local member for Stretton, Stephen Robertson, to open at Stretton yesterday. These new kindergarten services will also be complemented by kindergarten programs operating in long day care centres. Community forums will be held across the state to discuss the ideas in the green paper, and every Queenslanders will have a chance to have their say by the end of June this year.

Looking forward, one of our most critical Queensland industries, the resources sector, is continuing to grow and recover from the global financial crisis. Two of the biggest mining companies in the country—indeed, for that matter, in the world—Mr Clive Palmer's Resourcehouse company and Hancock Prospecting chaired by Gina Rinehart, are both planning major mining projects for Queensland, which puts this economy on the cusp of major new private sector investment. These projects mean potentially tens of thousands of jobs for Queenslanders, a significant boost to the state's mining royalties and a huge injection of investment funds into our economy.

In December I met with Ms Rinehart and agreed that the government would accept an application from her company to declare an infrastructure facility of significance for the coal rail corridor from Alpha and Kevin's Corner to Abbot Point. Mr Palmer's company has secured a \$60 billion deal that includes a new mine in the Galilee Basin and 490 kilometres of rail line to port.

In November I was pleased to write to the project's proponent, Clive Palmer, to offer our government's in-principle support for this project, subject to all of the relevant legislative requirements, to assist him during his company's negotiations with Chinese power companies. This project has the potential to create 6,000 jobs in the construction industry and more than 1,500 ongoing jobs in its initial phases.

Last year I was pleased to visit the site of the project near the town of Alpha. While I know that this move into the future is great news for that local community, it will also present great challenges for all levels of government and we are committed to working, particularly with local councils, to ensure that we are ready for the infrastructure challenges that those opportunities present. However, as I have said a couple of times in the past few days, I would rather be dealing with those challenges than their alternatives, which are declining population and declining prosperity.

Mr Wallace: Jobs for all Queenslanders.

Ms BLIGH: I take the interjection from the honourable member for Thuringowa. This does not mean jobs just in Central Queensland, as important as that is; the investments will spin off into jobs along the major coastal centres as well.

Additionally, I welcome the announcement that in May construction will restart on a new manufacturing complex near Moranbah, creating another 600 new jobs. In February last year the global financial crisis forced company Incitec Pivot Ltd to postpone construction of its ammonium nitrate manufacturing complex at Moranbah. It has now decided to recommence the project, which is a huge vote of confidence in the future of the Queensland economy. Construction will start in May, and the project will provide 600 jobs in construction and 80 permanent jobs when operations start in 2012.

In addition, on Sunday QCG Pty Ltd, a British Gas Group business, announced to the UK stock exchange commitments of more than \$3 billion in contracts for its Queensland Curtis LNG project, which is a critical project in a critical industry that will lead the Queensland economy back into prosperity. The project is expected to create more than 5,000 jobs during the construction phase and more than 700 jobs during operation. That is just one of the LNG consortia vying to develop this industry in and around the south-west and the Gladstone region.

Along with these significant developments in the future of our education system and growth in the resources and export sector, during the parliamentary recess the government has been getting on with the job in other key areas. We have announced a new permanent Ipswich rail service, and work has been continuing on stage 1 of the \$800 million Darra-Springfield transport corridor.

We have opened the Brisbane Airport's new northern access road, renamed Moreton Drive and Nancy Bird Way, which joins with the new seven-kilometre section of the \$1.88 billion Gateway Upgrade Project, which has dramatically slashed commuting time for motorists and traffic congestion. This has been a major congestion buster on the north side of Brisbane. I have heard repeated comments from those who travel regularly in and around the airport about what a difference it is making.

In December on the Gold Coast we opened the coast's significant Robina-Varsity rail extension six months ahead of schedule. In Hervey Bay I officially opened the WetSide Water Education Park, a \$12 million facility that will not only keep locals cool but also give the region a brand-new tourist attraction.

This morning in his speech on the condolence motion the Leader of the Opposition commented on Peter Wood's early recognition of the need for a secure water supply to Toowoomba. I am pleased that Peter Wood lived long enough to see a Labor government deliver secure water for the people of Toowoomba. Last month water started to flow from our government's \$187 million pipeline connecting Wivenhoe Dam to drought-stricken Toowoomba. This is a 38-kilometre subsidised Wivenhoe-Cressbrook Dam pipeline which has secured the long-term water supply for the garden city's 121,000 residents. Thanks, I have to say, to the hard work of the member for Toowoomba North, Kerry Shine, and his constant lobbying of the government on this issue, as well as the hard work of the Toowoomba Regional Council and the mayor, the project has secured the connection of Toowoomba to the South-East Queensland water grid and given the people of Toowoomba water security for the future.

We have also announced that 745 hectares of state government land at Wyaralong near Beaudesert will be set aside for South-East Queensland's first dedicated trail bike facility. We have launched the \$116 million Cairns' Economic Future Plan, a critical blueprint for the future of Far North Queensland at a time when its economy is suffering more than most other regional economies.

In December I announced that a high-level advisory team would help Queensland tackle the challenges of population growth, particularly here in the south-east corner, which will lead into the development of our growth management summit later this year. We have finalised the structure of our asset sales process, which will involve an IPO for QR National, offering preferences to Queenslanders as investors and growing a major company here in our state.

In keeping with my commitment to maintaining our government as the most open and transparent in the country, I committed to the annual release of the charter of goals for each minister, and we saw a significant expansion in the role of the Integrity Commissioner commence from 1 January.

During the recess we have also continued to keep in touch with Queenslanders from all walks of life—for example, including through the Forest Lake community cabinet in November. Another community cabinet is planned for the far north later this month. Over the new year break I led a trade mission to one of our most important trade areas, California. I will talk a little more about that in a moment.

Finally, I want to make mention of one of the most moving events of recent times which took place during the parliamentary recess. The location of the wreck of the Australian hospital ship *Centaur* off the Queensland coast was a deeply significant moment in the military history of our nation. All members will be aware of the very sad story of *Centaur*, which was sunk without warning by a torpedo from a Japanese submarine on 14 May 1943, about 50 miles north-east of Brisbane. Of the 332 persons on board, only 64 survived. I am sure that all members would also have seen the extremely poignant image of a slouch hat, photographed more than two kilometres beneath the ocean surface, that had remained with the wreck for some 66 years. I think it is true to say that the image of that slouch hat spoke volumes of the loss sustained by so many in the tragic sinking of the ship.

Our government, along with the federal government, was pleased to fund the \$4 million search for the *Centaur*, and I am very pleased that this successful mission will now offer the families and friends of those who lost their lives in this tragedy some closure. A national service of thanksgiving and remembrance for the *Centaur* will be held at St John's Cathedral, Ann Street, Brisbane on 2 March at 11 am. I encourage all members who are able to attend to give some consideration to being there. A further ceremony will also be conducted at sea for *Centaur* relatives at a date to be scheduled. The relevant family associations are still working with the relevant Defence Force agencies to determine the appropriate ceremony and the appropriate timing.

I am sure all members will agree that the parliamentary recess has been a very busy and fruitful two months for the government. That is characteristic of a government determined to deliver and determined to get on with the job for all Queenslanders. I am equally sure that all members look forward to maintaining that momentum and to our government continuing the hard work in 2010 and delivering on our program for Queenslanders.

Child-Care Facilities

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (10.28 am): My government is committed to giving Queensland parents clear and accurate information about their child's education and care. We know that parents are hungry for information about the schools and the services that their children attend. The phenomenal response to the federal government's My School website and the positive reaction to my government's release of school-by-school NAPLAN results is proof of that interest. Knowledge is power, and accountability drives performance improvements. That is why we are ensuring Queensland parents can easily access as much information as possible right from the start of their child's education and care experiences.

On 1 February a new website went live that provides detailed information from that date, 1 February, about child-care services that have seriously or repeatedly contravened the high standards that we set for services that care for our children. Any serious or repeated breaches occurring in any child-care centre from 1 February will be recorded on that website for everyone to see. We are doing this very simply because parents want to be reassured and have a right to know that the centres charged with caring for their children are up to scratch.

With the click of a mouse, parents can now easily find out if their local child-care service has seriously or repeatedly contravened child-care laws and, if so, what action was taken by the government and by the centre itself. For instance, if a service's licence has been suspended or revoked, this information will be published on this website. This will help parents make better informed decisions about the most suitable child-care arrangements for their child.

Today we are taking another step with the introduction of new laws requiring licensed early childhood education and care providers to have a compliance history logbook available for parents to inspect at their centre. These logbooks will be required similarly to contain information about formal contravention notices that the service receives from the Office for Early Childhood Education and Care. This includes the type of enforcement action taken, the reason why it was taken and details of any action required to rectify the contravention, along with steps taken to fix it. Under this proposal, licensed services will have a logbook on display from July 2010. This is another step in our reforms of early childhood education and care of our children designed to improve the quality of care and to boost safety.

We also remain committed to improving performance in our state schools. That is why the same bill will introduce amendments to require testing of graduate teachers. As part of their registration, teachers will now be required to prove their literacy and numeracy skills are up to scratch before they enter the classroom. The government is delivering on this commitment which we made in response to the Masters review of our education system last year. Together, these new regulations will help us give every Queensland child the flying start that they deserve in our schools.

Smart State Medical Research Centre

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (10.30 am): Later today I will turn the sod on a magnificent addition to Queensland and Australia's medical research and development infrastructure. The \$179 million Queensland Institute of Medical Research centre will create about 360 jobs during construction. The facility will be completed in early 2012 and will be home to 20 new research laboratories and staffed by some 400 students and scientists.

This new centre, located on the site of the old Queensland Radium Institute, has been funded by state and federal governments and by The Atlantic Philanthropies in one of the most significant and largest benefactions from any philanthropic organisation in Australia. As members of this House know well, The Atlantic Philanthropies was established by Mr Chuck Feeney and has invested and committed more than \$270 million to scientific and medical research in Queensland. During my recent trade mission to the United States I was lucky enough to spend some time with Mr Feeney in San Francisco, and I passed on the gratitude of the Queensland people for his continued interest in our state.

The centre increases the capability of QIMR to further its research in areas such as tropical diseases, vaccine development, cancer and genetics. It will also see the introduction of a Mental Health Research Division with brain neuro-imaging facilities. It will help QIMR to develop and improve the understanding of serious mental illnesses such as schizophrenia. The centre will allow for a significant expansion in Aboriginal and Torres Strait Islander health, with room for 20 extra scientists researching cancer, asthma, rheumatic heart disease, dementia and maternal and child health.

The Education Centre, which is part of the project, features a state-of-the-art high school research laboratory for teacher and student workshops. It will contain a training centre and a 120-seat auditorium, which will allow an extension of QIMR's public lecture program. This is part of significant and ongoing massive investments by the Queensland government, along with major private donations and federal government support, in little more than a decade, which together have transformed Queensland's scientific community.

It is instructive after 10 years of our Smart State vision to note that the Australian Bureau of Statistics figures show that in 1997-98, 8,500 scientists were working in Queensland. At the time that compared with 15,800 in New South Wales and 15,600 in Victoria. So we were sitting at around half the level of performance of New South Wales and Victoria. I can now advise the House that in 2008-09 Queensland is home to 18,100 scientists. This compares with 18,400 in New South Wales and 24,000 in Victoria. The strides that have been made in Queensland in the last decade have outstripped the level of increase in the other major states.

This momentum has not stopped and our scientific community continues to transform itself. This new centre joins our new ecoscience precinct at Boggo Road, our Translational Research Institute at Princess Alexandra Hospital and QUT's science and technology precinct and community hub, which are under construction. New scientific infrastructure is making us world players in the vital areas of biotechnology, medical research and environmental research.

Trade Mission, United States of America

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (10.34 am): In 2008-09, Queensland's merchandise exports to the United States of America were valued at more than \$1.2 billion. The US was our eighth largest export market and our fifth largest tourism market, and in that year Queensland hosted more than 115,000 American tourists. These are just some of the reasons why I attended the G'Day USA: Australia Week 2010 in January this year.

This trade mission produced some great successes for Queensland. The promotional work with 'Best Job in the World' winner Ben Southall in particular produced some outstanding results. On the first day of the trade mission Ben and I appeared on the high-ranking morning show *Fox & Friends*. This is the No. 1 cable news morning program in the United States, with almost one million viewers every day. Ben and I took the opportunity to encourage every one of those viewers to visit Queensland this summer.

New Yorkers have been freezing over this winter period in subzero temperatures, so there was no better time to tell them about our Sunshine State. Ben and I handed out Queensland beach bags to sun starved New Yorkers in Times Square and we also took the time to write to President Obama inviting him to Queensland during his forthcoming visit. In Los Angeles I again worked with Ben to promote new flight deals from the US to Queensland from both Qantas and Virgin Australia.

Tourism Queensland has prepared a report on the financial value of Ben Southall's promotional work in the United States. His North American tour generated around \$500,000 worth of publicity in Australia and the US—this guy just keeps kicking goals for Queensland.

Queensland's alternative energy expertise was also in great demand in Silicon Valley. In San Francisco the focus of the trade mission was on green renewable energy and biotechnology. Companies such as Amyris and Solazyme, both working in the biofields research area, are collaborating with Queensland institutions to develop and commercialise new world-class green energy technologies. I also took time to promote Toowoomba based Fodder Solutions' innovative agricultural product which is also taking off in the US. It is a great credit to Terry Colless and his company. I was very heartened by the level of interest by companies in the clean energy area out of Silicon Valley including the clean energy arm of Google, which is particularly interested in working with us in collaboration on geothermal and solar technology development.

Trade missions, such as the one I led in January, are an important step in helping Queensland develop and achieve its full export potential. I certainly look forward to having a further opportunity in Latin America to promote our companies. We have seen an extraordinary level of interest in that trade mission, and these trade missions are an important part of selling Queensland to the world.

Queensland Health

Hon. PT LUCAS (Lytton—ALP) (Deputy Premier and Minister for Health) (10.37 am): Since the parliament last sat, Queensland Health has gone on with the job hiring of new health professionals to work in our world-class public health system. We are creating more jobs and more training opportunities for health professionals across Queensland. The Bligh government is putting more doctors, nurses and health professionals on the front line of our hospital system than ever before. In this term of government alone, we will deliver an additional 3,500 doctors, nurses and allied health professionals.

Across Queensland Health, 556 interns started work in our public hospitals in January this year. Those interns will work throughout our hospitals in emergency, surgery and medical wards. A large number of our interns are working in our regional hospitals. For example, in January of this year the Townsville Health Service District welcomed 60 new interns—a threefold increase on our 2004 intake. This is an example of the Bligh government's job creation strategy delivering better services for regional Queensland.

In North Queensland, many of the new interns were graduates of the James Cook University medical school. This intake of local medical graduates is important to boosting the number of doctors in the region. These new doctors will have the opportunity to develop their skills and interests in medicine as they gain experience under the mentoring and supervision of the district's senior staff over the next couple of years. The Bligh government is about job creation and about creating better jobs for Queenslanders through education and training, and our hospitals and medical schools are amongst the most important educational and training institutions.

More graduates have been considering establishing their careers in regional areas where they can enjoy the great lifestyle. We hope many will choose to stay on in the area after completing their training as junior doctors, ensuring regional Queensland shares in the benefits of the explosion in the number of interns being trained in Queensland today.

The 556 interns that have started their training in 2010 also include a further 60 interns in Townsville, 22 in Mackay, 20 in Rockhampton, 24 in Nambour, 10 in Caboolture, 20 in Redcliffe, 23 in Ipswich, 20 in Toowoomba, 70 on the Gold Coast and 40 in Logan. At Brisbane's hospitals, 14 interns have commenced at the Prince Charles Hospital, 92 at the Royal Brisbane and Women's Hospital, 23 at the Mater and 91 at the Princess Alexandra Hospital. I refereed a rugby match last year between interns at RBWH and PAH, and there was no love lost between them.

Over the summer, Queensland Health also delivered an additional 900 nurse graduates into our hospitals including 41 extra nurse graduates in Cairns. As well as delivering better health services to Queensland including our regions, these graduate nurses also include a number who have upskilled after years working as enrolled nurses or assistants-in-nursing. They are working models of the improved career paths available to modern nurses which extend as far as the master's degree qualified nurse practitioner positions created by the Bligh government. The Bligh government has spent the summer getting on with the job of creating jobs in Health and delivering world-class training to our future medical professionals.

Queensland Economy

Hon. AP FRASER (Mount Coot-tha—ALP) (Treasurer and Minister for Employment and Economic Development) (10.40 am): As we enter the new year, Queensland's economic outlook gives cause for cautious optimism, but the victory celebrations remain in check. In December I handed down the Mid-Year Fiscal and Economic Review, which showed that, while the state's key revenue streams remain flat, there are modest improvements to most key indicators.

I can report to the House that the state's forecast budget balance improved for each year from 2010-11. However, the challenges remain significant as we rebuild from a deficit position. The Treasury data also forecast growth of one per cent this year, improving to 3½ per cent next year. Positive growth is welcome, but it remains substantially below trend. Similarly, our major trading partner economies are predicted to grow at 3.7 per cent—stronger than the 1.5 per cent predicted last June. Our resources sector in particular is gaining the benefit of this and leading the way.

Most importantly, our unemployment rate is expected to peak earlier and lower than previously predicted. Current data suggests that coal exports this financial year are on track to exceed 2008-09 figures by more than 10 per cent. Price deflation and the Aussie dollar movement have reduced the value gained, but growth in volumes is vitally important for our outlook.

The state's dwelling sector, which, it must be remembered, outperformed the nation so substantially this decade, is also showing tentative signs of improvement. Reflecting government initiatives such as the first home owner grant and the state government stamp duty concessions as well as low interest rates, the latest data shows that the total number of dwelling approvals in Queensland rose 4.5 per cent in December—the strongest monthly increase across the states. Trend dwelling approvals have increased in each consecutive month since February 2009 and were 34½ per cent higher over the year to December 2009. Trend employment in the state rose for the fifth consecutive month in December to be 14,000 higher than the recent low in July 2009.

As we remain utterly committed to delivering our election commitment of creating a net new 100,000 jobs this term, we will continue to marshal all the resources of government towards keeping Queenslanders off the unemployment line. That includes our commitment to using our investment attraction programs to attract companies and jobs to Queensland. I table the details of previous programs in line with our agreement to do so.

Tabled paper: Table of companies receiving funding linked to job creation [[1681](#)].

The agreements listed here were responsible for 2,221 jobs for Queenslanders. As the recovery commences, the federal government has taken the decision to withdraw the Commonwealth guarantee on semigovernment bonds at the end of this calendar year. Those bonds have already been guaranteed by the Commonwealth and will remain so until they reach maturity. All QTC bonds, of course, are guaranteed by the state of Queensland and were so before the Commonwealth scheme, and this guarantee will remain in place. Recently, QTC launched a non-guaranteed bond line, which was initiated to set up a market in contemplation of a post guarantee world. That issuance was the most successful semigovernment issuance in history, indicating strong confidence in Queensland as an investment destination.

The Commonwealth's decision underlines the importance of implementing the tough financial decisions this government has taken. Investors look for a clear plan to return to a AAA credit rating, and our plan has been greeted with confidence by investors, as last month's issuance demonstrates. There is no doubt that the battle has not yet been won and significant challenges lie ahead, but I have confidence—and Queenslanders should have confidence—in the state's economic future.

A Flying Start for Queensland Children, Green Paper

Hon. GJ WILSON (Ferny Grove—ALP) (Minister for Education and Training) (10.44 am): The 2010 school year has begun, and last week the Premier and I launched a major discussion paper outlining our plan to provide all Queensland children with a flying start in education and in life. The Premier spoke about this earlier. The green paper discusses the challenges that face our schools, outlines a range of new initiatives and introduces some important proposals for consultation.

Over the past decade the government has made many improvements to our schooling system including the introduction of a prep year and earning or learning reforms in the senior years. *A flying start for Queensland children* is the next step in this reform journey. The green paper includes a public awareness campaign to encourage more families to read to their children before they start school. We have also put the call out to recruit an army of volunteers—Queensland ready readers—to come to our schools and help children with their reading.

We want to improve transitions from primary to secondary school and support adolescent development, with a proposal to move year 7 to secondary school in 2014. We intend to boost performance by setting the bar high for teaching, learning and discipline standards in all Queensland schools.

We want to hear what Queenslanders think about these plans. A series of public consultation forums will be held across Queensland from this month until June. The first of these forums will be held at Townsville State High School next Thursday, 18 February. I look forward to being part of the forum and hearing what the community thinks about our plans. We will be travelling around the state from as far north as Thursday Island, south to Palm Beach and west to Goondiwindi. We will be visiting as many regional and rural centres as possible including Biloela, Bundaberg, Gladstone, Charleville, Emerald, Innisfail, Kingaroy, Longreach, Moranbah, Weipa, Yeppoon, Redcliffe and Rockhampton. We will also be hosting a number of forums throughout Brisbane, Logan and the Gold and Sunshine coasts. We want to make sure as many parents as possible get the chance to have their voices heard on this critical issue. I urge my parliamentary colleagues to encourage the community to participate in this discussion and help shape the future of Queensland education and the opportunities of young Queenslanders.

Gold Coast, Motor Racing

Hon. PG REEVES (Mansfield—ALP) (Minister for Child Safety and Minister for Sport) (10.46 am): Last Thursday the Premier and I announced an exciting way forward for motor racing on the Gold Coast. Fans from around the world can now look forward to an event which offers a unique mix of car racing, night-time entertainment and off-track activities for people of all ages.

The V8 Supercars proved their pulling power last year when they put on a remarkable event with the Aussie Legends after A1GP failed to show. This year's event is set to be even better, with international drivers coming to compete in their own V8 race for the first time in Australia.

We know that the people of the Gold Coast were let down by the A1GP last year. The fact that the Auditor-General has referred the company's actions to the Queensland police and it is being investigated as a possible fraud demonstrates the seriousness of this situation. However, both the Auditor-General's report and the Williams report clearly show that the government and those acting on our behalf could and should have done more to protect Queensland's interests. That is why we have taken action and put new processes in place to prevent a repeat of the failings that occurred prior to last year's event.

The Auditor-General's report raised concerns about the fact that the event managers—Gold Coast Motor Events Co.—paid a sanction fee to A1GP Australia one day after they had heard that the UK arm of the company had gone into liquidation. Clearly, this should not have happened. That is why we have taken action to fix the problem. We have dissolved the government's partnership with IMG, which previously formed the Gold Coast Motor Events Co.

The reports point out that the contract with A1GP—put together by IMG—was poorly written, as it did not include performance measures. Therefore, the GCMEC could not withhold payment if targets were not met. To address this issue, the new contract which we have entered into with V8 Supercars includes clear milestones which must be met before payments are made. We have also conducted an inspection of financial statements of V8 Supercars, a review of past performance including audited statements for the Townsville 400, and a review of television broadcasting reach and confirmed contracts. We have also put in place a new governance structure to ensure proper government oversight, with representatives from Queensland Events and the Department of Communities playing a role and providing advice to government.

The Bligh government is committed to delivering a world-class event that will result in real economic benefits for our state. I encourage all members to get behind the new SuperCarnivale and to support a great Queensland company—V8 Supercars—as they work to put on a show that will take motor racing on the Gold Coast to a whole new level.

Watson, Mr DG

Hon. CR DICK (Greenslopes—ALP) (Attorney-General and Minister for Industrial Relations) (10.49 am): The Queensland government has received a request from the Attorney-General of the American state of Alabama for information in relation to David Gabriel Watson. The authorities in Alabama are seeking information from Queensland authorities to determine whether they can mount a possible case against Mr Watson for the 2003 death of his wife, Ms Tina Watson, while scuba diving.

I first became aware of this request less than three weeks ago when I received a letter from the office of the Alabama Attorney-General. I am advised that this request made by a first law officer has bypassed the traditional and well-known international laws and processes that usually govern such requests. Furthermore, my office does not have any of the items requested. Physical exhibits are currently held by the police and original witness statements and documentary exhibits are held by the Director of Public Prosecutions. Nevertheless, the Queensland government is fully committed to being as helpful as it can. However, we also have a duty to be lawful.

That is why the government sought further advice on these matters to ensure that any action the government takes does not breach and is consistent with any relevant Commonwealth laws and international agreements. Accordingly, the government alerted the federal home affairs minister, the Hon. Brendan O'Connor MP, the Commonwealth minister responsible for mutual assistance in matters of this type, to the request and sought his views. The government received his response late last week.

The legal issues involved in this case are quite complex and the government wants to ensure everything is done by the book. The government also wants to ensure that anything it does is in the long-term interests of our state and, in particular, protects the interests of Queenslanders who might be placed in a similar situation in the future. In that regard, the Alabama authorities have indicated that they intend pursuing charges against Mr Watson that carry the death penalty. This matter is of great concern to the government, as I hope it would be to all members of this parliament, as Australia has had a longstanding and bipartisan opposition to the death penalty.

I can advise the House that this matter has involved the consideration of several complex issues. This includes the history of the matter such as the assistance the Alabama authorities provided to Queensland authorities in relation to the Queensland investigation of David Gabriel Watson. We have also considered the advice of the Commonwealth Minister for Home Affairs that the letter received by me from the Alabama Attorney-General does not constitute a formal mutual assistance request as the request has not been made by the US Department of Justice to the Commonwealth Attorney-General under the relevant treaty between the United States and Australia.

The federal minister has also advised that, based on his understanding of the evidence collected by the Queensland Police Service, a mutual assistance request is not required in this case and accordingly the request is a matter that can be considered by the Queensland government. As a result, after considering the various matters raised in this case, the Queensland government has determined to adopt an approach consistent with that of the Australian government in similar cases where the death penalty may be involved. Accordingly, the government will write to the authorities in Alabama about this matter indicating that we are willing to forward relevant information providing they give an undertaking that they will not pursue the death penalty. Once we receive the appropriate undertaking, the Queensland Police Service will work towards providing the materials as quickly as possible.

Aboriginals and Torres Strait Islanders

Hon. D BOYLE (Cairns—ALP) (Minister for Local Government and Aboriginal and Torres Strait Islander Partnerships) (10.53 am): This Saturday recognises the second anniversary of the historical national apology to Aboriginal and Torres Strait Islander people. In Brisbane Reconciliation Queensland is hosting a twilight boundary walk from Boundary Street in Spring Hill to Boundary Street in West End, remembering a time when those streets were literally a boundary to keep Indigenous people out of the city of Brisbane after dark.

One event that I am sure many Queenslanders are excited about is the inaugural Indigenous all-stars rugby league game at Skilled Park this Saturday. It is a sold out celebration of rugby league and Indigenous culture. At this weekend's anniversary celebrations welcome to country ceremonies will be performed and the traditional owners will be acknowledged, as is the custom of recent years. These acknowledgements are essential parts of the recognition process. Unfortunately, however, this is not an opinion held by all in this parliament. While addressing a meeting of young Liberals in Adelaide recently, the Leader of the Opposition reportedly claimed that welcome to country ceremonies treat Aborigines as 'living fossils, are offensive to many Australians—'

Mr LANGBROEK: I rise to a point of order, Mr Speaker.

Mr SPEAKER: Order! The minister will resume her seat. There is a point of order.

Mr LANGBROEK: I note the minister has said 'reportedly claimed'. Check the facts. That is untrue and offensive and I ask that it be withdrawn. Read the speech.

Mr SPEAKER: Order! The honourable Leader of the Opposition has asked for a withdrawal.

Ms BOYLE: I withdraw. I quote from the *Courier-Mail*, and in that article there are inverted commas indicating a quote from the Leader of the Opposition. In those quotations in the *Courier-Mail* article are the words 'living fossils, offensive to many Australians and a soft racism'. He is quoted as saying that 'these customs are a residue of politically correct Keatingesque practices'.

I genuinely hope that the words reported in the *Courier-Mail* article in inverted commas which are demeaning and derogatory are in fact false. I call on the Leader of the Opposition to clarify that article and to retract any words that were incorrectly quoted in the article and apologise in this House to Aboriginal people.

Surely this is an opportunity, particularly as we come to the second anniversary of the national apology, for all members opposite and all members of this House to make it plain what their feelings are about the acknowledgement of the first Australians. It is important that honourable members do stand, surely as they should, with me and be loud and proud at sporting, cultural and community gatherings in recognising the traditional owners of the land on which we gather and pause to pay their respects to the elders, past and present.

Building Services Authority

Hon. RE SCHWARTEN (Rockhampton—ALP) (Minister for Public Works and Information and Communication Technology) (10.56 am): 2010 will be another busy year for the BSA. The BSA intends to continue to run contractor supershows and trade specific shows. These shows provide Queensland contractors with information on new standards and regulations and the opportunity to see demonstrations of best practice methods to avoid pitfalls. Over the past 18 months the BSA has redoubled its efforts to ensure that licensees are provided with information and advice regarding good business management practices.

In 2009 the BSA partnered with Construction Skills Queensland to deliver education seminars called Building Better Businesses. These seminars were innovative, interactive and involved the Housing Industry Association, the Queensland Master Builders Association, Timber Queensland, the tiling industry and professional accountants in the presentation and delivery of the sessions. These sessions were attended by 3,500 contractors. They have proved very popular and successful.

In 2010 the BSA will again join forces with Construction Skills Queensland to deliver its Better Building trade shows and supershows. These will be presented by industry experts focusing on deck construction, concreting, brick and block laying, window fixings and tie-downs, in Townsville in particular. The BSA will also run separate seminars for first- and fourth-year construction trade apprentices. These seminars will cover the role of the BSA and Construction Skills Queensland, including such topics as common defects, dispute resolution and developing and maintaining practical business plans.

On the homeowner front, during the period from July to December 2009 the BSA held almost 30 seminars with an average of 25 homeowners attending each seminar. Feedback indicates that these seminars are definitely worthwhile and valuable for those who attended. The seminars educate homeowners on the building processes and assist them to recognise and avoid potential problems during building. The BSA in 2010 intends to continue this important consumer program. I encourage all members to encourage their constituents to visit the BSA website and reserve a place at the seminar nearest to them.

Trade Queensland, International Business Cadets; Young Indians National Summit; Exports

Hon. S ROBERTSON (Stretton—ALP) (Minister for Natural Resources, Mines and Energy and Minister for Trade) (10.58 am): From next week the 2010 intake of Trade Queensland's international business cadets will begin their cadetships before taking off from Brisbane to undertake their overseas postings. This year we see a record 10 cadets join the international business and education program. They will travel across the globe to undertake in-market research projects for their sponsor companies, experiencing firsthand how the Queensland government supports education and future international business opportunities. These young, enthusiastic Queenslanders will work with Trade Queensland until October, spending five of those months in one of Trade Queensland's overseas offices. What a wonderful experience and opportunity. The 2010 cadet sponsor companies come from a wide range of sectors, including hospitality and training, aviation, and clean energy. I wish the cadets every success in their time with Trade Queensland.

Last month we also farewelled three young Queenslanders who have embarked on a mission to Gurgaon, India to represent Queensland at an important youth leadership conference. The three young Queenslanders have just taken part in the Confederation of Indian Industry's sixth Young Indians National Summit. A Queensland presence at this important event is timely and will assist to further develop the state's relationships with India. The Young Indians National Summit, with the theme of

'Leadership: Dream to Reality' is a forum for young Indians to connect with eminent leaders from across all business and government sectors to identify opportunities and formulate strategies for encouraging business activity and leadership.

As these exciting opportunities take place, it is timely to talk about Queensland's export successes. In the first half of 2008-09, the Queensland government, through Trade Queensland, assisted companies to achieve more than \$218 million in exports and attract \$870 million in investment. That represents an outstanding increase in export assistance outcomes of around 29 per cent compared to the first half of 2008-09. Around 1,900 businesses were assisted, with nearly 40 per cent located in regional Queensland.

Overseas deals for Queensland companies reported in the first half of 2009-10 were across a number of industries and a range of markets, including ICT services in Russia, mining equipment in Latin America, as well as a significant inward mining investment deal from Japanese company, JFE Steel. This is a remarkable result and strongly supports the government's continued commitment to maintaining and strengthening our overseas trade relationships. It also means more jobs for Queenslanders. For example, the Japanese steel company JFE Steel, in partnership with QCoal, report that the investment in Queensland has created 500 new jobs. If that is the exports that Trade Queensland can assist in generating in the first half of the financial year, I am optimistic about their performance in the months ahead.

PARLIAMENTARY COMMITTEES

Membership

Hon. JC SPENCE (Sunnybank—ALP) (Leader of the House) (11.01 am), by leave, without notice, I move—

- (1) That the House note:
 - (a) that the Member for Maroochydore has resigned from the Economic Development Committee;
 - (b) that the Member for Hervey Bay has resigned from the Integrity, Ethics and Parliamentary Privileges Committee; and
- (2) That in accordance with Standing Order 195, that the House approve the following changes to the membership of parliamentary committees:
 - (a) That the Member for Beaudesert be discharged from the Law, Justice and Safety Committee;
 - (b) That the Member for Mermaid Beach be appointed to the Law, Justice and Safety Committee;
 - (c) That the Member for Burdekin be appointed to the Economic Development Committee to replace the Member for Maroochydore;
 - (d) That the Member for Noosa be appointed to the Integrity, Ethics and Parliamentary Privileges Committee to replace the Member for Hervey Bay;
 - (e) The Member for Mt Isa, Mrs Kiernan, be discharged as a member of the Parliamentary Crime and Misconduct Committee;
 - (f) The Member for Redcliffe, Ms van Litsenberg, be appointed as a member of the Parliamentary Crime and Misconduct Committee;
 - (g) The Member for Redcliffe, Ms van Litsenberg, be discharged as a member of the Economic Development Committee; and
 - (h) The Member for Mt Isa, Mrs Kiernan, be appointed as a member of the Economic Development Committee.

Question put—That the motion be agreed to.

Motion agreed to.

SURROGACY BILL

FAMILY (SURROGACY) BILL

Cognate Debate; Order of Business

Hon. JC SPENCE (Sunnybank—ALP) (Leader of the House) (11.03 am), by leave, without notice: I move—

- (1) That, in accordance with Standing Order 129, the Surrogacy Bill and the Family (Surrogacy) 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 and order for the reply to the second reading debate shall be: Leader of the Opposition (or nominee) in reply—30 minutes, followed by Minister in reply—30 minutes.
- (3) That, notwithstanding anything contained in the Sessional Orders, government business shall take precedence over general business this Wednesday evening from 7.30pm until the abovementioned Bills have been dealt with.

Question put—That the motion be agreed to.

Motion agreed to.

SCRUTINY OF LEGISLATION COMMITTEE

Report

Mrs MILLER (Bundamba—ALP) (11.04 am): I table the Scrutiny of Legislation Committee's *Legislation Alert No. 1 of 2010*.

Tabled paper: Scrutiny of Legislation Committee, Legislation Alert No. 1 of 2010 [[1682](#)].

REPORT

Office of the Leader of the Opposition

Mr LANGBROEK (Surfers Paradise—LNP) (Leader of the Opposition) (11.04 am): I table the public report of the expenses of the Office of the Leader of the Opposition for the period 1 July 2009 to 31 December 2009.

Tabled paper: Public Report of Office Expenses of the Office of the Leader of the Opposition for the period 1 July 2009 to 31 December 2009 [[1683](#)].

SPEAKER'S STATEMENT

School Visits

Mr SPEAKER: Honourable members, during today's sitting of parliament we will be visited by the Southbank TAFE college and also by the Scarborough State School, in the electorate of Redcliffe.

QUESTIONS WITHOUT NOTICE

Mackenroth, Mr T

Mr LANGBROEK (11.05 am): My first question without notice is to the Minister for Child Safety and Minister for Sport. The Premier claims that Mr Terry Mackenroth, kingpin of the A1GP debacle, will be eligible for more government contracts. Would the minister be happy to appoint Mr Mackenroth to another sporting event?

Mr REEVES: I thank the honourable member for the question. In the lead-up to the event, I received both verbal and written assurances on a regular basis that the event was on track by both the chair of the GCMEC and the chair of the A1GP. I received them in good faith. As both the Auditor-General's report and the Williams report shows, there were a number of major failings in the lead-up to the event.

In regard to the advice from Mr Mackenroth, Mr Mackenroth was involved in the event over a number of years. I do not think that anyone on this side of the House would deny his passion for the event. Both reports have shown that the advice that I received and the government received and the efforts ultimately failed. Both reports have shown the way forward and that is what the government has implemented.

Mackenroth, Mr T

Mr LANGBROEK: My second question without notice is also to the Minister for Child Safety and Minister for Sport. Given the haste with which the A1GP was signed up and given the failure to perform due diligence investigations into the A1GP, has the minister satisfied himself that Terry Mackenroth did not receive any form of lobbying fees or success fees from the A1GP promoters? And would the minister appoint him to another sporting event? I notice the minister did not answer the first question.

Mr REEVES: I thank the honourable member for the question. If the member has any information in regard to the statement he just made, he should refer it to the appropriate authorities, that being the CMC.

Education

Ms MALE: My question without notice is to the Premier. Can the Premier outline to the House what the government is doing to give Queensland kids a flying start to their education?

Ms BLIGH: I thank the honourable member for the question. I know that, as she is the parliamentary secretary to the Minister for Education and Training and the mother of two school-age children, the member has great passion for education. I believe that her great passion for education and the great passion for education on the part of the Minister for Education is a passion shared by the Queensland community. Our parents, our community and our employers want to see Queenslanders have the best possible schools and the best possible education system.

What that means is constantly moving forward—identifying areas that can be improved and looking for the next round of reforms. Over the past decade the government has been constantly investing in education, growing the performance of our system and improving the opportunities available to our children. In the late part of January I was very pleased to be joined by the Minister for Education, who, along with his department and relevant stakeholders, has been working very diligently over the past few months to identify those areas in our schooling system where we can put in place the next round of reforms that will benefit our children and put our children in an even better position to take advantage of education, one of the great transformative experiences of life.

We know that we need to do better in the area of literacy, so our discussion paper identifies the need to do better with some of our performance at home—that is, recognising that literacy starts at home. Unfortunately, a national survey done at the end of last year—the first such survey—indicated that almost 10 per cent fewer Queensland parents are regularly reading to their children than is the case on a national basis. We will be starting a major campaign across Queensland to encourage and support parents. Twenty minutes a day reading to your child gives them the best head start on literacy.

We also know that there are many people in our community who have something to offer in our schools. We know that there are many schools that are improving because of volunteer effort. We will launch an army of more than 3,000 volunteers in schools across Queensland.

The biggest initiative we are talking about is our proposal to move year 7 into the high school arena. We believe that, with the increased age and the number of years of schooling made possible by our prep initiative, it is time to look at the most appropriate place for children developmentally, intellectually and socially. We welcome input from parents, teachers, academics and people with expertise and experience. We need to make this decision now in order to implement it in 2014, when it would be most appropriate. That means that we are giving ourselves four years to plan it in a budgetary sense. It will require close to \$350 million worth of new investment in our children where it matters. I look forward to the conversation with Queenslanders about what is best for our children.

A1GP

Mr SPRINGBORG: My question without notice is to the Minister for Sport. Under the minister's watch the A1GP lost \$4.3 million of taxpayers' money. Who does the buck stop with?

Mr REEVES: I thank the honourable member for the question. As these two reports show, we can all learn lessons. What these reports show is: firstly, due diligence was inadequate; secondly, the contract failed us in this regard; and, thirdly, the partnership had a major bearing on the government's involvement. What have we done about it? We have fixed the due diligence. We have ensured that future contracts have performance measures that were not part of the A1GP contract and we have dissolved the partnership.

What we have created now is a motorsport festival that we should all be very proud of. It is great for the community of the Gold Coast, it is great for jobs and it is great for tourism. I implore both sides of the House to get behind this great event. We have listened to the reports and we have acted upon them.

Queensland Economy

Mr HOOLIHAN: My question without notice is to the Premier. Can the Premier please update the House on the plan to deliver more jobs and build a strong economy for Queensland?

Ms BLIGH: I thank the honourable member for the question and for his interest in making sure that all Queenslanders have an opportunity to be involved in the labour market. We on this side of the House have an economic plan. It is an economic plan that is working and is starting to deliver for the people of Queensland. We went to the election last year saying that we had a four-point plan for employment.

Mr Springborg: You have been bashing Clive and now he is your saviour. 'Saint Clive'!

Ms BLIGH: I take the interjection from the member opposite. Our first point was that we would maintain our building program in the face of the worst global financial crisis. What did the recent report from Access Economics have to say? It states—

There are short term positives for Queensland too, including continuing strong population growth, and a big spend by the State Government on much needed infrastructure.

These projects are out there delivering jobs as we speak. We said that, secondly, we would invest in new industries—that we would work to bring industries like LNG here to Queensland and make them a reality to build our export performance. What we have seen in just the last couple of days is a major investment decision made by one of the leading consortia vying for LNG opportunities in Gladstone with a \$3 billion contract decision made by the British Gas Group's QGC looking at the Curtis Island opportunity. What that one project means is 5,000 jobs in construction and then 700 during the operation of the project. That is just one LNG project. I expect financial decisions by this company and others in the first half of this year, and we expect to see these jobs starting to roll out in the second half of 2010.

Thirdly, we said that we would invest in skills. We are putting more young apprentices on the job and giving employers an opportunity to keep apprentices in work, developing the skills that will be needed for these big projects with a range of initiatives we committed to and have delivered.

Fourthly, we recognise that there will always be some people who will need job opportunities through job creation programs of government such as our Green Army, where we already have over 800 job placements for long-term unemployed people and disadvantaged job seekers. We will leave no stone unturned looking for jobs. If that means working in partnership with people who might in another forum of our lives be political enemies, we will do it. I will not let some argument with someone like Clive Palmer get in the way of creating Queensland jobs. I unashamedly stand for Queensland jobs. I am prepared to talk to any company that wants to invest in new projects that will employ Queenslanders.

A1GP

Mr DEMPSEY: My question is to the Minister for Child Safety and Minister for Sport. I refer the minister to his claims in this parliament last year that all due diligence had been followed in relation to A1GP. Given the Auditor-General's scathing report, what is the minister's understanding of due diligence?

Mr REEVES: I thank the honourable member for the question. As I have said, these reports, particularly the Auditor-General's report, highlight that the due diligence was inadequate. That due diligence was undertaken by IMG. What have we done? We have dissolved the partnership. What have we done in regard to due diligence for the proposed two international events? We have done due diligence under the criteria that David Williams set out in his report. That showed that they failed the due diligence test. As a result of that, the third option—they were in no particular order—was the V8 Supercars. What have we done? We have checked the financial statements and we have looked at other contracts going forward. We have looked at the contracts that we have with V8 Supercars, including the audited financial details of the very successful Townsville 400. That is the kind of due diligence that needed to be undertaken. That is the kind of due diligence that was not undertaken by IMG. What have we done? We dissolved the partnership.

Health System

Ms CROFT: My question is to the Deputy Premier and Minister for Health. Could the Deputy Premier and Minister for Health inform the House of the challenges and the opportunities for the future of health care in Queensland, considering the growth and changing demographics for this state?

Mr LUCAS: I thank the honourable member for her question. The Queensland Health budget is the largest single budgetary item in the Queensland government budget. If you have a look at contemporary publications and contemporary comments both in the media and at a federal level and in research publications, you will know the challenges that are confronting us in the coming years when it comes to the ageing population in this country. Notwithstanding that, one of the best measures of health performance is life expectancy at birth. Depending on the figures you use—the hospital health reform commission used different figures to what I have used—Australians at birth in 2008 had the third longest life expectancy on earth behind Iceland and Japan. Other figures say that we are second behind Japan. That clearly indicates the nature of the health system in this country. It is a health system that is indeed world-class.

