



RECORD OF PROCEEDINGS

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TUESDAY, 23 FEBRUARY 2010

The Legislative Assembly met at 9.30 am.

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

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

ASSENT TO BILLS

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

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

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

Date of Assent: 16 February 2010

"A Bill for An Act about surrogacy arrangements, to provide for the court-sanctioned transfer of parentage of children born as a result of particular surrogacy arrangements, to prohibit commercial surrogacy arrangements, to make particular related amendments of the Adoption Act 2009, the Births, Deaths and Marriages Registration Act 2003 and the regulation under that Act, the Criminal Code, the Domicile Act 1981, the Evidence Act 1977, the Guardianship and Administration Act 2000 and the Powers of Attorney Act 1998, to amend the Status of Children Act 1978 for particular purposes and to make minor and consequential amendments of Acts as stated in schedule 1"

"A Bill for An Act to make particular amendments to the Criminal Code to provide for a manslaughter conviction in relation to killing in an abusive domestic relationship and to prohibit possession of equipment in relation to an offence of obtaining or dealing with identification information"

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

16 February 2010

Tabled paper: Letter, dated 16 February 2010, from the Governor to the Speaker advising of assent to bills [1738].

SPEAKER'S STATEMENT

Resignation of Temporary Speaker

Mr SPEAKER: Honourable members, I have received and accepted the member for Townsville's resignation from the position of Temporary Speaker.

PETITIONS

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

Abortion Laws

Mrs Cunningham, from 676 petitioners, requesting the House to maintain the abortion laws as they presently stand [1739].

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

Public Transport, Ticketing

Ms Simpson, from 1,046 petitioners, requesting the House to respond to concerns by the public for a fair and reliable public transport system by freezing price increases, delivering more Go Card outlets and fixing the system's reliability [1740].

Railways, Single Gauge Trial

Mr McLindon, from 756 petitioners, requesting the House to implement a trial run for a single gauge rail line from the New South Wales border through Beaudesert, Logan, Browns Plains, Algester, Calamvale and Acacia Ridge in peak morning and afternoon periods; assess passenger interest and increase services, if required, as soon as possible [1741].

Ambulance Services, Resources

Mr Ryan, from 393 petitioners, requesting the House to continue to support and adequately resource the vital role played by ambulance professionals provided by the Queensland Ambulance Service [1742].

Public Transport, Ticketing

Mr Gibson, from 213 petitioners, requesting the House to immediately increase the number of outlets that can sell a Go Card including all railway stations; stop penalising students, part-time/casual workers and low income families who rely on public transport by reducing the fare increases to CPI; and undertake to remove the fines when the machines are not working [\[1743\]](#).

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—

12 February 2010—

[1735](#) Response from the Treasurer and Minister for Employment and Economic Development (Mr Fraser) to two paper petitions (1253-09 and 1272-09) presented by Mr Dickson from 148 and 46 petitioners respectively, and an ePetition (1243-09) sponsored by Mr Dickson from 2,429 petitioners regarding the sale of major state owned assets

18 February 2010—

[1736](#) Response from the Minister for Transport (Ms Nolan) to an ePetition (1264-09) sponsored by Dr Robinson from 293 petitioners requesting the provision of car parking for the Birkdale Railway Station on the land at 26-36 Napier Street, Birkdale

22 February 2010—

[1737](#) Overseas travel report—Report on an overseas visit by the Premier and Minister for the Arts (Ms Bligh) to the United States of America from 15 to 22 January 2010—Report on a Trade Mission to the United States of America led by the Honourable Anna Bligh MP—G'Day USA 2010

STATUTORY INSTRUMENTS

The following statutory instruments were tabled by the Clerk—

Duties Act 2001, First Home Owner Grant Act 2000, Taxation Administration Act 2001—

[1744](#) Revenue Legislation Amendment Regulation (No. 1) 2010, No. 9

Criminal Proceeds Confiscation and Other Acts Amendment Act 2009—

[1745](#) Criminal Proceeds Confiscation and Other Acts Amendment (Postponement) Regulation 2010, No. 10

Nature Conservation Act 1992—

[1746](#) Nature Conservation (Protected Areas) Amendment Regulation (No. 1) 2010, No. 11