We deliver 50,000 occasions of service free to Queenslanders each day and employ 72,000-plus people. When one considers the enrolment in each of our electorates, that shows the size of Queensland Health.

That care does come at a high cost to the taxpayers. Since 2005 we have employed more than 12,500 extra doctors, nurses and allied health professionals. We now employ 46,000 clinical staff. The Health budget, at \$9 billion, is a quarter of the state budget and has increased by 69 per cent since 2005.

The challenge is, of course, an ever-increasing demand on our hospitals. If one actually has a look at figures released recently, for example, category 5 waiting time—the least urgent level—one sees that on average in Queensland it is 47 minutes. That is waiting time that most people would never get in their doctor's surgery if they turned up there to wait. Category 1 average waiting times are less than a minute. Of course we can always do better and that is why we are committed to continuous reporting in our health system.

To achieve this, we need a mature, informed and sophisticated public debate. There was a reference in an article this morning to Sir Liam Donaldson, and I note his report was not quoted, but I would not expect that it would be. The report states—

A third observation is the public and media climate in which Queensland Health operates is very hostile and adversarial. Failures in standards of care rapidly become scandals. Managerial and administrative functions are not valued. Success is not celebrated or even acknowledged. An enduring blame culture is ultimately detrimental to the quality and safety of patient care.

It goes on—

It will deter the best people from taking up leadership positions.

I yearn for the day when we can have some maturity in the health debate in this state. It is regrettable that it rarely happens. I have seen some occasions in debate on both sides of this House where people have been prepared to talk about where they see the direction of health going. We have the second longest life expectancy on earth. We have an ever-ageing population. We have those issues confronting us. We are up to the task and Queensland Health has never spent more and is employing more people.

A1GP

Mr NICHOLLS: My question is to the Minister for Child Safety and Minister for Sport. When the minister received A1GP chairman Tony Teixeira's letter dated 3 September, why did the minister not seek independent expert advice on the effect of the liquidation within the A1GP group of companies?

Mr REEVES: I thank the honourable member for the question. As I have said previously, the two reports have shown that, firstly, due diligence was inadequate; secondly, the contract was inadequate; and, thirdly, the partnership and the structure failed us in this regard. The letter that the member refers to came to me via the Gold Coast Motor Events Co. Bear in mind that the Gold Coast Motor Events Co. held all the contracts in regard to the A1GP. I would have thought that it was proper for the Gold Coast Motor Events Co. to check the information that was part of that letter.

Mr Nicholls: Did you?

Mr REEVES: Did they? No, they did not.

Mr Seeney: So you had nothing to do with it?

Mr REEVES: Both reports, the Williams report and the Auditor-General's report—even if I or the government wanted to tear up the A1GP contract we could not. Why? Because of the way the contract was written and because of the partnership. What have we done about it? We have changed the contract and dissolved the partnership.

Queensland Economy, Skills

Ms FARMER: My question without notice is to the Treasurer and Minister for Employment and Economic Development. Can the Treasurer update the House on the government's efforts to attract the skills needed to aid Queensland's economic recovery?

Mr FRASER: I thank the member for Bulimba for her question and for her interest in ensuring that this is a government that has the policies in place to build the skills that are required as the economy rebuilds as we move into the recovery phase. We need to make sure that we build the skills into the economy that all of us will need, that our industries will need, that significant sectors will need as the economy gathers pace.

We have a policy in this government to not only make payroll tax free on wages relating to apprentices and trainees but also to introduce a new initiative, a policy we took to the last election, to rebate 100 per cent and to add 25 per cent as a further rebate to support apprenticeships and traineeships in the marketplace to encourage skills formation. I am pleased to report to the House that some 1,500 businesses have taken advantage of that. That is supporting 18,500 of tomorrow's workers—the skills we will need for the future.

That is a policy and it is a policy that is delivering the skills we need for the future. However, there has been no new year's resolution from the LNP—no resolution about putting forward policies, no alternative economic plan put into the public arena, just a muted absurdity where, by their silence, they are condemning Queenslanders to \$25 billion more of debt than our alternative plan that is being put into place to build for the recovery.

The LNP shortcomings have been laid bare by one of their own and a ginger group that supports them. As members on this side of the parliament know, I am a fan of things from Beaudesert. I am also a fan of policy. That is why I was a big fan of the start that the member for Beaudesert made with the seven-point plan which to date stands as the most significant policy contribution from any member of the opposition so far. But as the would-be leader, the member for Beaudesert said himself on 28 January—

I think we need to look at things holistically ... and have an alternative to the positions we criticise.

...

If we can't, we don't have a right to speak.

...

We've got to wake up a bit and start being relevant.

...

We really need to step up to the plate.

I agree. The member for Beaudesert tells it like it is. The reason members opposite cannot say anything is that they support it and they always have. To see this we need look no further than at what they do. In the meantime they have one of their own who, despite his tricky disclosures—make no mistake about it—is up to his neck in it. The member for Indooroopilly's lobbying and PR firm wants a piece of the action. Down here they say they protest against it when they support it. Up the back we have 'Aidan and abetting' who want a piece of the action. Up the back there is 'Aidan and abetting' who are cheering on the asset sales program because the one thing we know is that they have supported and always will support it. They did it in the past; they took it to the last election. On the record they are supporting the privatisation of schools, they are supporting the privatisation of the poles and wires. Have no doubt about it. I say to the people of Queensland: do not listen to their feeble protest; look at what they did. So much do they oppose it that they want a piece of the action.

A1GP

Mr SEENEY: My question without notice is to the Premier. I refer to the document tabled in this House by the member for Sunnybank. In referring to the failed A1GP the former minister said—

I did not advise Gold Coast Motor Events Corporation on any potential announcement time frames. I was not party to any decision to make a media announcement. These decisions were made solely between the former chairman of the GCMEC and the Premier.

Can the Premier advise if it was standard decision-making practice for the A1GP for Terry Mackenroth and the Premier to make all the decisions and to sideline successive government ministers?

Ms BLIGH: I thank the member for the question. As is usual for this member, the question contains only half the story. In fact, if the member goes to the document to which he refers he will see that the member for Sunnybank outlines every name of every minister who was involved in the decision-making process.

Did I make it my business to speak to the chair of the Gold Coast Motor Events Co.? Of course I did. I would have been remiss in my duty if I had not. Of course I spoke to him. It was a very important issue for the Gold Coast and I make no apologies for working hard to secure a good event.

What we know is that we have a policy about this event for the future. We know what we are going to do with this event and we know that we are going to get behind it 100 per cent. What we do not know is whether those opposite have a policy on the V8 SuperCarnivale. One would think that when the Leader of the Opposition is the local member for Surfers Paradise he would now, a week later, have a policy on whether he supports the event. We have heard nothing from the member for Surfers Paradise. He has as much policy about what is happening in his own backyard as he does for any other part of Queensland.

Mr Seeneey: The buck doesn't stop with you, the buck doesn't stop with the minister, the buck doesn't stop with Terry. Who is responsible?

Ms BLIGH: Can I answer the question? I have made it clear; on this side of the House we have a very clear policy. We are determined to take responsibility for these matters, to fix them and to put on a great event for the Gold Coast. We still do not know the policy of those opposite, led by the member for Surfers Paradise, about the future of the event for Surfers Paradise. They are not prepared to back a Gold Coast company and they are not prepared to back a Gold Coast event.

In the past couple of weeks what we have seen is nothing short of extraordinary. First, on the issue of public policy an opposition backbencher said—

We simply do not have the basics right yet ... Until we get this part right, we will continue to drag ourselves around in quicksand.

And aren't they in the quicksand on this one? It continues—

Even if we all sat around in a circle with duct tape on our mouths and threw a basketball to each other for six hours and 45 minutes, we would achieve more.

Today the real question is: who is running the LNP policy? I think we all know that it is the policy powerhouse from Beaudesert. If you want policy grunt, go to the member for Beaudesert, because you will not get it from the member for Surfers Paradise or his tired old frontbench. The member for Surfers Paradise—

Mr Seeney: What about Terry? Where is Terry? We want to ask Terry!

Mr SPEAKER: Order!

A government member: It's another Churchill.

Ms BLIGH: Winston Churchill had his years on the backbench, and I think the member for Beaudesert is biding his time.

Information and Communication Technology

Mr MOORHEAD: My question without notice is to the Minister for Public Works and Information and Communication Technology. Could the minister please update the House on any potential changes in ICT policy direction that will deliver savings and expenditure for the Queensland taxpayer?

Mr SCHWARTEN: I thank the honourable member for his ongoing interest in matters to do with ICT. We have placed a number of agenda items very firmly with the industry in Queensland. Our policy is very simple: it is one of consolidation and mandating to save money for the taxpayers of this state. No greater evidence of that can be found than the recent deal we did with Microsoft for the next version of its product, version 7, which will be used right across government. Over a period of four years it will save 10 million taxpayer dollars.

What did we get from the medical science experts opposite? The member for Currumbin has defied medical science by proving that you can speak in a vacuum—a policy vacuum, that is. What do we have from members opposite? Opposition to that policy! Of course, in recent times the honourable member for Beaudesert has graced us with some of his policy options. He has become the Nelson Mandela of the LNP. Nelson Mandela paid for his liberty on Robben Island. This member paid 8,000 bucks and is sitting up on his little Robben Island in the corner.

An honourable member interjected.

Mr SCHWARTEN: Poor old Messenger! The reality is that those opposite have now stooped to espionage to try to get some policy. So good are our policies that we have a *Get Smart* version happening over there. We have 'Not-Happy-Jan 99' and 'Maxwell Smart' from the IT industry who puts on a false moustache and so on and presents himself as somebody from the IT industry. But, aha! Guess what? He is working for the LNP. They want to have a look at the Polaris Data Centre, and I encourage that. It is a world-class, Tier3 data centre that stores information for the police, Health and so on, so of course we want to be sure about the people who walk through its doors. We want to know who they are.

Ms Spence: What's the name of the man who did the espionage? What's his name?

Mr SCHWARTEN: He has a similar name to the former Victorian Premier. I will let everybody work that out. We have to keep it all a bit low-key, with the false hat and all of that, and out to the Polaris Data Centre we go. Can members guess what he was doing?

Mr McArdle: You are embarrassing.

Mr SCHWARTEN: It is embarrassing for members opposite, I know. It is most embarrassing because they are not upfront. They want to get policy advice from people, but they sneak through the back door. They persecuted that poor individual up the back there because he had the guts to stand up for himself. There is more going on in his head than goes through all the heads of those opposite. What goes through his head in one second or one nanosecond would be enough to keep the rest of them running for three months.

(Time expired)

Child Safety, Medical Treatment

Mr McARDLE: My question is to the Minister for Child Safety and Minister for Sport. As the minister's department is charged with across-government oversight for the improved safety of children, what meetings has the government had with the Minister for Health in the past 24 hours and what commitment has the Minister for Health given following yesterday's shocking revelation that, for the month of December alone, 1,402 children were left waiting in emergency departments for treatment?

Honourable members interjected.

Mr SPEAKER: Order! We will wait for the House to come to order. I call the minister.

Mr REEVES: I thank the honourable member for the question. I think it would be more appropriate to ask that question to the Minister for Health. If with regard to child—

Mr McArdle: You've got the obligation.

Mr REEVES: With regard to—

Mr McArdle: Bundaberg?

Mr SPEAKER: Order! I call the honourable minister.

Opposition members interjected.

Mr SPEAKER: Stop the clock. Minister, resume your seat.

Mr Lucas interjected.

Mr McArdle interjected.

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

Mr Lucas interjected.

Mr SPEAKER: Order! The honourable Deputy Premier, I have asked the House to come to order. I call the honourable Minister for Child Safety.

Mr REEVES: In relation to the question, the role of Child Safety Services is to ensure that our children are our No. 1 priority when considering child protection in the family home or when considering those associated with them. With regard to discussions about the figures that are being released, yesterday I was privy to two briefings with the Deputy Premier. It is an absolute disgrace for the member for Caloundra to sleight parents who take their children into the hospital because they care for them. They are taking them there to protect them. He should apologise to those parents who are doing a great job looking after their children.

Mr Lucas interjected.

Mr McArdle interjected.

Mr SPEAKER: Order! This is my last warning to both of you, otherwise you will both go outside.

Road Infrastructure

Ms van LITSENBURG: My question is to the Minister for Main Roads. I refer the minister to the fact that the Bligh government is investing a record amount in infrastructure this year, including on our roads and the Ted Smout Bridge in my own electorate. Can the minister provide an update to the House on how this investment is benefiting the people of Queensland?

Mr WALLACE: It is quite right for the member for Redcliffe to point out the wonderful Ted Smout Bridge in her electorate. It will be a jewel in the crown of the road infrastructure into Redcliffe. Over Christmas we were busy. We were not worried about fighting each other; we were busy delivering infrastructure in Queensland. This financial year we will spend a record \$3.53 billion on building better roads for Queensland. Since parliament rose in November we have been getting on with the job of delivering better roads for Queenslanders. In late November I joined with the federal member for Oxley, Bernie Ripoll, in commissioning the \$255 million Ipswich-Logan interchange, which is the first of three projects that will improve the Ipswich Motorway.

Ms Nolan interjected.

Mr WALLACE: I take the interjection from the member for Ipswich and Minister for Transport. It is a wonderful piece in the jigsaw that we are delivering for the people of Ipswich. We reached an important milestone on the \$315 million Houghton Highway duplication project, with the final 80-tonne, 35-metre girder put in place to complete the structure of the new bridge across Bramble Bay. I thank the Deputy Premier, who was Acting Premier at the time, who came to watch the girder being put into place. I know that he was excited to see that big piece of concrete put into place, and it went into place with millimetres to spare—a wonderful piece of construction. Construction of the Ted Smout Memorial Bridge is scheduled to be completed by the middle of this year and will include a pedestrian and cycle path and fishing platform.

In Townsville, the capital of North Queensland, I joined the federal minister for infrastructure and transport, Anthony Albanese, in opening the Stuart Bypass—the first stage of the \$190 million Townsville Port Access Road project. This 2.5-kilometre bypass provides a dedicated heavy-vehicle link between the Bruce and Flinders highways, taking up to 500 trucks a day off local roads.

Mrs Menkens interjected.

Mr WALLACE: I take the interjection of the member for Burdekin that she does not support taking 500 trucks off local roads in Stuart and Wulguru.

On the \$1.88 billion Gateway Upgrade Project, we have opened the third northbound lane on the Gateway Motorway between Mount Gravatt-Capalaba Road and just south of Old Cleveland Road.

Mr Reeves: Hear, hear.

Mr WALLACE: I take the honourable member's interjection. It is another piece of great infrastructure for Queensland.

Last week I was pleased to join with the member for Broadwater in commissioning the completion of stage 2 of the \$140.7 million Gold Coast Highway upgrade through Labrador. The Gold Coast is growing rapidly and we are responding accordingly. I congratulate the member for Broadwater, who has seen that project through—and she will see it through to completion. This \$11 million stage of the upgrade has seen a 1.3-kilometre section of the highway converted to a four-lane median divided road, improving conditions and safety for road and public transport users.

Our \$3.53 billion road infrastructure program is delivering 30,000 jobs for Queenslanders this year, as well as making major improvements for Queensland motorists. This justifies our decision to keep Queensland working, whilst providing roads and services for Queenslanders.

(Time expired)

A1GP

Mrs STUCKEY: My question without notice is to the Minister for Child Safety and Minister for Sport. I refer the minister to the *Cabinet Handbook*, which states—

Cabinet collectively, and Ministers individually, are responsible and accountable to the Crown, the Parliament, and ultimately the electorate.

I ask the minister: in accordance with the *Cabinet Handbook*, which says that he is accountable to the parliament, will he now tell the parliament who the buck stops with for the loss of \$4.3 million in taxpayer funds on the A1GP?

Mr REEVES: I thank the honourable member for the question. The Auditor-General's review and the recommendations about the contractual arrangements for the 2009 SuperGP are very helpful in charting the way forward for the motor race. I am, as is the government, implementing those recommendations to ensure that the Gold Coast economy benefits. The review identified improvements that can be made and in some cases have already been made. Lessons have been learned and improvements have been put in place.

Mr Seeney: Are you responsible for the \$4 million?

Mr Fraser: Are you going to go to this year's race?

Mr SPEAKER: Order! Both sides of the House will cease interjecting.

Mr REEVES: The new event, the Gold Coast SuperCarnivale, has been developed with all of these recommendations in mind. It was recommended that contractual arrangements include formal commitments and guarantees. The contract with V8 Supercars Australia includes formal commitments and guarantees. It was recommended that contractual arrangements include progressive performance targets. The contract with V8 Supercars includes progressive performance targets. It was recommended that payments made under the contract should be made in accordance with these conditions. Payments will only be made in accordance with these conditions. Changes to the government structure were also recommended, along with formal reporting relationships between the key stakeholders. This has been implemented following the dissolving of the partnership with IMG.

Mr Seeney: What about, 'Who does the buck stop with?'

Mr REEVES: Those opposite, particularly those Gold Coast members, should get behind this event. In terms of the benefit for residents, the site has been reduced from 4.49 kilometres to 2.96 kilometres—a 40 per cent site reduction for the residents. That is great for the residents and great for businesses. The total build and dismantle time has been reduced by five weeks—from 14 weeks to nine weeks—and that is part of the performance measures. The event will be run over three days—Friday to Sunday, 22 to 24 October. A shortened circuit will allow for separation with the Surfers Paradise precinct. The event will utilise Broadwater Park for the nightly entertainment, which will feature international and national events, and that is all included in the one ticket price. This will minimise disruption to residents.

The focus will be on re-engaging the community. The event will have a full-time Gold Coast based general manager—part of the performance guarantee. It will have a full-time community liaison officer—part of the performance guarantee. It will have a community committee to oversee the event from all aspects of the local residents, and it will free up access to Budds Beach. This event will be good for jobs, good for tourism and great for the Gold Coast economy.

(Time expired)

Queensland Year of Women in Local Government

Mrs KIERNAN: My question is to the Minister for Local Government and Aboriginal and Torres Strait Islander Partnerships. Can the minister please inform the House as to what the government is doing to promote women in local government?

Ms BOYLE: I thank the member for Mount Isa for the question. Today I will be officially launching the Queensland Year of Women in Local Government here at Parliament House. In particular, I take a moment to thank the member for Mount Isa, who has chaired a committee, along with others who are experienced in the field of local government, in preparing a series of events and actions that we can take to promote women in local government to address the imbalance that exists within the field of local government for women.

I therefore offer the House some interesting figures on how women are doing in the world of local government. So far as elected members are concerned, women are doing fairly well. One-third of local government councillors are women—that is, 183 councillors out of 555. We are above the national average, which is 30 per cent of councillors being female. We have 10 female mayors in the state of Queensland and 16 female deputy mayors in our 73 local governments. That is pretty good—not good enough but pretty good.

I take a moment for honourable members who have not counted recently to note the number of women in this House so far as state government is concerned. Thanks to the Labor Party we are doing well indeed. Not only do we have our first elected female Premier here in Queensland; we have 32 female members out of 89 members in the Queensland parliament. Of those, 25 are government members and only seven are on the opposition benches, counting two Independents. We have six women in cabinet—33 per cent, therefore, of our cabinet. As a state government, Queensland leads Australia in terms of the percentage of women.

Let us go back to local government, where the figures are not so good when we look at those working in local government. While 64 per cent of all local government staff are women, in fact the great majority of them are front-line and lower paid positions. When we come to senior managers in local government, only 12 per cent of the 64 per cent of staff who are women are actually managers in the top tier. In fact, of the 73 CEOs of Queensland local governments only six are female. Therefore, there is considerable room for action through this Year of Women in Local Government to redress that imbalance. I call particularly on the male CEOs and senior managers of councils to look closely at their recruitment practices, to look at whether they are mentoring women and giving them a true fair go towards reaching the senior positions in councils.

(Time expired)

Nambour Hospital

Mr WELLINGTON: My question is to the Deputy Premier and Minister for Health. I refer the minister to the Nambour Hospital extensions currently underway, and I ask: how many new car parks will the government make available to staff and visitors for people who will be accommodated in the new extensions when completed?

Mr LUCAS: I will find the exact answer to that in relation to the Nambour Hospital and provide the honourable member with it, but as far as I am aware no specific car park is being built as part of that redevelopment. One would question why one would do that. Ultimately, as we know, the provision in relation to the Sunshine Coast is that in the future the Sunshine Coast University Hospital will be constructed, with Nambour not being the principal hospital for the Sunshine Coast. In those circumstances, the economic value of constructing sacrificial infrastructure such as a car park would need to be questioned.

There are a number of hospitals in Queensland where there is questioning about the car park provision, and I have noted that in media reports and the like. In Cairns we are having to relocate the car park because the previous government built a car park where the hospital should have expanded, and that is a legacy that we are dealing with. Can I say that that is a legacy that both sides of politics in their site planning for hospitals could well do better on in the future. That is one of the things that we are seeking to do, with a far better site-planning situation that occurs in Queensland Health these days.

That said, one of the issues confronting us in regional Queensland when it comes to the construction of car parks is that people are expecting the construction of car parks in regional Queensland but they are not expecting to pay the prices that someone would pay to occupy a car park if they went to the Princess Alexandra Hospital or the Royal Brisbane Hospital, for example, when they use that car park. That is a discussion that we need to have maturely in the community when considering that. It is a similar discussion that happens regarding regional airports as well.

The simple fact is that we have a very large building program in Queensland Health. In the first instance, the priority of that building program has to be the delivery of facilities that are able to be used for the treatment of people. The Nambour 90-odd bed reconstruction that is well underway is very important in terms of increasing capacity.

I should say that I have had a number of meetings with Nambour clinicians in relation to the Sunshine Coast and the migration ultimately to the Sunshine Coast University Hospital of many of the services that they currently provide. One of the things that the increased capacity at the Nambour Hospital gives us the opportunity to do in the meantime is upscale our treatments with a view to the new Sunshine Coast University Hospital when it is built. Many of the facilities at the Sunshine Coast University Hospital will need to be built as part of it, but many of the medical facilities—as distinct from surgical facilities—are things that one can upscale. Something that has been raised with me, for example, is cardiac catheterisation and those sorts of things.

The short answer to the honourable member is this: I will examine in the context of it whether there are any additional car-parking facilities, but I do not believe there are any, other than something that might be relatively small in the context of things. I think the honourable member will understand in the context of ultimately moving to the Sunshine Coast University Hospital—and, indeed, in a capital budget that is enormous by any other state standard—that we need to prioritise what we are doing.

(Time expired)

Road Safety, School Zones

Ms DARLING: My question without notice is to the Minister for Transport. As the minister is aware, I have been representing certain schools in my electorate regarding pedestrian and traffic safety improvements. Could the minister please outline any new initiatives her department is undertaking to ensure safety in our school zones?

Ms NOLAN: I thank the honourable member for Sandgate for her question, and I do acknowledge that she has spoken to me specifically about this issue of 40-kilometre-an-hour school zones outside schools. Members will have noted this morning that there has been a great deal of discussion in the House about improvements that this government is making in the field of education. One of our responsibilities is to ensure that children can access their school safely in order to receive the benefits of that first-class education.

In that regard I am pleased to advise the House that the state government is currently trialling the implementation of 40-kilometre-an-hour school zones on a number of multilane arterial roads outside schools. This trial will run for a period of 12 months and will include special warning systems to test the feasibility of school zones on multilane roads. Part of the trial will also test the performance of different types of signage to slow down motorists.

Some of the different signage that is being tested includes flashing school zone signs, variable speed limit signs and vehicle activated speed limit signs. A variable speed limit sign is an electronic sign where the displayed limit can be changed to fit around the school zones as required. For example, the 60-kilometre limit might change to 40 kilometres an hour during school times. A vehicle activated sign is also electronic. The speed limit is activated by an approaching speeding vehicle. These signs include a message to the motorist who is travelling too fast to slow down.

Queensland has a comprehensive approach to safety around schools which is individually targeted to respond to the needs of particular schools. There are what we call SafeST committees established at schools with expert support from officers from my department. We have funding pools that provide for things like drop-off areas in school zones, these flashing lights, and the 1,800 school crossing supervisors who are employed throughout the state, some of whom have been doing that wonderful job and providing wonderful community service for as long as 25 years. School safety is tremendously important. I am sure that many members who have schools, particularly primary schools, on multilane arterial roads will closely watch the results of this 12-month trial.

A1GP

Mr GIBSON: My question is to the Minister for Child Safety and Minister for Sport. When the Treasurer was asked by the media about the A1GP debacle, he said that the findings would be unsurprising to anyone. Will the minister explain why the Treasurer was unsurprised at the minister's handling of the debacle including the loss of \$4.3 million in taxpayers' money?

Mr SPEAKER: Order! Just say your question again. I am almost convinced that it is seeking an opinion and therefore is out of order.

Mr GIBSON: I am happy to reword the question if that would be suitable.

Mr SPEAKER: I will allow the honourable member to reword the question. The original question, it seemed to me, was asking for an opinion.

Mr GIBSON: Thank you, Mr Speaker. I will reword the question. My question is to the Minister for Child Safety and Minister for Sport.

Mr Robertson: You got that right.

Mr GIBSON: It is more than the minister can get right, but let us focus on this. My question is to the Minister for Child Safety and Minister for Sport. When the Treasurer was asked by the media about the A1GP debacle, he indicated that the findings would be unsurprising to anyone. As the minister responsible for the loss of \$4.3 million of taxpayers' money, can the minister explain why these findings are unsurprising?

Mr REEVES: I thank the honourable member for the question. What I am responsible for is fixing the problem, and that is what we are doing here. That is what I am doing.

Honourable members interjected.

Mr SPEAKER: Order! Resume your seat. The House will come to order.

Mr REEVES: What these reports illustrated was that the due diligence was inadequate. What have we done? We have fixed it. What the reports illustrated was that the contract was inadequate. What have we done? We have fixed the contract by putting performance measures in it. What the reports illustrated was that the partnership did not handle the situation. So what did we do? We dissolved the partnership.

Ms Bligh: The same partnership you had when you were in government.

Mr REEVES: I take the interjection from the Premier. These contracts and these partnerships are modelled on the ones that have been used for a number of years by both sides of the parliament.

But what have I done? The Williams report illustrates that we should use the expertise of Queensland Events. What have I done? I have appointed a director of Queensland Events as chair of the Gold Coast Events Co. I have appointed the General Manager of Gold Coast Events to be the managing director of the Gold Coast Events Co. We have enacted what the reports have recommended. My responsibility is to fix the problem and that is what I will continue to do.

Criminal Justice System

Mr CHOI: My question without notice is to the Attorney-General and Minister for Industrial Relations. Could the Attorney-General outline any recent initiatives that will help educate the public about the state's criminal justice system?

Mr DICK: I thank the member for the question and thank him for his interest in law and law enforcement and in keeping Queensland safe. This week the Bligh government reached another significant milestone in our ongoing modernisation and reform of Queensland's legal system. This week the government announced that the Sentencing Advisory Council will be established to give the community a greater say in matters relevant to criminal sentencing in Queensland.

For the first time, members of the public and victims of crime will have a more direct involvement in examining and considering sentencing principles in Queensland. Those groups, such as members of the community and victims of crime, will be represented on the Sentencing Advisory Council along with experts in law enforcement, criminal justice and juvenile and Indigenous justice issues.

The new body will help bridge the gap between community expectations, the courts and government in considering principles impacting on criminal penalties. The body will have three main functions: an advice function, a research function and, importantly, a public information function. We will be out there in the community talking about these principles and talking about these issues which are very important to Queenslanders but engaging in dialogue. That is what good government does. This is what the Bligh government will do.

The government acknowledges community concerns about sentencing and recognises that in particular cases there is sometimes the perception that the sentence does not seem to fit the crime. The Queensland public should have confidence in our independent judicial system, which has served Queensland very well over 150 years. They should have faith in the independent discretion exercised by judges in determining sentences based on all the facts and circumstances relevant to a particular case.

The proposal we are putting forward is significantly different to that proposed previously in this House by those members opposite. Previously, the LNP proposed to strip away the powers of judges and put them into the hands of politicians and an unelected body. No Queenslanders would accept that politicians should have that power over significant issues.

The Deputy Leader of the Opposition had the temerity to describe this proposal as tired and desperate. If there is any person in this House who knows what it is to be tired and desperate it is the Deputy Leader of the Opposition. Honourable members should not take my word for it. They should look to the members for Burnett and Beaudesert—B1 and B2 coming down the stairs not to chase the Leader of the Opposition's teddy bear but to chase the Deputy Leader of the Opposition and knock him off. That is what they were doing—chasing him out of a job.

I am not here to get a job like the Deputy Leader of the Opposition; I am here to do a job and do it well for the people of Queensland. Those opposite do not have any credibility on law and law enforcement. When they spoke to bikies they folded. They folded in relation to criminal organisations. They do not have any credibility on law and law enforcement. I look forward to their support for this important initiative that will strengthen criminal justice in Queensland.

Child Safety, Medical Treatment

Ms SIMPSON: My question is to the Minister for Child Safety and Minister for Sport. Earlier in question time the minister said that he attended two meetings relating to the more than 1,000 children left waiting for emergency treatment at our hospitals. Will the minister reveal what commitment he was given to ensure there will never again be delays in getting emergency treatment for children? Or did the minister once again forget to take notes at this meeting?

Honourable members interjected.

Mr SPEAKER: Order! I will wait for the House to come to order.

Government members interjected.

Mr SPEAKER: Order! Those on my right will cease interjecting. I call the Minister for Child Safety and Minister for Sport.

Mr REEVES: Once again those opposite are being offensive to parents who take their children to hospital because they care about their safety. One of the things I learned from the two briefings I had yesterday with the Deputy Premier was that for category 1 emergency care at the Mater Hospital, which is where children from my electorate attend, the waiting time is less than a minute. That is a great record achieved by the staff of the Mater Children's Hospital, and I applaud them for that.

I will continue to have children as my No. 1 priority. I will focus on that. The focus of Child Safety Services is those children who are not being taken to doctors and those children who are being abused and neglected at home. I will continue to have that as my No. 1 focus.

Kindergartens

Ms O'NEILL: My question is to the Minister for Education and Training. Could the minister outline for the House how the Bligh government's new kindergarten building program is helping give Queensland kids the flying start they deserve?

Mr WILSON: I am delighted to respond to the member's question. The Bligh government is focused on planning for the future of education in Queensland. Not only are we doing that; we are actually building reforms here and now for the future of young Queenslanders. We are rolling out up to 240 extra kindergarten services co-located at schools and we are rolling out a support program for early childhood education in child-care centres.

This is an unprecedented investment in the education of young Queenslanders. This was never raised, promoted or supported by the other side. Not once have we heard anything positive from them about this important initiative which we are undertaking in conjunction with the federal government, led by Kevin Rudd. We are rolling out \$321 million for the 240 co-located kindergartens and up to \$889 million over four to five years in funding support for the child-care sector.

The participation rate of four-year-old children in kindergarten is about 29 per cent. We are proposing to lift it to 85 to 95 per cent by about 2014. That is why we are making a big investment in the kindergarten sector. All the research shows that the biggest impact we can have on a child's education and on their opportunities beyond school and into life is in those very early years. That is why the Premier when she was education minister brought in the prep year. That is why we are now bringing in the kindergarten program targeting four-year-olds. The 12,000 four-year-old Queenslanders who are in C&K kindergartens now will continue to get their early childhood education. The 29,000 young Queenslanders who are in child-care centres will now have access to four-year qualified early childhood educators who will be running programs supported by the Queensland government and the federal government.

The about 15,000 four-year-old Queenslanders who are not in existing C&K kindergartens or in child care will have the opportunity to go to any of these child-care centres or the extra kindergarten services co-located on state and non-state school sites and get first-class, world-class early childhood education giving them a flying start into education in Queensland, a flying start into life.

Mr SPEAKER: Order! The time for question time has ended.

MATTERS OF PUBLIC INTEREST

Comments by Minister for Local Government and Aboriginal and Torres Strait Islander Partnerships; A1GP

Mr LANGBROEK (Surfers Paradise—LNP) (Leader of the Opposition) (12.08 pm): What do we hear from this government? We hear excuses, excuses, excuses. I begin my speech by inviting the Minister for Local Government and Aboriginal and Torres Strait Islander Partnerships to stay while I answer the outrageous slurs that she made in her ministerial statement this morning. I ask the question: who held the referendum in 1967 to give Aboriginal and Islander Australians full citizenship and the right to vote? Was it Labor? No, it was the Liberal-National government of Harold Holt. Who put the first Aboriginal Australian into the Australian parliament? It was not Labor. No, it was not Labor. It was the Liberal Party—the forerunner to the LNP—that chose to elect Neville Bonner to a casual Senate vacancy in 1971. Who put the first and only Aboriginal Australian into the Queensland parliament? Was it Labor? No, it was the Nationals—the forerunner to the LNP—who had Eric Deeral elected as the member for Cook in 1974.

Let us look at the record of the LNP versus Labor. Labor has offered words; the Liberal Nationals have offered achievement. What is more important for the recognition and empowerment of Indigenous Australians? Is it Labor's record of sorry motions that have not had one follow-up action, or is it the record of the Liberal Nationals, who empowered Aboriginal and Islander Australians by giving them the basic right to vote—a right that was denied by successive Labor governments? What is more important for the recognition and empowerment of Indigenous Australians? Is it Labor's record of welcoming ceremonies, or is it the record of the Liberal Nationals, who empowered Indigenous Australians by actually putting members of that community into our state and federal parliaments?

When we talk about racism, who brought in the White Australia policy? Labor! Who ended it? The Liberal-National coalition under Harold Holt. We are committed to closing the gap, not just talking about it. All Australians are the same. I support traditional owners being acknowledged, but it is important that we acknowledge that all Queenslanders need to be provided with the same rights to health and education outcomes in this state, and we are committed to delivering that. Often when I am listening to welcoming ceremonies Indigenous Australians come up to me to say that this state Labor government is letting them down time after time.

So there is the answer to the minister. We get from this minister trite misrepresentations of things that I said in a speech that I stand by and that this side of the House stands by. The minister is just another hapless minister who is reflective of all of those hapless ministers. When we look at what happened over the parliamentary recess we see that, surely, public administration in this state has reached a nadir in every portfolio: in Health—as identified yesterday; in Education and in Transport.

Of course, today in this place we heard the hopeless excuses of the Minister for Child Safety and Minister for Sport. Time after time he could not answer the questions, shutting the gate after the horse has bolted—after we warned about this and asked for details about due diligence last year before the A1GP. There are serious questions that the Minister for Child Safety and Minister for Sport cannot answer. Instead we had trite responses. Although the minister is talking about proper processes now, we said then that proper processes should be put in place. We were demonised for supposedly not standing up for the Gold Coast, when the cost to the Gold Coast and to the taxpayers of Queenslanders ended up being far greater. We knew what the government did not know. That shows that it is time for an 'Under new management' sign to go up in Queensland. People have lost faith in this government. It is clearly time for a new government.

This morning the Premier referred to the Access Economics study that showed that Queensland is coming fifth in Australia. That other resource-rich state, the economic powerhouse that is Western Australia, is coming first. But Queensland is coming fifth. Yet the Premier has the gall to refer to that report. Over the summer what did we get from the Treasurer? He gained only a bit of arrogance and, of course, lost more votes. If it cannot run a car race, no wonder this government cannot run this economy.

We had the minister telling us about Terry Mackenroth. Given his appalling performance as chairman of the partnership and negotiation with the A1GP, what on earth does Terry Mackenroth have over this government when over the weekend the Premier was prepared to say what she said? At the time that Terry Mackenroth was appointed to the position over John Cowley, former minister the Hon. Tom Barton said that he was the best man for the job. But there were serious questions asked. The minister has said that due diligence was carried out by IMG. Now we know that that is not true, yet the minister has not come back into this place and corrected the record. Clearly, the questions about Terry Mackenroth are numerous. He received a significant benefit from being the chair of the Gold Coast Motor Events Co. That benefit was worth enough for him to give up lobbying. I know that when Terry Mackenroth took on the job the remuneration increased from \$15,000 to \$40,000.

The 'Fox'—Terry Mackenroth—has a reputation for being street smart and cunning. But it turns out that he got ripped off and taken in by a Nigerian internet scammer—or the equivalent thereof. The due diligence for this massive deal that was worth \$11.6 million to the government and up to \$60 million

to the Gold Coast in tourism dollars was done in a two-week period and nothing was written down. It just defies belief. Nobody in private enterprise can believe that anyone who would be associated with such an enterprise could ever be considered to be not responsible for the job—and the Premier is basically saying that no-one is responsible and the minister has also tried to say that no-one is responsible.

I turn to some of the circumstances of the A1GP as identified by these two damning reports: the Williams report and the Auditor-General's report. The A1GP company was based in the British Virgin Islands and, therefore, the sanction fee would have to be taxed at 30 per cent. But the A1GP people did not want to pay 30 per cent tax on the money, so they asked the government to gross up the payment so that the government effectively paid the tax. When the government refused it was suggested that the A1GP people should set up a company here in Australia that the government would contract with. Knowing that it was contracting with a \$2 company with likely no assets here in Australia, the government happily signed a contract where it would pay US\$1.8 million sight unseen on the basis of a nod and a wink from Terry Mackenroth. The one report the government and the Gold Coast Motor Events Co. had to go on was a financial report by Dun and Bradstreet. It recommended a credit limit of \$750 to a maximum of \$3,000. What did this lot do? On the basis of that recommendation of the credit limit, the government paid over \$2 million.

Mr Nicholls interjected.

Mr DEPUTY SPEAKER (Mr Hoolihan): Order! Member for Clayfield, your leader has the floor. You may keep your comments to yourself.

Mr LANGBROEK: Thank you, Mr Deputy Speaker, but it gets worse. Any business proprietor or manager will tell you that the single greatest risk in contracting with other parties is that they might go broke or go into liquidation. But not this government! On hearing that one of the A1GP companies had gone into liquidation, Terry Mackenroth and/or the minister—but we are not sure because, of course, there is no communication written down—sped up the payment scheduled under the contract. So when the people in England said, 'That's an internal restructuring,' were any checks done by this government and by this minister? No checks were done at all. They actually sent a cheque for \$1.8 million to a company that had been put into liquidation. They brought forward the payment by two weeks. The company said, 'If you give it to us now, you can discount it by \$400,000,' and they did it. They sent them \$1.8 million the day after the company had been liquidated.

Where is the minister in all of this? There were no performance guarantees put in the event of nondelivery—a standard process when you are working in conjunction with contractual obligations. Yet when we asked about this last year, this hapless minister assured us that everything was okay. He did the standard thing that we saw him do today, and that was to criticise the notion of the question as to whether we have any alternatives. Clearly, we do. The Premier asked us what our alternatives are. Our policy is to not waste the money of Queensland taxpayers. An amount of \$4.5 million has now gone. Of course, the member for Sunnybank implicated the Premier by saying that she had nothing to do with it when she was the minister for sport.

David Williams compiled a report for the state government which stated that Queensland Events should be the government's lead agency for the staging of events. That report was completed in August 2008. The government has had that report since then. Obviously, the government did not act on the recommendations of that properly. Now, the government has moved the event closer to Queensland Events.

Our policy is to restore Queensland's international reputation to attract and host international events. That will happen only when the 'Under new management' sign goes up in Queensland. In the meantime, after all that has happened, why has the new V8 race not moved totally away from the responsibility of the Minister for Child Safety and Minister for Sport to Queensland Events under the control of the Premier? Does the Premier have no confidence in Queensland Events and its new chair, Geoff Dixon? Why is the government maintaining the same corporate structure when both Williams and the Auditor-General said that a complex corporate structure assisted in leading to the problems? If the government had the Williams report on events for over 12 months, why did it not take note of Mr Williams's recommendations in the report and seek the advice of Queensland Events? Why is a new event not now under the authority of Queensland Events? This government cannot get it right!

(Time expired)

Wivenhoe Dam-Cressbrook Dam, Pipeline

Mr SHINE (Toowoomba North—ALP) (12.18 pm): The day 28 January of this year was a great day for Toowoomba. On that day, the pipeline between Wivenhoe Dam and Cressbrook Dam was turned on. Just prior to the 2006 election, I was asked by the then Premier to head a task force to come up with a solution to the supply of water for Toowoomba consequent upon the referendum dealing with recycled water being defeated. It was rather difficult getting people to sit on that task force, particularly those people who had contrary points of view with respect to the recycling issue. However, to their credit they did that and ultimately, after I had left the chair of that task force after I became minister, they came up with the solution to our problems, and that was the building of a pipeline.

That recommendation was taken up in 2008 by the Bligh government. It identified the need to fast-track the pipeline project. In order to deliver water as soon as possible, an accelerated construction program was adopted for the project. Pipe laying started on 23 March and finished on 12 November, almost two months ahead of schedule. There was 38 kilometres of pipe laid and quality tested in just eight months, highlighting the state government's commitment to water security in the region and also fulfilling a great capital works program and the provision of labour. The pipeline can now transport 14,200 megalitres of water, or 491 litres per second, to Toowoomba each year. On the day we marked the completion of the Toowoomba pipeline it was appropriate to congratulate the hardworking team responsible for delivering that crucial piece of infrastructure on time and on budget.

Drought has been hard on Toowoomba over the best part of the last decade. Despite implementing and maintaining level 5 water restrictions since September 2006 and an increased reliance upon underground water resources, the combined level of the region's three dams has continued to fall. I mention that the underground water sources were tapped by bores principally funded by the state government to the tune of about \$20 million.

On the day before the pipeline was opened the combined levels of the area's three supply dams was 7.8 per cent. There is no doubt that without this vital piece of infrastructure the situation for Toowoomba and surrounding areas would be grim. With the pipeline now complete, the operation pumps will supply about 27 megalitres per day—more than the city's current consumption of about 20 megalitres per day—with the aim of bringing Cressbrook Dam up to 20 per cent capacity and providing water security for the region's 121,000 residents. The drought-busting pipeline links Wivenhoe Dam to Toowoomba's Cressbrook Dam. It starts at Wivenhoe, at a spot adjacent to the existing Esk water tower, winds down the local road reserves west of the Esk township across rural properties and then connects up with Lake Cressbrook itself.

It has not always been smooth sailing. Part of Toowoomba's charm is that it is situated upon a plateau and, as a result, the Toowoomba Pipeline Alliance and LinkWater Projects have overcome some difficult terrain and intense weather to finish the project on time. The project alliance had been very conscious of not just coming in and laying down pipe. The Toowoomba Pipeline Alliance and LinkWater Projects have maintained a strong commitment to be a good neighbour, particularly in that Brisbane Valley area. Esk has benefited tremendously by the presence of the alliance.

The Toowoomba Regional Council has worked in close partnership with the state government on this much needed \$187 million project. Ownership, operational responsibilities and ongoing funding responsibility will transfer to Toowoomba Regional Council in early 2011. I emphasise that the state government has contributed 60 per cent of the cost of this pipeline compared with, for example, the Nationals contributing only 30 per cent to the cost of Perseverance Dam and only 20 per cent to the cost of Cressbrook Dam. Cooby Dam was built primarily by the Forgan Smith Labor government in the 1930s and it contributed 50 per cent to the cost. Labor has a proud record of contributing handsomely to the cost of water supply to Toowoomba. I am very proud that this government on this occasion has exceeded all previous governments by contributing to the tune of 60 per cent.

Volunteers

Ms CROFT (Broadwater—ALP) (12.23 pm): It is my pleasure today to announce more than \$2.6 million in government grants for Volunteer Marine Rescue Association Queensland, Volunteer Coast Guard Association, Surf Life Saving Queensland and the Royal Life Saving Society Queensland. These grants are part of the ongoing funding the Bligh government provides to these vital volunteer organisations. This funding acknowledges the work of many thousands of volunteers who selflessly devote their time to assist their local community through providing rescue services and promoting water safety messages. I commend these volunteers for their dedication and commitment to helping Queenslanders and ultimately saving lives.

These grants are part of more than \$7.7 million allocated by the Bligh government in the 2009-10 budget towards these four vital volunteer organisations. The grants will assist these associations throughout Queensland to sustain existing services, replace equipment and expand resources for rescue services. The Volunteer Marine Rescue Association will receive nearly \$600,000; the Volunteer Coast Guard Association will receive more than \$536,000; and Surf Life Saving Queensland will receive nearly \$1.5 million. The funding includes around \$22,500 for each of the 25 volunteer marine rescue squadrons throughout Queensland to manage their boat replacement program.

After visiting members of the Yeppoon coast guard in the electorate of the Deputy Speaker, I am sure that he will be pleased to hear that 22 volunteer coast guard flotillas will receive more than \$22,000 each for their boat replacement programs. Surf Life Saving Queensland will receive more than \$726,000 for the 65 surf-lifesaving clubs in Queensland to support beach safety operations and surf rescue patrols. Royal Life Saving Society Queensland will also receive two \$12,000 grants for their Ithaca-

Caloundra City Life Saving Club and the Neptune Burleigh Life Saving Club which helps deliver water safety education. I know that the member for Burleigh is very proud of the Neptune Ladies' Life Saving Club and advocates very strongly for them.

It is easy to take for granted the contribution that volunteers make in our community. The fact is that without volunteers many vital community activities would probably grind to a halt. Volunteers are tradesmen, students, teachers and office workers who are there when the community needs them most, ready at a moment's notice to save lives. Every year many thousands of Queenslanders call on our emergency services volunteers in their time of need and every time our volunteers are there to lend a helping hand.

The Queensland government recognises the important role of volunteers and has made a very strong commitment to enhance the volunteering in these communities. Under our Toward Q2 target of a fairer Queensland we have set out to increase volunteering by 50 per cent by the year 2020. With the help of our volunteer organisations such as Volunteer Marine Rescue Association Queensland, Volunteer Coast Guard Association, Surf Life Saving Queensland and Royal Life Saving Society Queensland we are one step closer to achieving that goal. I take this opportunity to thank all of our volunteers for the tremendous work that they do. The Bligh government will continue to support each of these groups and their essential contribution to community safety in Queensland.

A1GP

Mr DEMPSEY (Bundaberg—LNP) (12.27 pm): There is a famous line in a poem that reads—

Oh, what a tangled web we weave when first we practise to deceive.

It continues here this morning in parliament. Prior to entering politics I spent almost 20 years as a police officer serving the people of Queensland. I learned that when giving evidence or explaining a criminal matter to a jury I had to paint a picture of what had happened. What a sad picture this government has painted to the jury—the people of Queensland—to explain the debacle of its handling of the A1GP. This morning the minister said words such as 'could have', 'should have done better', and 'clearly this should not have happened'. He talks about the performance measures that will be implemented in the future. But at no stage in answer to all of the questions that were put to him did the minister once apologise to the people of Queensland for wasting at least \$4.3 million of taxpayers' money.

We have learned over a period of time not to expect much from this government. Over the past 12 years under this Premier and the former Premier, Peter Beattie, Queenslanders have become used to hearing 'sorry' for the mistakes that were made. Usually Queenslanders expect these comments to come with furrowed brows, wringing hands and promises that we are going to turn the corner and find our way through the mess and we are going to get on with the job and raise the bar high.

When the A1GP mess blew up and the Minister for Sport raced out to say that he had got on with the job of putting together a new race program that was even better, Queenslanders just took it all in their stride. It was business as usual, we all thought. But the Auditor-General proved that everyone was wrong—very, very wrong. The Auditor-General's report blows the corruption and cronyism whistle. It says that something smells to high heaven in this government.

The Minister for Sport is right in the middle of this mess but if one asks him—and do not forget that the opposition did ask him a number of questions last year—the sports minister is happy to tell us that things are peachy. He will even say to the media that he has full confidence in himself, even though we hear now that he did not know the full details. If we were to ask the sports minister, he would say that his only crime was to emulate the three monkeys of see no evil, hear no evil, speak no evil. The reality is that the sports minister was deliberately ignorant and fiddled with taxpayers' money as it burnt through this entire fiasco. The sports minister's transparency is certain. The fact that everything is still in question shows that there are a lot of questions still to be answered.

Over this year we have also seen a number of sporting scandals in relation to the Queensland rugby union and its handling of grants. We have seen the Mitchelton Sports Club fiasco and now we have the A1GP. Queenslanders deserve to know that this government is doing the best with the money that they have given.

Previously we have heard in this House a number of times the Premier, in particular when she talks about her green paper, talk about openness, accountability and transparency for the parliament of Queensland. How can we have total confidence in a government when we have a minister who does not even take notes? He moves between a multimillion-dollar event and briefings to his departments and does not take a note. It seems that Terry Mackenroth, his Labor mate, has a great deal to do in relation to what has occurred in this fiasco. Do not forget that Terry Mackenroth, the former Deputy Premier and Treasurer, was also the sports minister from 1999 to 1995. What does he say when asked about it? 'It is

hard to communicate with the department.' He has been a minister of the department for over six years but he finds it hard to give information to the department to give to the minister. I heard members opposite refer to him as the 'silver fox', but I think these days Mackenroth is more or less known as the Mick Gatto of Queensland politics because he is always at the scene of the crime but continues to miss out on a jersey, whether it be the A1GP or the success fees for the airport. For the sake of all Queenslanders, I ask the Premier to make sure that future events are conducted after the proper due diligence has been carried out.

(Time expired)

Bligh Labor Government; Green Army

Ms FARMER (Bulimba—ALP) (12.32 pm): The Bligh Labor government is committed to jobs and to managing the ever-growing need for essential services in Queensland such as education and health. This means continuing our investment in schools, hospitals and roads to protect our Queensland lifestyle. The government remains committed to our \$18.2 billion building program, which is supporting around 127,000 jobs.

The Premier and Treasurer said much in the House this morning about the progress which is being made towards achieving that target. Exciting new announcements in recent days and weeks about major projects will deliver thousands of jobs for Queensland. Clearly, the global recession, which has affected countries around the world, hit our own state budget hard and we are not out of the woods yet. However, we are making great strides, acknowledged already by Access Economics, which identified as a big positive for the economy the big spend by the Queensland government on infrastructure.

I am proud to be part of a government which has continued its ambitious program in the face of strident opposition from those opposite, who have no plan at all, because we know it is the right thing to do. We know that without continued investment in the services and infrastructure that Queensland needs we will have no future.

A key part of that long-term investment in Queensland is the investment by this government in developing the skills of Queenslanders. I refer specifically to the Skilling Queenslanders for Work initiative, a \$101 million program announced in the 2009-10 budget which will ensure that Queenslanders have the right mix of skills to support our economy as it recovers. One of the initiatives arising from this commitment is the Green Army program. What an exciting initiative that is—\$57 million worth of excellent initiatives providing not only parents and carers wanting to rejoin the workforce but also Aboriginal and Torres Strait Islander people, Australian South Sea Islanders and young and mature-age people who have been looking for paid work for some time the opportunity to refrain and/or develop new skills and gain the confidence to enter the workforce. It will also ensure that we are protecting and enhancing the natural resources of our state.

I know the Green Army projects have been running successfully all over the state with wonderful outcomes for participants, and the Premier referred this morning to the 800 job placements which have occurred through the program. One of these has been the Green Army project at Bulimba State School. This is one of the few Green Army projects to be run at a school. I had great pleasure in showing the Treasurer around the project in its beginning phases in September last year. He was able to see not only the work that the participants were getting started on but also the work that has already taken place at the school over a number of years to ensure it is the environmental icon for other schools in our local area and, in fact, in our region. I thank him for his personal interest and enthusiasm for the project, which is still remembered by the project participants, the members of the school community and, in particular, the students.

The project, with 13 participants working over 20 weeks, involved construction, restoration and landscaping works within the grounds of Bulimba State School. The focus was on the rehabilitation of unusable steep slopes to render them serviceable. The amount of work done in converting this area at the school to an exciting interactive playground for the students has been phenomenal and would be the envy of any school. The great new space is unrecognisable from the sparse, steep and almost unusable land that lay there five months ago. In its place the children now have a wonderful new play area which includes terracing, boardwalks, a waterfall, a chook house and even a new thong-a-phone. This platoon of Queensland's Green Army groups have done themselves proud and I know that the whole school community is extremely grateful for their work. In fact, the students were calling the group the 'green tsunami' because of their speed, hard work, and dedication to their tasks.

In this year of sustainability in schools it was fitting that Bulimba State School completed one of the first school based Green Army projects. I have spoken previously in this House of the green credentials of this school, such as a school litter program involving the students cleaning the school and recycling items, veggie gardens at the school resulting in a demonstration project for the Stephanie Alexander kitchen garden program, solar panels, newspapers and building panels recycling, teachers

and the remarkable principal visiting other schools to talk to them about energy efficiency, and the kids actively involved in walking, wheeling or car-pooling to school. This is in no small part due to the leadership of the principal, Mr Michael Zeuschner, and the dedication of Mr Phil Young who works with the children so actively. They are such an example.

I look forward to helping to generate many more Green Army applications in my area, particularly in our local schools. By investing in our people and natural resources in this way Queensland will be stronger and well equipped to move forward with strength when the global economy stabilises.

Queensland Economy

Mr NICHOLLS (Clayfield—LNP) (12.37 pm): I want to touch on a few issues in relation to the Queensland economy. Since we commenced 2010 we have heard from both the Premier and the Treasurer about the state of the Queensland economy as they see it. We all know that the Premier and the Treasurer cannot be believed. They cannot be trusted. When they talk about the future of Queensland, the people of Queensland do not trust them. When they talk about the Queensland state finances, the people of Queensland do not trust them and we do not trust them. We have a Premier and a Treasurer who talk about policy but were so proud about their policy that they did not tell the people of Queensland about it before the last election. They were so proud about their policy of asset sales that they pulled the curtain of ignorance down over the face of the Queensland electors. It is a government that was so proud of its policy to introduce a fuel tax that it was afraid to tell the people of Queensland about it and be judged on it.

It was a longstanding Labor Party aim to get rid of that fuel tax. We know that the Labor Party never supported the fuel tax; it always wanted to get rid of it and penalise the people of regional and rural Queensland, who have no option but to drive further and to go further because of the lack of services and the lack of facilities after 12 years of Labor in government in Queensland.

Here is the challenge to the members on the other side: who is going to stand up and say, 'I own this policy?' Who is going to stand up and say, 'I argued for an assets sales policy?' Who is going to stand up and say, 'I argued to introduce a fuel tax?' The Treasurer certainly has not. I have not seen anyone from the other side stand up and say, 'We think this is a good policy and we were proud to tell the people of Queensland before the last election that this is what we were planning to do.' They ran at 100 miles an hour.

Mr Wettenhall interjected.

Mr DEPUTY SPEAKER (Mr Hoolihan): Order! Member for Barron River! The member for Clayfield has the floor.

Mr NICHOLLS: I hear the former member of the ETU over there. He resigned his membership because of his ownership of the asset sales policy. The member for Barron River walked away from his membership of the ETU because of his adherence to his principles. We look to the future for Queenslanders in 2010, but we do not look to that future through the jaundiced eyes of the Treasurer, the Premier and the members of this tired, untrustworthy Labor government. We look to the facts. We look at the jobless figure in Queensland. We are still 120,000 jobs behind the Premier's promise of 100,000 jobs for 100,000 breadwinners.

Mr Lawlor: We know what job you want.

Mr NICHOLLS: I could give you some media training, and tell them you're dreaming.

Mr DEPUTY SPEAKER: Order! The member will direct his comments through the chair.

Mr NICHOLLS: I beg your pardon, Mr Deputy Speaker. It might be the minister for pancake and make-up before too much longer.

Mr DEPUTY SPEAKER: Order! Member for Clayfield!

Mr NICHOLLS: It is just whether they have enough in the tin. There are 141,700 Queenslanders unemployed. That figure is up from 93,000 at this time last year. That is a 51 per cent increase in 12 months. Since the Premier promised to create 100,000 jobs for 100,000 breadwinners, 31,427 full-time jobs have been lost. That promise still has not been delivered. Queensland is now the unemployment capital—

Government members interjected.

Mr NICHOLLS: Members over there make fun of it. They disregard their promise, which is something we do not do. Queensland is now the unemployment capital of Australia and has been for the past four months. Its unemployment rate is higher than every other state in Australia and higher than the national numbers. What about business? The Chamber of Commerce and Industry and the

Commonwealth Bank have carried out a pulse survey that shows that 84 per cent of Queensland businesses did not hire new staff in the September quarter. What about debt and the midyear financial and economic forecast put out by the Treasurer in December? It shows that we are still going to have an \$85 billion debt in 2012-13. That will be the level of our debt. Our deficit has gone up by \$400 million. This government has no plan. Its only plan is to tax more, spend more and cost Queenslanders their future, now and into the future.

Queensland Health Survey

Mr WATT (Everton—ALP) (12.42 pm): Previously in this House, in my capacity as Parliamentary Secretary for Healthy Living, I have spoken about the government's Q2 target to reduce by one-third the rate of Queenslanders who smoke daily, who are obese, who engage in heavy drinking and who get sunburnt. The target is to reduce each of those chronic risk factors by one-third by 2020. Last year Queensland Health conducted a telephone survey of nearly 7,000 Queenslanders aged 18 and over across the state. The survey had some positive results but also revealed some things that should be concerning for Queenslanders. The survey revealed that there is a disconnect between how Queenslanders see the state of their health and the reality set out in the statistics. It is pleasing that the survey found that 90 per cent of Queenslanders surveyed have a good quality of life, that 84 per cent are in good health and that just under 80 per cent are satisfied with their health. However, as some of the following statistics will show, more than just 20 per cent of Queenslanders have reason to be dissatisfied with their health.

In terms of obesity, 41 per cent of people surveyed were found to be of a healthy weight, although unfortunately 55 per cent of people surveyed were either overweight or obese. In terms of diet, while 57 per cent consumed the recommended two serves of fruit per day, only 10 per cent had the recommended five serves of vegetables per day. Fortunately, both the statistics for the percentage of people who eat the recommended level of fruit and vegetables are trending upwards, but obviously we have some way to go. It is quite possible that part of the reason why those figures are trending upwards is the government's successful Go for 2 and 5 campaign, which has been running over the past couple of years. Evaluations of that campaign have demonstrated that people have heard the message about the need to increase the proportion of fruit and vegetables that they eat every day. I know that the member for Barron River is a voracious consumer of fruit and vegetables.

The results also found that 56 per cent of people surveyed undertake sufficient physical activity to benefit their health. However, 13 per cent are sedentary or sit for seven or more hours a day. On that note, I might mention that last year a number of members and I had the good fortune to attend a breakfast held by the Heart Foundation. It has conducted some very interesting research that reveals the amount of sedentary activity that all of us engage in every single day because of modern life. None of us realise the amount of time that we do spend sitting down. Of course, we spend an awful lot of time sitting down in this parliament, but even outside the parliament most of us sit down a lot more than we should. Most workplaces are designed to facilitate people sitting rather than moving around. Design principles have a really big contribution to make to increase the amount of motion that people engage in every day, which will be of benefit to their health. We have taken steps to increase the amount of physical activity that young people undertake by mandating minimum amounts of physical activity in primary and secondary schools. Over the course of the year, in collaboration with my good friend the Minister for Sport, I will be working on further measures that we can undertake to encourage people to take up further physical activity.

The findings also show that, while many Queenslanders are implementing some form of sun safety behaviour, we can still do more to protect ourselves from unsafe sun exposure. While 93 per cent of adult Queenslanders practise at least one sun safe behaviour—that is, wearing a hat, sunscreen and sunglasses—only 29 per cent undertake all three.

However, the statistics revealed in this survey were not all doom and gloom. It is very pleasing to see that there has been a decline in smoking rates. I do not think that the public appreciates the incredible improvement that we have made in the area of smoking over recent years. In the past five years the percentage of Queenslanders who smoke daily has been slashed by one-quarter—that is, 160,000 fewer Queenslanders smoke daily. This statistic is important, and not only because of the lower levels of lung cancer and other diseases that that activity will lead to. It has great significance because it shows that we can change our lifestyles to improve our health. Twenty or 30 years ago people would have said that nothing could be done about smoking. However, as a result of regulatory changes, public education campaigns and a range of other strategies we have really driven down the number of Queenslanders who smoke, and that will benefit not just themselves but also their families and the community as a whole. This highlights the real challenge facing all of us who have an interest in the area of obesity, drinking and sun exposure. It is about informing people about what good health involves and educating them about how they can change their behaviour to prolong their lives and to live happy and healthy lives into the future.

Go Card

Ms SIMPSON (Maroochydore—LNP) (12.47 pm): You cannot fix what you will not admit is faulty. Unfortunately for commuters on the public transport network, this government is refusing to take responsibility and acknowledge that the go card rollout has been a debacle, and the problems—not the solutions—continue to roll out. Minister Rachel Nolan has refused to take responsibility and say sorry for the fiasco. Under Labor we see that there is a pattern. Just as with the Gold Coast car race fiasco, it seems that in the Transport portfolio the minister's only responsibility is to do PR rather than to make good decisions. This transport minister will not say sorry for the botched rollout and she will not acknowledge that there is a problem. As the complaints from furious commuters have continued to mount, her response has been, 'I do acknowledge we didn't do enough in the lead-up to this change to promote them.' In other words, the commuters were wrong and she was right because she believed more PR was needed. This minister has failed in her responsibility to manage public transport in this state. The rollout of this ticketing system can only be described as inept, botched and a disgrace. In this matter the Minister for Transport's performance has matched that of the Iraqi information minister who kept denying that there was a war, even as the bombs rained down.

Before the January rollout of the increased fees that made paper tickets up to 20 per cent more expensive than go cards, we warned that there were not enough go card outlets in South-East Queensland. But the transport minister denied that there was a problem. The minister said that the go card was a leading-edge ticketing system that had been successfully rolled out. So what happened after the January changes came through? There was chaos. Consumers found that they could not easily access an alternative system, they could not easily access go cards and when the system failed the problems continued.

The LNP said there were huge holes in go card availability at rail stations. Only 34 out of 144 train stations could sell go cards when the changes to the system came through. The minister belatedly announced a rollout of go card outlets at rail stations. The LNP warned that some pensioners had to travel up to five kilometres to buy go cards, as there were no nearby outlets in their areas. The minister acknowledged that more should have been done. What? More should have been done to increase access to go cards? No, to promote go cards! The LNP warned that school students over 15 years of age would be caught out and would have to pay for full-fare paper tickets because of their inability to access concession cards when schools reopened. One would think that if this government was really ready for the changes that it was foisting on commuters school students should have been easily able to access go cards anywhere, before school went back. But, no! Only about half of the retail outlets and points of sale could sell concession go cards to those students. This affected all concession holders. When I raised this, of course they were in denial and then a few days later they had to roll out more concession retail outlets.

I will table the explanation that TransLink gave to some of those retail outlets who had been lobbying since last year, saying that there was a problem but the government would not listen. TransLink said—

Feedback from our customer base and the community has shown a strong interest in purchasing Concession go cards from the retail network. As a result, Concession go cards of all types ... will be added to the range available to be ordered.

I table that response.

Tabled paper: Email, dated 28 January 2010, from Carly Ambler, SEQfinanceTier3, to a go card reseller, in relation to changes to the existing reseller licence agreement, and related documents [[1684](#)].

But that response did not come out before school went back; it came out towards the end of the first week of school. Will the minister take responsibility? No. The LNP warned that commuters were experiencing go card scanning malfunctions and also that there was a problem with the complaints system. The transport minister, however, continues to deny that there is a problem with these systems failing. This minister is so out of this world that she is travelling on a spaceship, not public transport, when she claims that it is quite easy to use technology and it is working consistently and reliably.

I table a quote from a commuter who is typical of the many people who have been complaining that they have tried to lodge their complaint but they cannot get through on the complaints system. So how can this government say that there is not a significant number of complaints and failures? This commuter says—

I've only used my Go card twice in 2 months, yet 2 errors occur. The money is not the issue it is the error AND how long it took to report the errors ...

Tabled paper: Document, dated 5 January 2010, regarding go card issues [[1685](#)].

(Time expired)

Tropical North Queensland, Aviation Services

Mr WETTENHALL (Barron River—ALP) (12.52 pm): I would like to draw to the attention of the House some recent good news relating to aviation services in tropical North Queensland. As part of the Premier's highly successful trade mission to the United States earlier this year, the government has announced a partnership between Qantas Airways, Tourism Queensland and Tourism Tropical North Queensland to promote a deal which offers Americans the chance to fly from Los Angeles or San Francisco to Cairns from US\$898 and receive a free stopover in Sydney, Melbourne, Brisbane or Auckland.

In the year ahead, we look forward to welcoming China Southern Airlines flights from Guangzhou city to Cairns which will commence in February—from 11 to 15 February—with each service carrying up to 375 people. March will also see the introduction of a new Virgin Blue Group international service between Auckland and Cairns. Virgin Blue's New Zealand based international airline, Pacific Blue, will operate the twice-weekly flight which is scheduled on Tuesdays and Saturdays, with the airline committing a Boeing 737-800 aircraft, representing a 79 per cent increase in available seats on the route.

In addition, Continental Airlines flights will operate a daily service from Guam to Cairns from 17 March to 6 April to meet an increased demand from Japan and Guam. This daily service connects to Guam and the nine Japanese cities which Continental services.

From the beginning of April, tropical North Queensland will receive 17 new flights per week from Melbourne, Sydney, Adelaide and Perth, adding just over 3,000 weekly seats and potential visitors to the region. April arrivals also include the resumed direct flights between Osaka in Japan and Cairns. Four-weekly Jetstar flights will add up to 1,200 seats for the region per week, which equates to approximately 63,000 seats per year.

Looking back to the end of last year, there was more good news for the region which we in tropical North Queensland will soon begin to benefit from. The Premier announced the signing of a deal expected to deliver up to 300,000 extra passengers to Cairns over the next 2½ years. That agreement between Cairns International Airport and low-fares carrier Jetstar has the potential to provide a huge boost to jobs in the local tourism industry.

Prior to Christmas we received positive news for the wider Queensland tourism industry, with Qantas's announcement that it will upgrade the Brisbane-Cairns service to a larger aircraft on six services per week, providing an additional 912 seats per week. These recent commitments are a strong indication of the industry's confidence in Queensland. Supporting our aviation partners into the future is paramount to the continued strength of the Queensland tourism industry. The Bligh government and Tourism Queensland will continue to work together to ensure that the future of Queensland's tourism industry remains bright.

In other good news for the tropical north, early in the new year the government provided a special funding grant of \$72,000 for Tourism Tropical North Queensland that will be used to implement two projects to help raise awareness of the value of tourism in the region. TTNQ will develop a tourism awareness strategy, with the aim of increasing locals' appreciation of the importance of tourism to the region, as well as introduce a new market intelligence reporting system to look at how seasonal booking affects the region.

In marketing news, late last year a four-week Tourism Queensland led domestic campaign for tropical North Queensland generated nearly 7,800 room nights and an estimated \$5 million in visitor expenditure. The 'Spend more time, not more money' campaign held in October, in partnership with Flight Centre, wholesaler Infinity Holidays and Tourism Tropical North Queensland, secured 7,775 room nights for the region—double that of the same time the year before.

The most recent national visitor survey also indicated that tropical North Queensland recorded an increase in domestic overnight visitors in the year ended September 2009, particularly from interstate. Tropical North Queensland also recorded a strong increase from the family holiday market—up 41 per cent—from both intrastate and interstate markets. Competitive holiday packages promoted through the office of the Minister for Tourism and by Tourism Queensland have had an obvious appeal for this market during what has been a difficult 12 months for the region.

While there is no doubt that 2009 was one of the toughest years on record for our tourism industry, particularly those in tropical North Queensland, these aviation announcements and campaign activity demonstrate a strong confidence that 2010 will be a more positive year.

Woof, Mr L; Kindergartens; Queensland Rail

Mrs CUNNINGHAM (Gladstone—Ind) (12.57 pm): Sadly, most days in our local papers we read of the sad passing of valued community members and each is a great loss. Gladstone is mourning the loss of a young man, Luke Woof. Luke was tragically killed in a vehicle accident a week ago. There was no fault; it was a mixture of his inexperience and very bad weather. We had wonderful rain, but it did create some very treacherous driving conditions. Luke was buried on Saturday. Hundreds of people attended his funeral at Boyne-Tannum. Part of the memorial to Luke read—

Luke, 18, was a loved son, brother, friend and team-mate.

He was a prominent member of the sporting community, excelling at cricket, hockey, soccer and just about anything he turned his hand to.

He received last year's Yaralla sportsperson of the year award. I know that on that evening he spoke well and he behaved as a young man with a great deal to contribute. There were many memorial testaments given in the last week to the *Observer's* online blog page, and also at the funeral many people spoke about what a contribution this young man could make to our community in the future. Certainly his passing is our loss. The community's sympathies go to Ian and Sheryn Woof, his parents, and family.

It brings into sharp focus the importance of young people to our communities and our future growth. Parents at Boyne-Tannum have expressed a great deal of concern in relation to the shortage of facilities at Tannum Sands and at Boyne Island for very young people. This is particularly in relation to kindergarten placements. I have received correspondence about this, too. There was an article that said that for 2011 there are 44 kindergarten places at Tannum Sands. Over 100 people turned up in the early hours of the morning and some of them camped outside the kindy to ensure their child's enrolment.

I know that around election time the Premier, Anna Bligh, announced a new preschool-kindy for the Gladstone electorate and that will be welcomed. However, I am not sure that it would be placed at Tannum Sands-Boyne Island. I would certainly encourage private providers, the Creche and Kindergarten Association and others who might be considering kindergarten places to consider Boyne-Tannum, because it is very much a dynamic and growing community and one where parents are calling for additional kindergarten places. I certainly look forward to the time when parents do not have to stand outside the kindergarten waiting for a place for their child. In fact, there are parents working out strategies now for the 2013 intake.

I also want to place on the record the continuing concern that my community has in relation to the proposed privatisation of Queensland Rail. In spite of the time that has transpired since the announcement just after the last state election, the issue has certainly not gone away. Indeed, people in my electorate were angry at the announcement by the Premier that there would be a public float.

The overwhelming response to me is that a public float means that we, as Queenslanders, will be buying back an asset that we have paid for over very many years. Many were offended by that. It is not that it is necessarily the specific proposal of the Premier—although, as I said, people felt that they were buying back their own asset—but there remains in the community a high level of opposition to and anxiety about the proposed privatisation of rail, the impact that it will have on jobs in the electorate and the belief that the government should retain rail in its ownership as a strategic piece of infrastructure thereby ensuring job security for people, many of whom have dedicated a great deal of their lives to ensuring that rail continues to prosper and continues to offer services to the rural and regional community and, indeed, the significant coal industry that exports from Gladstone.

As I said at the commencement of this part of my speech, the objection to and the anger about the proposed privatisation—whether it is a sale or a float—remains high in the electorate.

(Time expired)

Sitting suspended from 1.02 pm to 2.30 pm.

Health Care, Cook Electorate

Mr O'BRIEN (Cook—ALP) (2.30 pm): The Sunday before last I had the great pleasure of participating, along with 32 other brave souls, in the inaugural Undies 500. The Undies 500 involves participants running through the streets of Port Douglas in their underwear to help raise money for local couple Sue Polson and David Lewkowski. Sue is currently recovering from surgery to remove an aggressive brain tumour in the Townsville Hospital. Travelling to Townsville for treatment has had a dire effect on the couple. Not only has Sue lost her income; her partner, Dave, obviously wants to provide as much emotional support as he can while his fiancée undertakes treatment. This has meant that his work and income has become sporadic at best, and they find themselves in serious financial trouble to add to Sue's health woes.

True to form, the Port Douglas community has got behind the couple, and the Undies 500 raised a very respectable \$13,200. Congratulations must go to Melanie Motley, who works with Sue at the Central Hotel, for organising the event. I was tempted to table the story from the local newspaper but, given that the bloke running next to me is dressed in a bra and women's underwear, I will spare the parliament the permanent indignity of putting it on the record.

I would like to say that, while running through the streets of Port Douglas in your undies is very liberating, there is also a very serious side to it. It is no fun for thousands of Queenslanders who have to travel far from their homes, friends and family to get medical treatment that is not available locally. There are many people in the Far North who are in the same situation, and the government and I are trying to do what we can to assist them.

I am supporting a group in Mossman-Port Douglas called Pink in the Tropics, which is also known as the Douglas Breast Cancer Support Network. Pink in the Tropics is a breast cancer support group which, by sharing information, aims to help women feel less isolated during their breast cancer journey. Pink in the Tropics was formed by a group of women who have been diagnosed with breast cancer and who have undergone varying treatments. They exchange information and further their education on issues arising from breast cancer diagnosis.

The objects of the group are to inform, empower and support women during their breast cancer journey by providing information gained through their own breast cancer journey, appropriate pamphlets, booklets, publications and websites, or by referral to other appropriate agencies. They also empower women to have a voice in their own health care and to play an active role in improving breast cancer treatment, care and services. They are driven by women who have experienced breast cancer and who can offer support through their empathy to others on their breast cancer journey.

They are a group of ordinary women going about their lives who meet up occasionally to share knowledge. Their role is not to act in any way as professional counsellors. They simply chat over a cuppa on a variety of practical issues. Pink in the Tropics is lobbying the government to increase the Patient Travel Subsidy Scheme's \$30 a night meals and accommodation subsidy. I am sponsoring a current e-petition, and the ladies are working very hard to get signatures on the paper equivalent.

People in my electorate and in other rural and remote communities across Queensland regularly have to travel for specialised treatment, and they often find it very difficult financially on top of the understandable distress that they go through. It is a very personal matter for me, as my mother died from breast cancer, and she, too, had to travel to get treatment. She had to travel to Sydney to get radium treatment and support from her family there. Any increase in the subsidy would be a big help right across rural Queensland. Increasing the subsidy would be in line with other steps that the Bligh Labor government is taking to help patients who have to travel for treatment. This includes a recent increase in the kilometre rate of the PTSS from 10c per kilometre to 15c per kilometre. The government is also streamlining its processes for dealing with patient travel and accommodation under the PTSS scheme.

The government has also announced \$200,000 recently for seed funding to the Red Cross and the Cancer Council to begin planning for new accommodation for patients travelling to Cairns for treatment. More importantly, perhaps, the government is also upgrading the Cairns Base Hospital so that it will have a new oncology department which will reduce the need for many people in the region to travel to Cairns. But, of course, there will still be a need for some people like Sue, whom it will not help. Pink in the Tropics can be found at www.pinkinthetropics.org. It is a fantastic organisation, and I am very proud to lend it my support.

Madam DEPUTY SPEAKER: Order! The time for matters of public importance has now expired.

ARCHITECTS AMENDMENT BILL

First Reading

Hon. RE SCHWARTEN (Rockhampton—ALP) (Minister for Public Works and Information and Communication Technology) (2.35 pm): I present a bill for an act to amend the Architects Act 2002 for particular purposes and to make consequential amendments to the Architects Regulation 2003 and the Cooperatives Regulation 1997. 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: Architects Amendment Bill [[1686](#)].

Tabled paper: Architects Amendment Bill, explanatory notes [[1687](#)].

Second Reading

Hon. RE SCHWARTEN (Rockhampton—ALP) (Minister for Public Works and Information and Communication Technology) (2.35 pm): I move—

That the bill be now read a second time.

Today I am pleased to introduce amendments to the Architects Act 2002. The Architects Act 2002 regulates the registration of architects and the practice of architecture in Queensland. Architects are registered by the Board of Architects of Queensland in accordance with the act. Similar registration processes are used in other Australian states and territories.

One of the key initiatives of the bill is to introduce a simplified registration scheme using procedures approved by the Architects Accreditation Council of Australia and adopted by architect registration boards in the Australian states and territories. Currently, the act provides for a regulation to prescribe qualifications and competencies in the practice of architecture and the assessment entities which would assess applicant architects against these qualifications and competencies. The assessment entities are also required to conduct competency assessments against continuing competency requirements. The board has experienced difficulty in translating the competency requirements approved by the Architects Accreditation Council of Australia into the form of a regulation and has proposed that an alternative simplified scheme be introduced which adopts procedures approved by the Architects Accreditation Council of Australia.

Under the proposed simplified registration scheme, the qualifications and competencies for registration of architects will no longer be prescribed by regulation. Instead, the act will provide that applicants for registration will need to satisfy two criteria. Firstly, applicants will need an academic qualification in architecture which is recognised by the Architects Accreditation Council of Australia or a pass in the National Program of Assessment conducted by the Architects Accreditation Council of Australia. Secondly, applicants will require competencies in the practice of architecture based on a period of training followed by the successful completion of the Architects Accreditation Council of Australia Architectural Practice Examination or another examination arranged or approved by the Board of Architects of Queensland. Although not set out in the act, these requirements are already in use in Queensland and are used in all Australian states and territories. The Board of Architects of Queensland will continue to assess fitness to practise requirements, register architects and carry out disciplinary processes.

Currently, the Architects Act 2002 provides for the registration of practising architects only. The bill will amend the act to provide that a registered or formerly registered architect in Queensland or an equivalent jurisdiction in Australia may apply to the board to be registered as a non-practising architect. Non-practising architects will be registered if the board is satisfied either that they have retired from the practice of architecture or that they are not likely to practise as an architect within the next 12-month registration period. This new category of registration is similar to that adopted in New South Wales and Victoria.

Debate, on motion of Mr Seeney, adjourned.

MINES AND ENERGY LEGISLATION AMENDMENT BILL

First Reading

Hon. S ROBERTSON (Stretton—ALP) (Minister for Natural Resources, Mines and Energy and Minister for Trade) (2.39 pm): I present a bill for an act to amend the Clean Energy Act 2008, Coal Mining Safety and Health Act 1999, Electricity Act 1994, Explosives Act 1999, Geothermal Exploration Act 2004, Greenhouse Gas Storage Act 2009, Mineral Resources Act 1989, Mining and Quarrying Safety and Health Act 1999, Petroleum and Gas (Production and Safety) Act 2004, Petroleum (Submerged Lands) Act 1982 and Queensland Competition Authority Act 1997 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: Mines and Energy Legislation Amendment Bill [[1688](#)].

Tabled paper: Mines and Energy Legislation Amendment Bill, explanatory notes [[1689](#)].

Second Reading

Hon. S ROBERTSON (Stretton—ALP) (Minister for Natural Resources, Mines and Energy and Minister for Trade) (2.40 pm): I move—

That the bill be now read a second time.

The Mines and Energy Legislation Amendment Bill 2010 seeks to amend various acts administered within the mines and energy portfolio to achieve three outcomes for Queensland: one, enhanced safety and health measures; two, streamlined and simplified government processes; and, three, improved credit support arrangements for electricity retailers and improved customer service obligations.

With respect to enhancing safety and health measures, safety and health in the state's mining industry continues to be a key priority for this government. Since the Mining and Quarrying Safety and Health Act came into force in March 2001, Queensland's large mines have been required to develop and maintain a fully documented safety and health management system. Small mines with 10 or fewer workers are exempt from this requirement. A 2006-07 Queensland Mines Inspectorate review into metalliferous mine and quarry fatalities over the previous 10 years found there was a decrease in the number of fatalities at large mines but an increase trend in fatalities in small mines. Fatalities at large mines dropped from 24 in the 1990s to eight in the 2001-09 period. At the same time, fatalities in small mines have increased from five to eight.

The amendments proposed will make it a requirement for small mines to develop a safety and health management system. To assist with this change, the Mines Inspectorate and the Institute of Quarrying Australia conducted 26 training seminars throughout the state on risk management and development of a safety and health management system. The small mines industry has responded positively and this amendment was also recommended by a coroner following an inquest into a fatality at a mine site. This bill also proposes amendments to the Petroleum and Gas (Production and Safety) Act 2004 to enhance safety and health measures in the gas industry, particularly in relation to the certification of installations and appliances.

With respect to streamlining and simplifying government processes, in December 2008 the Premier made a commitment to streamline administrative processes for state government approvals of new mines. The Department of Employment, Economic Development and Innovation is working to improve the efficiency of the approval process for mining projects while ensuring strict environmental and land use approval processes are met. We are now introducing legislative amendments that will speed up mining lease approvals.

The proposed amendments to the Mineral Resources Act 1989 will streamline the approvals process for mining lease applications where no objection has been lodged. The mining registrar must currently refer all applications for mining leases and all properly made objections to the Land Court for hearing. If no formal objection to an application has been lodged, the Land Court will generally dispense with a hearing. However, this process can take up to six weeks and there have been no reported instances where the Land Court has refused an application based on an assessment in chambers. The proposed amendments will remove the mandatory requirement for the Land Court to assess mining lease applications with no properly lodged objections. Instead, these applications will be assessed by the minister administering the Mineral Resources Act 1989, shortening the mining lease approval process by up to six weeks.

Other amendments that aim to streamline and simplify regulatory processes include amendments to reduce the regulatory burden on participating businesses in the Smart Energy Savings Program and simplify the approvals process for petroleum and gas pipelines that traverse both the mainland and Queensland's internal waters and ensure pipeline proponents only need to comply with the safety and health obligations under one act.

With respect to improved credit support arrangements for electricity retailers and improved customer service obligations, amendments proposed to the Electricity Act aim to ensure large market customers in rural and regional Queensland can secure access to electricity. The proposed amendments will require the retailer responsible for the premises to offer supply to these customers on fair and reasonable terms. This obligation will not increase the current community service obligation payments and is consistent with provisions for large market customers whose contracts expire without renewal.

Further amendments proposed to the Electricity Act will specify that an electricity retail authority holder must provide credit support required by an electricity distributor with whom the retailer has common customers. However, this will only apply if the credit support required by the distributor complies with credit support guidelines published by the Queensland Competition Authority. The proposed amendments will not preclude a retailer and distributor from agreeing to another form of credit support that does not comply with the guidelines.

Electricity distribution entities operate in a regulatory environment where they must provide access to their distribution networks to retail entities on behalf of customers. Given this obligation, it is generally accepted that distribution entities should be able to manage their risk of exposure to nonpayment for distribution services by a retail entity. The current process for the distribution entity to enforce its right to credit support is considered unwieldy and protracted. The dispute resolution process can take many months during which there is no means of limiting further increases to the distribution entity's credit risk exposure, as the retail entity is able to continue to sell electricity to existing and new customers.

The proposed amendments aim to enhance the regulatory framework relating to retailer credit support by requiring the Queensland Competition Authority, as an independent regulatory body, to prepare and publish credit support guidelines. The guidelines must meet the needs of distribution entities in terms of minimising credit risk, while also ensuring the required credit support arrangements are fair and reasonable for retailers, so as to not create an unreasonable barrier to entry. I commend the bill to the House.

Debate, on motion of Mr Seenev, adjourned.

CHILD CARE AND ANOTHER ACT AMENDMENT BILL

First Reading

Hon. GJ WILSON (Ferny Grove—ALP) (Minister for Education and Training) (2.46 pm): I present a bill for an act to amend the Child Care Act 2002 and the Education (Queensland College of Teachers) Act 2005 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: Child Care and Another Act Amendment Bill [[1690](#)].

Tabled paper: Child Care and Another Act Amendment Bill, explanatory notes [[1691](#)].

Second Reading

Hon. GJ WILSON (Ferny Grove—ALP) (Minister for Education and Training) (2.47 pm): I move—

That the bill be now read a second time.

This bill has three objectives: to require licensees of child-care services other than school-age care services to keep compliance history logbooks; to implement a system for testing of persons in literacy, numeracy or science prior to registering them as teachers; and to recognise certain teaching experience for the purposes of teacher registration. The government is committed to openness and transparency and believes it is vital that parents have access to information about the quality of early childhood education and care, ECEC, services. That is why, on 7 October last year, this House passed amendments to the Child Care Act 2002 to enable the Department of Education and Training to publish information on its website about ECEC services that demonstrate serious and repeated noncompliance that is more than minor in nature. Those amendments commenced on 1 February this year.

The introduction of a requirement for licensees to keep logbooks about their compliance history will deliver on the next stage of this government's plan to increase the information available to parents about ECEC services in Queensland. Logbooks will be required to be kept by all licensees of licensed centre based child-care services—for example, long day care services and kindergartens. School-age care services will not be required to keep a logbook; however, this will be explored in the coming months.

The amendments will also apply to licensed home based child-care services—that is, family day care services. Licensees will be required to enter information in their logbooks if the chief executive initiates a suspension, urgent suspension, amendment or urgent amendment of their licence. Licensees will also be required to include information about any compliance notices that are issued to them under section 142 of the Child Care Act 2002. Licensees will also be required to update the information in their logbooks to indicate when a suspension has been lifted or when the licensee has taken steps to rectify the contravention.

As I have said in the past, the majority of licensees of child-care services provide quality care and comply with the legislation. However, parents have a right to know when services fall short of meeting their obligations under child-care laws or expose children to serious risks to their safety or wellbeing. Any person, including parents and carers, will be entitled to inspect or obtain a copy of a licensee's

logbook at any time. This will provide parents with more information about the quality of an ECEC service so that they are better informed when making decisions about a service that is providing, or will potentially provide, a service to their child.

At the request of the Premier, in 2009 Geoff Masters from the Australian Council for Educational Research conducted an independent review of literacy, numeracy and science in Queensland primary schools. The final review, *A shared challenge: improving literacy, numeracy and science learning in Queensland primary schools*—known as the Masters review—concluded that improved outcomes in literacy, numeracy and science are likely to be facilitated by a number of factors, including access to a well-prepared teaching workforce.

The Masters review recommended that all aspiring primary teachers should be required to demonstrate, through test performances, that they meet threshold knowledge levels about the teaching of literacy, numeracy and science and sound content knowledge in these areas prior to registration as a teacher. This bill amends the Education (Queensland College of Teachers) Act 2005 to implement this recommendation by setting up the legislative framework for testing those who apply for registration. This includes giving the Queensland College of Teachers the function of developing and administering the testing program.

The bill specifies that if a person is prescribed under a regulation as being required to take a test for literacy, numeracy or science the person will have to take the test and achieve a result that the college considers satisfactory in order to be eligible for registration as a teacher. The testing requirements will only relate to new applicants for Queensland teacher registration from late 2011, following commencement of this legislation and subsequent amendments to the Education (Queensland College of Teachers) Regulation 2005. Anyone who is already registered as a teacher in Queensland will not have to take the test when they apply to renew their registration.