Justices Act 1886—

[1747](#) Justices Amendment Regulation (No. 1) 2010, No. 12

Energy Ombudsman Act 2006, Environmental Protection Act 1994, Fire and Rescue Service Act 1990, Gas Supply Act 2003, Health Act 1937, Land Protection (Pest and Stock Route Management) Act 2002, Nature Conservation Act 1992, Penalties and Sentences Act 1992, River Improvement Trust Act 1940, Water Fluoridation Act 2008—

[1748](#) Environment and Resource Management and Other Legislation Amendment Regulation (No. 1) 2010, No. 13

Building and Other Legislation Amendment Act 2009—

[1749](#) Proclamation commencing remaining provisions, No. 14

Nature Conservation Act 1992—

[1750](#) Nature Conservation (Protected Areas) Amendment Regulation (No. 2) 2010, No. 15

Superannuation (State Public Sector) Act 1990—

[1751](#) Superannuation (State Public Sector) Amendment Notice (No. 1) 2010, No. 16

MEMBER'S PAPER

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

Member for Beaudesert (Mr McLindon)—

[1752](#) Non-conforming petition from 141 petitioners requesting the House to preserve the original charter of the Roadvale Water Board to maintain supply of rural water to its gazetted area

REPORT TABLED BY THE CLERK

The following report was tabled by the Clerk—

[1753](#) Report pursuant to Standing Order 158 (Clerical errors or formal changes to any bill) detailing amendments to certain Bills, made by the Clerk, prior to assent by Her Excellency the Governor, viz—

Criminal Code (Abusive Domestic Relationship Defence and Another Matter) Amendment Bill 2009
Amendments made to Bill

Short title and consequential references to short title—

Omit—

'Criminal Code (Abusive Domestic Relationship Defence and Another Matter) Amendment Act 2009'

Insert—

'Criminal Code (Abusive Domestic Relationship Defence and Another Matter) Amendment Act 2010'.

Surrogacy Bill 2009

Amendments made to Bill

Short title and consequential references to short title—

Omit—

'Surrogacy Act 2009'

Insert—

'Surrogacy Act 2010'.

MINISTERIAL STATEMENTS

Deaths of Children; Queensland Schools Alliance Against Violence

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (9.32 am): Over the past fortnight Queenslanders have been saddened by the spate of tragedies that have claimed the lives of five Queensland children. Three families are suffering beyond any of our imagining after the drowning deaths of their toddlers in dams across the state. My heart goes out to those families in their darkest hour as they grieve the loss of their little ones.

Just yesterday Queenslanders were shocked to learn of the abduction and murder of an eight-year-old girl from Bundaberg in the most horrific of circumstances. The thoughts of every member of this House are with her grieving family.

Last Friday I attended the most moving and certainly one of the saddest ceremonies I have ever witnessed, as either a mother or a representative of our government. The ceremony was the funeral service for Elliott Fletcher, a 12-year-old boy from Brisbane's northside who was tragically killed in a schoolyard incident that allegedly involved a knife. Every parent and every Queenslanders who read the newspaper reports or watched the television reports about this incident could not have failed to be horrified and moved at the tragic death of such a young boy. Sadly, Elliott will not make his journey into adulthood. I know the thoughts and sympathies of every member of this House go out to his parents, Brigitte and Russell, for their sad loss. Our thoughts are also with the school community of St Patrick's College as the boys, staff and the extended community grieve.

We cannot alter what has happened. However, we can look at why and how it happened and take every measure possible to try to prevent similar incidents. That is why today I am pleased to announce an important cross-sector initiative in education to help tackle schoolyard violence. I think we would all agree that it is up to all educational sectors—state, Catholic and independent—to get on board on this critical issue. Today I am pleased to announce that the establishment of the Queensland Schools Alliance Against Violence will represent every schooling sector in Queensland and will tackle the alarming culture of school violence.

The Queensland Schools Alliance Against Violence will be responsible for overseeing the implementation of world's best practice measures to help crack down on violence in our schools. In that light, it is imperative that the cross-sector group first recognises that the world we and our children live in has altered dramatically over the past years. The playground of today no longer stops at the school fence; it extends to cyberspace and beyond. Our children are tapping into bigger networks of friends and being exposed to the world faster and at a much more intense level than ever before. The traditional playgrounds of yesterday have been radically changed by social media and online networks. Our children are no longer confined to the friends who attend school with them. Our children's friends and social networks are now in other schools, in other states and, in many cases, other countries.

As a consequence, our children have become much more vulnerable to emotional and physical abuse and we cannot ignore this and allow it to continue. Our children's teachers, as well as parents, are facing difficult new circumstances that have made it similarly difficult to control the 21st century playground. If we are to succeed in protecting our children, we need everyone to work together using the world's best practice methods. Bullying and violence in our schools is not a new phenomenon. We initiated a review of this in 2005 and the recommendations of that report were implemented. However, the environment we face today, just five years on, has changed.

Members of the Queensland Schools Alliance Against Violence will include representatives from Education Queensland, the Association of Independent Schools of Queensland, the Queensland Catholic Education Commission, representatives of principals' associations, the Queensland Council of Parents and Citizens Associations Inc, the Federation of Parents and Friends Associations, the Queensland Independent Schools Parents Council, the Queensland Teachers Union, the Queensland Independent Education Union, and the Commission for Children and Young People and Child Guardian. Those groups will join forces to provide direct recommendations to our government and oversee the implementation of their findings in schools. They will have key academics, violence prevention organisations, protection agencies and international experts at their disposal to assist in their decisions. We will also look to work with other states and the federal government at the next education ministerial council meeting.

The establishment of the Queensland Schools Alliance Against Violence is a recommendation of John Rigby's report into bullying, which was commissioned by our government in September last year and provided to the education minister. While it is unfortunate that this report had to be commissioned in the first place, and it is terrible that it had to be delivered in the midst of recent tragic events, it does strengthen our government's resolve to implement whatever measures are needed to protect our children.

Bligh Labor Government

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (9.38 am): One year ago today I called the 2009 state election, which was an election held in the toughest of economic times. Despite the continuing effects of the worst global financial crisis, our government is delivering. We went to the election with a number of promises to the people of Queensland and we are delivering on those promises.

Opposition members interjected.

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

Ms BLIGH: Thank you, Mr Speaker. It is a terrific story and I am sure that those opposite are going to enjoy hearing it.

Opposition members interjected.

Mr SPEAKER: Order! Those on my left will cease interjecting. The honourable the Premier.

Ms BLIGH: Thank you, Mr Speaker. This is a story of a government absolutely determined to keep its election promises to the people of Queensland. We went to the election promising to protect and create jobs, and we are delivering.

We have delivered on our Green Army commitment to train and employ up to 3,000 Queenslanders, with 59 projects worth more than \$14 million operating to date, supporting nearly 850 jobs in electorates right across Queensland. We have already delivered on the promise of a 25 per cent reduction in payroll incentive for business to keep apprentices and trainees. That was delivered in July last year. We are delivering on our commitment to keep more than 5,000 apprentices and trainees across government, with this year's intake of 1,424 exceeding the target of 1,250. We are delivering on our commitment to create 100,000 jobs over three years, with six months of consecutive jobs growth and more to come. We promised to keep our infrastructure program going, and that is what we are delivering—\$18.2 billion of projects in every part of Queensland, protecting 127,000 jobs.

We are delivering better schools and better education. We are delivering on our rollout of 240 kindergartens, with work well underway on the first 20. We have delivered on our commitment to employ 100 specialist science teachers. As announced by me and the minister yesterday, half are already operating in our schools and the next half will be in place by the end of March this year. We are delivering on our commitment to 500 extra teacher aides to work in our classrooms, and we have increased the maintenance funding to our schools. We have delivered on our program of summer schools to improve literacy performance levels.

We are delivering a better health system, with 232 new doctors and 802 nurses. We are delivering on our \$250 million commitment to redevelop and expand emergency departments at hospitals from the Gold Coast to Cairns. We are delivering on our commitment to hire an extra 30 emergency department nurses, with the first 14 to start work by May this year. We have delivered more than 5,000 surgeries through our Surgery Connect program, through our election promise to expand the program. We have established, as promised, 16 newborn and family drop-in clinics across the state. We are delivering on a promise to build a \$6.5 million cancer centre in Central Queensland and redevelop the Rockhampton Hospital, with early site works underway. Funding was announced last October for \$15 million in grants to non-government organisations for patient accommodation—a commitment that has been fully delivered. We are delivering on our commitments to replace and redevelop a number of ambulance stations across the state.