The bill amends the Education (Queensland College of Teachers) Act to recognise the experience of kindergarten teachers. This government has committed itself to provide a kindergarten program for all children in the year prior to prep as part of the Toward Q2: Tomorrow's Queensland initiative. Queensland has also entered into a bilateral agreement with the Australian government which provides that this commitment is to be met through the delivery of the kindergarten program by a four-year qualified early childhood teacher or a registered teacher with an early childhood qualification. To complement this, the bill ensures that a person's teaching experience in delivering a quality kindergarten program that is based on a Queensland Studies Authority approved or accredited kindergarten guideline is recognised for the purposes of teacher registration.

The bill also recognises the experience of teachers in other non-school type settings where they are delivering curriculum that is based on a syllabus that has been approved or accredited by the Queensland Studies Authority. This will include those who are teaching at TAFE senior colleges. These persons are required to be registered teachers, but until now their teaching experience has not been recognised when it comes to recency of practice requirements for renewing their registration, as distinct from obtaining their first registration. The bill addresses this unintended gap in the legislation.

The bill also recognises the teaching experiences of those dedicated people who take on educational leadership roles but who are not necessarily directly involved in delivering educational programs to students in the classroom. These people include educational advisers who provide classroom teachers with curriculum leadership, guidance and support, and facilitate their professional development. I commend the bill to the House.

Debate, on motion of Mr Seeney, adjourned.

AGRICULTURAL COLLEGE AND OTHER LEGISLATION AMENDMENT BILL

First Reading

Hon. TS MULHERIN (Mackay—ALP) (Minister for Primary Industries, Fisheries and Rural and Regional Queensland) (2.54 pm): I present a bill for an act to amend the Agricultural College Act 2005 and the Veterinary Surgeons Act 1936 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: Agricultural College and Other Legislation Amendment Bill [\[1692\]](#).

Tabled paper: Agricultural College and Other Legislation Amendment Bill, explanatory notes [\[1693\]](#).

Second Reading

Hon. TS MULHERIN (Mackay—ALP) (Minister for Primary Industries, Fisheries and Rural and Regional Queensland) (2.54 pm): I move—

That the bill be now read a second time.

The main purpose of this bill is to amend the Agricultural College Act 2005, principally to broaden the range of matters a skilled board may advise on in relation to the Australian Agricultural College Corporation—AACC—and to enhance corporate governance provisions relating to the board. The amendments to this act concern the operations of the AACC, a corporation sole established in 2005 following the consolidation of the four established agricultural colleges into one college in 2005.

AACC is tasked with delivering high-quality agricultural and rural vocational education and training for Queensland's agricultural industry. This vision is consistent with the Fresh Approach initiative I launched in June 2008 to invest in people, systems and services to build a more client-centric platform to meet the future needs of the primary industries sector. Since 1967, the AACC has equipped young people with the necessary rural management skills to ensure a strong workforce for the continued growth of Queensland's valuable primary industries.

Over the past few years, a number of critical issues have emerged which have impacted the operational viability of AACC, including declining student numbers and reduced profitability due to drought and competition from the resources boom affecting agriculture as an appealing career choice. In addition, AACC's business model has not optimised AACC's capacity to meet new training needs in response to industry demands. This culminated in my decision to undertake a review of options for the improvement of the AACC business model in late 2008.

During this review, PricewaterhouseCoopers was commissioned to undertake a study to recommend governance models appropriate for AACC. PricewaterhouseCoopers recommended bolstering the role of the board to allow it to advise on a wide range of matters relating to the AACC and that, as a consequence of the enhanced role of the board, members be appropriately skilled and remunerated. In addition to the PricewaterhouseCoopers study, extensive consultation with industry peak bodies, AACC staff and communities where AACC has a physical presence has been undertaken.

I conducted six Dialogue for Action forums across Queensland in 2009 with over 140 participants from local and state government, agribusiness producers, peak industry bodies, training and education providers, AACC staff and the local community. While the focus of these forums was the draft AACC strategic plan, it was acknowledged by forum participants that the new AACC board would require an independent voice, a wide mandate in terms of issues the board will address and, most importantly, a board that is supported by and engaged with the local community and industry.

The act currently allows the board to consider the delivery of training to students and the needs of communities and rural industries serviced by AACC and nothing else. The bill proposes to widen the range of matters the board can advise the corporation on to include issues relating to AACC's strategic direction, operational, administrative and financial policies and other issues affecting AACC more generally. Feedback during the Dialogues for Action indicated that industry felt disenfranchised from AACC and had limited or no connection to AACC or the board. A key task of the AACC board is to gather industry input. By broadening the matters the board may consider and advise AACC on, the more involvement industry can have—via the board—with the training programs and overall function of AACC.

The bill proposes to emphasise the need for appropriate skills to be represented on the board and that board members may be entitled to remuneration. While the amalgamation of the agricultural colleges into one overarching framework was an important first step in the development and future success of AACC, I believe these amendments lay the foundation for further input from industry into the functioning of AACC as well as improving industry feedback into the development of training delivery systems and programs.

The changes represent important gains for the agricultural and rural industries as we continue to build AACC as a centre of training excellence that will produce highly skilled and work-ready graduates for the present and future workforce. A more industry-involved AACC will also benefit rural communities by providing better training outcomes, and will contribute to the Queensland government's Q2 vision by delivering world-class education and training and continuing to power a strong, diverse Queensland economy.

The opportunity is also being taken via this bill to amend the Veterinary Surgeons Act 1936 to assist the two Queensland veterinary schools in gaining and retaining the national and international accreditation necessary to allow their graduating students to gain registration to practice in Australia and overseas. One of the requirements for accreditation is that schools must meet a required student-teacher ratio level. This necessitates the employment of specialist veterinary staff. All veterinary schools in Australia are in competition to acquire scarce specialist staff in order to meet their accreditation requirements and to facilitate the registration of graduates. The James Cook University is in the process

of finalising accreditation for its veterinary degree course by mid-2010 while the existing accreditation of the University of Queensland's course is to be reviewed later in the year. Both schools are in need of additional specialist staff to satisfy accreditation requirements.

The act does not currently allow recognition of European board certified specialists although the accreditation standards are the equivalent of those imposed on Australian veterinary schools. This disadvantages the Queensland schools in that European specialists are permitted to practice within the veterinary schools of other states. The bill proposes to amend an existing special category of registration to allow for wider recruitment of overseas-trained veterinary surgeons and specialists for employment in Queensland veterinary schools. This approach has been canvassed with the veterinary school heads who agree that the initiative would enhance their efforts in meeting accreditation requirements. I commend the bill to the House.

Debate, on motion of Mr Hopper, adjourned.

CRIMINAL HISTORY SCREENING LEGISLATION AMENDMENT BILL

First Reading

Hon. KL STRUTHERS (Alger—ALP) (Minister for Community Services and Housing and Minister for Women) (3.01 pm): I present a bill for an act to amend the Child Care Act 2002, the Child Protection Act 1999, the Child Protection (Offender Prohibition Order) Act 2008, the Commission for Children and Young People and Child Guardian Act 2000, the Community Services Act 2007, the Disability Services Act 2006, the Education (Accreditation of Non-State Schools) Act 2001, the Education (Queensland College of Teachers) Act 2005, the Evidence Act 1977, the Family Services Act 1987, the Guardianship and Administration Act 2000, the Health Practitioners (Professional Standards) Act 1999, the Nursing Act 1992, the Police Powers and Responsibilities Act 2000, the Public Service Act 2008, the Youth Justice Act 1992, the Juvenile Justice and Other Acts Amendment Act 2009 and the acts mentioned in schedule 3, 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: Criminal History Screening Legislation Amendment Bill [[1694](#)].

Tabled paper: Criminal History Screening Legislation Amendment Bill, explanatory notes [[1695](#)].

Second Reading

Hon. KL STRUTHERS (Alger—ALP) (Minister for Community Services and Housing and Minister for Women) (3.01 pm): I move—

That the bill be now read a second time

The Bligh government is committed to providing safe service environments for children as well as adults with a disability through effective and robust employment screening systems. We are also committed to ensuring that such frameworks are not unduly onerous for those seeking to work in such environments.

The Queensland government prioritises safeguards for vulnerable groups, such as children and people with a disability, by authorising legislative systems to enable the screening of criminal histories of individuals who provide services to them. The intention of these safeguards is to exclude people with relevant serious criminal histories from working with vulnerable groups.

Queensland's blue card system is regarded as one of the most effective and accountable screening systems in Australia and to date has prevented over 3,500 high-risk individuals from working with children. The Commission for Children and Young People and Child Guardian monitors over 475,000 blue card holders on a daily basis. The commission's target time frame for processing blue card applications, where there is no criminal history and where the application has been completed correctly, is 28 days. Currently, the average for processing these applications is 14 business days, with 91 per cent being processed within the 28-day period.

To further improve and streamline the screening process, the Queensland government has identified opportunities to reduce the duplication in criminal history checks and increase the consistency of criminal history screening processes. The bill that I am introducing today will improve the cohesion of the existing systems while improving essential safeguards for children as well as people with a disability.

I now turn to the key amendments proposed by the bill. In Queensland there are multiple criminal history screening regimes in place, including the blue card system which requires a person in child-regulated employment to undergo criminal history screening; criminal history screening of teachers seeking registration; the yellow card system which requires all persons engaged at service outlets of funded non-government disability service providers to undergo criminal history screening; and criminal history screening for public servants. In summary, where persons provide services across different environments, duplicate screening can occur. The bill reduces duplication of screening by allowing for police officers and registered teachers to apply for an exemption from holding a blue card when providing child-regulated services which fall outside their professional duties; blue card holders seeking engagement by a government provided or funded disability service to apply for an exemption from holding a yellow card; and registered health practitioners to be automatically exempt from requiring a blue card or yellow card when providing services to children as well as adults with a disability as part of their professional duties.

The bill also increases consistency in criminal history screening by amalgamating into the blue card system the screening of all persons providing services to children with a disability, except health practitioners when performing regulated duties and teachers and police officers; all employees and volunteers of state government entities who are engaged in child related roles; health students undertaking placements that involve service delivery to children within private or public facilities; and all employees and volunteers of local government undertaking child related roles.

The proposals contained in the bill are considered to substantially reduce duplication and improve efficiencies for registered teachers and those seeking to become registered teachers. A reduction in duplication will occur for teachers who provide child-regulated duties outside their professional duties. Similarly, duplicate checks will be reduced through the recognition of a current blue card as part of an application for teacher registration.

The need to streamline Queensland's criminal history screening processes have been raised by key stakeholders, including community organisations and individuals. I acknowledge that duplicate screening can be costly and inconvenient. I also acknowledge the ongoing need for distinct screening systems because of the diverse purposes, client groups and environments that each regime applies to.

In September 2009 we released the Criminal History Screening Bill Consultation Paper to seek stakeholder views on the impacts of the bill's proposals. Responses to the paper were received from the various organisations impacted by the proposals, namely the children and youth, disability, education, health, state government and local government sectors. Thirty-nine per cent of responses came from the children and youth sector with 24 per cent from both the disability and education sectors. I am pleased to advise that respondents largely support the proposals to reduce duplication and increase consistency in criminal history screening.

Almost all respondents agreed that the proposed changes would maintain safeguards for children as well as adults with a disability; achieve consistent and streamlined criminal history screening systems across the blue card, yellow card and teacher registration systems; simplify and streamline administrative processes for organisations and individuals; and reduce costs for applicants for teacher registration who hold a blue card.

My thanks go to all of those individuals and groups who took the opportunity to have their say about the proposals contained within the bill. I am pleased to advise that the bill addresses matters raised by stakeholders during consultation. In all cases, these exemptions apply to persons who have already undergone equivalent screening checks and who retain a current approval to work under their respective screening system.

The Queensland government has also looked at ways to align the existing screening frameworks so that screening agencies will—as far as is practicable—have access to a consistent range of police information.

The bill also strengthens the existing exclusionary frameworks in several ways to ensure that individuals convicted of certain serious sexual offences are effectively banned from working in child related employment or government provided or funded disability services. Each system will automatically exclude certain individuals from being able to apply for a blue card, yellow card or teacher registration if subject to reporting obligations under the Child Protection (Offender Reporting) Act 2004, or orders under the Child Protection (Offender Prohibition Order) Act 2008 or the Dangerous Prisoners (Sexual Offenders) Act 2003.

In addition, the bill strengthens the existing frameworks by enabling screening agency access to additional information relevant to a person's criminal history or alleged criminal history, such as certain information from the Director of Public Prosecutions, Mental Health Court and Mental Health Review Tribunal. These changes will allow screening agencies to make full and informed decisions about whether a person should be eligible to work with children as well as adults with a disability. In recognition of one of the key issues raised during stakeholder consultation, the blue card and yellow card renewal period will be extended from two to three years. Further consistency will be achieved through the introduction of a fee for yellow card applications, similar to the fee for blue card applications for paid

employees. It is anticipated that the changes made through the bill will realise administrative efficiencies through reducing the number of criminal history checks undertaken by approximately 100,000 in the first three years of implementation.

Through this bill, amendments are also made to the Disability Services Act 2006 and Guardianship and Administration Act 2000 to extend the maximum period for short-term approvals for restrictive practices. Disability service providers may use restrictive practices at times to manage the behaviour of an adult with an intellectual disability or cognitive impairment to prevent risk of harm to the adult or someone else. The restrictive practices legislative scheme commenced in 2008 and implements recommendations 20 and 21 of the report by the Hon. WJ Carter QC, *Challenging behaviour and disability: a targeted response*. The proposed amendments are required to give disability service providers sufficient time to prepare an assessment for the adult, develop a positive behaviour support plan and obtain authorisation under the full scheme. Importantly, the current safeguards for the individual, available under the existing provisions, will remain. A technical amendment is also made to clarify a further circumstance when the transitional period for restrictive practices ends.

The bill achieves more simplified and consistent criminal history screening to reduce duplication and to enable individuals working with children and people with a disability to move readily from one organisation to another without multiple checks. The reductions in duplicate checks will also improve efficiencies, which will no doubt benefit organisations, individuals and stakeholders. This represents a significant improvement to the existing criminal history screening systems in Queensland while, importantly, ensuring that necessary safeguards are not compromised.

I thank all those who contributed to and informed the development of the bill. I commend the bill to the House.

Debate, on motion of Mrs Menkens, adjourned.

TRANSPORT (RAIL SAFETY) BILL

First Reading

Hon. RG NOLAN (Ipswich—ALP) (Minister for Transport) (3.13 pm): I present a bill for an act to provide for rail safety, and for related purposes, and to amend this act, the Transport Infrastructure Act 1994, the Workplace Health and Safety Act 1995, and the acts mentioned in schedule 1, 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: Transport (Rail Safety) Bill [[1696](#)].

Tabled paper: Transport (Rail Safety) Bill, explanatory notes [[1697](#)].

Second Reading

Hon. RG NOLAN (Ipswich—ALP) (Minister for Transport) (3.13 pm): I move—

That the bill be now read a second time.

The Queensland government is committed to further improving the safety performance of the state's diverse and growing rail operations across 9,800 kilometres of rail corridor. That is what the Transport (Rail Safety) Bill 2010 is about. It is worth noting the diversity of the rail industry in Queensland. There are 38 accredited railways operating in the state, ranging from large commercial organisations such as Queensland Rail and Pacific National to various smaller tourist and heritage rail operations. This new bill, based on a national model bill developed by the National Transport Commission, was prepared in consultation with rail safety regulators, industry, rail unions and other stakeholders.

This bill forms part of a system of nationally consistent rail safety laws which are intended to improve rail safety performance in Australia by implementing best practice approaches to rail safety regulation and to deliver a higher degree of regulatory consistency across Australian states and territories.

To date Victoria, New South Wales, South Australia and Tasmania have implemented legislation based on the national model bill. West Australia and the Northern Territory are currently progressing bills through parliament. The co-regulatory approach used in the bill is based on principles of shared responsibility.

Under the Transport (Rail Safety) Bill, rail transport operators will continue to require accreditation before they can operate. Accreditation as an operator will demonstrate that an organisation has demonstrated the competence and capacity to manage risks to safety associated with its railway operation. This is a significant improvement on the existing requirement to demonstrate competence and capacity to comply with certain administrative standards.

The bill details the requirements for safe operation of a railway in Queensland including specific plans and programs for security management, emergency management, health and fitness management, and alcohol and drug management as well as fatigue management.

Rail transport operators will now be required to consult with any person who works on or at their railway premises and their representatives before establishing, reviewing or varying a safety management system.

The bill will also provide for related compliance codes and associated national guidelines, which will guide rail safety regulators' requirements and behaviour and provide rail transport operators with a nationally consistent set of expectations regarding the processes to be followed.

An important highlight of the bill is the inclusion of 'general safety duties' that requires all rail transport operators and contractors who undertake rail safety work, for specific prescribed railway operations, to ensure the safety of their railway operations 'so far as is reasonably practicable'.

These statutory duties of care define the required level of safety, make clear which parties have accountabilities for rail safety and are designed to increase the regulatory reach of the Rail Safety Regulator. The prescribed operations to which these duties relate primarily encompass the movement of rolling stock on a railway and activities that affect the safe operation or movement of that rolling stock.

Such prescribed operations generally take place on or within the immediate vicinity of a railway track and do not include operations which take place in workshops or other workplaces away from the immediate vicinity of the track. The general safety duties provisions have been developed to complement Queensland's other safety legislation, particularly the newly agreed national standards for workplace health and safety.

The bill further enhances the powers of Queensland's Rail Safety Regulator to audit, inspect and enforce safety. However, it will also put in place an array of checks and balances to ensure that regulatory decision-making processes continue to be timely, transparent and nationally consistent.

Level crossing accidents pose the biggest risk to safe rail operations with the possibility of catastrophic results. This new bill also addresses safety at level crossings. For the first time in Queensland, legislation will require the state, local governments and private road owners to enter into agreements with rail transport operators as to how they will jointly manage level crossing safety. I commend this bill to the House.

Debate, on motion of Mr Springborg, adjourned.

CRIMINAL CODE (ABUSIVE DOMESTIC RELATIONSHIP DEFENCE AND ANOTHER MATTER) AMENDMENT BILL

Second Reading

Resumed from 26 November 2009 (see p. 3670), on motion of Mr Dick—

That the bill be now read a second time.

Mr SPRINGBORG (Southern Downs—LNP) (Deputy Leader of the Opposition) (3.18 pm): At the outset I can indicate that the LNP will be supporting the bill before the House. However, there are some issues of reservation which we do raise. We will be wanting an explanation or some further clarification from the Attorney with regard to the substantive application of this amendment—the major amendment we are talking about here—and that relates to the Criminal Code with regard to the defence of people who have been involved in an abusive domestic relationship if they have killed another person in that relationship. At the outset I refer to the discussion paper by Bond University that notes—

Victims of seriously abusive relationships (often called 'battered persons') who respond with violence against their abusers are widely considered to deserve at the very least some mitigation of punishment to reflect reduced culpability. In cases where they acted for reasons of self-preservation with a genuine belief in the necessity of the action, mitigation might be thought deserved even if the perception of the danger or of the options for escaping it was wrong.

The discussion paper further canvassed the issue by stating—

If a victim of abuse kills the abuser in fear and desperation but the conditions for a defence of self-defence are not justified, a conviction of murder might still be unjust. A conviction of some lesser offence such as manslaughter might more appropriately reflect the degree of culpability.

The review found this argument could be made on the basis of the stigma attached to the offence of murder regardless of its penal liability. It could be suggested that a murder conviction would be a particularly grave injustice in jurisdictions such as Queensland where such an offence carries a mandatory sentence of life imprisonment. I would indicate that neither the government nor the LNP would have any intention of changing that particular section as it applies at the moment, which is minimum mandatory life for the crime of murder. However, I think it is very important that we do point out that within legal circles and academia, and probably also privately in the judiciary, there is concern about the lack of sentencing discretion which limits their capacity to take on board the extraordinary circumstances of a particular case and the potential disproportionate application of a particular penalty for the crime of murder when, in the minds of some people, there may be serious circumstances of mitigation.

As has been reported previously by the Australian Institute of Criminology, contrary to public perceptions that we are most at risk of being murdered by a stranger, homicides in Australia and elsewhere are most likely to involve persons who are known to each other such as friends, acquaintances and family members. The AIC also reported that, over the 13-year period covered by the analysis, on average there were 77 intimate partner homicides each year. The majority involved males killing female intimate partners—that is, 75 per cent. Females comprised only 20 per cent of offenders of intimate partner homicide, confirming prior research that males are more likely than females to kill their intimate partner.

Research suggests that intimate partner homicide is at the extreme end of a continuum of domestic violence. Most domestic violence usually occurs within the privacy of the home. Intimate partner homicide is no different. Accordingly, four out of five intimate partner homicides occurred in a private dwelling with almost two in five—that is, 39 per cent—occurring between partners with a known history of domestic violence. Seventy per cent took place during the evening or early morning—that is, between 6 pm and 6 am—and on a weekday. When the motive for intimate partner homicide is examined, more than 53 per cent stem from a domestic altercation between the victim and the offender. Slightly fewer than three in 10—that is, 29 per cent—were believed to stem from jealousy, desertion or termination of the relationship, actual or pending.

Killing the Beloved is a review of domestic homicide. In the section focusing on sentencing women who killed their male partners, self-defence was not mentioned in any of the 10 cases reviewed. Yet it is noted in the review that, if tried in the United States, at least some of the women who killed in the sample probably would have been acquitted on the grounds of self-defence. If defined in traditional terms, none of those cases met the criteria for self-defence. However, the US courts have acknowledged that in many cases, due to both psychological and socialisation differences, a female simply cannot defend herself in the same manner as a male and, even more specifically, that living with constant battering for an extended period impacts on the individual's ability to act according to the way that a reasonable man would behave.

In many trials self-defence has been shown by introducing evidence about battered woman syndrome. According to Patricia Weiser Eastaer, battered woman syndrome is a term that refers both to a certain pattern of violence and the psychological consequences upon the recipient of the violence. BWS is considered to be a subtype of post-traumatic stress syndrome, which has been identified as a consequence of enduring years as a hostage or in other high-stress environments such as concentration camp internment. The syndrome is the culmination of three stages that can recur in the domestic violence situation. The first phase of tension building may lead to the second stage of severe bashing, which is followed by a third phase, which is a time period exemplified by the batterer's contrition, promises and temporary cessation of violence. The latter acts to keep the woman in the relationship, believing the nightmare is over when, in fact, most often it has just begun. The cycle continues with stage 2 violence increasing in type over time. These stages do not proceed at any set pace and vary over time within a relationship and among different couples.

In many senses this bill could be seen as a failure in existing domestic violence protection legislation and associated services offered by government. If we have come to the point where women feel they can no longer leave violent and abusive relationships because existing support services and protection legislation is so inadequate that they feel the only way out is to murder their partner, then clearly the question is: has the state failed and should the state be doing more?

Since the Domestic and Family Violence Protection Act was introduced, we have seen a steady growth in the number of orders taken out to protect aggrieved persons. Between 2006 and 2009 there were 25,828 breaches of domestic violence. The Queensland Police Service's report on domestic violence states—

There are three important elements to be aware of with domestic and family violence:

Domestic and family violence **does not discriminate**—it is not limited to a specific age, income, race or sexual preference.

Indeed, I would add the sex of the person, even though we all know that in the majority of cases it is male against female. It continues—

Domestic and family violence is **complex**—it includes emotional abuse, physical acts of violence, sexual abuse, in addition to social isolation and financial deprivation.

Domestic and family violence is **difficult to accurately measure**—due to the complex cyclic and private nature of domestic and family violence, it is difficult to accurately measure how many Queensland families are affected. It is not until the threat of violence escalates to actual physical or sexual violence, that the hidden nature of domestic and family violence may be revealed.

Now I want to put on record some of the stakeholder views on the issues canvassed in this bill. However, before I do that, it is important that I point out that the government has not adopted all of the recommendations of the review committee. There has been some topping and tailing of the recommendations, and variations to some of them have been made. The Central Queensland University's Queensland Centre for Domestic and Family Violence Research Centre states—

The Bill provides specific recognition of the special circumstances surrounding victims of serious domestic violence who kill their abusers and, for this, it is commendable. However, it is disappointing that victims of serious domestic violence will have, specifically, only a partial defence when they are deemed to have reasonably acted for self-preservation in taking the life of their abuser. They will need to rely on the general laws of self-defence for a complete defence to murder.

In several ways, Queensland's laws of self-defence are of limited value to victims of serious domestic violence. In general, these limitations arise because of the gendered nature of domestic violence and responses to it for self-preservation. For example, the defence of self-defence requires that an assault has occurred or is imminent, whereas a defensive response to serious domestic violence is more typically in anticipation of an attack, or in response to a series of prior attacks. This is because such defensive action usually involves a woman defending herself against a man, with disparity in physical stature and strength and in circumstances where simply leaving is not sufficient for self-preservation; in fact leaving may increase the risk to the victim's life. Gender differences are also relevant to the use of force that exceeds the force involved in the abuse and which, in the absence of a gendered perspective, may be considered unreasonable.

While the proposed new defence is a step in the right direction, it seems there will still be gender bias in Queensland law regarding defences against murder when a defendant is deemed to have reasonably acted for self-preservation.

I am not sure that I agree with all of the assertions contained in that paper. However, these are concerns which have been raised by a significant organisation that has a very great interest in this. I think there is a difficulty if you seek to correct a perceived or real gender imbalance in the criminal law because I suppose one never really knows where that will end up. Legal Aid Queensland wrote in a lengthy submission—

... the following observations made by Legal Aid Queensland reflect general agreement with the comments of the joint working group, but do not purport to address all of the issues raised in the discussion paper.

Given the complexity of the issues and the potential for unintended consequences to arise within our criminal justice system should reforms be enacted, we would urge that more consideration be given to these matters, and more time allowed for informed comment and consultation. The complexity and detail of the relevant issues would, in our respectful view, be an appropriate matter for a further reference and report of the Queensland Law Reform Commission.

...

We do not support the introduction of a new/separate complete defence, either confined only to circumstances where an alleged abuser is killed, or more broadly available on any charge involving an element of personal violence.

Rather, our preferred option would be for introduction of an appropriate sentencing discretion for murder. We appreciate that the Government has adopted a position which excludes the option of introducing discretion into murder sentencing. Nevertheless, in our view that would be the most appropriate mechanism for addressing the perceived difficulties driving the current law reform proposals. The sentencing guidelines under s 9 of the *Penalties and Sentences Act 1992* would accommodate a considered judicial examination of all relevant factors surrounding the context of the act leading to the killing of an abuser, and lead to the imposition of a sentence that was appropriate in all the circumstances.

Many abusive relationships involve complex dynamics, with possibly reciprocal abuse between partners and impacts on other parties such as children. A discretionary sentencing regime would make available the full range of sentencing options, including those community-based options that may, in such cases, best ensure the defendant is not likely to re-offend by requiring the defendant to complete programs or attend counselling.

Legal Aid also noted in its submission—

We do not necessarily accept the observation at paragraph 1.7 of the paper that "exercise of a sentencing discretion may not be answer in all cases. Victims of seriously abusive relationships who respond with violence against their abusers are sometimes thought to merit a complete defence against criminal liability, at least where there were reasonable grounds for fear and desperation." Clearly, a killing founded on "reasonable grounds of fear and desperation" may attract the operation of a complete defence of self-defence where there is a reasonable apprehension of death or grievous bodily harm. Indeed, we are aware of several cases where accused persons have successfully used the current law of self-defence to secure an acquittal in murder and attempted murder cases, based on evidence about the existence of a seriously abusive relationship, and its impact on the accused.

...

We have noted the joint working group's comments about a possible partial defence modelled on a revised version of s 270 of the Criminal Code, in effect a partial defence of prevention of repetition of abuse.

We have seen but have not had an opportunity to consider in detail the proposed draft new self-defence provision provided recently by Professor McKenzie during consultations about the paper.

I would also like to thank Professor McKenzie for taking the time to brief me on this particular issue, about the work that that working group did, and for giving me an explanation of the reasoning and the rationale behind their recommendations and also for giving me a better understanding of the legislative changes which we are debating in the parliament today. The Legal Aid submission continues—

There is one specific issue we wanted to raise about partial defences. There is considerable discussion in the paper about the psychological state of victims of seriously abusive relationships and their motivations in killing, and noting of the potential application of the existing concept of diminished responsibility under s 304A of the Code.

These are the evidentiary issues which have been outlined by Legal Aid Queensland. In addressing evidentiary provisions, a joint working group position which Legal Aid, Queensland Law Society and Bar Association formed is that special rules of evidence should not be developed for any proposed new defence, given the likelihood of unintended consequences arising. However, Legal Aid wrote in its submission—

In principle, we would support witnesses such as domestic violence workers—including social workers, being able to give evidence in appropriate cases (if that evidence of course met the primary tests of being relevant and probative). NESB women also will have barriers and cultural reports may assist in relevant cases. There would naturally be limits to the evidence such witnesses could give, and issues of the appropriate weight to be given to reports such as those based on the clinical work conducted by a social worker in the area of domestic violence.

...

... the team holds a strong concern that women who live in regional areas have limited access to experts to provide reports for consideration in any judicial proceedings.

I think that is very important to remember. Legal Aid Queensland and its team held concerns that women in regional areas of Queensland were at a significant disadvantage to access the evidentiary provisions or to be able to provide that particular defence in a court. Over the years we have heard about the issues of violence that happen in isolation and the issues of violence that happen in some of our more remote Indigenous communities. So people far away from assistance who are forced into this circumstance and who take this sort of tragic mortal action against their abuser may not necessarily have had access in the lead-up to that particular act to the services which may have been able to provide some benefit to them in terms of evidence if they sought to use this new section of the Criminal Code. Furthermore—

... consideration also should be given to the position of women who did not speak English as their first language, when trying to gather evidence of their experiences of domestic violence. Evidence gathering can be particularly problematic for situations involving NESB women who may be charged with offences arising from seriously abusive relationships.

The bill proposes several elements to the defence that will have to be met by the defence and then disproved by the prosecution for it to be able to be relied upon. These elements include: the accused has suffered serious domestic violence in an abusive domestic relationship; the deceased had committed acts of serious domestic violence against the accused in the course of the relationship; the accused believed at the time of the killing that their action was necessary to avert her or his own death or grievous bodily harm; and, having regard to the abusive relationship and in all the circumstances, there are reasonable grounds for this belief. The problem is that, despite attempts to make this an objective test, the ultimate test remains subjective and can vary from court to court, judge to judge and case to case.

A concern with the bill is that it looks like self-defence is a complete defence, and yet it is only a partial defence. In the Queensland Criminal Code, self-defence requires that a person believes on reasonable grounds that it is necessary to respond with lethal force. The problem over time has been a reluctance of juries to accept that a battered woman may believe on reasonable grounds that her life is in danger as a result of a history of domestic violence.

Has the government considered that this bill has the potential for misuse by those for whom it was not intended? Some academics have highlighted that in Victoria, where the crime of defensive homicide has been introduced, the successful prosecutions have all related to men killing other men. So the provision seems to have provided another alternative way for men to reduce their criminal culpability, although provocation has also been abolished in that state.

As these proposed amendments are only a partial defence in situations where the defendant has been subjected to serious domestic abuse, I pose the question: has the government considered the risk that the jury will choose this option in preference to self-defence where, in some cases of serious domestic violence, the response is, in reality, a response of self-defence? A woman seriously abused is sometimes acting to save her own life.

I want to turn briefly to the second part of the bill, which focuses on possessing identity fraud equipment. Identity fraud is a serious crime that undermines the very fabric of how we now live our lives in this technology age. This is why such offences as those which are being proposed in this bill are important to act as a real deterrent and give comfort to the Queensland community. The identity fraud criminals and those who contribute to such offences will be, and should be, treated harshly. We as a community need to have confidence that when we share our personal information with third parties the

laws for breaches of the use of such information will be dealt with seriously. This amendment goes some way towards achieving that, despite the maximum penalty being relatively low and despite the threat being posed by identity fraud.

Make no mistake: this bill is no substitute for better resources and support for victims of domestic violence, which are very important. We need to ensure that these people have the support of the state, and they know that people will be there to help them out of their situation. I know some people would ask how they continue to live in that situation. I suppose clinically sitting back in isolation it might seem very easy to get out of such relationships, but they have dismissed the fact that people are often trapped because children are involved and threats have been made that something might happen to the children. It is the only thing that they know and so they get into this cycle. While some people might assert that it is very easy to get out of these situations, it is not necessarily because of the particular state that person has been in and because they have lived in that state over such a long period of time.

In conclusion, there is another point I want to make regarding domestic abuse situations. People have asked me whether this applies to a spousal situation—the intimate relationship between a male and a female. Some might be of a spousal nature and some might be a formative relationship between two people. As I understand it—and I would like some clarification from the Attorney—this will apply to all domestic and family relationships as is spelt out or defined in the Domestic and Family Violence Protection Act that we have in Queensland. I understand that this legislation extends to family situations. It may be a child against an adult. It may be an adult against a child. So it extends right across to those family abuse situations and intimate relationships.

I suppose that is the only real way that you can do it. I understand there were some recommendations from the joint working group which indicated that there should be a defence along those lines for a third party. In some cases—as we have found, I understand, in Victoria—there will be a situation where a son, for example, will step in to protect the mother who is being abused by the father and then somebody gets killed. It may be the father who gets killed, and the son may end up on a murder charge. While they may not have been victims of domestic abuse, they have stepped in to assist their mother or someone else in the family. That issue was raised during the consultation phase. I am not sure whether that is covered in this legislation.

One of my concerns is the interpretation and application of the law. Whilst it is there to make sure that predominantly women are protected, there will be some men, because I think in about 20 per cent of cases men are the recipients of domestic violence. In some cases it is physical domestic violence and in many cases it is verbal domestic violence where someone reacts and somebody loses their life. Keep in mind also that there does not need to be any demonstration of physical violence. It can be sustained verbal abuse which a person can lead in their defence. This deals with domestic violence, whether it is physical or verbal.

I hope that this provision is not abused. I believe that it will not be generally abused, because I think in the majority of cases it will be of enormous benefit to those people who deserve serious recognition of the action that they have taken out of desperation. However, there may very well be people who will try to construct a defence, probably with not a lot of evidence because there may not necessarily have been witnesses. But they will be taking expert advice from a counsellor or a psychologist. They may be the only source of expert advice or expert witness in a court. There may be difficulty in proving anything beyond that, but I suppose that is up to the court process. Hopefully people will do the right thing with this. This is an essential amendment. There probably should have been some further consideration given to recommendations of the joint working party, but it is the right of the incumbent government of the day to apply the recommendations as it sees fit based on its philosophy, or its policy, or other advice that it may have received from time to time.

I would like to hear the Attorney's further explanation and clarification of its application broadly across a range of domestic situations—obviously nonspousal. I think the Attorney nodded in agreement with regard to that as well. He might be able to explain some of those other clauses. I know there is a clause in the bill—and I will probably come to it during the consideration in detail stage—which indicates that the violence or the concern that a person might have may seem trivial at the time but should not be considered in isolation. People are concerned to ensure that there is a very strong foundation to this defence, which can see the charge of murder being substituted with manslaughter. Generally, the LNP supports the bill. It is a worthwhile initiative. Like anything, we need to watch its practical application and ensure that it assists those people we are trying to assist by its passage through the parliament.

Mrs STUCKEY (Currumbin—LNP) (3.48 pm): I rise to speak to the debate on the Criminal Code (Abusive Domestic Relationship Defence and Another Matter) Amendment Bill, introduced into the House by the Attorney-General, the Hon. Cameron Dick, on 26 November 2009. As members have already heard from the shadow Attorney, we on this side of the House will be supporting this bill, albeit with some reservations as were clearly outlined by the honourable member for Southern Downs. The bill will see amendment to the Criminal Code to create a new partial defence to murder for killing in an abusive domestic relationship and insert a new offence of unlawful possession of equipment for the use of obtaining or making identification information.

A new section will be inserted into the Criminal Code at section 304B for the partial defence of killing in an abusive domestic relationship, making reference to the same interpretations of the existence of a domestic relationship between two persons and an act of domestic violence in such a relationship as in the Domestic and Family Violence Protection Act 1989. The partial defence will operate in addition to, not instead of, existing defences and excuses for murder. The bill will also amend section 408D to include that a person possessing equipment for the purpose of committing or facilitating the commission of an offence against subsection (1), which is obtaining or dealing with another entity's identification information for the purpose of committing or facilitating the commission of an indictable offence, is committing a misdemeanour.

Firstly, I wish to speak on the issue of domestic violence relationships. In 2008 the Queensland Law Reform Commission made a recommendation that a separate defence for battered persons be considered in cases where murder has been committed against an abusive spouse or partner. The result of this recommendation was the *Homicide in abusive relationships—a report on defences* report, known as the Bond report. Commissioned by leading professors from Bond University on the Gold Coast—a wonderful facility, I might add—the report recommended the implementation of the partial defence for murder into the law of Queensland.

In following this recommendation, Queensland, which has lagged behind other states in defence excuse reform, would become the first state in Australia to introduce such a landmark decision. The defence could allow for a victim of an abusive domestic relationship who kills their partner to have their conviction downgraded to manslaughter, giving the court sentencing discretion which does not occur with a murder conviction. This amendment represents a change in the attitude towards victims of domestic abuse, although the road to achieving substantial decreases in incident rates is still a long and arduous one and there is still room for abuse of the amendment, which is why the recommendations of the shadow Attorney have merit.

Actual levels of domestic violence are extremely difficult to quantify. Given the intimate nature of a domestic relationship it is not uncommon for violence, especially sexual assault in the privacy of one's home, to go unreported to official authorities. While not inaccurate, police statistics on domestic violence could be viewed as just the tip of the iceberg.

What we can be sure of, however, is that domestic violence presents a very serious problem in our society—one that should not be tolerated and one that costs Queensland around \$3 billion a year, according to comments made by the Minister for Communities in August last year. Victimization surveys such as the personal safety survey by the Australian Bureau of Statistics are an important source of data gathering for a true reflection of domestic violence in Australia. The most recent data from 2006 indicated that 31 per cent of cases of physical assaults against females were perpetrated by their current or former intimate partner while only 4.4 per cent of assaults against males were by their current or former intimate partner.

Of great concern is the obscenely high incident rate of domestic violence in Indigenous communities throughout our country and our state. In many cases it is out of sight and therefore out of mind. Yet it is estimated that domestic violence in the Indigenous population is up to 45 times higher than in the non-Indigenous population. Despite countless papers, reports, recommendations and investigations, the Indigenous community is still largely neglected. There remains a serious gap in services and addressing the cause of Indigenous overrepresentation must become a priority, particularly in relation to domestic and family violence.

Unfortunately, acts of domestic violence causing death are prevalent across our nation—and our state is not immune—and this is the focus of our debate here today. Of the reported 206 homicides in 2006-07 in Australia, 25 per cent of those were perpetrated by and against intimate partners. Queensland had 12 intimate partner homicides in that time. In both the national and state figures, women were more likely than men to be victims. As highlighted in the Bond report, victims of domestic abuse who consider or perpetrate retaliated violence against their abuser are often motivated by fear, desperation and a belief that there is no other viable way of escaping danger.

It is difficult for an ordinary person, be they a judge or a person on a jury, to grasp the intensity of the heightened psychological state experienced by victims of severe abuse who cause the death of another in a domestic relationship. Limitations of the current law must be addressed. This proposed offence is a start. But, as we have heard from the shadow Attorney, there is more that could be done, especially with regard to discretionary sentencing.

The proposed defence of BWS will give consideration to a particular group in society that warrants special and sensitive handling. I speak of women suffering at the hands of the battered wife or, I heard the Attorney say, the battered woman syndrome, which is probably the more appropriate term in 2010. Whilst it must be acknowledged that both men and women are victims of domestic violence, and this legislative reform is designed to reflect that fact, 97 per cent of domestic violence is perpetrated by males and most of the abuse is still directed at women. This is according to the *Herald Sun* of 3 May

2008. Studies and research on the battered wife/woman syndrome have been extensive over the past decade. New information is being presented constantly, reinforcing the need to reform legislation and implement policies to deal with the adverse effects placed on society and individuals.

BWS refers to both the pattern of violence and the psychological trauma inflicted on a female victim of domestic abuse. Violence by the perpetrator often falls into stages of tension building, physical assertion of violence followed by temporary cessation and promises by the batterer to stop the abuse. The peaks and troughs associated with the repeated pattern often dismiss the case for immediacy needed to prove self-defence in the act of a resulting homicide. This is according to papers by Dr Patricia Easteel.

It is appalling to think that here in a Western country in the 21st century there is still a small percentage of people with the attitude that women are in some way responsible for violence against them. A survey on the national community attitudes towards women commissioned by the Commonwealth government in 2009 found that attitudes that condone, justify or excuse domestic violence still persist in our society. How can we expect reform to accurately reflect current attitudes in a society that still does not accept that women who suffer in seriously abusive relationships deserve the help of the justice system?

A key Australian case heard before the High Court of Appeal in 1999 was that of *Osland v R*. Mrs Heather Osland was convicted of murdering her husband and her son, David Albion, was acquitted of all charges despite relinquishing the fatal blow that killed her abusive husband and his step-father. The sensitivity surrounding the battered wife syndrome was examined in the *Osland* case by Dr Kenneth Byrne, a clinical and forensic psychologist. He gave expert evidence that the heightened awareness of danger of battered women must be considered as ordinary people cannot relate on the same level.

High Court judges ruled that the expert evidence relating to BWS was admissible. However, because it was general and not put into the context of raising the existing defences of self-defence or provocation, Mrs Osland's appeal was unsuccessful. Dr Patricia Easteel's report for the Australian Institute of Criminology highlights the trend in the Australian legal system to downgrade the level of legitimacy given to BWS in contrast with that of other developed Western countries.

It is relevant to highlight the current situation of the defences available in Queensland. A full defence of self-defence is available to the conviction of murder provided stringent conditions are met. The Bond report highlights the limitations of section 271 of the Criminal Code in relation to the actions of victims of severe abuse. Firstly, the defence can only be argued in the event of an unprovoked attack on the victim that they are responding to. This does not allow for a victim, who has a heightened awareness of the conditions prior to the onset of violence, to act in anticipation of an attack. If the use of force is considered excessive, the argument for self-defence is excluded.

With the knowledge that a female victim is more likely to be attacked by a stronger male, the issue of reasonable force cannot be judged subjectively. Where a weapon may seem reasonable to an abused female in the circumstances at the time of the attack, without considering the history of past violence and the relentless cycle associated with domestic abuse a judge and/or jury may deem the use of a weapon to be excessive.

It is important to note that there is currently no partial defence available in Queensland. All other states and territories in Australia have modified their criminal law legislation to reflect the changes proposed in the model Criminal Code, a nationwide initiative of the Standing Committee of Attorneys-General—SCAG. Most notably, the changes allow for conduct to be assessed as self-defence in the circumstances as he/she, the perpetrator, perceives them.

As we have heard, for sufferers of severe domestic abuse perception is critical. The fact can no longer be ignored that people with a history of past violence, especially cyclical violence associated with BWS, have a perception of events that are based on previous incidents that a neutral outsider will simply not have. The introduction of a partial defence will supposedly rely on stringent definitions of 'relationship' and 'violence'. The definition of 'relationship' will model that which is in the Domestic and Family Violence Protection Act 1989 and will include spousal, intimate personal, family and informal care relationships. According to the Bond report, the relationship can be current or past and will not be age or gender specific. 'Violence' will be prescribed as meaning physical, sexual or psychological abuse, including intimidation and threats of abuse. The use of the word 'serious' has been prescribed as an appropriate threshold for consideration of a partial defence. 'Serious' will not be defined under legislation and will be held as a matter of judgement by the jury—a point of some contention.

Due regard will need to be given to the existence of a reasonable history of violence. The onus will be on the prosecution to disprove the offence beyond a reasonable doubt. Evidence regarding the history of the relationship, including violence, will be admissible and it will be up to a jury to deliberate on its relevance. This could become a pitfall in a judicial system that relies on proof and not truth. Relying on evidence to prove that a history of violence has existed in a domestic relationship can be

problematic, considering cases are often shrouded in secrecy and plagued with silent suffering. There must be due care to ensure that domestic violence is not trivialised further in the courts. However, the government's loose drafting of this bill leaves a number of areas open for misrepresentation.

Although verbal abuse can be debilitating, proving the existence of cyclical or constant verbal abuse will be difficult. It must be a key objective of this partial defence that it will not be used inappropriately, for example by a man seeking defence for killing his nagging wife—although I must say there are probably a few members who have experienced a nagging wife from time to time. We cannot allow anyone to hijack this defence to further reduce their criminal culpability, be they man or woman.

The government's response to the 2005 report by the Crime and Misconduct Commission into the policing of domestic violence in Queensland revealed that police had prior interactions with domestic couples in around 25 per cent of domestic homicide cases. Districts in the United States have established fatality review boards to examine cases of domestic homicide to analyse the response of agencies involved and to alert the relevant departments of gaps in the system that could be preventable.

Honourable members interjected.

Mr DEPUTY SPEAKER (Mr Pitt): Order! The member for Currumbin has the floor, as funny as this is.

Mrs STUCKEY: Thank you, Mr Deputy Speaker. I can see it has created a little debate here. The death review panel, to be chaired by the chair of the Legal Aid Queensland Board, will be responsible for reviewing the incidence of domestic violence homicide in Queensland over the past five years. However, despite this ambitious objective, it has to be asked: is this government really serious about protecting victims of domestic violence? The last time a bill was introduced with the specific aim of protecting victims was in 1989 with the introduction of the Domestic and Family Violence Protection Act. That act introduced the provision of protection orders for persons exposed to the act or threat of domestic violence. The Domestic and Family Violence Protection Act was amended in 2003 to broaden the scope of domestic relationships to include spousal, intimate personal, family and informal care relationships.

However, of the 15,632 domestic violence orders that were made in 2007-08, in the same period 8,283 breaches were made. Over 50 per cent of the orders were breached. Surely, this government can see that a system that produces that number of breaches needs urgent attention. What is the point of boasting about increasing initial police intervention when the results are showing a major lack of follow-through at the other end?

Since 1989 only two amendments—that being in 1997, when the coalition was in power, and in 1999—have been made to the Criminal Code with domestic violence in mind, and they were for torture and unlawful stalking. Both of those amendments are indirectly related to protecting victims of domestic violence and lack direct interpretation under the law in response to domestic violence circumstances.

In May 2007 the then minister for communities, Warren Pitt, announced the Queensland government's commitment to develop a coordinated strategy to reduce domestic violence. However, it was more than two years before the follow-up announcement was made by the Minister for Community Services and Housing and Minister for Women about the outcome of that grand and long-awaited commitment. The report, *For our sons and daughters: a Queensland government strategy to reduce domestic and family violence 2009-2014*, is awash with sentimental approaches such as support and assistance and not a lot of hard facts on what procedures the government intends to implement to lower the rate of domestic violence in our state. There is an extra \$30 million budgeted between 2008-09 and 2009-10 but no breakdown of how the money will be spent on specific services.

Further, there are no specifications designed around addressing the needs of Aboriginal and Torres Strait Islander communities. As I said, with rates of domestic violence incidents up to 40 times higher than in other groups in society, it beggars belief that there is no specific mention made of direct policy objectives for these Indigenous communities.

I turn now to the criminal activity of card skimming. In 2007, section 408D of the Criminal Code was introduced to provide that a person who obtains or deals with another entity's identification information for the purpose of committing or facilitating the commission of an indictable offence is committing a misdemeanour. The proposed amendment, which inserts a new section 408D(1A), will provide that a person who possesses equipment for the purpose of committing or facilitating the commission of an offence under section 408D(1) also commits a misdemeanour. This amendment will reduce the maximum penalty of persons found guilty of possessing equipment to three years rather than the prescribed 14 years under section 510 of the Criminal Code.

Identity theft is a major issue in Australia, in Queensland and, I am sorry to say, in my electorate of Currumbin. Had the government adequately amended the law with this insertion into the Criminal Code relating to identity back in 2007, the commission of many of these offences could have been avoided. Instead, the government is trying to patch up a loophole that has been overlooked by its incompetence. This amendment, with its maximum three-year sentence, will not deter people who stand to fraudulently gain considerable profits from hardworking and unsuspecting Queensland victims. If the

maximum penalty of 14 years is downgraded, as is suggested in this bill, there will be limited deterrent for perpetrators, who, according to the 2007 Australian Bureau of Statistics fraud survey, are causing almost \$1 billion of individual financial loss for over 450,000 Australians a year.

We in this House need to send a strong message that identity theft and trade will not be tolerated in Queensland. My own electorate was rocked by a card-skimming fraud in December last year. A gang of thieves fitted a skimming device into the card slot of an ATM at a Tugun supermarket, with users completely unaware that their personal information was being stolen. The incident was reported as being one of one of five card-skimming frauds hitting the Gold Coast simultaneously. Last year, more than \$80,000 was fleeced from Gold Coast ATMs alone.

But why is the Bligh government letting these people off so lightly? Its soft-on-crime philosophy is letting down the good people of Queensland. If the government is serious about addressing the increase in identity crime, it must make sure that its laws are effective.

In summary, the LNP does not condone domestic violence under any circumstances. The attitudes of the legislative and judicial systems in the past have not taken the issue of domestic violence seriously enough and have not put enough emphasis on reforming community attitudes towards violence, especially violence towards women. Campaigns such as White Ribbon Day and the awareness surrounding them certainly need to be increased.

I would like to commend the Domestic Violence Prevention Centre Gold Coast, and Di McLeod, who has been running that centre for many years. They are in need of much greater funds for the fantastic job that they do and the protection they offer to women. But we must also remember, of course, that men are victims, too.

Ms CROFT (Broadwater—ALP) (4.08 pm): I rise to speak in support of the Criminal Code (Abusive Domestic Relationship Defence and Another Matter) Amendment Bill 2009. This bill represents a significant acknowledgement by this government of the incredible suffering that victims of domestic violence endure. The bill amends the Criminal Code by inserting a new partial defence to murder—of killing in an abusive domestic relationship—and a new offence of unlawfully possessing equipment. Recommendation 21-4 of the *Review of the excuse of accident and defence of provocation* report, which was developed by the Queensland Law Reform Commission, recommended that consideration be given to the development of a separate defence of battered persons.

I understand that following on from this recommendation the Department of Justice and Attorney-General engaged professors from Bond University on the Gold Coast to examine the development of such a defence. I understand that Dr Geraldine Mackenzie from Bond University worked very hard in consulting with all stakeholder groups, including the Domestic Violence Prevention Centre on the Gold Coast. I have been informed by many of the people who were involved in that consultation that the professors who were involved in the work done to develop *Homicide in abusive relationships: a report on defences* have earned much appreciation and deep respect from all of the stakeholder groups that they consulted.

The report recommended the introduction of a separate partial defence into the Criminal Code applicable to victims of seriously abusive domestic relationships who kill their abusers believing that their actions are necessary for self-defence where there is reasonable grounds for such belief. The new defence will operate as a partial defence to reduce a charge of murder to manslaughter. The defence represents a balance, I believe, between necessarily punishing those who would otherwise be guilty of murder and providing some legal protections for victims of serious abuse.

The staff and volunteers at the Gold Coast Domestic Violence Prevention Centre do an excellent job. They have been very much involved in the development of this bill and have consulted very well. I take this opportunity to commend the excellent work that they do. The staff and volunteers have demonstrated a true commitment to improving the lives of many women and their families who are victims of domestic violence. Having visited and met with this organisation numerous times, I am indeed very inspired by the work undertaken by the volunteers and staff on a daily basis and indeed am inspired by their efforts in working with government agencies on improving integrated responses. They have done a fantastic job in working with the Gold Coast police and a whole range of community agencies. They have done wonderful work promoting an understanding of domestic violence and raising awareness of the procedures that a victim of domestic violence finds themselves in to find not only safe refuge but also support and, indeed, justice.

I have recently spoken with representatives from the centre about the bill that is before the House today. I acknowledge the concerns expressed to me. They have indicated that they feel that the amendments do not go far enough. Their preferred amendment would have been for a full defence to be included in the Criminal Code. I have spoken to the Attorney-General about this in order for him and the government to give consideration to the centre's concerns, and I trust that the Attorney-General will take that into account.

I acknowledge that the centre has also indicated that it is very pleased that the Bligh government has actively sought to improve legal options available to victims of domestic violence and that the amendments that we see today are a positive step forward for victims of domestic violence. In closing, I once again thank the Attorney-General, his staff and in particular the professors at Bond University. I understand that the work that they have done has really resonated with the stakeholder groups that deal with this issue on a daily basis. I commend the bill to the House.

Mr SHINE (Toowoomba North—ALP) (4.13 pm): I rise to speak briefly to this bill, not that it is not an important bill. It is an important bill. It may prove to be more effective and more far reaching than we may have at first thought. Time will tell about its application in relation to the criminal law of our state.

The Criminal Code (Abusive Domestic Relationship Defence and Another Matter) Amendment Bill 2009 introduces two very important new concepts into the criminal law of Queensland. The first is the introduction of a partial defence of killing in an abusive relationship, which reduces the charge of murder to manslaughter if accepted by the jury. It is important to realise that it is a partial defence which simply reduces the charge from murder to the still very serious charge of manslaughter. It is not an absolute defence leading to an acquittal. The effect of this is that the sentencing judge then has a discretion in sentencing. At present under our current law with respect to murder, if convicted of murder the penalty is always and has to be mandatory life. We make no apology for such a harsh penalty for murder. After all, the taking of another's life is the most serious matter that confronts the criminal law in this state and is therefore deserving of the harshest penalty. This defence will apply where the killing takes place in the context of an abusive domestic relationship.

However, there are a number of safeguards in the legislation to ensure that it is only available in appropriate cases, because one could imagine that this is a defence that would be considered by defence counsel in many circumstances appropriate, or otherwise. An 'abusive domestic relationship' is defined as being a domestic relationship between two people in which there is a history of acts of serious domestic violence committed. The domestic violence complained of must be 'serious', which is not defined. Whilst it is acknowledged that all domestic violence is serious in nature, the term means that only the more serious cases, such as would be indicated by a trial for murder in the Supreme Court, would satisfy the test. There is also the history of domestic violence in that relationship that might be taken into account.

Certain acts of domestic violence when looked at individually might appear to be minor in nature, but when viewed in the context of the relationship as a whole might be able to be considered as part of a history of serious acts of domestic violence. This is expressly provided for in clause 3 of the bill. There must also be evidence that the deceased has committed acts of serious domestic violence during the course of the abusive domestic relationship.

The person relying on the defence must show that at the time of the killing they believed it was necessary for their preservation from death or grievous bodily harm to do the act that caused the death. Therefore, the onus is on the defence in that instance to show that they believed it was necessary to take that very extreme action under those circumstances. This is, of course, a subjective test in that the person must hold that belief. The jury will determine whether that is a believable submission or not. However, there is an objective element also in that the belief that is held must also be reasonable in the circumstances. The jury will look at the evidence of the relationship as a whole and the situation at the time of the killing to determine whether the accused person was reasonable in believing that they needed to kill their partner. This therefore guarantees that the defence cannot be used except in situations where the threat of death or grievous bodily harm is very real and not just imagined.

As in all criminal cases the onus of proof remains with the Crown. The defence must prove the defence to the extent that it can be at least put to the jury, but then the onus rests on the DPP to disprove it beyond a reasonable doubt. The defence will apply to all matters which have not yet been commenced and also to matters which have been commenced at the time the act is declared but have not yet concluded. Whilst honourable members would be aware that this is unusual in that it is retrospective in operation, it is not unusual for legislation that seeks to enhance the rights of individuals rather than legislation that seeks to take away the rights of the individual.

This bill is an important development in the recognition of domestic violence as a major issue for some Queenslanders and will enhance other initiatives that the government has undertaken to protect people who are the subject of violence in domestic relationships. The Commonwealth, state and territory governments through COAG are developing a national plan to reduce violence against women. The Minister for Community Services and Housing and Minister for Women, the Hon. Karen Struthers, has also announced a five-year whole-of-government strategy entitled *For our sons and daughters—a Queensland government strategy to reduce domestic and family violence 2009-2014*. Through these initiatives the government seeks to break the cycle of violence and provide better protection and assistance to victims of domestic violence. One has to applaud the Attorney-General for bringing to the House what I believe is an important initiative.

How did we arrive at this point? I think it went back to the real concern in the community arising out of a number of murder cases where acquittals were the result, particularly assault cases. One related to an incident in the Valley, another at a taxi rank in George Street and also the Sebo killing at the Gold Coast. I think members of the community were understandably perplexed as to how people could walk away acquitted in two of those three cases. That led to the government a couple of years ago giving a reference to the Law Reform Commission to review the accident and provocation defences in the code. Although, as I recall, it was not in the commission's terms of reference to consider this particular partial defence, it did come up with a recommendation that it be looked at. As a result the Bond University professors, including Professor Mackenzie who used to be at USQ, were engaged to come up with a recommendation, which is the forerunner of what we see today in this legislation. As I said at the outset, it is important, however, to realise that it is not a full defence; it is a partial defence. One of the curious likelihoods in some cases of the adoption of this law will be that, instead of acquittals being recorded, particularly in favour of a woman out of the sympathy of the jury, it may well be now that that person would be acquitted of murder but more likely to be convicted of manslaughter as a result. That is one of the quirks of the law that may occur in this instance.

Finally, I take the opportunity to commend the work of the former chief magistrate, Judge Marshall Irwin, and his advocacy for a special domestic violence court of Queensland and the implementation of a trial, particularly at Rockhampton under Magistrate Hennessy, where a pilot was undertaken. I understand that is still in progress. A special domestic violence court similar to the Drug Courts is set up to deal with this issue. These specialist courts, of course, are very expensive and chew up the resources of the state. Nevertheless, the issue is one which is of not mere insignificance. So it will be interesting to see the ultimate evaluation of that pilot scheme in the future.

I commend all people who are doing a great deal of good work in this domestic violence area, including the Quota Club in Toowoomba where lawyer Kathy Walker has been a great advocate against domestic violence. I participated in an 'against domestic violence' walk towards the end of last year. They are doing a great deal of work with the community, particularly with the police, to bring the incidence of domestic violence to the public knowledge to a far greater extent than it has been in the past, leading, we all hope, to a diminution in its occurrence. I commend the bill to the House.

Mr JOHNSON (Gregory—LNP) (4.25 pm): It is with pleasure that I rise to speak this afternoon to the Criminal Code (Abusive Domestic Relationship Defence and Another Matter) Amendment Bill 2009. I think this is a very important piece of legislation, one that I can see has been long overdue in coming to this parliament. I would say that nobody in this House has not witnessed some form of domestic violence that has resulted in people being pushed over the edge. That is an unfortunate thing in our society today. Nobody condones crimes against women, or crimes against young girls for that matter, or crimes against men when it comes to these types of relationships where people do lose control and do harm because of intimidation, because of continual bullying or because of mental or physical abuse. That is why we recognise that the Queensland Law Reform Commission has displayed regard to the limitations of the existing defence for people who have found themselves in the situation where they have become the perpetrators of the crime rather than the victim of a crime. Some people in these relationships live in sheer violence all the time.

I pick up on the explanatory notes where it states that there has been consultation with the judiciary, the Queensland Law Reform Commission, legal stakeholders, community stakeholders and other academics. I hope that medical practitioners, mental health people, social workers and domestic violence workers operating in the area of social reform can also be included and called as witnesses to such an event.

This legislative amendment cannot be a password to kill, and that has to be highlighted from the outset. This legislation is important. We see so many people in a hopeless situation where, through no fault of their own, they totally lose it. They then become the perpetrator of the crime rather than the victim of the crime. Importantly, the justice system and the legal fraternity recognise and identify such cases on their merit. Many of these such cases will have different standards and qualifications as they progress through the court system. The investigation is carried out by the police and then, of course, there are the briefings by counsel and then the court process as we know it.

Time and time again I have visited prisons and I always like to use the Stuart prison at Townsville as an example. A great number of the women who are incarcerated at that prison are our Indigenous sisters. A lot of them are there because of abuse from drunken members of their family who want to sexually or physically abuse them or abuse their children in a similar nature. It is that situation that has pushed those women over the edge. However, those people are not only incarcerated in Townsville but also incarcerated in prisons throughout the length and breadth of this land.

It is important that we recognise what has created this situation. Time and time again in this House we talk about alcohol management plans in Indigenous communities, but we should not look just at Indigenous communities. We have to look at non-Indigenous communities as well. As I stand in this House this afternoon, people are committing acts of violence against their loved ones, and those people have no channels of escape because they live in absolute sheer fear. They cannot walk away from the situation they are in because of the fear of reprisals.

Whilst we talk about this, the limitations in the legislation come to mind and I would like the Attorney-General to comment on this. A lot of people who live in remote or isolated areas are not visited by professional people who know and understand some of the problems that they are subjected to. A lot of people find themselves in difficult situations because of financial hardship, and that can push them over the edge. In most families the women manage the process in question. They are the ones who are at the forefront or the coalface. They know what is going on around them and they carry the responsibility. Most times they will not leave the situation if their children are involved. If they have children, they do not want to leave. I am a father and a grandfather and I can understand that. I appreciate that the relationship between a mother and child can be an extremely close one and a woman would not want to leave her child.

This is a very meritorious amendment to the Criminal Code for the prime reason that it may make a difference to somebody's life. A couple of years ago I was at Stuart prison in Townsville. An Aboriginal woman came over to me and fell into my arms. She said, 'Vaughan, can you get me out of here?' She was in prison because of domestic violence. She had turned against her partner and killed him because she could not take it anymore. Perhaps today will be a turning point in the lives of such people and perhaps we will witness a better outcome for them. The bill will provide persons in an abusive domestic relationship with a partial defence to murder when serious domestic violence can be established. In some cases it is not very difficult to establish domestic violence in a relationship. People do talk, they do witness things and sometimes they do know what is going on in other people's lives.

The briefing notes provided by the shadow Attorney-General mention allowing domestic violence support workers to be called as expert witnesses. I find this an area of concern. The attorney is a legal man and there are other legal minded people in the House. Certainly from time to time we rely on their professional knowledge to make certain that we get fairness into the equation when we are talking about cases of life and death. In this case we are talking about the possibility of 14 years incarceration for somebody who has already endured intolerable violence.

Many years ago, when I was a child living out west, I knew a family where the wife was subjected to extreme domestic violence. She suffered absolutely pitiful displays of abuse and physical and mental violence. The family had four children. After a number of years they moved away. One day she shot her husband. My father was called as a witness in the murder trial of the woman. She was acquitted and exonerated. That is a classic example. None of us would want to be called to court in such a situation, but I believe that we should all act as responsible citizens to identify such situations and be integral players in easing such situations in our communities.

I say to the Attorney-General that this is a very good amendment. It will put some fairness into the equation when we look at what some people are subjected to. It is a fact of life that many of us, thank the Lord, have never been subjected to domestic violence and we do not know what goes on in other people's lives. I think the amendment before the House this afternoon will increase the decency in the justice system. It is with much pleasure that I support the legislation.

Mr EMERSON (Indooroopilly—LNP) (4.36 pm): I rise to speak on the Criminal Code (Abusive Domestic Relationship Defence and Another Matter) Amendment Bill 2009. Previously in this House I have spoken on the issue of domestic violence. Last year I was very proud to be an ambassador for White Ribbon Day. I joined my colleagues the Speaker, Mr Mickel, the member for Glass House and the member for Coomera, and others, on the Speaker's Green to swear an oath as part of White Ribbon Day. That oath stated—

I swear:

- never to commit violence against women,
- never to excuse violence against women, and
- never to remain silent about violence against women.

Therefore, I am very pleased to contribute to the debate and support this bill. I back up the comments of my good friend and colleague from Gregory about this amendment. I support it. I think it is an important amendment. The LNP is totally opposed to any form of domestic violence. This bill will provide those persons in an abusive domestic relationship a partial defence to murder where serious domestic violence can be established in the relationship. It will also improve overall the current criminal law in the area of violent domestic relationships.

I refer to the Australian Institute of Criminology report which was released late last year and which deals with the issue of domestic violence. That report defines domestic violence as referring to acts of violence that occur within intimate relationships and take place in domestic settings. It includes physical, sexual, emotional and psychological abuse.

Domestic violence incurs significant social, emotional and economic costs to victims, their families and the broader community. Findings from victimisation surveys suggest that women are more likely than men to become victims of domestic violence but that domestic violence can occur in a range of different relationship types, circumstances and settings. Research suggests that some women may

be more vulnerable to becoming victims and less capable of exiting violent relationships depending on their age, their living arrangements and their English language abilities. A number of factors have also been identified as increasing the risk that an individual will become a perpetrator of domestic violence.

The latest Australian Bureau of Statistics data provides disturbing information regarding a situation in Australia, and particularly in Queensland, regarding domestic violence. The ABS reveals that in 2008, of the 19,423 assault victims recorded in Queensland, 49 per cent or almost half knew the offender and seven per cent identified the offender as a current partner. A further six per cent identified another family member as the offender. During that same period there were 4,440 sexual assault victims and 64 per cent knew the offender, who was a partner of three per cent of victims and another family member in the case of nine per cent of victims. Across all the states and territories selected for analysis by the ABS, women were more likely than men to be the victims of assault where they knew the offender and identified a family member as the offender.

Another alarming statistic is that 22 per cent of all homicides in Australia in 2006-07 involved intimate partners, with women constituting the majority of victims—in this case, 42 females versus 23 males. During that period, 27 children under 15 were victims of homicide—84 per cent of those were killed by their parents. In Queensland, 12 homicides took place between intimate partners in 2006-07, with males being the offender in seven cases and females in five cases. Other male family members were the perpetrator in the case of 10 female homicides during that period. Victims of serious domestic abuse may kill out of fear and desperation, perceiving, sometimes wrongly, that doing so is needed for self-preservation. Having perceived on the basis of past experience that the abuser's behaviour is building up to grave violence, the victim might wait for an opportunity when the abuser is unarmed or sleeping and not in the usual position of power and domination to kill.

Under the current law in Queensland in the Criminal Code, murder carries a mandatory life sentence of imprisonment. While murder is the intentional taking of a person's life, there are other forms of killing that do not amount to murder due to the lack of intent to kill or because a defence exists. Of those defences, provocation is a partial defence to murder, meaning that the defendant is guilty of manslaughter, attracting a maximum life sentence but, unlike murder, the court generally has some discretion regarding sentencing. Acting in self-defence is a complete defence to murder provided stringent conditions are met. Victims of serious domestic violence and abuse who kill their abuser may not be able to meet the requirements of self-defence or provocation. They will therefore be convicted of murder and imprisoned for life even though there may be a sense that the culpability of such a person who finally fights back with lethal force against his or her abuser is less than that for someone who kills maliciously or in cold blood. However, the court has no option other than to imprison the person for life.

This bill, brought to us by the Attorney-General, provides a new partial defence to murder for victims of serious abusive domestic relationships who kill their abuser. The person who kills in these circumstances will, under these amendments, be instead convicted of manslaughter so that the court has a sentence discretion which it does not have for a murder conviction. The proposed partial defence reflects findings from a number of reviews and reports that victims of serious abusive domestic relationships can kill in certain circumstances where other defences such as self-defence or provocation do not apply, yet such persons may warrant some protection from being found guilty of murder and imprisoned for life.

As I said before, the LNP supports this legislation, but I do flag some concerns and reservations about how it may work in practice, as has been mentioned by my colleague the member for Southern Downs. The onus of proof will be on the Crown. The prosecution, in cases where the defence is raised on the evidence, will have the responsibility of disproving the defence beyond a reasonable doubt. The defence is not reliant on the accused person responding to an assault or imminent threat from the deceased and there is no imposition of a time frame between the actions of the deceased and the killing of the accused person.

The Scrutiny of Legislation Committee noted a number of issues regarding whether the legislation is drafted in a sufficiently clear and precise way. I am sure the Attorney-General will refer to that in his summing-up. There is also, importantly and finally, the issue of how broadly this defence may be used. Is it going to become the defence of last resort? I am sure the Attorney-General will also refer to that. As I said, I am totally opposed to domestic violence, as I am sure all of my colleagues here are. It is an appalling crime. I support and congratulate the Attorney-General in bringing this legislation before the House. As I said, the LNP will be supporting this amendment.

Mrs CUNNINGHAM (Gladstone—Ind) (4.44 pm): I rise to support the Criminal Code (Abusive Domestic Relationship Defence and Another Matter) Amendment Bill 2009. I thank the minister for the briefing, albeit at short notice.

There are two issues that this bill relates to, both of which are very important. At the outset, in supporting the new defence by a person in an abusive or a long-term abusive relationship, I commend in my electorate the people who work in places like the Women's Shelter, where they are dealing with women and children from these sorts of backgrounds who have moved out of that relationship or that

environment in an endeavour to find a better quality of life. It is acknowledged that quite a number of those people go back into those relationships. I think it is sometimes difficult for people counselling women in particular who have to deal with abusive partners to objectively understand why they would move back into a relationship of abuse. But, in reading material about these types of environments, it is a very complex relationship that evolves in an abusive relationship which therefore is very difficult to unravel.

Additionally, some people who end up with abusive partners themselves come from an abusive relationship either in their own family or as an observer to an abusive relationship as a child and therefore there are complex emotional and psychological problems that develop over a long period of time. I also commend the department of housing which also at times works with people who come from these backgrounds. The staff who work in the department in my electorate—and I am sure it applies to all electorates, but I can only speak for my own—do all that they can to assist people who come from these difficult circumstances.

It would be remiss of me also not to put on the record appreciation to the police who so often are called to intervene in domestic violence situations—many times going in not knowing what they will be confronted with or indeed not knowing at what risk they will be placed. There are other arms of government in terms of the community and other areas that have an arms-length and sometimes less than arms-length involvement in abusive relationships. I commend all of the staff who work in those areas. It is certainly complicated, complex and difficult and requires a great deal of wisdom.

The bill allows for a defence of killing in an abusive relationship. Whilst it probably cannot articulate—because the bill would be significantly larger than it is if it did—all of the detail of the sorts of relationships that could be considered, sometimes less is more. I commend the minister and those who have been working on this amendment to give as a defence this new element. In the briefing we were told that currently the categories for defence include provocation and diminished responsibility and that many people who could not successfully present a case of self-defence but who were in an abusive relationship and for a number of reasons took it upon themselves to end that relationship through physical violence do need the option to have this defence.

I do not think the psychological effect of continual, repetitive and sometimes unpredictable abuse in a home—whether that is physical, emotional, psychological or sexual abuse—on a person is easy to estimate, and certainly I welcome this amendment. I also note that clause 5 deals with retrospectivity. This defence can apply in all cases that relate to this area where the appeal has not been finalised. So anything that is finalised obviously cannot be captured by the retrospectivity, but I believe that the department has endeavoured to give assistance to as many people as possible where this defence can appropriately apply. I am sure that there will be people who will try to abuse this amendment—that seems to be the bent of human nature. But I believe that the benefit of this amendment outweighs any possible risks. Again, I place on the record appreciation for these changes of so many families who live on the edge in terms of an abusive relationship.

The other issue that is dealt with in this bill is obtaining or dealing with identification information. I commend the minister's advisers for their perseverance. It took me a minute to find the connection between that and the primary purpose of the bill, but they persevered and I picked it up. Clause 4 creates an offence of possessing a skimming device. With the increase in identity fraud and identity theft and the flagrancy with which some perpetrators will act, this new amendment certainly makes it easier for police to preclude identity fraud or the placing of the skimming device at bank teller machines, because they can intervene prior to the skimming device being put onto the ATM and are able to forestall any disadvantage.

While that is important—identity fraud is a huge issue—and I certainly support that amendment, I particularly commend the minister for the amendments in relation to abusive domestic relationships. I commend all those who work with the victims of these relationships, whether it is NGOs or government departments. We need to remember that it is not only adults but also children who are affected by abusive domestic relationships. They observe and at times are asked to participate by defending either their mum or dad, but more regularly the mum, and they themselves grow up with a warped sense of values and problem solving.

In closing, let me say that we have a multicultural society. We celebrate that on many occasions such as Australia Day, which has only just passed, and other multicultural occasions. I still believe that overwhelmingly in Australia the citizens of Australia and those that we have welcomed do not accept cultural abuse—that is, a system of values, a system of appreciating one another that may be brought from overseas where we would regard it as an abusive relationship. Thankfully, this legislation will apply to them as well. I support the bill.

Hon. KL STRUTHERS (Algeria—ALP) (Minister for Community Services and Housing and Minister for Women) (4.52 pm): I speak in support of the Criminal Code (Abusive Domestic Relationship Defence and Another Matter) Amendment Bill 2009. I commend the Attorney-General for this initiative, his staff for the support they have provided and the stakeholders who have been calling for these changes and who have had input into these changes.

It is very encouraging to sit in the House and listen to such passionate comments in support of victims of domestic violence and the acknowledgement of the destructive nature of domestic violence. I recall in around 1989 tuning in to the debates at that time in this House when the first Domestic Violence (Family Protection) Bill was being debated. There was a lot of debate and concern about whether we should intervene in these matters, and hence the bracketed name 'Family Protection'. The whole idea was that we can delve into this and we can start taking some action, but we really want to protect families.

We have come a long way over the last couple of decades to acknowledge that some relationships have to end. The violence has to end and some of these relationships have to end. The children are not safe, women are not safe and in some cases men are not safe. It is great to see such passion in members' understanding of these issues and in their acknowledgement of the importance of tackling these issues.

At that time—20 or so years ago—there was a real sense that we had to break the silence on domestic violence, but many police, health workers and community service workers were striving to keep families together. The general sense was that this was a private family matter; it was not criminal behaviour. I will tell the House a quick story. I was working at a domestic violence resource centre, and the late and wonderful Ruth Cracknell accepted our invitation as a small community group to open our service. We were absolutely wrapped that Ruth Cracknell was coming to town. Quite amazingly, as she walked into our humble office at Woolloowin there was a silhouetted poster on the wall of a man standing over a woman and a child almost shaking and it said, 'Domestic violence is a crime.' She said, 'Oh, that is very severe, isn't it? Oh, I don't like that message.' We actually took the poster down. That is how silly we were, because she was actually offended by it. Someone as prominent as her—a thinking, educated woman—was rattled by that message, not in the way that you would want her to be rattled, not in the way that you would want her to think this is a crime, but she was concerned that we were promoting domestic violence as a crime. It struck me then that we had a long way to go to promote the message that this is serious criminal activity.

One of my jobs was to work with the police and to go out to the old Chelmer officers academy and the Police Academy. I was employed at the Police Academy in 1990 or so to work with the police in the post Fitzgerald era to describe the dynamics of these sorts of activities. Domestic violence was one of the issues that the police then—and probably to some extent now—did not want to get involved in. They saw it as a private family matter.

It is so encouraging to hear members in the House today acknowledge that we all have a responsibility to condemn this violence. I commend all of you for that clear understanding, compassion and acknowledgement of the nature of this. It causes harm, it causes death, and it causes a lot of destruction. I urge you all to maintain that understanding, because we really have to end this hurtful and destructive pattern of behaviour that occurs behind closed doors in many households.

The bill amends the Criminal Code by inserting a new partial defence to murder of killing in an abusive domestic relationship. Again going back to that period, I was involved in supporting an Indigenous woman who had allegedly murdered her husband. In fact, I think she did plead guilty. But with the support of the Women's Legal Service and others it was acknowledged at that time—and it was groundbreaking—that she was a victim of systemic and ongoing domestic violence. With the support of the Women's Legal Service at the time, we were able to acknowledge through the legal process the notion of battered women's syndrome.

This amendment to the bill really brings to the fore this acknowledgement that in some cases this violence is so persistent and so destructive, causing so much fear and harm, that sometimes people feel there is no other choice. None of us in any instance want to support any violent activity, but it is very important that we acknowledge the effect that this behaviour can have. That this behaviour is going on in intimate relationships disturbs us all, but we have to continue to bring it out into the open.

I am pleased as minister to have been able to launch last year a new domestic violence plan entitled 'For our sons and daughters'. We have seen over the last decade or more a great array of service responses across the state. People have been very committed and have worked hard for many years. I commend the police, the judicial officers and others who have really got their act together now, who are really acknowledging the seriousness of this problem and who are working with integrated models across our state. Some really good work is occurring.

Sadly, the rates of domestic violence and the number of protection orders continue to climb, but that in a sense is a product of heightened awareness and a willingness to come out into the open, overcome any stigma, overcome any fear and take steps. It is like increased reporting on rape. It is finally the case that more people feel supported through the judicial system, and it is encouraging to have an Attorney-General who really understands these patterns and who can introduce laws and judicial support to support people through this.

Over the past five years there have been up to 60 domestic violence related deaths in Queensland, and, sadly, Aboriginal and Torres Strait Islander women are at greater risk than mainstream women in Queensland. Aboriginal and Torres Strait Islander women are 35 times more likely to be hospitalised due to family violence than a non-Indigenous woman. We have to turn this around. We need to bring domestic violence out from behind closed doors, as I have said. I know that members opposite and members on this side of the House all agree.

Last year the Bligh government embarked on a groundbreaking five-year strategy and has committed funds to it. We have a new integrated model which is being trialled in Rockhampton. It was very pleasing for me to go to Rockhampton to launch that last year and to see the wonderful support for it from the magistrates and the police and to see them working together on this. An integrated model of this kind is a first for Queensland. We hope this model is one that others can pick up in other regions.

During the development of this bill the Attorney-General heard from a number of organisations. I know the Women's Legal Service, the Gold Coast domestic violence service and others probably wanted a stronger defence, a fuller defence rather than a partial defence. The Attorney has taken on board those issues but decided that the best way forward at this stage is a partial defence. I thank the Women's Legal Service and others for their long-standing commitment in this area of work. I am sure they will keep a watchful eye, Attorney, on how this develops over time.

Striking a balance between the need to support someone who has been through this sort of pattern of abuse—primarily it is women and children—and not letting people off the hook when there is a violent or retaliatory act is a difficult balance to strike. It is important that we have safeguards and monitor the development of this defence, but all in all I think we have made some great steps forward. We will hopefully see a lot more support provided to women and children and men who are experiencing domestic violence in years to come. Certainly we are seeing continuing and improving policing and judicial responses. It is very important that that continue. I commend this bill to the House.

Ms JOHNSTONE (Townsville—ALP) (5.01 pm): I rise to speak in support of the Criminal Code (Abusive Domestic Relationship Defence and Another Matter) Amendment Bill 2009. I will contain my comments specifically to the part of the bill which relates to the domestic violence aspect and the amendment to the Criminal Code which inserts a new partial defence to murder of killing in an abusive domestic relationship. The insertion of clause 3 of the bill will deem that unlawful killing by a person of his or her partner in a seriously abusive and violent relationship would constitute manslaughter rather than murder according to the existing provisions of the code. This partial defence clause is a move in the right direction.

As someone who has worked for some time in the domestic violence sector as both a refuge worker and an outreach worker, I have sat with, cried with, supported, counselled and listened to the stories of torture and torment that have been suffered by thousands of Queensland women who are caught in the cycle of violence that is domestic and family violence. I have also sat in our courts and listened to these same stories as women try to obtain protection orders which will provide some level of legal protection for them and, in many cases, their children. For many people who are not affected by family violence or who are unaware of the way that perpetrators inflict violence, it may be hard to understand why the government needs to address this matter at all in our Criminal Code.

I would like to refer to the Duluth model of family violence intervention and talk a little bit about the power and control aspects of domestic violence. The speeches that we have heard this afternoon have touched on the legal aspects of this crime and also the terrible heart-wrenching stories. Sometimes it is hard to understand why women stay in these relationships. When people look at the insidious nature of the tools that perpetrators of violence use they might get a better perspective on how this crime is perpetrated.

When we look at the power and control wheel we see the strategies that are used by perpetrators. They may use intimidation by making the person afraid of using their looks and actions and gestures, by smashing things, by abusing pets and by displaying weapons. Perpetrators also use emotional abuse not just physical abuse. Victims are continually put down, made to feel bad about themselves, called names and sometimes think they are going crazy. These are the messages that I have heard from women. The people in Minnesota who developed this wheel have become worldwide experts in understanding this.

The perpetrators may also use isolation. They control who the woman sees and what she does. They control where she goes to work and if she can access money. They minimise, deny and blame. They make light of her abuse. They minimise what is going on. They tell her that she is silly and not really in control of what is happening and that things are not really that bad.

Perpetrators use children. This is probably one of the most terrifying things about this crime. When I was working in the women's shelter in Townsville I can remember many nights when the shelter was full of women and children. It was the children that we had to actually nurse to sleep because they were so traumatised by what they had been through at the hands of often their biological father.

The perpetrators use male privilege. As has been said by many members this afternoon, 97 per cent of violence is perpetrated against women by men. Male privilege can involve treating a woman like she is a servant, making all of the decisions, acting like the master of the house and being the one to define men's and women's roles. Perpetrators use economic abuse. They prevent the woman from getting or keeping a job, making her ask for money, giving her an allowance, taking her money, not letting her know of or have access to any family income.

Finally, perpetrators use coercion and threats. They make and carry out threats to do something to hurt her, threaten to leave her or to commit suicide or report her to welfare. One of the biggest fears for the women I worked with was the fear of losing their children. They would do anything to protect their children.

For those members who may have an interest—particularly given that the family law legislation is being discussed again at the federal level—there were two reports done in Townsville in 2006 which polarised this issue from the perspective of the women going through the family law court. Both were done by the same author, Beth Tinning. The first report is called *Seeking safety, needing support: the needs of women accessing the family court where there has been violence in the family*. The companion to that report is a very moving and powerful document called *Dragonfly whispers: stories from women accessing the family court where there has been violence in the family*. If anyone wants to get an understanding of the mental abuse that is suffered by sustained domestic violence sufferers they need only to read one of the 10 case studies that Beth has documented in dragonfly whispers. It is heart wrenching and hard reading but is well worthwhile.

I would like to comment quickly on the work that is going on in the sector because there is a lot of good work occurring. In Townsville, the North Queensland Domestic Violence Resource Service has been led by Pauline Woodbridge for a number of years. That coalition is doing fantastic work. It is supporting women and children through court support, applying for orders and assisting women to prosecute breaches in conjunction with the police and the justice system. They have a fantastic counselling service for women and children that is very sensitive and very effective for those little people who are so badly hurt and damaged by this crime.

The other thing that the NQDVRS is doing currently is a trial that is called Safe at Home. I am looking forward to hearing the outcomes of Safe at Home. We really need to keep our women and kids in their home and not let the perpetrators of crime stay in the home and make the women and children homeless. One of the biggest challenges working in the women's shelter was the fact that the women would finally make the decision to break this cycle and we had no exit options. There was nowhere for these women to go. We need to do a lot more work in that area.

I do support this important amendment to the Criminal Code but I would also like to acknowledge that there is still work to be done. Concern does still exist within the domestic and family violence sector that this partial defence will become the only option for victims of domestic violence. Further, they state that victims could end up with a conviction of manslaughter in some circumstances when arguably they were responding to a life-threatening threat and it could be argued that the victim should be properly able to argue self-defence.

This government is serious about dealing with and working towards the elimination of violence against children. Minister Struthers has already alluded to the 'For our sons and daughters' strategy, the five-year strategy to reduce domestic and family violence. I commend the government for the establishment of the death review board and the investments in making perpetrators accountable. We need to pursue these measures even further. We have to send a strong message to people. I think we are doing that. We have a zero tolerance to this. I support these strategies which will hopefully mean that no woman ever has to come before the justice system on a charge of unlawful killing of a partner as a result of sustained abuse at the hands of that same person.

I want to close on a personal note. We have had the experience of a distant person in our family sustaining terrible, systemic abuse at the hands of a very violent man. Unfortunately, that woman tried to take matters into her own hands and has been sitting in jail as a result. I support what the member for Gregory said about women sitting in our prisons for crimes when really, when you look at the history that led up to the situation occurring, you would think that these people are not criminals. I think that these women are actually victims of severe manipulation by violent offenders. I will finish on that note and commend the bill to the House.

Mr WATT (Everton—ALP) (5.09 pm): I would like to commend the member for Townsville on her very heartfelt speech on this matter. All too often in society we see outrageous and cowardly acts of domestic violence committed—usually, but not always, by men against women. Sometimes this awful situation leads to a tragic end, with one party killing the other. Several years ago the daughter of a woman I knew was murdered by her estranged husband following years of abuse. It left the woman who I knew with the job of raising her murdered daughter's children—an experience that no family should have inflicted on them.

This partial defence to murder addresses a different situation—one where victims of serious abuse kill the perpetrator of that abuse. This defence will ensure that accused people in such a situation are convicted of manslaughter rather than murder, provided a range of conditions is met. Those conditions include proving that at the time of the killing the accused believed that his or her acts were necessary to save their life or prevent them from being the victim of grievous bodily harm. This partial defence recognises that the act of killing someone who has committed serious abuse against him or her deserves to be seen as different from other murders which attract a mandatory life sentence.

Some may say that it is inappropriate to reduce the severity of the offence when a victim of domestic violence kills the perpetrator of that violence. Some may say that the victim should escape the situation in some other way, possibly by leaving the relationship. This simplistic view ignores the real dynamics of a relationship involving domestic violence. Research that was undertaken in the lead-up to the formulation of this bill indicated that victims of domestic violence are usually motivated by fear, desperation and a belief that there is no other viable way of escaping the danger. The option of leaving the relationship is often seen as unrealistic. Research indicates further that people who suffer violence may perceive a lack of alternatives to their situation.

The Bligh government has many initiatives underway to prevent domestic violence. The Minister for Community Services has just outlined our five-year strategy to tackle domestic violence and some trials of these new approaches are being undertaken across the state. In addition, we fund non-government organisations that assist victims of domestic violence as well as some organisations that try to help the perpetrators of domestic violence change their behaviour. I would particularly like to acknowledge the great work of the Windana Support Centre, which is located in the Everton electorate. Windana is a wonderful facility that provides a refuge for women and children who are escaping domestic violence.

Queensland is the first state in Australia to introduce what is now commonly known as the battered wife defence. It is another example of the Bligh government leading the way in law reform in Australia. So far in this term, which is not even yet one year old, the Bligh government has reformed adoption laws, we will soon be debating surrogacy reform and we have proposed massive changes to clean up political fundraising and to improve integrity in government. That shows that this government continues to have plenty of ideas for Queensland's future and is intent on modernising Queensland. I commend the Attorney-General and the rest of his team for introducing another worthy piece of legislation into this House.

Mr BLEIJIE (Kawana—LNP) (5.13 pm): I rise to speak in general support of the Criminal Code (Abusive Domestic Relationship Defence and Another Matter) Amendment Bill. The bill will amend the Criminal Code by introducing a new partial defence to murder of killing in an abusive domestic relationship and a new offence of unlawfully possessing equipment.

Following a review by the Queensland Law Reform Commission into the excuse of accident and the defence of provocation, the commission made a recommendation to develop a separate defence for battered persons. Based on the commission's recommendation, the Department of Justice and Attorney-General, in conjunction with Professor Geraldine Mackenzie and Professor Eric Colvin from Bond University, carried out consultation on the development of this defence. This bill is a result of the review by the commission and that consultation.

The bill introduces a partial defence for victims in an abusive relationship of serious domestic violence who unlawfully kill their abuser. The partial defence means that, where a domestic violence victim unlawfully kills their abuser, which would normally constitute murder upon such conviction, that person will instead be guilty only of manslaughter. Although this is only a partial defence, it recognises the effect of ongoing continuous violence on those victims in an abusive relationship, particularly in the case where the defence of accident or provocation may not be available to a charge of murder. This partial defence does not excuse victims from taking the law into their own hands, but it will provide victims of serious abuse with some legal protection and expand the court's scope for sentencing.

Under this bill, the killing in an abusive domestic relationship defence will be available where the accused has suffered serious domestic violence in an abusive domestic relationship, the deceased had committed acts of serious domestic violence against the accused in the course of that relationship, the accused believed at the time of the killing that their action was necessary to avert their own death or grievous bodily harm and, having regard to the abusive relationship and in all the circumstances, there were reasonable grounds for that belief. This bill is the first time that we have seen in Australia the defence of abusive domestic relationship.

The underlying principles of the justice system in Queensland are to serve and protect an individual's liberties and safety in a free and democratic society. Every Queenslanders has equal rights under the Queensland justice system. Unfortunately, the victims of serious domestic violence who have been in such abusive relationships may not believe that that is the case—that the Queensland justice system is available to them or provides them with any protection at all from their abuser. They may also believe that they do not have access to the same fundamental human rights that each and every Queenslanders has. They may not even have the right to sit at their own table, eat with their family or

even sleep in their own bed. Sometimes these victims who are full of fear and desperation do not believe, however wrong that belief may be, that they have any other way out of their situation apart from killing their abuser for self-preservation.

Currently, under the Queensland Criminal Code the offence of murder carries a mandatory sentence of life imprisonment and the court has no discretion to reduce that sentence. There are certain defences to murder, such as self-defence and provocation, but because of the elements that must be established for these defences they may not be available to many victims of serious domestic violence and abuse who kill their abusers. In those cases, those defendants who are found guilty of murder face a mandatory sentence of life imprisonment and the court has limited discretion as to the reduction of that sentence. A penalty of a mandatory sentence for life imprisonment would be grossly unjust to those victims of seriously abusive relationships who kill their abusers. A defence of killing in an abusive domestic relationship will mean that these defendants will be guilty of manslaughter rather than murder. Although the crime of manslaughter carries a maximum sentence of life imprisonment, the court generally has discretion to mitigate the punishment and reduce that sentence.

It is a very sad day in Queensland—or anywhere in Australia—when you have to debate this particular type of legislation, not because this legislation will provide the protection to the victims of domestic violence but because domestic violence of any kind occurs in the first instance. It is tragic that domestic violence exists in today's society and that there are people, even today as we are debating this bill, who are suffering from violence at the hands of their abusers—abusers who they perhaps know and who are family members.

I draw the attention of the House to the Australian Bureau of Statistics report titled *Recorded crime—victims, Australia, 2008*. The report states that, in 2008, of the 19,423 victims of assault recorded by Queensland, nearly half—49 per cent—of the victims knew their offender and that seven per cent of the victims of assault, that is 1,268, reported the offender to be a current partner. The report goes on to say that in the same year there were 4,440 sexual assault victims and that of those 4,440 sexual assault victims 64 per cent, or 2,847 victims, knew the offender. Of that number, three per cent of the offenders were the victim's partner. For another 444 of those sexual assault victims—that is nine per cent—the offender was another family member.

Domestic and family violence does not discriminate and can occur in all families regardless of their cultural backgrounds, religious beliefs, sexual preferences, age, gender or social status. As legislators, we need to act responsibly to ensure that these victims of any such crime are recognised. The circumstances that domestic violence victims are forced to endure need to be considered in response to certain retaliatory crimes that they may commit. The law should have room to consider extreme cases such as murder, where the extenuating circumstances which may have provoked any such act need to be taken into consideration.

This piece of legislation needs to strike a balance between protecting the victims of serious domestic violence who kill their abusers and not empowering individuals to take the law into their own hands. We need to ensure that this defence is not misused by unmeritorious defendants but rather that it is kept for those who are genuine victims of serious domestic abuse who have a legitimate claim to this defence.

The onus of proof will be on the Crown to disprove this defence beyond reasonable doubt. However, the bill does not allow for expert witnesses, such as domestic violence support workers, to be called upon where an accused raises this defence. I note that the bill does include certain safeguards to ensure the defence is not misused by those seeking to take advantage of it and that it will not be used as a loophole. This is something that will need to be monitored closely.

The second part of this bill relates to identity theft. The bill introduces the offence of unlawfully possessing equipment used to obtain or make identification information. The Criminal Code sets out offences relating to fraud, theft and forgery including the offence of obtaining or dealing with identification information. However, the Criminal Code does not currently deal with the possession of equipment necessary to commit identity theft. The second part of the bill seeks to remedy this.

The first national survey of personal fraud in Australia, the Australian Bureau of Statistics Personal Fraud Survey of 2007, revealed that over 800,000 Australians were victims of personal fraud in the previous 12 months. At least 499,500 Australians were victims of identity theft or identity fraud. Of these, 124,000 experienced identity theft as a result of the unauthorised use of their personal details including driver's licence, tax file number and passport. There were 383,300 Australians who were victims of credit or bank card fraud. Late last year I met with one of my constituents who unfortunately was the victim of identity theft. With the convenience of credit card purchases over the internet and the ease of access to information, many people are not aware of the risk of identity theft. It is unfortunate that with modern technology and the lack of awareness within certain groups in our society identity theft is a crime that is becoming more prevalent.

I would like to place on the parliamentary record the top work of one of our local volunteers, Ms Marion Costin, who, through the various Neighbourhood Watch groups in my electorate, continues to help educate the public on the endangerment of identity fraud and how prevalent it is in our society. Marion met with me and gave me a printed document titled *Identity theft: Don't let it happen to you*. It was based on her own initiative. She worked with the local police and prepared a one-page document highlighting important do's and don'ts.

While I support this section of the bill, I, along with other members of the opposition, have grave concerns about the maximum penalty of a mere three years imprisonment when an offence relating to instruments and materials for forgery carries a maximum penalty of 14 years imprisonment. It is a shame that as a society we have to resort to our community volunteers preparing fact sheets, but unfortunately socialist governments for many years have been so soft on crime, therefore allowing the criminals to spread their wings and networks without fear of consequence. Certainly identity fraud falls into that category. The maximum penalty of three years imprisonment for the offence of unlawfully possessing equipment used to obtain or make identification information should be increased.

If the Bligh Labor government were serious about cracking down on identity theft it would treat the offence considered by this bill as seriously as the offence relating to instruments and materials for forgery. I support this bill with the issues that I have raised. As legislators we need to take a tough stance against all forms of domestic violence and abuse as well as all acts of identity theft. I commend the bill to the House.

Mr POWELL (Glass House—LNP) (5.24 pm): I, too, rise this afternoon to support the Criminal Code (Abusive Domestic Relationship Defence and Another Matter) Amendment Bill 2009. It is clear from sitting here and listening to all the speeches made in the House that I, the LNP and indeed all members of the House clearly abhor violence against women and children and abhor abuse of any kind. I, like others who have previously spoken, enthusiastically participated in White Ribbon Day last year and proudly took that oath. I know that it has been read by others but I again read it to reaffirm my commitment. It states—

I swear:

- never to commit violence against women,
- never to excuse violence against women, and
- never to remain silent about violence against women.

This is my oath.

I also commit to improving our legislative and community response to domestic abuse and violence. I do not believe that we have the responses right yet. I recall from my time working with the department of child safety how I often struggled with the concept that we would remove, at best, the abused woman and her children or, at worst, the children alone instead of the perpetrator. It just did not seem right. We were creating a disruption and a danger for the woman and her children that fed fears of reporting in the first place. It certainly fed instances that require this kind of legislation.

I refer to the Parliamentary Library's e-Research Brief where it states—

However, many persons suffering domestic violence may feel that there are no alternatives other than staying in the abusive relationship:

Such persons often act for reasons of self-preservation, expecting the abuse to continue and fearing for their lives or safety. Moreover, they act in desperation, seeing no other viable way of escaping the danger. The option of leaving the relationship is seen as unrealistic, either because there are domestic ties that cannot be abandoned (for example, to children), because of the danger that an attempt to leave will generate an attack from the abuser, because the abuser is likely to track down the victim and renew the abuse, or simply because there is nowhere to go.

It is with that that I am committed to improving our legislative response to domestic violence, and therefore I am pleased to support the bill before the House this afternoon. In doing so I must air some concerns. I hope that the Attorney-General is able to address these when he sums up.

One concern centres around whether this legislation will actually achieve what it intends or will open up a whole range of other concerns. I note some advice from the law profession that in Victoria, where the crime of defensive homicide has been introduced, the successful prosecutions have all related to men killing other men. The provision seems to have provided another alternative way for men to reduce their criminal culpability, although provocation has also been abolished in that state.

Also, Legal Aid Queensland states that the superficial attractiveness of the creation of a separate complete defence and its operation to excuse killings by victims who, for example, meet the typical battered women syndrome model must be viewed in the reality that any such defence would of course have much wider operation. It would not be gender specific. If all familial and intimate relationships were included, other relationships such as parent-child and sibling relationships would attract the defence. The defence would theoretically be open to males claiming they were victims of serious abusive intimate relationships with females.

Rather, Legal Aid Queensland's preferred option would be the introduction of an appropriate sentencing discretion for murder. They comment that many abusive relationships involve complex dynamics with possible reciprocal abuse between partners and impacts on other parties such as children. A discretionary sentencing regime would make available the full range of sentencing options including those community based options that may in such cases best ensure the defendant is not likely to re-offend by requiring the defendant to complete programs or attend counselling. I would appreciate it if the Attorney-General could address those issues that I raise.

My second area of reservation comes from the *Legislation Alert*. As a member of the Scrutiny of Legislation Committee, I acknowledge and put on record some of the comments from the latest edition, in particular around the clear meaning in this bill. The alert states—

New section 304B(2) states:

- (2) References to the following are to be interpreted in the same way as they are interpreted under the *Domestic and Family Violence Protection Act 1989* for that Act—
- (a) the existence of a domestic relationship between 2 persons;
 - (b) an act of domestic violence in a domestic relationship.

The committee notes a number of issues regarding whether new section 304B(2) is drafted in a sufficiently clear and precise way.

It goes on to state—

Principles of statutory interpretation indicate that beneficial legislation, such as the *Domestic and Family Violence Protection Act*, should be interpreted liberally to achieve its purpose. By contrast, the purpose of the Criminal Code is to prescribe criminal responsibility regarding specific acts or omissions.

It goes on to state—

Principles of statutory interpretation indicate that beneficial legislation, such as the *Domestic and Family Violence Protection Act*, should be interpreted liberally to achieve its purpose. By contrast, the purpose of the Criminal Code is to prescribe criminal responsibility regarding specific acts or omissions. Statutory interpretation approaches penal provisions, such as those in the Code, so as not to extend their operation beyond the words used. Accordingly, the expansive and less precise nature of part 2 of the *Domestic and Family Violence Protection Act* should be contrasted with the prescriptive nature of the Criminal Code. Three matters arise.

Firstly, in theory, 'a codifying Act gathers together all the relevant statute and case law on a given topic and restates it in such a way that it becomes the complete statement of the law on that topic'. Particular rules regarding the interpretation of codes are applied by the courts. In *Bank of England v Vagliano Bros* [1891] AC 107 at 144, Lord Herschell stated:

'The purpose of such a statute surely was that on any point specially dealt with by it, the law should be ascertained by interpreting the language used instead of, as before, by roaming over a vast number of authorities.'

Second, a main objective of codification is to make the law accessible.

The *Legislation Alert* goes on to mention the case of *Bouhey v R* in 1986. It goes on—

Finally, the main purpose of the *Domestic and Family Violence Protection Act* may be contrasted with the purpose of the Criminal Code.

...

The committee draws to the attention of Parliament these matters regarding the incorporation of terminology in the *Domestic and Family Violence Protection Act* into new section 304B(2) of the Criminal Code.

As I said, I ask the Attorney-General if he will kindly respond to these issues in his summing-up. With that, I do conclude. I support the bill before the House.

Mr WELLINGTON (Nicklin—Ind) (5.31 pm): I rise to participate in the debate on the Criminal Code (Abusive Domestic Relationship Defence and Another Matter) Amendment Bill 2009. I will try not to repeat what other members have said in their contributions to this debate as it seems quite clearly that there is overwhelming support for what the minister is intending to do.

Just over 10 years ago I attempted something similar. Unfortunately, I was not a minister of the government or the Attorney-General. I was simply an Independent member, as I still am. At that time I introduced a private member's bill titled *Criminal Code Amendment Bill No. 2*. My bill was attempting to achieve a similar result to the result that the minister is achieving here. I say congratulations and well done.

Perhaps I can take a few moments of my time to share with members what my plan was. It was an attempt to replace existing sections 271, 272, and 273 of the Criminal Code with new sections 271 and 272. The objective of the amendments was to simplify the law in relation to self-defence and defence of another and to make the law of self-defence more applicable to the situation of a person who kills a violent and abusive partner in an act of self-preservation. I think the minister has effectively achieved that very outcome in his bill.

I congratulate the minister and his parliamentary colleagues on taking a forward step in trying to respond to this issue which is a real issue in our community. Sometimes we pull down the shutters and say we do not want to know about it or it does not happen in our community. However, it certainly is there and it has always been there. I expect it will be there for many years to come.

I speak from a background as a policeman in the Queensland Police Service and a former solicitor who came across issues of domestic violence and the effect it has on all members of the family and, as other members have touched on, especially the effect on children. One of the issues that has become very clear to me is that so often domestic violence is directly related to alcohol abuse and drug abuse. It is also related to mental health issues in that because of the abuse of drugs people are no longer able to maintain a balanced approach to life and a balanced approach to dealing with pressures that everyone will encounter during their life. There is no doubt that in Australia and the Western World the liquor lobby group is a very powerful lobby group. There is a lot of money made through the sale of alcohol. While we reflect on this bill, I would hope that we also reflect on the wider issues of why sometimes we have domestic violence and why some people are unable to manage those stresses. Often they are able to manage them when they are sober, but with the support of alcohol or drugs they are no longer able to control the frustrations or the anger that they feel.

I also make my contribution in the context of being aware of the great work that Lions Emergency Accommodation Centre does on the Sunshine Coast. It has a great office in Nambour, which I point out to the minister is the geographical heart of the Sunshine Coast, from which many great services operate.

Mr Dick: A great part of Queensland.

Mr WELLINGTON: It is a great part of Queensland. The minister is welcome to come and visit Nambour any day. We also have other great providers like Sunshine Sanctuary, which attempts to assist many people who are trying to cope and deal with the issue of domestic violence. I support the minister and congratulate him on making this change. It is great news. I certainly look forward to seeing how the courts will respond to this new change.

I turn now to the second part of the bill which relates to identity theft. I actually share the sentiments of quite a few of the members on the opposition benches about the need for an increase in the three-year maximum penalty to be considered. I personally have a view that it is too low. I believe there is a justifiable case for it to be increased. If it is the will of the government that is not to happen, perhaps after a number of years of investigation and prosecutions under this section we can come back to the House and review whether there is a case to increase that maximum penalty further.

There is no doubt in my mind that identity theft is a new frontier of criminal activity not just in Australia but throughout the world. I think we have to continually remain focused and vigilant to ensure that we are at the cutting edge in trying to respond and nip criminal activity in the bud where possible. I resume my seat and commend the minister on his initiative. Congratulations.

Ms NELSON-CARR (Mundingburra—ALP) (5.36 pm): I also rise to support the amendment to the Criminal Code. I would like to join with others in speaking for a few minutes to the amendment, which inserts a partial defence to murder of killing in an abusive domestic relationship. The defence for victims of violent relationships who kill their abusers has been reviewed and consideration was given to the development of a separate defence of battered persons as set out by the Queensland Law Reform Committee and Bond University. The outcome has been a much better one regarding improvements to legal options, particularly given that self-defence is often the only available means of protection for victims of serious violent relationships. Victims of repeated domestic violence will now be represented under the new battered persons defence so that juries will be able to bring down a verdict of manslaughter instead of murder in some cases.

If we have a look at what this actually means, consideration must be given to the history of serious domestic violent acts. They can now be taken into account when considering the relationship as a whole. Was the action of retaliation reasonable and necessary for the victim's own preservation of life in many of these violent situations?

I would like to also give thanks to Bond University's Dean of Law, Professor Geraldine Mackenzie, and Professor Eric Colvin. Their commission was to investigate a new possible defence for victims of violent relationships after that Queensland Law Reform Commission report was written last year. It showed that self-defence was only available in limited circumstances.

In addressing that, I would like to thank the community legal services, the Indigenous service groups and the domestic violence support groups who took part in this. Donna Justo from the Gold Coast Domestic Violence Prevention Centre is somebody with whom I have had a lot to do in my past life and is somebody who was able to explain to me what actually happens to victims of domestic violence who a lot of people think should just leave the situation. In many cases they are too scared to; they feel very frightened about what is going to happen to them or their children. So their fear and safety for themselves and their children is paramount. They are particularly isolated, they feel trapped, they are afraid and they find often that the only way out is to perform one of the most extreme of crimes. I say thank you to Donna Justo and to the Domestic Violence Prevention Centre on the Gold Coast, which has been and continues to be a tremendous resource for Queensland in taking part in any of the reviews that need to be conducted, particularly in this area. On that note, I support the bill.

Mr CHOI (Capalaba—ALP) (5.39 pm): Today I rise to speak to the Criminal Code (Abusive Domestic Relationship Defence and Another Matter) Amendment Bill 2009. In doing so, I thank the Attorney-General and his team for their contributions in this regard. In a nutshell, this bill addresses two issues in the Queensland community. Firstly, it amends the Criminal Code by inserting a new partial defence to murder of killing in an abusive domestic relationship. Secondly, it seeks to insert a new offence of unlawfully possessing equipment used to obtain or make fraudulent identification information. Today I will focus my contribution on the changes to the Criminal Code in cases of homicide where the accused has been living in an abusive domestic relationship.

According to a 2005 personal safety survey by the ABS, during the 12 months prior to the survey for the report over 125,000 women experienced physical assault by a male perpetrator in a home situation. It would be fair to assume that the absolute majority of those perpetrators were known to the victims and, in fact, were their partners or their husbands. What surprises me is that the report indicated that some 61,000 men also experienced physical assault by a female perpetrator in a home environment. Clearly it would be wrong to assume that the man is always the perpetrator, but it also indicated that the overwhelming majority of domestic violence incidents occurred at the hands of men.

In the past domestic violence was the unseen and untold tragedy in our community. More often than not the victims are women who suffer in silence. They stay in the relationship even though they are abused mentally, physically and sexually for a prolonged time. They may stay in the abusive relationship because of financial considerations, because of their love for their children or because of a lack of support from the community. For whatever reasons a woman chooses to remain in a violent relationship, often she will suffer in silence and endure the torture day in and day out. Such women are regularly beaten and emotionally and verbally abused in order to diminish their self-worth and self-esteem. They may be continually raped or subjected to demeaning sexual assaults as a form of punishment for things they have been falsely accused of, or simply because the male partner cannot deal with his own inadequacy or low self-worth.

In a 1993 paper titled *Battered women who kill: a plea of self-defence* by Dr Patricia Eastaale of the Criminal Institute of Australia, Dr Eastaale quotes a number of examples. I seek the indulgence of the House to allow me to read a section of the report. Dr Eastaale referred to Molly's case, and states—

Beaten for years by husband Jim, Molly was finally allowed to work and began to save to escape with her small son. (She was given more freedom because Jim had a young girlfriend with whom he was spending most of his time and his beating.) The girlfriend ran away and Jim returned home to vent his anger on Molly hitting her head with his fists, pounding her head against cupboards, kicking her in the ribs and stomach. She tried to dial the police; Jim dislocated her fingers. He pulled her hair out by clumps, gouged her eyes, punched her in the stomach and on and on for hours. She lay in her blood on the floor as he slept. When he awakened, he threatened to kill her if she was not able to find out the whereabouts of the girlfriend. '... I'll shoot you, you son of a bitch. I'll kill you dead. Dead, dead, dead,' he said over and over again as he left.

The day passed in a blur for Molly. She became more and more frightened. Jim returned that night very intoxicated and started to choke and beat her while he laughed. She ran out to the car and got his gun; ran to the neighbours but no-one answered. Jim fired at her. Then he threatened the baby. He had never done that before and came outside carrying the baby and put his arms around the infant's neck. She raised the automatic and shot Jim, grabbed the baby and ran to the neighbours. This time, they let her in and called the police. She was arrested, taken to gaol and charged with murder. The baby was placed in foster care. Molly ultimately asked to plead guilty to a lesser charge so that she could be reunited with him.

In my family there is an old saying that if you push even the most timid and tame dog into a corner one day it will bite. In my view it is not the role of legislators to explain why a woman snaps, but it is our role to come to terms with what happens after an abused woman snaps and hacks her husband to death with a kitchen knife or blows him away with a rifle, as in the case of Claire MacDonald who did just that on 30 September 2004. Legislators and the community should ask whether we should judge those women by the standards we expect of the average citizen, or do we take into account the sad and hopeless situations they found themselves in under their abusive husbands?

The 2008 Queensland Law Reform Commission reviewed the excuse of accident and the defence of provocation with reference to the limitation of existing defences for a person in a seriously abusive and violent relationship who kills his or her abuser. The report recommended that consideration be given to developing a separate defence of battered persons. Subsequently, professors from Bond University were retained by the Department of Justice to examine the development of such a defence. Consultation with key stakeholders from the judiciary, the QLRC, the legal fraternity, other academics and community stakeholders resulted in what we call the Bond report, *Homicide in abusive relationships: a report on defences*. The Bond report has identified unfairness primarily associated with a lack of discretion in sentencing when a victim of a seriously abusive relationship is convicted of murder. The Bond report recommended the introduction of a separate partial defence to a charge of murder into the Criminal Code for victims living in seriously abusive domestic relationships who kill their abusers, believing their actions are necessary for self-defence where there are reasonable grounds for such belief. The report recognised that the actions of offenders in this category often fall outside the operation of existing defences because of the circumstances in which they offend. Offenders are usually motivated by fear, desperation and a belief that they have no other viable way of escaping danger.

Clause 3 of the bill inserts into the Criminal Code section 304B, the partial defence of killing in an abusive domestic relationship. In my view, this represents a fine balance between punishing a man or woman who would otherwise be guilty of murder and providing some legal protection for victims of serious abuse. Instead of mandatory life imprisonment, this will provide sentencing discretion for those men and women to whom the defence could apply. Constraints will link the category of offenders who can rely on this new defence to prescriptive definitions of 'relationship' and 'violence' and will require an element of reasonableness in terms of the history of violence in the relationship. 'Abusive domestic relationship' is defined as being a domestic relationship between two persons in which there is a history of acts of serious domestic violence. It will be necessary for the defence to prove that there was an ongoing abusive nature to this relationship, with the word 'serious' referring to the level of violence. This will enable the charge to be reduced to manslaughter and, in my view, represent an appropriate threshold for the application of the new defence to protect an accused person who would otherwise be guilty of murder. The jury will then need to have regard to all of the defences or excuses left to it to determine criminal responsibility. If the jury is not satisfied beyond reasonable doubt that the defence has been disproved by the Crown, the accused would be found not guilty of murder but guilty of manslaughter and the court would then sentence the accused in relation to that conviction. This bill represents the widespread agreement amongst stakeholders to amend the Criminal Code in order to provide a measure of additional protection for victims of seriously abusive relationships who use violence against their abusers.

I was fortunate to be born into a family where my late father valued my mother as an equal. At a very young age I was taught never to raise my hand to a woman and that our hands should be used to protect and not abuse those we care for. I thank my late father for giving me the wonderful example of his own life. However, I had an encounter with domestic violence that gave me an insight into how deceitful or hard to detect to the untrained eye domestic violence can be.

When I was 19 years old—quite a long time ago—I was working at a restaurant to support myself through university. A fellow young female worker lived very close by to where I stayed and it was not uncommon for me to drop her home after work. Whenever I did, she always asked me to stop the car around the corner from her house so that she could walk the rest of the way. She said that she did not want to inconvenience me further, which I knew was a very poor excuse. One day I went to her house to pick her up for work without prior notice. She answered the door but she was not quite ready and she asked me to wait for a few minutes. I noticed while waiting that there were quite a few holes in the wall and one particularly big hole in a solid timber door which I knew would have taken some heavy and blunt instrument to make. I questioned her about it and she told me it was an accident by her younger brother, which I also knew was a lie.

Subsequently, over a period of three months the picture of an abusive father began to emerge. One day her mother in tears told me that she had broken a plate while doing the dishes and her husband picked up the debris and cut her across the face. I knew that both the wife and children would never testify against the abuser, but letting this situation continue was not acceptable. So I borrowed a ute from a friend one night and moved them to a rental place. At times I wonder whether I did the right thing by separating a family. But looking back and knowing how well everyone in that family is doing at the moment without an abusive husband or father, I believe that I did do the right thing.

Domestic violence is a disease. It is a disease which threatens the health of our community. It can destroy not only family but also our community. Everyone in our community has a responsibility and only through the cooperative effort of everyone can we begin to combat this disease. I commend this bill to the House.

Mr DEMPSEY (Bundaberg—LNP) (5.51 pm): I rise to speak on the Criminal Code (Abusive Domestic Relationship Defence and Another Matter) Amendment Bill 2009. Before doing so, I would like to acknowledge, as a number of members have, the fact that the Attorney-General has attempted to modernise the Criminal Code in relation to this defence and bring it into line with the community's current reflections and expectations. Even just looking at the members here in parliament, I can see that we all come from different backgrounds, we have cultural differences and we are all different ages. I am sure there is not one person in this House who would not have witnessed some form of domestic violence or know someone who has had domestic violence happen to them. Domestic violence does not discriminate against anyone. It revolves around the fear of the victim, which is the main advantage of the abusers. I congratulate many members on their statements where they have said that all steps must be taken to rid our community of domestic violence.

Domestic violence is a matter of great concern to our community. As a former police officer, I am all too aware of the horrors experienced by the victims of domestic violence and the emotions not just of the victim but also of those who attend the scenes—from the police to the ambulance officers, to the neighbours, to the other sons and daughters and to the wider community who take this violence on board. Domestic violence strikes at the heart of everybody involved. I have also worked in a number of different communities—from Indigenous communities to rural communities, to large regional centres, to

Brisbane and across Queensland. The type of violence and the way people are able to justify violence against their partners is completely amazing. It shows some of the lowest depths that people will go to to have control over another person. Sometimes the word 'insanity' rings out, because there is no excuse for that type of violence.

On a personal note, having lived in rural areas, I have many times sheltered women and children in my house and have had to try to explain to my family, to my own children, why domestic violence happens, that it need not happen and how fear affects people not just emotionally and physically but their whole way of life. As many other police officers can tell you, domestic violence is a daily part of their job as they respond to the numerous calls that come in from victims, relatives and neighbours reporting these horrible acts.

From my own personal experience, I certainly remember the screams when attending to events, the rage, the senseless violence, the smell of blood, the smell of sweat, the smell of alcohol and drugs, the broken items scattered about the house, the sense of shivering, the quivering bodies, the tears and ultimately the loss of innocence as well as the fear of all of those people involved. In fact, most officers would tell you that responding to domestic violence cases takes up the majority of their time. That shows the battle that our society faces to stop domestic violence abuse. I implore everybody here and the wider community to remember that we are all in this together and that we must all stand up against domestic violence. In my own electorate of Bundaberg it is an issue of particular concern, with our local police, courts and support services struggling with the number of cases in our community. I implore the government to look at the statistics of domestic violence in Bundaberg and work with the community, because the cost of domestic violence to our community is ever increasing and we have to do whatever we can to stop it.

In October last year our daily paper, the *NewsMail*, reported that shelters such as EDON Place Women's Domestic Violence Service had to turn away women because they could not cope with the number of victims needing their help. The manager there, Verelle Cox, is a magnificent lady. She does not do it for the money. Like most people who work in domestic violence houses or with community groups, they do it because they have a passion, they are enthusiastic about what they do and they want to try to make a difference. I will just put a plug in here to the minister on the other side of the House for EDON Place Women's Domestic Violence Service, as domestic violence week is coming up. They do a great job. I invite the minister to come along any time. They are a fantastic group, they do a lot in the community for domestic violence and they have a great reputation. I would like to put in that plug. If I can help in any way, I am more than willing.

These women who are turned away are often forced to go back to their abusers. I have also seen numerous victims stay with or continually return to their abusers. They may feel like they have nowhere to go or be terrified of their attacker. But the end result is that they live under the threat of abuse every day. They fear for their safety and they often fear for their life and the lives of their loved ones, particularly their children. These victims feel they cannot get away and this leads them to stay under the same roof with a violent abuser. When this is the case, the victim, fearing for their life, can be driven to attack their abuser before it is too late. They cannot wait until their partner comes at them with a knife or another object. They have to respond to the immediate threat against them. It is important that the Criminal Code recognises that, in a desperate defence of their life, this can lead to taking the life of their abuser. With this terrible situation in mind, I support the amendment to the Criminal Code to recognise a defence to a murder charge for those in an abusive domestic relationship. However, after stating my support for doing anything to stop domestic violence, I do have some reservations about this amendment.

I turn to the explanatory notes, which state—

- The onus of proof will be on the Crown. The prosecution, in cases where the defence is raised on the evidence, will have the responsibility of disproving the defence beyond a reasonable doubt; in particular, establish beyond a reasonable doubt any or all of the following:
 - the accused was not in a serious domestic violence with the deceased;
 - the deceased did not commit acts of serious domestic violence against the accused in the course of the relationship;
 - the accused did not hold a belief at the time of the killing that the killing was necessary for the accused's preservation from death or grievous bodily harm ...

Obviously there will be a great need to prove these matters in court. I am also concerned about the onus of proof resting upon the Crown instead of the defence. From the information that has been provided, I believe this will also increase the workload on the police as well as on domestic violence workers and supporters who will have to represent the prosecution to support their case in court. I think the burden in this legislation needs to be properly funded as far as the QPS and domestic violence organisations throughout the state are concerned.

The prosecution has to disprove the defence's claim instead of the defence proving it, which is the case in other defences. This leaves questions about the level of proof required to use the defence. How does this amendment cover proving the accused was experiencing a level of domestic violence

abuse that would lead them to taking such action? How does it cover proving the accused really felt that they had no other option, apart from taking the life of the abuser? How does it cover proving the accused was a domestic violence victim at all?

If it was up to the defence to prove the accused was a victim of domestic violence, then the amendment would cover these issues. Instead, the amendment has left the onus of proof on the Crown to disprove the defence's argument. When the defence no longer has to prove its argument, it goes against the ideals of justice. In these particular circumstances it is not a matter of he said, she said. The person killed is voiceless and the court does not hear their side of the story. The accused can claim they were undergoing such abuse and they felt like they needed to take such drastic action, but how to prove this is a concern.

This leads me to my second reservation about the amendment. The defence does not rely on a response to an assault or imminent threat. It can be used if there is a history of serious domestic violence. The amendment then states—

A history of acts of serious domestic violence may include acts that appear minor or trivial when considered in isolation.

I am also concerned about the minor or trivial acts that can be deemed as a history of serious domestic violence. For example, the amendment seems to leave it open for an accused to claim that they were verbally abused in a relationship and, therefore, use the abusive domestic relationship defence, which, again, the prosecution has to prove.

I am worried that verbal abuse or minor abuse can be used as justification to kill someone under the abusive domestic relationship defence. The point of the amendment is to cover situations where the act was not an immediate response to an assault or to an imminent threat. This includes battered women who are suffering ongoing abuse who may kill to escape the situation and to stop the continuing attack they have undergone. On these grounds, the amendment is justified and has my support. However, I certainly hope that this is not used by victims of minor abuses, however that minor abuse is listed, as a justification for the taking of one's life.

Dr DOUGLAS (Gaven—LNP) (6.03 pm): As the Attorney-General says, there will be a change in the Criminal Code to insert a new partial defence to murder of killing in an abusive domestic relationship. This is a new separate category of defence. It adds to those of self-defence, diminished responsibility and provocation. The Attorney-General has indicated that the development of a separate defence has come about from advice from his department and the Queensland Law Reform Commission and academics.

This bill also amends the law to incorporate a new offence for possessing equipment for the purpose of obtaining and dealing with identification information. This problem is a rapidly emerging problem driven by overseas criminal syndicates that have demonstrated enormous technical proficiency at diverting funds from existing electronic fund transfer devices. Presumably we are going to see a lot more of this problem.

The Gold Coast experience is salient. Card skimming has occurred widely, but the Gold Coast was heavily targeted. The nature of tourism with its numbers of people—nine million a year on the Gold Coast—is inherently attractive to overseas and some Australian organised crime gangs. Despite much publicity, Labor has failed to grasp this and continues not to place dedicated organised crime units within the police force on the Gold Coast. Townsville, strangely, has one.

Gold Coasters have got a raw deal from Labor on policing on the Gold Coast. With such a high number of ATMs on the Gold Coast, the Gold Coast has been specifically targeted by these skimming fraudsters. The national Identity Crime Symposium hosted on the Gold Coast in 2009 estimates that identity fraud is costing Australians up to \$3 billion annually. The Romanian police cyber crime unit chief inspector, Elvis Tudose, said in Australia when he was involved in the symposium that Australia is new turf for Romanian gangs. They think Romanian law enforcement cannot cooperate efficiently with agencies in Australia like they can in Europe.

Domestic violence is an abuse of power mainly, but not only, perpetrated by men against women in a relationship or after separation. The statistics are overwhelming. In 1996, 40 per cent of all Queensland women had experienced physical or sexual violence by a male perpetrator since the age of 15. Sixty-two per cent of perpetrators of physical violence were either former or current partners. Seventy-eight per cent of perpetrators of sexual violence were known to their victim. Aboriginal people were 4.6 times more likely to be victims of violent crime than non-Aboriginal people. Approximately 75 per cent of Aboriginal victims are women. Aboriginal women living in rural and remote areas are 45 times more likely to be a victim of domestic violence than the non-Aboriginal population.

Domestic violence is a major problem globally. Our national problem is similar to those elsewhere. There are many reasons put forward for it. The major reasons are said to be alcohol and drugs; a breakdown in conventional family groupings, including traditional families; a breakdown in values and the applications that stem from them early in life; the complexity of life, including television and cinema; opportunity; the change in male and female roles; and, lastly, the weakening of laws as they apply to these types of offences.

Irrespective of all of these reasons, domestic violence, abuse, neglect or murder is never acceptable, and all efforts should be made to eradicate it from our communities. It is not a new phenomenon, but in an age of greater communications we are daily being barraged seemingly by a wealth of information suggesting many families or their equivalents are suffering in their daily lives. Overwhelmingly, all efforts need to focus at the very bottom group suffering from domestic abuse. Many of these problems never lead to the tragic loss of life, but increasingly some do. This is a reality.

Fortunately, numerically in percentage terms it is low, but it is on the increase. It may be said that this percentage is so low that it seems hard to believe that a new defence needs to be included in the Criminal Code. Furthermore, it may be said that opening up this new defence may open the floodgates to all manner of people applying for a defence under this provision. Clearly, there may be people who those drafting the changes never thought could have been included among those who could have claimed domestic abuse as provocation in their own defence. I, like most speakers earlier, am very aware that the evidence required for a defence of domestic abuse in this case requires very detailed corroborating evidence from friends, neighbours, relatives, doctors, psychologists and even independent medical psychosocial advisers that may be court appointed. Irrespective of all of this, these areas are going to be extensively used at least by some, but hopefully not all, who are seeking to have their culpability mitigated and, by inference, their sentence.

There is a very great difference between a mandatory 15 years for a life sentence for murder and four years for manslaughter. I have spent a great deal of my professional life caring for prisoners doing time for their offences. Many are in jail for so-called crimes of passion. The details of each and every one are both different but in many ways they are the same. Sadly, there are some women in prison—too many times Indigenous—whose offence is not quite self-defence nor diminished responsibility but who will clearly fit within this new bill. This is a good move for those reasons.

Equally, there are some males who have equivalent claims to the same defence, but proportionately they are a smaller group. The difficulty is that many males claim and will now claim the defence more frequently. Because the nature of criminal law involves an obligation on the Crown to prove its case beyond reasonable doubt, often before a jury, it leads me to believe that we may see problems ahead in that area alone when we add the current problem that 40 per cent of the cases before the Court of Appeal are appeals of convictions for murder or serious crime. It is possible that we are making a rod for our own backs, given the already demanding workload in the Court of Appeal. It should really be doing very different things 80 per cent of the time. This type of review should not be necessary. I similarly do not believe that juries do not usually get it right. But the new defence may make their job even harder and it may be more difficult for judges to advise them on it.

I am concerned that this amendment is loosely written when the great advantage of the Queensland Criminal Code, as drafted by Sir Samuel Griffith, by adopting aspects of the Italian criminal code—remember that Italy is a country known for all manner of crime—is that the code is very clear and defined. The key point here is that the defence is not reliant on the accused person responding to an assault or imminent threat from the deceased and there is no imposition of a time frame between the actions of the deceased and the killing by the accused person.

The sentiment is indeed correct, but is the mechanism suggested the best possible? It might be argued: how else might it be done? The Victorian experience of defensive homicide is worrying when men killing other men have used this defence after the removal of provocation from its legal code. The Law Reform Commission has recommended the retention of the law relating to provocation. Primarily, it is in sections 268 and 269 of the existing Criminal Code. What the group has recommended and the Attorney-General has supported is the change to section 304 based on common law since it is this section that will provide for the new defence in murder cases.

If accepted by a jury, the defence reduces murder to manslaughter. It is to be amended in summary that the deceased must have committed acts of serious domestic violence against the accused in the course of an abusive domestic relationship. At the time the accused believes it is necessary, for their preservation from death or grievous bodily harm, to commit the act. At the time of the killing there are reasonable grounds for the belief, having regard to the abusive domestic relationship and all the circumstances of the case. Should it be up to the prosecution to have to disprove that beyond reasonable doubt, as is the case with this bill, or should it be up to the defence to prove that that is justifiable in this circumstance? It is very tough indeed to get a conviction. Loss of life in any circumstance is a very serious matter, and there are many parties to whom proper justification for any decision on culpability needs explanation. I am uncertain that we need to make the prosecution's job any more difficult and, equally, those domestic abuse victims' lives any more horrible nor deliver them further damnation and subsequent incarceration.

My current understanding is that Legal Aid, the Bar Association and a variety of other experienced people and experts have expressed caution here. Legal Aid has gone further and has not supported the introduction of the new separate, complete defence. This in summary greatly concerns

me. Rather than raise all the potential alternatives to the proposed legislation, I believe that we will have to have an open mind on the legislation. As such, the LNP will support the legislation because it is an attempt to give justice to those for whom it is intended.

I accept that the Attorney-General is trying to redress a specific area, but is this the best way to help this small but sad group of victims? I am also not certain that there is a clear understanding of what those in corrective services already provide for those who have been found guilty and sentenced under existing laws. Many of these sad victims require time, reflection, care and separation sometimes from their former abusive environments. They miss their families deeply, but they need extensive counselling. Strangely, many of those found guilty grieve for those who are deceased. They often hate themselves and find it very difficult to explain their actions to their close family, their friends and especially their children.

It is one thing to have a law—in this case a new law—that fills a much needed gap but quite another to have a law that could end up being misused by an offender using it as a defence to mitigate their crime. I would ask the Attorney-General to include a dated review period for this law so that we formally recognise professional concerns about the law.

My understanding is that the common law is to reflect the law here and now. Rarely do we ask the common law to move more than one pace forward. In this case it is possibly two or three paces forward. The reason for asking for a set review time is to acknowledge this weakness, if that is the appropriate word, in the common law. If indeed it is a step too far then maybe we can come back and correct it. A measure of a step too far may be a flood of men seeking to use this law in their defence of what is really homicide. Another measure may be what is subsequently coming before the Court of Appeal. The time frame may be longer, but it is possible that it could be shorter, too. The problem with laws like this is that when we change them and a potential gap occurs it is very difficult to retrospectively change the consequences of it.

Mrs PRATT (Nanango—Ind) (6.15 pm): I rise to speak to the Criminal Code (Abusive Domestic Relationship Defence and Another Matter) Amendment Bill 2009. Domestic violence steals childhoods, imprisons families and kills futures. A good idea is worth stealing, and if one can make it better than that is well and good. This bill reflects a bill put forward by the member for Nicklin, an Independent in this House. His bill, introduced in 1999, aimed to protect those who were pushed over the edge in domestic violence situations. I believe that if the government of the day stopped playing politics and adopted or adapted good opposition or Independent bills then we might progress and succeed a little quicker. It is over 10 years since the bill proposed by member for Nicklin was brought into this House. I wonder how many victims of domestic violence who committed murder because they were pushed to the brink might have gained solace from its passage or adaption and modification by the government of the day.

I support this bill. How could I not? Domestic violence knows no boundaries. It affects people of every culture and every religious belief, old and young, rich and poor. Domestic violence is indiscriminate. Not all people value life as we do in Australia. Taking the life of another, however, is reprehensible. Those who do so must be dealt with appropriately.

We hear of mitigating circumstances in many instances of murder. Along with many others, I have shaken my head in despair when I have heard of a woman who has, after enduring many years of abuse herself or abuse of her children, taken the life of the abuser and been found guilty of murder and sentenced accordingly. Many women suffer battered wives syndrome.

Most of us in our position know of or have witnessed people trapped in this vicious and debilitating cycle. We ask ourselves why they stay. There are many reasons and probably many we do not know of. They fear for themselves or their children. They fear being alone or being unable to cope on their own. They have a total lack of self-confidence and have no self-esteem. They are given promises that the abuse will stop. The reasons are numerous. As I said, we probably do not know the half of it. Abuse can be physical, verbal, psychological, emotional or all of them. It is debilitating, disempowering and life-threatening. For those who will take advantage of this legislation, someone has paid the penalty and is dead. It is not only women who find themselves in this position; men also experience domestic violence. They are often more ashamed to come forward than the women, but they need to. All cases of domestic violence need to be brought into the open.

The evidence is that the great majority of victims of domestic violence are women. When people were pushed to the limit in the past, they had only two avenues for prosecution—manslaughter and murder. This bill endeavours to set this right and puts forward the case that a person charged with the unlawful killing of his or her partner in a serious abusive and violent relationship may use a partial defence. In this case, the murder charge could be reduced to manslaughter. This decision to amend the Criminal Code by adopting the Law Reform Commission's recommendation regarding unlawful killing in a abusive domestic relationship is a necessary one, but there is a need to have tight controls on such a defence and a history of domestic violence needs to be evident.

Intimate partner homicide statistics have shown that between 70 per cent and 75 per cent of these murders are committed against the female partner who has probably endured escalating domestic violence for some years. This change in the legislation is not to make it easy for one spouse or a partner to dispose of the other. The change is to create a separate partial defence to murder to be taken into consideration in cases where the legal protection for victims of domestic violence is appropriate when the victim believed that their only chance of survival was to take their spousal partner's life. It must be a traumatic time in that particular person's life that they would choose to take another's life. In some such circumstances a charge of murder may be reduced to that of manslaughter.

Domestic violence is a growing concern in all of our communities, black or white, be it sparked by intolerance, alcohol, drug addiction, mental illness, or simply bad temper and a lack of self-control. Most abused people will put up with the abuse for many years under some mistaken belief that it is the love of their partner, or a hope that it will end as promised. I have heard all the excuses. I hear them every day and I expect I will hear them again in the future.

I endorse the comments of the member for Townsville, who said that it is the abused partner and the children who flee, or who are taken to a refuge and who are virtually locked away while the abuser gets to stay in the family home free to continue their life. That situation needs to change, but how to do that will be very difficult. It is the abuser who needs to be removed, locked away or restricted from the family in some way and the abused parent and the children who should be allowed to stay in their home to try to lead as normal life as possible.

Before I move on to the second part of this bill, I would like to take off my hat to the police who are often put into the middle of domestic violence incidents—a very thankless position. The police are called on for help during domestic violence attacks, often being verbally or physically abused themselves only to find in the very next day or two that the victim in the abuse case withdraws the charges that have been laid. It must be a very distressing situation for the police to have to endure. We often read in the media reports of stars involved in very public abusive relationships having a partner charged and then withdrawing the charges and returning to what might appear to be a loving relationship to only again have reports plastered across the media when the cycle returns to one of violence. Those stars do themselves no favours and they definitely do not set an appropriate standard of behaviour for their fans to follow. At this point I commend those who work in our safe houses. They are the rocks that many victims and families lean on. I can only admire their stamina and the way in which they cope with the weight of pain that crosses the thresholds of those refuges.

The second part of this bill creates a new offence of unlawfully possessing equipment. It is my understanding that the equipment that this bill refers to is that which allows a person to steal another person's identity or commit identity fraud. This offence occurs specifically when the skimming of bank cards takes place. Every year card skimming costs individuals, companies and banks millions of dollars. Recently, a friend of mine lost \$35,000 in a skimming incident. It was not until a few days after the skimming occurred that she realised she had lost that money. So I ask everyone to be very careful and to check their bank statements.

Along with the financial cost of card skimming, there is also the social impact of a person's reputation being lost when they lose their credit rating. Members would know that once a person loses their credit rating it is pretty hard to get it back. I have heard of one instance where people were threatened with the loss of their home when funds that they thought were with a financial institution were found to be not there. The other social cost is the loss of a person's reputation in the community. I can do nothing but support both aspects of this bill. I commend it to the House and I commend the Attorney-General.

Mrs MENKENS (Burdekin—LNP) (6.23 pm): I am happy to make a contribution to the Criminal Code (Abusive Domestic Relationship Defence and Another Matter) Amendment Bill. The abusive domestic relationship defence is a sensitive area. It was designed to afford some assistance to a person who may have been a victim of domestic violence before committing the very serious crime—and I say at the outset that it is a very serious crime—of murder against the perpetrator of that domestic violence. I certainly make it clear that all members of the LNP are vehemently opposed to all forms of domestic violence—as are, I have no doubt, all members of this House. Although our support for this bill is recorded, there are some reservations. It opens up a raft of consequential issues that will need to be addressed. These issues will come at some financial cost and will also prove to be resource hungry.

This bill is an acknowledgement of and, sadly, is reflective of the society in which we now seem to live. We have come to a point in society at which the Criminal Code needs to be reactive and support a person in an abusive domestic relationship who is accused of killing the perpetrator of that abuse. I refer to a parliamentary research brief—which, I might add, was very well put together—that outlines a very concerning statistic from the Australian Bureau of Statistics of 22 per cent of all homicides in Australia in 2006-07 involving intimate partners, with women constituting the majority of victims: 42 females versus 23 males. In Queensland, during this time, 12 homicides took place between intimate partners, with males being the offender in seven cases and females being the offender in five cases. During that same period other male family members were the perpetrators in the case of 10 female homicides.

The incidence of domestic violence is appalling. Sadly, it is often generational and we know that alcohol and drugs are very much mixed up in it. As well, the incidence of domestic violence is seeming to become much more widespread. Today we all would have seen on the front page of the *Courier-Mail* a description of an absolutely appalling crime. I think the thing that horrified me more than anything in that description was the fact that a nine-year-old boy was present during the bashing that occurred. To me, it is a crime in itself that this sort of terrible violence is occurring in front of children. The damage that is being done to those children as a result is something that cannot be measured. Certainly, such violence has a traumatic effect throughout a child's life.

I was particularly moved by the comments of the member for Bundaberg, who regaled the House of his experiences when attending to domestic violence incidents. I think that, unless we have seen such incidents occur personally, we cannot comprehend how appalling these situations are. I also note the comments of the member for Glass House who has worked at the coalface of these situations and his commitment to ensuring that there are much better support systems in place for victims of domestic violence. Domestic violence is a sad indictment on society and it is evidence that the state government is sadly lacking a proactive approach in tackling the job at hand. There is a real void of resourcing in the domestic violence area. That is in no way a slight on the many hardworking people who are at the forefront of this heart-wrenching work.

The LNP is acutely aware of the dire position that many people find themselves in on a daily basis with regard to domestic violence. This bill is an acknowledgement that many people find that they have nowhere to turn and the act of killing has been out of sheer desperation. It must be realised that many parties can fall into the category of a defendant to such a charge. However, I believe that the majority of these people who are subject to domestic violence are women, even though we see many men who are victims. There is also a disturbingly upward trend in the incidence of domestic violence.

This legislation is based on the findings of the July 2009 Bond report titled *Homicide in abusive relationships: a report on defences*. That report states—

It has been suggested that exposure to a cycle of violence or pattern of abuse heightens the awareness of persons who have suffered violence, shaping their perception of harm... Decisive action for self preservation can then be taken before the abuser is in a position to physically overpower them.

The Bond report also looked at various aspects of violence in domestic relationships. It noted that persons suffering violence within a domestic relationship certainly can be men as well as women.

Sitting suspended from 6.30 pm to 7.30 pm.

Mrs MENKENS: The Bond report also looked at various aspects of violence in domestic relationships. It noted that persons suffering violence within a domestic relationship can be men or women. Family violence can occur in the child abuse context and also includes elder abuse and mistreatment of persons in care. This is becoming more prominent. Violence can be physical, sexual, verbal, psychological or emotional and it ranges in severity. However, even though both men and women are the perpetrators of domestic violence, women are more often the victims. With many of the support networks at breaking point, these women have had little option other than to stay within a volatile situation to maintain a roof over their heads. There are many cases where there are children involved and that puts these women in an even more helpless position.

The application of this amendment bill will have inherent resourcing issues. The wider regional area of Queensland is not at present adequately resourced in the proactive management of domestic violence. The many facets of physical and verbal domestic violence will no doubt need to be well documented, and this may not be possible in the more remote areas of Queensland. This lack of documentary evidence may well have a negative bearing on the defence attempting to obtain a partial defence of killing in an abusive domestic relationship.

The responsibility of proving reasonable doubt then becomes somewhat more tenuous should there not be sufficient support for such a situation. There has to be a realisation that in many regional areas there are very limited places to turn to. This does little for the victim of an abusive relationship nor for the proper record keeping of such atrocities. The equity issue, or in this case the lack of equity, is an important consideration as this bill advances further. There may also need to be provision for certain cultural issues to be considered in our broader multicultural society.

This bill does go some way to seeing the partial defence to murder become a reality. What the LNP has concern for is how this will tangibly and equitably be brought to fruition in practice. It is noted that there are some safeguards in the bill to ensure that the legislation is not used wrongly or abused. This is the issue that has caused quite some concern.

Going to the second part of this legislation, the issue of identity fraud was initially somewhat inconspicuous in our society, but the persuasive rate of growth of this fraud is quite alarming. What is also concerning is that this crime is not generally one of an opportunistic nature. The perpetrators are more often than not very calculating in the nature of their offence. In this day and age of 24/7 banking and online shopping, the internet literate consumer has opened the way for the insidious perpetrators of

our society to find avenues in which to commit crime. Law enforcement agencies need the full support of legislators and legislation to protect consumers and the law-abiding public. This needs to occur if they are to have any hope of keeping pace with the new and emerging technologies that are constantly being brought to the consumer marketplace. The tools of trade for these calculated perpetrators can be as low cost as a facsimile machine and a basic personal computer.

The new offence of possessing identity fraud equipment is welcomed. This will carry a maximum penalty of three years imprisonment. In my opinion, and as has been stated previously in this House, that does not go far enough as a deterrent for this invasive crime. The present section 510 of the Criminal Code provides for an offence of instruments and materials for forgery and carries a maximum penalty of 14 years imprisonment. We believe that there is a strong tangible link between these two crimes and call for an amendment to legislate the same maximum penalty of 14 years imprisonment.

Society needs to have an assurance that legislation is in place to protect them against this crime of identity theft. To have this crime committed against oneself is a personal invasion of privacy and has a lasting effect on those who have been a victim of these types of crimes. The crime can come about in many ways: it can be wallet theft, burglary or credit card skimming. It can even start from the simple act of getting personal information out of a person's recycling bin.

I endorse the creation of this new offence of possessing identity fraud equipment. I support the shadow minister's comments and congratulate him on his presentation. I certainly note his concerns regarding this legislation. I commend the bill to the House.

Ms STONE (Springwood—ALP) (7.35 pm): Every day there are women around our country experiencing domestic violence. The decision to pack up and go or to report a spouse or partner for domestic violence is not an easy one. It is often a decision that is too difficult to make for various reasons and people stay and endure the abusive behaviour. It is a difficult decision to take one's children out of their family home, perhaps out of their school, away from their family and friends. It is a difficult decision to run from a violent relationship when one has very little income, self-esteem or support. Staying in the violent relationship is usually easier. That is why it is so important that we empower women to take control of their finances, to be confident in being independent and to be confident to seek assistance and speak out. For some this can be too difficult, and staying in an abusive relationship for a long period of time can actually lead to victims breaking and attacking the abuser, some with lethal force.

Over the years I have heard the member for Gregory speak with passion in this House about the large number of women in our prisons due to the abuse they have endured from their spouses for a long time and who could not take it anymore and have retaliated, resulting with them being charged and convicted. He has always said that their circumstances should be acknowledged and taken more into account in our judicial system, and he is right. This bill will allow for this to happen.

The bill will introduce a new partial defence to murder which will apply to victims of seriously abusive relationships who kill their abusers. The defence will only be available where the accused has killed a person; the person killed was in an abusive domestic relationship with the accused and had committed acts of serious domestic violence against the accused in the course of that relationship; at the time of the killing the accused believed his or her acts were necessary for their preservation from death or grievous bodily harm; and there were reasonable grounds for this belief having regard to the abusive relationship and all the circumstances of the case. Where no other existing defence or excuse operates to assist these victims, those who kill in the circumstances outlined in the defence will be convicted of manslaughter instead of murder and therefore allow a court to exercise a broader sentencing discretion.

It is true that many of us would prefer more support for families caught in an abusive domestic relationship, more support for families to make that decision to do something before it actually reaches the point we are discussing here tonight. Our police officers are the people who deal with this on a daily basis. In Logan I have only heard praise for the job that they are doing to assist families in this situation. I thank them for their compassion and the valuable assistance they are giving to families in abusive relationships.

I also want to thank a group of women in Logan who are helping to support victims of domestic violence. Soroptimist International Logan, of which the member for Woodridge and I are members, works very hard in assisting families who are dealing with abusive relationships at home. I thank Dr Jan Stewart who allows us to gather at her place several times throughout the year to pack toiletry bags. These toiletry bags are then distributed to women and families who have fled a domestic abusive relationship. All of the toiletries are donated by the members of Soroptimist International Logan. It is quite a social morning, usually a Saturday. Once the work is done we can sit and enjoy a cuppa and a great discussion. I applaud the work of Bev Ditton, Diane Fensome, Tania Gibson, Cesarina Gigante, Sharon Hansen, Dr Edina Hatunic, Wendy Lihou, Sandra McNeil, Heather Park, Janet Poole and Sue Andrews in supporting local, national and international programs that aid to improve the lives of women and families.

I acknowledge that the defence will be the first of its kind in the country and will operate to provide legal protection for victims in this category of offending. That is something about which all of us in this House and, in fact, in this state should be proud. It was not that long ago that we as a society did not talk about domestic violence but instead often made women and families feel ashamed. This only demonstrates how important this bill is for our state and our country.

This bill also deals with the possession of equipment for the purpose of obtaining information for identity fraud. It is an offence to obtain identification information with the intent to commit identity fraud, but there is nothing for the possession of equipment such as a skimming device that has not been used. This will now be covered with the prosecution to prove that the equipment was possessed for the purposes to commit an identity theft offence. With those few words, I commend the bill to the House.

Mr WETTENHALL (Barron River—ALP) (7.40 pm): I rise to support the bill before the House. I join with other members in congratulating the Attorney-General on bringing forward this very important and significant amendment to the Queensland Criminal Code. I also echo the comments made by many other members in recognising and acknowledging the important work that various organisations in our community do to support survivors of domestic violence. Many of them have contributed to the development of these important and significant amendments. I want to mention a couple, in particular the North Queensland Women's Legal Service and the Women's Legal Service in Queensland.

I want to also recognise the Cairns Regional Domestic Violence Service and all of the other agencies in the tropical North Queensland region from which I come that play such a crucial role in supporting people against whom domestic violence has been perpetrated. These range from the people in the front-line agencies to whom people turn for support in times of crisis right through to the people who work in the police and the police themselves, those officers in the Office of the Director of Public Prosecutions and a number of other state and community based agencies. All of them would know only too well the tragic set of circumstances that, unfortunately, afflict so many in our community—far too many in our community—that give rise to the sorts of circumstances to which this amendment is directed, as we have heard during what I think has been a very good debate during the course of this evening from members of both sides of the House.

The types of circumstances that bring people to take a life are really, for most of us, quite unimaginable. They do arise in the context of continuing and serious abusive relationships. It is to that set of circumstances that these amendments are directed. Some would say they are overdue, but they are very timely. They have come about as a result of a very thorough and well-considered consultation led by the Attorney-General. Many agencies that have had long experience in these types of situations have contributed to the development of these amendments.

The types of situations that bring about the ultimate decision to take another person's life are unlimited really. Certainly they are often characterised by extreme fear, feelings of entrapment and feelings of being unable to escape from prolonged periods of serious domestic violence. The point has been made—and it is correct—by others during the course of the day that the overwhelmingly majority of people who find themselves in those circumstances are women. Very often, tragically, they are children, but that is not always so. Of course these amendments do not discriminate in that way at all and will be available to all persons who find themselves in that situation.

I think the amendments strike a very cautious and sensible balance by being able to afford a partial defence to the crime of murder which, upon conviction, results in the mandatory imposition of life imprisonment. The key aspect about this partial defence to an offence of murder is that, upon conviction, the court will have a discretion to impose a sentence that is appropriate to the circumstances of the case in all of the circumstances. That is the type of discretion in these terrible circumstances that we ought to give the court because, at the end of the day, it brings about a just result.

There have been many cases in which I have been involved in my practice as a lawyer in the criminal jurisdiction which have been touched by domestic violence. It is probably fair to say that in some cases—not only those with which I have had direct experience—in Queensland there may have been cases involving domestic violence where evidence came before the court to the attention of a jury which might have persuaded it, notwithstanding the fact that technically a person may have been guilty of the crime of murder, to acquit that person because of the terrible circumstances that preceded that crime even though, as I say, technically it may have been the case that a conviction for murder could have been warranted.

Equally and most definitely, it has been the case in cases with which I have been involved and many others that I have referred to—workers in the domestic violence services, workers in the court system, workers in the Office of the Director of Public Prosecutions and Legal Aid lawyers—that the facts point unarguably and unambiguously to a relationship of extreme violence over a very long period of time which without doubt has led to a frame of mind and a set of circumstances where in the person's own mind the only option was to take the life of the perpetrator of that prolonged and serious domestic violence. Yet jurors have had to convict that person of murder, unable to take into account those

circumstances and judges have had to sentence those persons to life imprisonment without any discretion whatsoever to do anything else. Everyone who has been involved in those cases would have walked away thinking that that was not a just result. Fundamentally, these amendments to our Criminal Code allow courts and jurors to reach decisions and to impose sentences that fit the circumstances of the case. That is why this is an excellent amendment.

Many victims of domestic violence are trapped in these relationships from which it is very difficult to escape because of the fear, intimidation, harassment and lack of options available to them and because of their psychological state for a variety of other reasons. There is another reason that I wish to refer to. Although there may be many subjective factors which do not enable a person to escape from a violent relationship, there are also a couple of objective ones. One very important one is applicable to those who live in isolated communities. The member for Algeester remarked in her contribution to the debate that Aboriginal and Torres Strait Islander women are 35 times more likely to be the victim of domestic violence.

Many Aboriginal and Torres Strait Islander women live in isolated communities. Not only are they subject to all of the emotions that make it very difficult for them to escape violent relationships—fear, intimidation and a lack of options—but also there is simply nowhere for them to go. Their communities are isolated and there is nowhere for them to go where they have family and support. For the people living in those communities, the benefit of this amendment will be very significant and important.

I will briefly mention the aspect of the bill that relates to the possession of equipment for the purposes of obtaining or dealing with identification information. The bill creates a new offence of possessing equipment that can be used to make identification information with intent. The maximum penalty will be three years imprisonment. The offence will fill a gap in the legislation that prevents the Queensland Police Service from prosecuting a person if they possess but have not yet used equipment that can be used to make identification information. For example, the offence could be used to prosecute a person who had possession of a miniature camera, a magnetic strip reader and a quantity of cards with blank magnetic strips and who intended to skim credit card details from an ATM. Currently, the police are constrained to wait until the person has actually skimmed those details. The inclusion of the intent element will ensure that the possession of otherwise commonplace items does not become unlawful. Such items include photocopiers, mobile phones with cameras and bluetooth technology and laptop computers. To commit that offence a person need not use the equipment. Possession with intent to use the equipment or obtain or deal with another's identification information for purposes of committing an indictable offence is sufficient. The identification evidence need not be information relating to the entire identity of the individual. It is enough for it to be just the name, address or details of family members—anything that might lead to the identification of a person.

Identity crime is an issue of international concern and a significant problem in Australia. Identity crime covers a wide range of criminal conduct, including the unlawful use of stolen credit card details to make purchases over the phone or internet, or the assumption of another person's name to conduct financial transactions or business. While there are economic costs resulting from identity fraud that can be roughly calculated, its impact on its victims, both financially and emotionally, is unquantifiable. Some people who have had their identities stolen are arrested for crimes they did not commit and may spend a lot of time and anxious effort clearing their name.

In Australia there is a lack of statistics on the extent and cost of identity fraud. However, according to the Australian Federal Police identity fraud costs the nation up to \$4 billion a year. A 2007 Newspoll survey found that 62 per cent of Australians are very or extremely concerned about the risks of identity theft or fraud. In June 2008 the Australian Bureau of Statistics released its personal fraud survey, which was the result of research undertaken from July to December 2007. Over 800,000 people reported having been the victim of at least one instance of personal fraud in the 12 months preceding the survey. Nearly 500,000 reported being victims of identity fraud and 77 per cent of those were victims of bank or credit card fraud. The definition used in the bill is technology neutral, so the legislation can stay up to date with advances in technology without needing to be amended every time a new method is developed to skim information from cards.

This amendment complements the existing provision contained in section 408D of the code so that possession of equipment, which is only preparatory to the other offence provision, is also captured. Victims will appreciate that there is no need for the police to wait until an actual dealing with the information has taken place before they can charge an offender. It is important for governments to keep up to date with changes in technology and to ensure that the range of offences contained in the Criminal Code will cover all aspects of criminal conduct in Queensland. This is again an innovative and important amendment and I commend the bill to the House.

Ms BATES (Mudgeeraba—LNP) (7.54 pm): Tonight I rise to contribute to the Criminal Code (Abusive Domestic Relationship Defence and Another Matter) Amendment Bill 2009 introduced by the Attorney-General. The bill amends the Criminal Code by inserting a new partial defence to murder of killing in an abusive domestic relationship. I refer to the briefing document from the Parliamentary

Library, which serves to highlight the incidence of assaults committed on family members or those known to the victim. The latest Australian Bureau of Statistics data reveals that in 2008, of the 19,423 assault victims recorded in Queensland, 49 per cent knew the offender and seven per cent identified the offender as a current partner. A further six per cent identified another family member as the offender.

The law on self-defence has undergone legislative change in all Australian jurisdictions apart from Queensland. The Bond report comments that the absence of immediacy of harm is a problem faced by battered persons seeking to rely on self-defence. Those jurisdictions that have reformed their self-defence laws do not seem to require an immediacy of the threat or the harm that gives rise to the relevant response. The removal of the requirement that the force be used to respond to imminent or immediate harm can benefit a defendant who has suffered a history of violence and, on the relevant occasion, uses force in anticipation of inevitable violence even though such force has not eventuated. The Bond report cites that contemporary research on the actions of victims of abuse who kill their abusers demonstrates they are usually motivated by fear, desperation and a belief that there is no other viable way of escaping the danger.

I was brought up in a small country town where spousal and family abuse was all too common an occurrence. Sadly, whilst the whole town was well aware of which families were subjected to abuse, at the time the norm was to turn a blind eye. Many of my school friends came to school with excuses for their black eyes. The teachers and the nuns knew, but nothing was ever done about it. The local constabulary were also well aware of the incidents but again, sadly, it takes a lot of guts for a battered wife or child to make a complaint in the first place. Generally, the police paid a visit to diffuse the situation and then the families knew that retribution would follow the next Friday night after the pub closed.

Often the option of leaving the relationship is seen as an unrealistic option. Research indicates that persons who suffer violence may perceive a lack of alternatives. Back then the option of leaving was easier said than done. Many of the relationships involved citizens of supposed good standing, such as the local school teacher. At that time for many divorce was not an option, especially if one was a churchgoer. It was seen as a failing of the woman, not the abusive husband. Even today many women stay in abusive relationships because they have no income and have children to support. This, coupled with a lack of safe houses for abused families, particularly on the Gold Coast, would make many feel that they were trapped with no way out.

The history of abuse in a relationship can allow a person who has suffered violence to read cues and note changes in the abuser's behaviour that signal the onset of escalating violence. This is particularly true—and I have seen instances of this—where simple statements can escalate violence into a life-threatening situation. Many of my friends felt that their fathers, in particular, had a switch in their heads that turned them from the affable drunk to a violent abuser within minutes, leaving the families reeling from the Jekyll-and-Hyde personality that many abusers, particularly those who drink, have and hide very well from those outside the front door of their own homes. Decisive action for self-preservation can then be taken before the abuser is in a position to physically overpower them. That action can be carried out with no loss of self-control and without a deficiency in cognitive processes. While this comment is true, the very nature of abuse is unpredictable and there are instances where families felt that what was happening was the usual Saturday punch up, but they missed a piece of the puzzle and often the consequences were tragic.

The use of violence against the abuser may be reasonable under the circumstances as the person who has suffered prolonged abuse perceives them to be, but to an ordinary person it may be judged as unnecessary or excessive. The fight or flight mechanism is indeed a powerful one, and anyone who has ever faced violence will know that at times you are left with no choice but to defend yourself. This decision is often made in a split second and is not an easy one to make when you are being physically threatened. Even though there may be a history of extensive abuse, the immediate threat may be modest when viewed in isolation. Therefore, the hyper vigilance typical of a battered person may result in a killing that is not proportionate to the threat. The research suggests that in many cases the effectiveness of existing defences such as provocation or self-defence are limited for people in this category of offending because of the way in which it has been identified that they kill. It is these limitations that section 304B intends to address. The effect of section 304B is that if a jury is not satisfied beyond reasonable doubt that the defence has been disproved by the Crown in a trial, the accused would be found not guilty of murder but guilty of the offence of manslaughter. The court would then sentence the accused in relation to the conviction for manslaughter.

The bill inserts the partial defence of 'killing in an abusive domestic relationship' into the Criminal Code. The defence represents a balance between necessarily punishing those who would otherwise be guilty of murder and providing some legal protections for victims of serious abuse. The onus of proof will be on the Crown. The prosecution, in cases where the defence is raised on the evidence, will have the responsibility of disproving the defence beyond a reasonable doubt. The Bond report recommended that the position remain the same under the proposed new defence.

The defence is not reliant on the accused person responding to an assault or imminent threat from the deceased and there is no imposition of a time frame between the actions of the deceased and the killing by the accused person. It provides a sentencing discretion for those to whom the defence could apply, instead of mandatory life imprisonment. However, it will operate within constraints by linking the category of offenders who can rely on the defence to prescriptive definitions of 'relationship' and 'violence', and requiring an element of reasonableness with regard to the history of the relationship to avoid unmeritorious abuse of the defence.

The use of the term 'serious' within the provision in relation to the level of domestic violence represents an appropriate threshold for the application of a defence that protects accused who would otherwise be guilty of murder. The new defence will operate to reduce a charge of murder to manslaughter. It will operate in addition to, not instead of, other defences or excuses. Therefore, a victim of abuse charged with the murder of their abuser may wish to raise the complete defence of self-defence for the purposes of an acquittal, the partial defence of diminished responsibility or provocation to reduce a charge of murder to manslaughter, as well as the new partial defence depending on the circumstances of the case. It will then be a matter for the jury, having regard to all the defences and excuses left to them, to determine criminal responsibility.

While the Bond report recommended that family members of victims of the abuse who kill in defence of the victim also be covered by the proposed abusive domestic relationship defence, it does not appear that the bill has taken up this proposal. The Queensland Office for Women observes that police data indicated that in 2007-08, over 15,600 domestic violence orders were made under the Domestic and Family Violence Protection Act 1989 and, in 2007-08, males accounted for around 88 per cent of offenders for the offence of breaching such an order. Domestic violence is 35 times more likely to be the reason for hospitalising Indigenous women than any other women in Australia.

Late last year many of us attended White Ribbon Day to make a stance against violence, particularly against women, and there is never any excuse for violence against your own family. The LNP is totally opposed to any form of domestic violence. I congratulate the Attorney-General and thank him on behalf of my friends who were violently abused in their younger days. I commend the bill to the House.

Ms DAVIS (Aspley—LNP) (8.02 pm): I rise to speak to the Criminal Code (Abusive Domestic Relationship Defence and Another Matter) Amendment Bill 2009. The bill will make a long overdue provision for the option of prosecuting a manslaughter conviction in relation to killing in an abusive domestic relationship—giving a defence to those who might find themselves in need of a justified defence following a long-term history of sustained abuse.

It is a terrible and shaming fact that in modern society violence against women, in the form of sexual assault and domestic and family violence, is too common. While both men and women can be perpetrators and victims of sexual assault and domestic and family violence, the evidence is that the vast majority of domestic violence in Australia is by men against women.

Credible research has defined some circumstances where victims find themselves constantly abused to the extent that they feel helpless and disempowered to make choices to remove themselves from a clearly unacceptable situation. They fear that a violent person living with them will take retribution on their children, they feel that they will be pursued with violence, they feel that they have nowhere to go and that there is no hope of ever escaping the violent dominance of a partner or family member.

In some situations there is evidence that these fears are justified. It is important to hear from psychiatrists before sitting in judgement on the long-term abused. As victims of domestic violence or as survivors of domestic violence, victims become trapped in learned helplessness. They see the world differently. They see their options differently. When sometimes this results in extreme behaviour to protect themselves, they kill the perpetrator of violence against them—and this results in a charge of murder.

The community has some sympathy for those who find themselves in these dreadful circumstances—mostly women and their dependent children. A degree of latitude in judging action taken after long-term sustained abuse is fair. In these instances there is a public interest in recognising long-term domestic abuse as a defence. It is in the public interest to reduce the length and expense of a court case, to reduce the trauma to the person already subjected to long-term violence and abuse, to protect the law from any disrepute in such cases.

It is relevant that a guilty verdict will in fact have no deterrent factor. While domestic violence cases have from time to time made headlines in jurisdictions all around Australia, the outcome has often been controversially a finding of manslaughter resulting in either a short prison sentence or no custodial sentence. In some situations there has been consideration of a miscarriage of justice where issues of provocation and self-defence have not, for various reasons, been presented at trial by defending lawyers.

We should remember that killing someone is always a very serious offence, and in general the Queensland public would want to see someone prosecuted for such an offence. Very serious consideration should be given to any suggestion of diminished responsibility or excuse for taking another life. We are not talking about people who get drunk, throw a punch and kill someone in a fit of anger. We are not talking about street disputes that result in a king hit and a death. We are talking about a unique situation, supported by credible research that indicates that there are special, justified circumstances for arguing compassion in determining appropriate consequences for behaviour resulting in the death of a long-term abusive person.

The facts are that almost one-third of Australian women are affected by physical violence, and usually they are attacked by men they know, frequently in their homes and often repeatedly. Sometimes this leads to a circumstance where those who are regularly attacked and intimidated become convinced that their lives or the lives of their children are at risk, and they take proactive action, fearing, sometimes mistakenly, that this is their only means of protecting themselves or, as described in the Bond report, 'their only way of escaping the danger'.

It is essential that the courts be allowed to consider the contextual circumstances that may result in fair and just outcomes by mitigation of sentence, the exercise of prosecutorial discretion and/or appeals grounded in allegations of miscarriage of justice. Current defences and excuses have been somewhat problematic for those seeking to rely on self-defence because of the absence of immediacy of harm. I note that the Parliamentary Library's briefing paper states—

Those jurisdictions which have reformed their self-defence laws do not seem to require an immediacy of the threat or the harm that gives rise to the relevant response. The removal of the requirement that the force be used to respond to imminent or immediate harm can benefit a defendant who has suffered a history of violence and, on the relevant occasion, uses force in anticipation of inevitable violence even though such has not eventuated ...

Before 'self-defence' can be pleaded, it is necessary to show that killing your attacker was the only option available to preserve your own life. However, sometimes people in these abused situations kill at a time when they feel they will not be overpowered—such as when their abuser is asleep or walking away from them.

Before 'provocation' can be pleaded, it is necessary to establish a loss of self-control and some degree of immediacy of response to the provocative act. A victim of serious domestic abuse may kill the abuser some time after the last act of provocation, so the interval may indicate a deliberate or planned attack rather than a loss of self-control.

We the community expect justice from our legal system. The question for the criminal court becomes one of whether we judge these women or perpetrators by the usual standards expected of normal people in usual situations, or do we take into account the psychological results abused women acquire after years of violence? I think that these legislative changes do take into account the psychological results in abused victims and are a welcome change.

Sexual assault and domestic and family violence cannot ever be excused or tolerated. That is why it is important to point out that this is a partial defence only. It is important to maintain the mandatory life imprisonment punishment for individuals who are convicted of murder. But victims of seriously abusive relationships require particular consideration. The new partial defence mirrors this, and I note that the minister's second reading speech states—

Where no other existing defence or excuse operates to assist these victims, those who kill in the circumstances outlined in the defence will be convicted of manslaughter instead of murder and therefore allow a court to exercise a broader sentencing discretion.

Our community expects that those who are guilty of these behaviours must be held accountable, and we must seriously examine the provisions of this new partial defence in detail.

I am encouraged to see from the explanatory notes that the defence will operate with constraints by linking the category of offenders who can rely on the defence to prescriptive definitions of 'relationship' and 'violence', and requiring an element of reasonableness with regard to the history of the relationship to avoid unmeritorious abuse of the defence. The use of the term 'serious' within the provision in relation to the level of domestic violence represents an appropriate threshold for the application of a defence that protects accused who would otherwise be guilty of murder. To my mind, the provisions of the new section 304B, as I just outlined, will be robust enough to support the community expectations in relation to these important issues.

I do note, however, that there are stakeholders who operate within this field who have reservations regarding this new partial defence. Some academics have noted their reservation regarding the draft provisions primarily related to the potential for misuse by those for whom it is not intended. I also note the reservations of Legal Aid Queensland, which does not support the introduction of a new, separate complete defence either confined only to circumstances where an alleged abuser is killed or more broadly available on any charge involving an element of personal violence.

Whilst I think that on paper we have achieved balance between necessarily punishing those who would otherwise be guilty of murder and providing some legal protections for victims of serious abuse, I do note that these provisions are in no way a substitute for appropriate implementation, funding and evaluation of strategies to assist women who find themselves in these abusive relationships. The defence provisions will be difficult provisions for abused women to prove in court and in no way could they be a panacea to the ongoing domestic violence issues facing women. Heather Nancarrow, the Director of the Centre for Domestic and Family Violence Research, is quoted in a QCOSS paper as saying—

We need to emphasise investment in primary prevention—we can't just keep 'responding'. We need a broad-based cultural shift, across the whole of society, to reject tolerance for all forms of violence.

I could not agree more.

I would now like to briefly touch on the amendments introducing offences relating to the possession of equipment for the purpose of committing an offence of obtaining or dealing with identification information. Card skimming occurs when an individual acquires your identifying information by skimming or copying your credit card or banking information, generally when you make a counter purchase or at an ATM. These individuals often sell the information they have gleaned to a professional criminal outfit.

Identifying information, as outlined in section 408 of the Criminal Code, can include, amongst other things, information about you or your relations' address, date of birth and marital status, your driver's licence and passport numbers, and digital signatures. As legislators, we should be about protecting consumers at every possible step. It is for this reason that I am broadly supportive of these initiatives to establish an offence against a person who possesses equipment for the purpose of committing or facilitating the commission of a misdemeanour. Importantly, to establish the new offence, the prosecution must prove that the person possesses the equipment for an unlawful purpose as many of the items used to skim can be very common. The implications of identity theft on the victim are substantial, and therefore I do question the reasoning behind the maximum penalty of three years imprisonment when the Criminal Code provides for a 14-year maximum penalty for the offence of possessing instruments and materials for forgery. I commend the bill to the House.

Mr McARDLE (Caloundra—LNP) (8.12 pm): I rise to make a short contribution tonight to the bill before the House. As indicated, the LNP supports the bill, and I certainly do. I believe that this bill is long overdue and will provide relief mainly to women but certainly to anybody in a domestic violence situation looking at a charge of murder carrying life imprisonment, with the prospect of this defence reducing it to manslaughter and allowing the court to use its discretion in relation to what the penalty will be.

As many members in the House tonight have made quite clear, domestic violence in all its forms is repulsive. The impact is not purely upon the direct victim but often flows through to the children in the household as well. Those children learn behaviours, they learn understandings and in their future lives they adopt what they see their parents do. As I said, the bill does provide some relief in relation to severe domestic violence of an ongoing nature.

The LNP has raised some real concerns in relation to how the bill will be acted upon in the public arena and how it will be perceived by the courts. That is natural when you are talking about a fairly dramatic change to the criminal justice system in any state. When you are adding a defence of this nature, which is quite radical in the impact it will have, there are always questions that will be raised as to how it will be applied by the courts, how it will be viewed by the legal profession and how it will be seen by the public as a whole.

Can I say, however, that the LNP also sees three different groups that will have a very important role in how the law in this area will evolve over time. The first one is our judiciary here in Queensland. We are blessed with a Supreme Court that is headed by the Chief Justice, Mr Paul de Jersey, a man who has served this state for many years honourably in that role and has been at the forefront in evolving the law in his current position. We have a Court of Appeal staffed by very senior judges who have incredible knowledge of the law and how it works and they apply that knowledge on a daily basis. We have the judges of the Supreme Court itself—men and women who have many years experience and who will bring those years to bear on the law as it stands once it is passed and applied in their courtrooms.

We then have the legal fraternity that acts in criminal matters—men and women who clearly over many years are able to provide impartial legal advice, including men and women in the Legal Aid Office who have for many years acted in this jurisdiction. Those men and women will provide the expert advice to clients that they need to hear. On many occasions clients are told what they do not want to hear but what they need to hear.

The third group of people in a trial of this nature who are most important are members of the jury itself. The jury is comprised of citizens of Queensland. When they assess the facts they bring to bear all of their knowledge about their own lives, the good and the bad, their family and their history. I think to

underplay the role of the jury is a mistake in these circumstances. Juries are often quite attuned—in fact, very attuned—to picking the right and wrong out of sets of facts and coming, on the whole, to a reasonable and just determination on those facts. Of course, none of those groups are perfect, but together they form the bulk of the judicial system in this state. Though laws may be passed that are loosely drafted, those three individual groups together form a very important front to correct those errors. I think we are well served in this state as a consequence of those three groups.

I want to raise one point which I have raised before in the House, and that is the children who are the silent sufferers of domestic violence. We all know of people we have met in our own professional lives either in this House or elsewhere who are involved in a domestic violence situation, but the ones who really suffer, the ones who carry it with them for years and years, are the small children who see mum and dad—I do not care who the perpetrator is—at each other day in and day out. I was blessed in not having that environment, and I hope all members of the House were equally blessed. But we know that in Queensland, in Brisbane and in every town and city tonight there are children going through a living hell.

We are going to pass a bill tonight that corrects a wrong at the end of a history of domestic violence by providing a partial defence. The challenge is not to allow a history to begin, and that will be a much greater battle in the years to come. We must now turn our attention to providing assistance to children who are the silent victims of domestic violence and ensure they do not learn from those habits. We must now turn our attention to ensure that the women and the men who are victims of domestic violence somehow come out of that situation as best they possibly can and not be thwarted in their own lives in the future. We must also try to help the perpetrators, because unless the perpetrators are stopped, unless they are corrected in some manner, it will go on and on. At some point in time somebody's life will be lost as a consequence. We support the bill with reservations.

Mr FINN (Yeerongpilly—ALP) (8.18 pm): I rise to speak in support of this bill, which amends the Criminal Code in two respects. I begin by referring to the creation of the partial defence of killing in an abusive domestic relationship. I think the seriousness with which domestic violence is taken in the community and in this House is reflected by the amount of discussion we have had on this bill, which leads its way through four clauses and one transitional clause of complexity. I, too, share the views that have been expressed by my colleagues in relation to problems resulting from domestic violence in the community.

I will speak briefly on the provisions of the bill. The provision will operate as a partial defence to murder in the following situations: an accused person unlawfully kills another in circumstances which would otherwise constitute murder; the accused person and the deceased had been in an abusive domestic relationship; the deceased had committed serious acts of domestic violence against the accused in the course of the relationship; at the time of the killing the accused believed the act which caused the death was necessary for the preservation from death or grievous bodily harm; and at the time of the killing it was reasonable to hold such belief having regard to the abusive relationship and all the circumstances of the case.

The defence is not reliant on the accused person responding to an assault or imminent threat from the deceased. The bill does not impose any time frame between the actions of the deceased and the killing by the accused. The subjective test requires there to be evidence before the court that the person believed his or her action was necessary for their preservation from death or grievous bodily harm. Requiring such a high level of injury or harm ensures that defence cannot be used where the threat is that of a lower level.

The imposition of an objective test is a further safeguard against misuse. The belief must be reasonable. This means that a person who holds a belief because they are affected for example by alcohol or drugs and that belief is not reasonable in the circumstances would not be able to rely on the defence. The onus of proof remains with the DPP, with the defence having to establish this defence to a standard that permits it to be put to a jury, and the DPP must disprove the defence beyond reasonable doubt.

This is an important change to our Criminal Code, but it does not make it easier to kill nor does it weaken the legal framework or sentencing regimes. What it does do is reflect the need to provide legal defences to address a serious social problem that comes before the justice system as a criminal matter following a tragic response to violence and the misuse of power in domestic relationships.

Before I go on to the other aspect of this bill, I would like to acknowledge the work of Ozcare in our community. I have done a fair bit of work with Ozcare as a member of parliament. It provides important services, such as a women's shelter, and important housing opportunities for women and their families who have been involved in violent relationships. Tonight I pay tribute to their work.

The other aspect of the Criminal Code being amended relates to skimming equipment offences. At present it is an offence under the code to obtain or deal with another's identification information for the purpose of committing or facilitating the commission of an indictable offence. The penalty for this offence is three years imprisonment.

Currently there is a gap in the legislation where a person is in possession of the equipment with an intention to use it to deal with another person's identification information but has not committed the unlawful act. This bill fills that gap and allows police to charge an offender without having to wait until they actually unlawfully deal with the information they have gathered. The requirement for intent in the provision ensures that persons who innocently possess materials which might be used illegally but have no intention to do so will not be caught by the provision. This could include provision of technological equipment—laptop computers, mobile phones with bluetooth technology—or other equipment which might be used in connection with identity fraud.

Identity fraud is an issue which affects many Queenslanders every year. Constant advances in technology mean new opportunities for people to use that technology to commit criminal offences. By keeping up to date with these advances in technology the criminal law is able to ensure that criminal conduct in Queensland is able to be punished by the courts.

These are two very important changes to the law in Queensland and show that this government is responsive to the needs as they arise and will continue to monitor the law to ensure that new offences keep up with technology and that developments in social understanding are also reflected in the laws that govern us. Our Criminal Code needs to be evolutionary and it needs to be regularly reviewed and amended to reflect both community expectation and the behavioural standards of a modern society. It needs to reflect the right for all Queenslanders to live in a safe, fair and democratic society. It needs to be a careful balance of protection of the vulnerable whilst delivering legal consistency. It needs to not criminalise those matters that properly fall into the realm of adequate health and social justice rights of Queenslanders. I commend the bill to the House.

Mrs SCOTT (Woodridge—ALP) (8.24 pm): Today in this parliament we take yet another step not in protecting vulnerable women from abuse, for this is after the fact, but in trying to ensure that very abused women have legal protection from then being victimised further by going on trial for murder. These are women who have endured the very worst of domestic violence and abuse to the extent that they have been driven to retaliate, resulting in the death of the violent offender.

Women who feel trapped in an abusive relationship, usually with little support, no financial ability to escape, often with threats of violence toward themselves, their children or pets, endure years of unspeakable deprivation and aggression often resulting in injury. While I have listened to the stories of many victims over the years, two whom I have had close dealings with over long periods of time will forever be etched in my memory. One did shoot the highly aggressive perpetrator and the other one's story is similarly horrific. I do not plan to relate their stories here. However, I will forever be grateful to the then director-general of the then department of families, Mr Frank Peach, who went way beyond the call of duty to assist one of these women in a very real and practical way.

As a young woman I helped my future mother-in-law move to a safe house away from the father of her seven children who often became violent and abusive as a result of his alcoholism. Her greatest fear was that when he became abusive one of her sons may have harmed him while trying to protect their mother and thus be charged with a serious offence. My husband, the eldest child, carried a huge burden for many years, protecting his mother and the younger children in the family. There were many road accidents due to drink driving and ultimately his death in a serious collision with another vehicle. Many times children have to take on responsibilities way beyond their years. This can be another sad consequence of domestic violence.

Removing the charge of murder and instead allowing the court to deliberate on a charge of manslaughter allows the defence to present the facts of the abuse to the court for the deliberation of the jury. The prosecution will then test the defence beyond reasonable doubt, thus ensuring this legislation is providing cover for genuine victims. The details of this legislation have been subject to substantial legal input, not only from the Department of Justice and Attorney-General but also from academics at Bond University, the Queensland Law Reform Commission and community stakeholders.

I wish to commend the exceptional services which give support and counselling to women who are experiencing domestic violence or to those who are recovering victims within my electorate of Woodridge. WAVSS, Working Against Violence Support Service, is a key service in our fax back program in conjunction with the Queensland Police Service. CASV, the Centre Against Sexual Violence, also assists many vulnerable women, including many who have come for counselling after years of keeping their deep hurt to themselves. Murrigunyah offers services to our Indigenous women. There are, of course, other counselling services which also from time to time assist women to overcome huge barriers caused by years of domestic violence.

This crime is a blight on our society. To have husbands or partners who perpetrate violence against women in what is designed to be an intimate loving relationship is a crime of huge proportions. The damage it can do to children within a family can remain with them for a lifetime. I fully support this bill and thank our Attorney-General and those who have brought this bill to the House.

Hon. CR DICK (Greenslopes—ALP) (Attorney-General and Minister for Industrial Relations) (8.29 pm), in reply: At the outset I want to thank all honourable members for their contributions to this debate on the Criminal Code (Abusive Domestic Relationship Defence and Another Matter) Amendment Bill. I particularly want to thank members of the government for their support and, in particular, the role played by the member for Toowoomba North in initiating this project.

Two broad themes came through this debate. I thought it was a very thoughtful and measured debate and it was a credit to all members of the parliament. Firstly, there was a broad and deep condemnation of domestic and family violence by all members who spoke to the bill. I think that is a great credit to the parliament. Domestic violence is a scourge on society, and it is a credit to the parliament that each and every member who spoke to the bill—and a very significant number of the members of this parliament spoke to this bill—condemned domestic and family violence absolutely in all its forms.

I want to acknowledge the work of the men and women who work each and every day to support the victims and survivors of domestic violence. Many groups in which those people were involved were mentioned by members of parliament, and particularly the work that those groups do in their respective electorates and communities. Many of the people involved in those groups are volunteers, and I want to pay tribute to them. In fact, many of those people work to help rehabilitate people who perpetrate domestic violence as well. The particular groups I want to acknowledge are the Women's Legal Service, the Domestic Violence Prevention Centre Gold Coast and, in my electorate, the Zig Zag Young Women's Resource Centre at Camp Hill, which provides information, advocacy, referral support and counselling services to young people, particularly those who have experienced sexual assault and violence and homelessness. These groups do wonderful work in the community and I want to put on record my thanks for the work that that organisation does in my electorate.

On a broader level, the other issue that came through the debate was the acknowledgement by many members of parliament of the disproportionate impact of mandatory sentencing in cases where individuals are charged with the offence of murder and the disproportionate impact that the mandatory sentence of life imprisonment can have. This bill is a legislative measure that the government is moving through the parliament to try to address that disproportionate impact that mandatory sentence can have. In Queensland, quite rightly, the mandatory sentence for murder is life imprisonment. But as all members in this debate have acknowledged, that can have a disproportionate impact in cases where someone has been a victim of serious domestic violence in an abusive relationship. In fact, if I am not mistaken the member for Currumbin said that more can be done in relation to discretionary sentencing. I think that is right. I think it is something that all members of parliament need to consider as we move forward and we consider crime and punishment in our state.

Criminal sentencing is a very significant issue in the Queensland community and I think acknowledging—and I think these were the words that the member for Southern Downs used—the disproportionate impact of mandatory sentencing in the case of life imprisonment in respect of this bill is a lesson for all of us. We need to lift the debate in Queensland about crime and punishment. We need to lift the debate about sentencing. Sentencing needs to be evidence based; it needs to be soundly based. So calls for mandatory sentencing across-the-board, which has happened in this place previously, need to be put in context. When people again come to this House and talk about mandatory sentencing, they should remember that mandatory sentencing has the effect of having a disproportionate impact on people who come through the criminal justice system. So the Sentencing Advisory Council that I have announced on behalf of the government will be a way for all members of parliament to engage in that dialogue with the community so that we can have a high-level debate, which is our duty when it comes to crime in this state. I look forward to that debate continuing.

The bill amends the Criminal Code in two ways. Firstly, it inserts a new partial defence to murder of killing in an abusive domestic relationship. This defence will apply to victims of seriously abusive relationships who kill their abusers. The partial defence recognises the importance of maintaining a mandatory life penalty for persons convicted of murder. However, it also recognises that victims of seriously abusive relationships merit special consideration within the criminal justice system. The partial defence will be available only where, firstly, the accused has unlawfully killed a person; secondly, the person killed was in an abusive domestic relationship with the accused and had committed acts of serious domestic violence against the accused in the course of that relationship; thirdly, at the time of the killing the accused believed that his or her acts were necessary for the person's preservation from death or grievous bodily harm; and, fourthly, there were reasonable grounds for this belief, having regard to the abusive relationship and all the circumstances of the case.

In operation, the accused will bear the evidentiary onus, meaning that the accused will have to ensure there is sufficient evidence before a jury to raise the defence. It is immaterial whether this evidence is introduced by the prosecution or the defence. Once the evidence on the case raises the defence, the onus will be on the prosecution to negative the defence beyond a reasonable doubt. That is also how the existing defences of self-defence and honest and reasonable mistake of fact operate under our Criminal Code. Importantly, the defence is framed in a way that ensures that it will not be abused by unmeritorious individuals—for example, the primary perpetrators of the domestic violence.

As I said earlier, I would like to acknowledge the contribution to the consideration of this issue by the stakeholder groups. In particular, the Women's Legal Service prepared a detailed and thoughtful analysis of the law relating to this issue and took the time to meet with me to discuss its concerns. Whilst I acknowledge the matters raised by the Women's Legal Service, I believe that the bill as presented to the parliament represents the proper approach to be taken at this time.

The first concern of the Women's Legal Service is that the defence is only a partial defence in that it reduces the offence from murder to manslaughter. This government is of the view that this approach best reflects community attitudes. Women who kill in these circumstances should be able to have access to mitigating factors on sentencing but not be totally excused for the killing. The Women's Legal Service also has some concerns about other defences being excluded if this defence is used. That is not the intention of the bill. Certainly, the explanatory notes expressly provide that all other available defences will still apply. If the courts interpret the law in the manner that has been suggested by the Women's Legal Service, of course that is something we will look at but, at this stage, we have no reason to believe that the courts will do so.

There were other concerns raised about drafting issues. Again, if these issues prove to be problematic in the future the government will, of course, give further consideration to the issues. However, the government's assessment of the bill as drafted is that it will achieve the policy objective and that there is no need to make amendments.

The bill also amends section 408D of the Criminal Code by inserting a new offence of possessing equipment for the purpose of obtaining or dealing with identification information. For example, it will be an offence to possess an ATM-skimming device. Under section 408D of the Criminal Code, it is already an offence to obtain or deal with another entity's identification information with the intent to commit an indictable offence. Therefore, it is already an offence to obtain or use another person's credit card details by skimming an ATM or EFTPOS machine. Some common items can be used to obtain identification information, including mobile phones with cameras or laptop computers. To prevent the mere possession of these items being unlawful, the offence requires the prosecution to prove that the accused possessed the items for the purposes of committing an identity theft offence.

I will now address some of the matters raised by honourable members during the course of the debate. At the outset, I would like to affirm the comments made by the member for Southern Downs, who acknowledged the disproportionate effect that a mandatory life sentence may have upon offenders. I mentioned that earlier. So when that debate comes on, I hope members can, in a solemn and dispassionate way, reflect on the debate we have had on this bill and reflect on their comments about the disproportionate impact that mandatory sentencing can have on people in the criminal justice system. As I said earlier, no-one is arguing that there should not be a mandatory life sentence for murder. Murder is the most heinous of all crimes and is deserving of the most serious penalty that the law allows. But even in such a situation, the honourable member for Southern Downs has acknowledged that there are circumstances in which such a sentence may have a disproportionate effect. If true in the context of this offence and this bill, it no doubt remains the case in other cases.

I also note that the member for Glass House appeared to go further with respect to mandatory life sentencing for murder, quoting from the Legal Aid submission that advocated revisiting this penalty. It has been the view of the government that the community would not accept a change in the penalty for murder, which would apply across-the-board. Instead, it has been the government's view that the most appropriate mechanism through which to address any disproportionate effect is through the provision of appropriate defences, both partial and full, that can be used in relevant cases of murder.

The member for Southern Downs compared this defence with the existing defence of self-defence. The focus of the existing defence of self-defence and the reasonableness of the accused's reaction is on the initial assault by the deceased. In the new defence, the reasonableness is linked to the belief of the accused, bearing in mind the history of the domestic relationship. Self-defence requires the presence of an initial assault and an accused responding to that assault. This defence does not require the initial unprovoked assault.

The member has also asked why the provision does not contain ancillary evidentiary provisions as suggested by the Bond University professors in their final report on the topic. In their final conclusions on the topic, the Bond University professors recommended the inclusion of an ancillary evidentiary provision to assist juries in determining whether there was a genuine belief in the necessity of the action and reasonable grounds for this belief. As a result, the details of their suggestion were put to key legal stakeholders. The unanimous response was that it was not necessary to include such provisions given the existing laws and rules relating to the admission of evidence in a criminal trial. Such provisions do not exist in relation to the operation of any other defence in the Criminal Code. The government is satisfied, having regard to the broad consultation on the issue, that they are not necessary for the effective operation of the defence.

The member for Southern Downs also asked about the application of the defence and who is able to rely on it. The member for Currumbin was also interested in this issue. The bill provides a defence to those in a domestic relationship. The term 'domestic relationship' is defined by reference to the Domestic and Family Violence Protection Act 1989 and includes spousal relationships, intimate personal relationships and family relationships as defined under that act. These provisions contemplate past and present relationships.

The extension of such a defence to family members or other third parties to the relationship beyond the proposed definition for domestic relationship was not canvassed in the Queensland Law Reform Commission report or the original discussion paper released by Bond University. It was not raised in the report of the Task Force on Women and the Criminal Code. The issue has therefore been the subject of very limited consultation and law reform consideration in Queensland.

One risk with extending the defence may be the use of the defence by unmeritorious defendants whose motivations to kill may be more related to anger, revenge and vigilantism rather than fear, desperation and a belief that there is no other viable way of escaping the danger as a result of being the subject of the abuse. Relationships are often complex. The dynamics of domestic relationships can often be misinterpreted by third parties or family members, particularly by children of relationships. There is also the risk of allowing unmeritorious parents who murder their children to utilise the defence, something that we would all seek to avoid.

The member for Currumbin was concerned about the possible abuse of the defence, as was the member for Gregory. The defence is framed in a way that will ensure that it is reserved for genuine victims and not abused by unmeritorious individuals—for example, the primary perpetrators of the violence in the relationship. Firstly, it requires acts of serious domestic violence to have been perpetrated against the person. This will exclude those who may have been subject to minor levels of domestic violence, for example where the victim may have on occasions responded to the primary perpetrator of violence with low-level violence or threats. Secondly, at the time of the killing the person has to have believed his or her acts were necessary for the person's preservation from death or grievous bodily harm. This will require an analysis of the motivation and reasoning behind the killing. Thirdly, that belief will need to be based on reasonable grounds having regard to the abusive domestic relationship and all of the circumstances of the case. Therefore, the defence is not dependent on the accused's belief alone. It will require a jury to analyse all of the evidence and have regard to the reasonableness of the belief.

A number of members opposite raised concerns about the reference to serious violence including acts that appear minor or trivial when considered in isolation. Proposed subsection 4 states that a history of acts of serious violence may include acts that appear minor or trivial when considered in isolation. It does not dictate what amounts to serious domestic violence. It is a facilitating provision that allows context to be given to the circumstances of the relationship. It ensures a correct picture of the cumulative violence within the relationship is presented in the case. The defence will still require that when viewed as a whole the history of the violence in the domestic relationship was in fact serious. It will also be necessary for the actions of the accused to have come from a belief that the actions are necessary to preserve him or her from death or grievous bodily harm and that such belief is reasonable.

The member for Currumbin asked why this was not a complete defence. During their detailed review on the development of the defence, Bond University professors Mackenzie and Colvin raised the question of whether the defence should operate as a complete defence. A complete defence would mean that an accused charged with murder would escape criminal responsibility entirely. A partial defence would mean such an accused would be held responsible for the killing where no other defence operated but would be able to reflect the individual mitigating circumstances of the case during their sentence. A majority of key stakeholders who provided feedback during the Bond review supported the introduction of a partial defence over a complete defence.

There is some argument that the value our community places on human life must prevent us allowing killing in non-confrontational, unreasonable or excessive cases to go unpunished. It is inconsistent with community standards regarding acceptable levels of violence and may be interpreted as allowing the person to go unpunished on the basis that the abuser deserved it. The opposing argument is that the victim of the abuse who kills the abuser does not deserve a conviction for murder and the sentence of mandatory life imprisonment.

The government is of the view that persons should not go unpunished where their actions are deliberate and where there is no immediate assault or threat of assault or reaction in the heat of the moment or as a result of a mental illness. The defence does not absolve the abused person of criminal responsibility altogether. It does not interfere with the operation of the existing complete and partial defences in the Criminal Code. It allows a sentencing court to have regard to mitigating circumstances of the accused. As such, it represents a responsible and fair balancing of competing interests.

In relation to the identification information defence, the member for Currumbin has stated that the government has reduced the penalty. It does not amount to a reduction of the maximum penalty. The elements of the new offence are different from the existing offence. In order to convict a person under section 510 of the Criminal Code, it is necessary to prove that the person is intending to use the thing to forge a document. Therefore, in order to gain a conviction under section 510 the prosecution must prove beyond a reasonable doubt the requisite intent which includes proof beyond a reasonable doubt that the information or thing being forged is a document. While the definition of 'document' as provided in the Criminal Code is broad, the proposed new offence does not contain such a hurdle. When police apprehend a person who possesses equipment, they have options to charge under existing section 510 if the evidence exists to support the charge. If not, then this new section provides an alternative charge. My experience of the Queensland Police Service is that it looks at these matters very carefully and charges appropriately.

The member for Southern Downs raised a concern in relation to the abusive domestic relationship defence that a jury may choose to apply this defence as opposed to the defence of self-defence and as a result the intent of the bill would be subverted. In order to rely on the defence the accused person will bear an evidentiary onus—that is, the accused will need to ensure that there is sufficient evidence before the court, whether through the Crown case or the accused's case, for the defence to have been raised. This may include evidence from the accused himself or herself or through a version provided to police by the accused. It may also include witness accounts and the calling of experts. Once the defence is raised on the evidence, the state will then bear the onus of disproving the defence beyond reasonable doubt. This process is also the process for self-defence and some other defences under the code. The defence does not prevent the operation of other defences such as self-defence and provocation. It will operate in addition to other existing defences and excuses within the Criminal Code for victims of an abusive domestic relationship who kill their abuser. A trial judge is required to direct the jury in relation to all evidence in the case relevant to the reaching of a verdict, including in relation to defences.

The member for Kawana was concerned that the bill did not include provisions to allow expert witnesses to be called to support the defence case. I would clarify for the member that such specific provisions are unnecessary for the operation of the defence. The issue of evidentiary provisions was put to key legal stakeholders and the unanimous response was that it was not necessary to include such provisions given the existing laws and rules relating to the admission of evidence in a criminal trial in Queensland. Such provisions do not exist in relation to the operation of any other defence in the Criminal Code. The government is satisfied having regard to the broad consultation on the issue that they are not necessary for the effective operation of the defence.

Both the members for Gaven and Bundaberg questioned the appropriateness of the onus of proof applied in this bill. Once the defence is raised on the evidence, the Crown will then bear the onus of disproving the defence beyond reasonable doubt. The onus of proof adopted in this bill reflects the current process in relation to most of the existing defences under the Criminal Code, including self-defence, provocation and reasonable mistake of fact.

In conclusion, I would note that we do not implement the partial defence to murder included in this bill in the anticipation, let alone hope, that it will be used. Like many such amendments to our criminal law, we hope it will remain dormant, dusty and unused, one day to be viewed as an historical quirk. We hope that domestic violence will never again drive an individual to kill their abuser, because we hope that domestic violence itself can be eradicated. But perhaps that might be somewhat naïve.

Sadly, as all members of parliament recognised during this debate, domestic abuse and family violence exist within our community and tragically can have fatal consequences. As important as it is to punish those who commit offences, it is our responsibility to do everything we can to prevent such acts of violence and any acts of violence that are a precursor to them. We as a government, as a parliament and as a community must never dismiss nor forget our twin obligations: to condemn in the strongest terms possible domestic violence wherever and whenever it may occur and to do all we can to support victims of such abuse.

I again thank all honourable members for their contributions to this very sobering debate. I also thank all stakeholders for their valuable input during the development of this piece of legislation. In particular I thank the Bond University professors who worked on this project, Professors Geraldine Mackenzie and Eric Colvin, for their very fine work on their report to government. I also recognise the Queensland Law Reform Commission, which highlighted this issue to government, and the stakeholders who provided such detailed and thoughtful submissions to assist the Bond University professors in their report to government. I also particularly acknowledge my departmental officers Kerry Bickle, Andrew McGills and Louise Shepherd for their work on this important project. I commend the bill to the House.

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

Motion agreed to.

Bill read a second time.

Consideration in Detail

Clauses 1 to 5, as read, agreed to.

Third Reading

Hon. CR DICK (Greenslopes—ALP) (Attorney-General and Minister for Industrial Relations) (8.49 pm): I move—

That the bill be now read a third time.

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

Motion agreed to.

Bill read a third time.

Long Title

Hon. CR DICK (Greenslopes—ALP) (Attorney-General and Minister for Industrial Relations) (8.49 pm): I move—

That the long title of the bill be agreed to.

Question put—That the long title of the bill be agreed to.

Motion agreed to.

ADJOURNMENT

Hon. JC SPENCE (Sunnybank—ALP) (Leader of the House) (8.50 pm): I move—

That the House do now adjourn.

Moggill Road

Dr FLEGG (Moggill—LNP) (8.50 pm): It seems that, when I get up to speak in this House, many times I am making reference to Moggill Road and the problems that it creates for the residents of the western suburbs of Brisbane. Last Wednesday, 3 February—the very day I placed an article in our local *Westside News* that the government was seeking some funding under the Safer Roads Sooner Program—yet another accident occurred at the intersection of Moggill Road and Witton Road. It was 5.30 pm and the outbound traffic was absolutely chockers. A car turning right into Witton Road, which does not have a right-hand turn lane despite 44,000 cars a day going down this stretch of road, was flagged through and a motorcyclist coming up the inside outbound lane was hit and seriously injured. Inquiries of the local police at Indooroopilly reveal that this is the fourth police reported accident since only September last year. One accident at that intersection involved one of our senior police officers from the Indooroopilly station.

This is an intersection on one of the busiest roads in Brisbane that stands as a disgrace to this government. I do appreciate that after my years of lobbying about this intersection the government has finally sought to get some funding under Safer Roads Sooner, but that is not enough. This intersection with the numerous accidents, not all of which are reported to the police, is a death trap. It is on a road that is state controlled, that is exceptionally busy and congested, where traffic banks up behind cars attempting to do a sudden right-hand turn to try to get out of that lane. Where else do we have 44,000 cars a day travelling and the right-hand lane has cars turning right with no right-hand turn lane? To make it worse, in the left-hand lane there is a bus stop, so at times this road can be reduced to just one inbound lane.

I sincerely hope the Safer Roads Sooner program funds a desperately needed safety upgrade. I would say to this government that whether or not there are funds available under Safer Roads Sooner it needs to fix this problem. It should not be a case of, 'We are just waiting for money.' This is one of Brisbane's traffic black spots. It is a nightmare for congestion. It is congested every single morning, but it also poses a major safety risk. There are 44,000 cars a day travelling this road. Just fix it!

Jordan, Ms J

Ms MALE (Pine Rivers—ALP) (8.53 pm): I rise this evening to speak on the sad passing of a leader in the Maleny community, Jill Jordan, who lost her battle with lung cancer in Bowen on 8 January this year. Jill was a great inspiration in the Maleny community due to her forward-thinking ideas on community spirit and of people cooperating for the benefit of the whole. I believe these ideas have made the Hinterland town of Maleny what it is today.

Due in most part to Jill's leadership, Maleny has become the cooperative capital of Australia, with 18 cooperatives since the Maple Street Cooperative was formed in 1979. The Maple Street Co-op began as a place where members could obtain natural and organic food, filling an obvious void in a gloriously beautiful and environmentally significant town. The food co-op is different to the supermarkets as it is owned by the members and, therefore, the members depend upon its success. They help make the decisions, they buy their produce from the co-op and volunteer to keep prices down and ensure its viability.

After the success of the Maple Street Co-op, in 1984 Jill turned her skills towards the creation of the Maleny and District Credit Union to provide services and enrich the community. Sixty members initially joined but it has since grown to just under 5,000. Jill was also involved in the creation of many other successful cooperatives in Maleny such as the environmental Manduka Cooperative, LEED Cooperative, LETS and the Upfront Club.

In the early nineties, Jill became a Caloundra city councillor with a view to ensuring Maleny was being developed in what she believed was a good way. This meant that no decisions would be made in haste. I supported Jill's campaign to run for the mayoralty in 2004. She would have shaken up the establishment and I would have loved to have worked with her and her many exciting ideas.

Jill also became CEO of Biolytix, an innovative waste water treatment product founded by Dean Cameron. It was with reluctance two years ago that Jill left Maleny to take care of her ill father in Bowen. The community has never forgotten the great commitment that she has shown towards working together for a common goal: to make Maleny stronger by working together.

I found Jill to be formidable but in a very good way. She was determined to live her life to the fullest and to make sure that she did her absolute utmost to do what she believed was right for herself and for the people of Maleny. She was strong and forthright, yet so gentle and persuasive.

I am sorry that I had not spoken to Jill since passing on my condolences on her father's death. She has left an indelible mark on me, and I envied her strength, her courage, her ability, her strong work ethic and her huge capacity to care for all those around her. It was evident that the community of Maleny continues to have a strong connection to the great person that Jill was as her many friends and colleagues packed the Maleny Community Centre and had to spill out onto the streets to say goodbye to the great visionary at her memorial ceremony.

Jill has been described as a visionary, a catalyst of change, a philosopher, environmentalist, community worker, strategist, mentor, hippy, leader and friend. I would like to pay tribute to her integrity and wonderful personality, her engaging smile, her unparalleled community spirit and the many legacies that she has left behind. Her memory will continue long past her absence in Maleny. We loved Jill Jordan immensely and we are very much the worse off for her passing.

Ridley Road Men's Shed

Ms DAVIS (Aspley—LNP) (8.56 pm): Last Sunday I had the very great pleasure of attending the official opening and blessing of the Ridley Road Men's Shed in the Aspley electorate. The shed's official opening was the culmination of 18 months of hard work and it was wonderful to be present to see the vision become a reality.

The idea of bringing a Men's Shed to our local community was first raised by enthusiastic youth worker and now ordained Daniel Berris from the Ridley Road Anglican Church. In July 2008, Daniel called a meeting of interested people and a steering committee comprising Phil Russell, Ken Carter, Ed Mead, Russell Timmins, Bill Upton, and Colin Warland was formed.

It is worth noting that the men's shed phenomena is not a new concept. Men's Sheds have been operating in New South Wales and Victoria for some time, and the steering committee modelled their Ridley Road shed on successful ventures elsewhere.

As a concept, Men's Sheds provide a space for men of any age to come together and create, relax and engage. The Australian backyard shed was often a place of refuge, but, due to changes in the way we live and the gradual movement of people to small lot living and retirement homes, the backyard shed in that sense is becoming rarer. That is where the community Men's Shed comes in to fill a gap that might have been left behind. Men can come to these sheds and use their skills, chat to mates, share some stories and use their tools again to be creative and useful.

We all need to be busy and feel useful, and often retirement or retrenchment can be an alarming and challenging period in the life of men who have worked hard all their life. Of course, one of the things men miss most when they retire is the companionship of their work mates, and this is another way the Men's Shed can keep men connected.

I would also like to mention that Men's Sheds are also seen as a unique and practical space in which to address men's health issues. Specifically, the atmosphere that is provided by activity in the shed is seen as a positive tool to deal with isolation, loneliness, trauma and possible depression.

The sheds can also be ideal vehicles for providing not only informal peer support, but also a suitable setting for providing primary health care and health promotion activities by trained providers. As such, Men's Sheds can be a valuable site of service delivery for governments as we strive to deliver initiatives that are well targeted to our local communities.

I am very encouraged by the support of the wider community for this initiative. Schools, residents and local businesses are enthusiastically donating equipment to the shed. I commend their public spirit and thank them very much for their contributions. I also pay tribute to the generosity of the Anglican Church, the Brisbane City Council and a grant of \$30,000 from the Gambling Community Benefit Fund which allowed this project to proceed. I am very glad that the committee's vision is becoming a reality and wish them all the best for their future activities in the shed.

Hinton, Ms L

Hon. DM WELLS (Murrumba—ALP) (8.59 pm): One of Australia's most gifted educators has retired. Lynne Hinton was the principal of Buranda State School from 1996 until the end of last term. During her time as principal, Buranda State School routinely performed above its socio-economic predictions both academically and in terms of maintaining a safe and harmonious learning environment. However, Lynne Hinton's real contribution was state-wide. She was the guru of the philosophy-for-children movement in Queensland. The children who attended her school, including one of my own children, all studied philosophy. They learned the philosopher's skills: the ability to sort the relevant from the irrelevant, the ability to separate the logical from the emotional, the ability to recognise when an argument leads to absurdity or self-contradiction. They learned the philosopher's virtues: the willingness to follow the argument where it leads, even if it does not go where you want it to; the understanding that there are two sides to an argument; and the strength to be able to contemplate the possibility that you might be wrong.

A not-surprising result of those learnings was the good performance of Buranda in literacy and numeracy tests and interstate academic challenges. Also, while at many schools behaviour management teachers have to deal with allegations like 'he hit me', at Buranda it was more often 'he refuses to consider my point of view'. Another predictable result was that philosophy for children spread through Education Queensland. In Lynne Hinton's time, Buranda State School became to Education Queensland what Athens was to Greece in the time of Socrates. Now more than 40 schools in Queensland are teaching philosophy to children. Those are not only Education Queensland schools. The movement has also spread to non-state systems. In America, Montclair State University is using the program designed by Buranda State School in its undergraduate and postgraduate courses in philosophy for children.

At a time when universities are forgetting the fundamental truth that learning for its own sake can improve the mind and that studying non-vocationally based subjects can turn a keen mind into a penetrating one or make a dull mind sharp, our schools are learning it. The word 'philosophy' literally means 'love of wisdom'. Lynne Hinton has gone to consult to international educational institutions and address conferences. The love of wisdom that she instilled into a generation of Queensland children lives on.

Inglis, Mr K; Jordan, Ms J

Mr POWELL (Glass House—LNP) (9.03 pm): This evening I would like to reflect briefly on the extraordinary lives of two extraordinary Glass House individuals who both sadly passed away over the Christmas period. Keith Inglis of Glass House Mountains and Jill Jordan of Maleny epitomised everything we have come to expect of tireless community volunteers, community advocates and community icons. Just prior to Christmas, Keith Inglis was killed in a tragic road accident on the Bruce Highway. Keith and his wife, Valerie, came to Glass House Mountains about a decade ago and Keith quickly injected himself into community service. Keith, who turned 88 last year, was the publicity officer with the Rotary Club of Glass House Mountains, a member of the Beerwah-Peachester RSL and the Glass House Country Bowls Club, and the inaugural president and lifetime member of the Glasshouse Country Probosc Club.

How do you fill the gap Keith's passing has left? Friend and fellow Rotarian Bob McLean summed up Keith's passion and dedication in the following way—

If it was possible to make a vaccine called the 'Keith Inglis Spirit' and all our people could be vaccinated with it, what a wonderful world it would be. The greediness, selfishness, unkindness and violence would be wiped away from our community and replaced with generosity, fearlessness to commitment, dedication to community and a love of your fellow man.

I met Keith only once, as part of a Rotary fundraiser, but once was enough for me to be able to concur with Bob's comments. The Keith Inglis spirit was evident immediately. To Keith's wife, Valerie, his four children, three stepchildren and many grandchildren and great-grandchildren, my sincerest sympathies. A grateful community truly mourns the life of an extraordinary man.

Up on the range at Maleny, across the hinterland, across Queensland and, indeed, across the world, many others mourned the passing of Jill Jordan. Jill, who succumbed to lung cancer in early January, had an incredibly impressive international resume, but few would have known. Arriving in Maleny in 1970, Jill quickly became part of the fabric of the town, albeit a new fabric for the previously quiet dairying community. Jill threw herself into establishing cooperatives. Starting with the Maple Street Co-op, Jill also helped to found the Maleny Credit Union, LETS, the Maleny Enterprise Centre, Manduka and Wastebusters. Jill went on to represent the hinterland in the Caloundra City Council, leaving a lasting legacy—to name just one—through the introduction of an environment department.

But perhaps as lasting was her commitment to community activism. For example, she led the fight against Woolworths' move to Maleny. I will struggle to replace the image of Jill taking on a police line at the construction site. Even in her senior years, Jill had a fighting spirit you would not willingly challenge. I had the immeasurable pleasure of working alongside Jill in a community development role whilst with the Premier's department. While we shared a lot in common, Jill and I would both readily admit we had as many differences. However, that did not stand in the way of us forming a strong mutual respect and friendship, and this is what set Jill apart. Jill demonstrated a capacity to love, care, smile and encourage that put the rest of us to shame. Jill, you are sorely missed. Maleny and Queensland are poorer for your passing.

Fernvale Cemetery; St Brigid's Catholic Church, Rosewood

Mr WENDT (Ipswich West—ALP) (9.06 pm): Tonight I want to place on record my thanks and that of the Fernvale community to the recently resigned board of trustees of the Fernvale Cemetery. As members could imagine, in this day and age the ability of volunteers to continue to take on onerous positions as they have done previously seems to be diminishing. This is due to more regulation, increased costs for insurance and other liabilities, added responsibilities expected by other community groups and certain individuals. In the case of the Fernvale Cemetery Trust, I can advise that this small group of dedicated individuals have for many years given up their time, their energy and in some cases their own money to ensure that local residents could have a final resting place that is close to their family and friends. As such, I want to put on the record my thanks and admiration for the trustees—namely Doug Phipps, Glenn Phipps, Ross Vogler, Wes Smallwood, Des Heck, Herb Mocker and, of course, the glue that kept them all together, Dennis Heck.

Following on from the resignation of the trustees last December, a couple of weeks ago I held a public meeting at the Fernvale Futures Complex to try to come up with a way forward. I was stunned to see around 50 local residents turn up on the night to provide their advice and comments on how they would prefer to see the running of the cemetery operate in the future. Even though about four people expressed an interest in continuing the trust as new members, unfortunately I can advise that subsequent discussions with departmental experts indicated that those members would not be able to meet the expectations of some members of the community, which is a little unfortunate. As such, it would appear at this time that the department will now seek expressions of interest from other bodies that may be in a position to continue to operate the cemetery as a going concern. I will continue to keep this House advised of the outcomes. However, I think it is fair to say that the majority of the community would agree that it would be best if the local Somerset Regional Council took over the operations of the cemetery in line with what it has done in similar cases.

I would also like to pass on my congratulations to the committee and congregation involved in last Sunday's commemorative service held at St Brigid's Catholic Church in Rosewood. The reason behind this service was to celebrate 100 years since the blessing and dedication of the church. I do not think anyone involved 100 years ago could have imagined that this fine piece of architecture would see life into the 21st century. I must say that the wooden structure certainly is holding its age very well as I believe it is the oldest wooden church in Australia. With this in mind, I think it would be great to acknowledge the local priest, Father John Conway, and his large number of local supporters who worked tirelessly to ensure that everyone enjoyed the day. What made the day even more special was the fact that the over 600 parishioners were treated to a great dedication by Archbishop John Bathersby, Auxiliary Bishop Joseph Oudeman and a host of other clergy. I congratulate the Rosewood community on their efforts. I am confident that this church will be around for many more birthdays to come.

Sunshine Coast Youth Summit

Mr BLEIJIE (Kawana—LNP) (9.08 pm): Towards the end of 2009 it was an honour and a privilege to attend the Sunshine Coast Youth Summit as master of ceremonies. The event was hosted by the Sunshine Coast Regional Council in conjunction with the Sunshine Coast Youth Partnership and the Sunshine Coast Institute of TAFE, where the event was held.

The summit provided a forum for some 60 Sunshine Coast young people, aged between 16 and 24, who were heard on issues that are prevalent in the wider community. The focus topics, which were determined by a coast-wide survey of young people, included: substances and mental health, education and employment, accommodation and personal safety. The purpose of the summit is to inspire and empower the youth of the Sunshine Coast in discussing and developing solutions to issues they identify as important within their community and allow them to be heard by local decision makers and service providers. Those present on the day had some invaluable ideas and insights. I see this summit as an opportunity for the youth on the Sunshine Coast and as a pathway that prepares the future leaders in our community.

The summit may have been based on 'Kevin 07's' 2020 summit, but the difference is that this youth summit delivered. As a member of the Law, Justice and Safety Committee, which at the moment is conducting a public inquiry into alcohol related violence, I was pleased that other committee members were able to attend the youth summit and use it as part of our public consultation process.

I would like to congratulate Mr John Lockhart, who, after a long period in the acting position, has finally been appointed as principal of Kawana Waters State College. The parents and students in this school should be aware and thankful that they have such a quality principal and leader as Mr Lockhart in their school community.

I would also like to acknowledge the role of the former principal, Ms Jo House, for the work she has done at the college and congratulate her on taking up the new role of Acting Executive Director of the Department of Education and Training International, which oversees the international programs in our state schools. The international program at the Kawana Waters State College is one that has grown steadily over the last decade to now boast 62 mostly year 11 and 12 students that the school can cater for within the curriculum that is offered.

Christmas was a time to celebrate. Congratulations to Talara Primary College—an excellent year 6 graduation; Siena Catholic College—a very professional and heartfelt ceremony; Pacific Lutheran College—great voices in their choir; Chancellor State College—certainly a celebration of excellence; Kawana Waters State College—a plethora of students receiving excellence awards; Buddina State School—great singing by all year levels at the Christmas festival; and, finally, Meridan State College, who held their first karaoke Christmas carols. I thoroughly enjoyed standing there with Roz from the school and singing 'all I want for Christmas is a hippopotamus'. It seemed to go down well, and I have received an invite for 2010.

As we head into another school year, I conclude by wishing all of those who are fulfilling student leadership roles in their school community for 2010 the best of luck. I intend to do so in person by holding a recognition ceremony in my office for all of these new student leaders, because this will become an invaluable part of their life as they develop into the future leaders of our great state, Queensland.

Redcliffe CBD Businesses

Ms van LITSENBURG (Redcliffe—ALP) (9.11 pm): Redcliffe CBD businesses have pulled together to dispel the global financial crisis blues and to improve the bottom line for their businesses. Eighteen months ago many of these businesses were experiencing real difficulties, so they banded together, formed a new chamber of commerce—the Redcliffe City Chamber of Commerce—and they have not looked back. They have designed full-page, collaborative advertisements in the local paper and northside papers at a fraction of the cost for an individual to advertise, giving businesses the ability to advertise more widely.

Last Saturday was the sixth anniversary of a local hairdressing business, Happy Cuts. To celebrate this occasion, Happy Cuts manager, Bev Dawson, and owner, Gary Paul, collaborated with Deb Grealey and the Redcliffe City Chamber of Commerce to put on a street party from 11 am to 1 pm. The event was widely supported by local businesses with \$13 haircuts and trademark smiley face balloons from Happy Cuts, along with a free sausage sizzle. I paid for the sausages and Bev, Gary, Yvette D'Ath, the member for Petrie, and I fed the huge queues that kept coming until we ran out of food, long after 1 pm.

Colour was prominent up and down the street, with people parading the wares from the costume hire shop, with free tea-leaf reading and palm reading. Atmosphere was created by our local drumming group accompanying our local Kizmet belly dancers, entertaining shoppers up and down the street. Other local shops had stalls and specials for those two hours and it was fabulous to see locals supporting the festivities and buying. Business proprietors reported a good morning's trading.

I was proud to see Redcliffe business-people taking their futures into their own hands and creating business opportunities for themselves. Redcliffe people are resilient and are surviving the downturn and will continue to prosper. This is the Bligh Labor government's Toward Q2 ambition, to create strong local economies, in action. The state government supports businesses in many ways to

enable them to achieve the success they desire including tax breaks for businesses that take on apprentices, a wide variety of education programs including the Small Business Solutions programs, a variety of incentives and the Business Hotline.

These business owners have developed a strong sense of cohesion in acting together through their chamber which has empowered them and they now have a plan to enable them to see their businesses become more prosperous. I am proud to support my business community because it is the cornerstone of our local economy and its success will ensure that there are jobs for our young people in the future.

Lyon, Mr WD

Mr CRIPPS (Hinchinbrook—LNP) (9.14 pm): I rise to offer my sympathies and sincere condolences to the family and friends of William David Lyon, known as Bill, who passed away on Thursday, 14 January 2010, aged 83 years. Bill Lyon was born in Ingham in 1926, the eldest of five children. The Lyon family lived just outside Ingham on a cane farm near the township of Macknade.

Bill attended Macknade State School, but his formal education finished after he completed year 7 due to the war, whereupon he commenced work in the sugar mill. Bill tried to join the army but, as the sugar industry was declared an essential industry, he was declined entry to the defence forces. Bill loved sport and played rugby league for the Herbert River district and has been a strong supporter of the North Queensland Cowboys. Bill was an amateur boxer and, for a short time, coached the boys at St Teresa's College Abergowrie. Bill was a long-time member of the Halifax Rifle Club and the Macknade Bowls Club. In 1951, Bill married his wife, Ann, who was a teacher at Macknade State School.

When the Abergowrie area, in the upper Herbert River valley, north-west of Ingham, was opened up to expand the sugar industry, Bill secured an assignment and he and Ann moved there and began farming. Bill worked hard to clear the land and was well known for keeping his farm and equipment well maintained. Bill and Ann were pioneers of the Abergowrie area and raised four children on their farm—Elizabeth, Robert, Christine and Stephen. Bill purchased one of the first cane loaders in the Abergowrie area and purchased his first mechanical sugarcane harvester in 1965.

Bill, along with his son Robert, went on to build up a successful contract sugarcane harvesting business in the Herbert River district, which was sold only a year ago. Indeed, Bill had continued to be active on the farm until last year, such was his passion for farming and all things that grow.

Bill Lyon had joined the then Country Party in 1961 and had been a long-serving and loyal member of the National Party for many years. Bill and his wife, Ann, have supported the party and its candidates—including myself in recent years—through many successful periods and through many difficult periods. I have always been grateful for their quiet but committed support and appreciated the way they have taken an interest in the issues of concern to the local community.

Bill Lyon was a well-respected man in the Herbert River district. He was a very proud family man. His family was his primary concern and much of what he did during his life was focused on providing for his wife and his children. Bill was an affable man who was enthusiastic about life. He turned his hand to the game of golf for the first time in his 60s and he saw his first snowfall on a trip to Canada in his 70s.

Bill passed away in the Townsville Hospital after a brief illness. Importantly, he was surrounded by members of his family. His life was celebrated and remembered at a service in the Uniting Church at Ingham on Wednesday, 20 January 2010. To Ann and the Lyon family, my thoughts and prayers and those of your friends are with you during this difficult time. Bill will be sadly missed by all, but he left behind a wonderful legacy and many happy memories.

Morayfield State High School; Narangba Valley State High School

Mr RYAN (Morayfield—ALP) (9.17 pm): All the schools in the Morayfield state electorate are outstanding educational institutions, and I am very privileged to represent those school communities in the Queensland parliament. As I have done in the past, I would like to publicly acknowledge the hard work, dedication and professionalism of the teachers, staff and students of the schools of the Morayfield state electorate.

I take this opportunity to provide members of this House with an update of developments at two schools in the Morayfield state electorate. This year, 2010, will be a busy year for the students and teachers of Morayfield State High School. The school community will see not only progress on a number of building projects—including a trade training centre, Building the Education Revolution works and State Schools of Tomorrow works—but also increased excitement about their academic and vocational successes.

The Morayfield State High School community should be very proud, as I am very proud, of their magnificent year 12 results. Two students of the school achieved OP1s. I have on a number of occasions had the great pleasure of meeting with students of this outstanding school and I was very

impressed by the numbers of students wanting to pursue a career in teaching. In my mind there is no greater tribute to the commitment and professionalism of an educator than for a student to follow in their footsteps. I am very much looking forward to attending the year 12 2010 student investiture next week.

The Narangba Valley State High School community also has much to celebrate. Not only did five students achieve OP1s but I am informed that no year 12 student failed English or mathematics. This is a truly magnificent result and is a result that I do not think many other schools in Queensland can claim credit for. If you ever wanted an example of young people who are role models, who are people of integrity, who have a positive view to the future and who are outstanding advocates for their school and their community, then you need go no further than the students of Narangba Valley State High School and Morayfield State High School.

Sadly, tragedy struck Narangba Valley State High School over the school holidays. On 31 December 2009, four classrooms were seriously damaged by fire in a suspected arson attack. What makes this tragedy worse is that the damaged classrooms were art classrooms, and many irreplaceable and invaluable pieces of student and teacher artwork were destroyed. Whilst this incident is devastating for me and the school community, I am grateful to the many staff and parents who took time out of their holidays to assist with the initial response and the cleanup and reconstruction efforts. I particularly acknowledge the contributions made by the principal, Mr Ross Mackay; the deputy principal, Mr Sean Bennett; parents, Wendy and Grant Clarke; Fay Jeppesen from the department; and the team from QBuild.

Question put—That the House do now adjourn.

Motion agreed to.

The House adjourned at 9.20 pm.

ATTENDANCE

Attwood, Bates, Bleijie, Bligh, Boyle, Choi, Crandon, Cripps, Croft, Cunningham, Darling, Davis, Dempsey, Dick, Dickson, Douglas, Dowling, Elmes, Emerson, Farmer, Finn, Flegg, Foley, Fraser, Gibson, Grace, Hinchliffe, Hobbs, Hoolihan, Hopper, Horan, Jarratt, Johnson, Johnstone, Jones, Keech, Kiernan, Kilburn, Knuth, Langbroek, Lawlor, Lucas, McArdle, McLindon, Male, Malone, Menkens, Messenger, Mickel, Miller, Moorhead, Mulherin, Nelson-Carr, Nicholls, Nolan, O'Brien, O'Neill, Palaszczuk, Pitt, Powell, Pratt, Reeves, Rickuss, Roberts, Robertson, Robinson, Ryan, Schwarten, Scott, Seeney, Shine, Simpson, Smith, Sorensen, Spence, Springborg, Stevens, Stone, Struthers, Stuckey, Sullivan, van Litsenburg, Wallace, Watt, Wellington, Wells, Wendt, Wettenhall, Wilson