We are delivering on our commitment to grow regional Queensland. Projects like the Whitsunday Airport, the upgrade of the Jezzine Barracks in Townsville, the Flinders Street Mall upgrade, the Trinity Wharf construction in Cairns and a new AFL stadium on the Gold Coast are all underway. Those opposite do not like to talk about that election commitment. The member still does not know what he thinks.

Mr Stevens interjected.

Ms BLIGH: That is not what he said in the ads that knocked it. We are delivering on new industries for regional Queensland with our work with the LNG industry. We are delivering for the state's tourism industry. We have delivered the Tourism Action Plan that will see \$36 million in priority projects to support tourism. We have delivered \$1.8 million, as promised, in roadside infrastructure to support drive tourism—with the first grants already delivered in Mount Isa, Nanango, Bundaberg, Longreach, Richmond, Cooloolia, Boulia, Diamantina, Townsville, Blackall and South Burnett.

We have delivered, as promised, artificial reefs for recreational fishers—the first for Harry Atkinson reef, east of St Helena Island, as we saw on the weekend, and more to follow at Wild Banks east of Bribie Island, a site north of Moreton Island and one off South Stradbroke Island. As promised, we are delivering new boat ramps and pontoons for residents and visitors to throw a line in.

We are delivering protections for the Queensland environment. We have reduced discharge onto the Great Barrier Reef, as promised, with our legislation—opposed by those opposite. We have delivered stages 1 and 2 of the restoration of Kirra Beach, as promised. We have delivered a moratorium on tree clearing, with new clearing laws to protect endangered vegetation, as promised.

There are still many more commitments which are a work in progress, but Queenslanders should know that I will not rest until each and every election commitment has been ticked off the list. We will continue to get on with the job and honour each and every one of these commitments over the coming two years. We are doing what we said we would do—delivering for the people of Queensland.

Organ Donation

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (9.45 am): I am passionate about organ donation and the lives that it saves. I would like to take this opportunity this morning to remind the House and all Queenslanders that this week is Australian Organ Donor Awareness Week. According to recent figures released by the Commonwealth government, 912,000 Queenslanders have registered with the Australian Organ Donor Register. This is very heartening and I commend every one of them for doing so. I encourage all Queenslanders to use awareness week as a reminder to talk to their own families about their decision to donate and register their decision on the Australian Organ Donor Register, or to check that their details are up to date if they are already registered.

In Australia, a person has a 10 times greater chance of requiring an organ or a tissue transplant than of ever becoming a donor. Organ donation is only medically possible in less than one per cent of all deaths. So it is vital that individuals discuss their decision with their family and sign on to the register. A register is only as good as the accuracy of its details, and maintaining that register as an up-to-date register is important.

In Queensland we have been working hard with other state and territory health departments and the Commonwealth government to deliver a better coordinated national approach to organ and tissue donation and transplantation. Specifically, we have seen the appointment of a state medical director, five doctors and 22 nurses to positions dedicated to assisting local hospital staff to identify donors and to facilitate the organ donation process.

I encourage Queenslanders to take part in activities to raise awareness of organ donation week. The 2010 Cycle of Giving community bicycle ride from the Sunshine Coast to the Prince Charles Hospital which took place last Saturday was but one successful event that has been undertaken to promote organ and tissue donation. I again remind Queenslanders to take this opportunity to discuss with their families their decision to donate and to check their details on the register.

Health System

Hon. PT LUCAS (Lytton—ALP) (Deputy Premier and Minister for Health) (9.47 am): Can I briefly associate myself with the comments from the Premier concerning young Elliott Fletcher. I have had a lot to do with St Patrick's College, Shorncliffe in my time both as a student playing rugby against them and as a referee and also my children playing rugby against them. It is a truly wonderful school and my thoughts go out to them at this time.

There is much focus on the other side of the House about hospital management; namely, their policy to reintroduce failed hospital boards and their three per cent dividend to cut health jobs which would mean 3,500 fewer doctors, nurses and allied health professionals in Queensland. They are obsessed with hospital management as the be-all and end-all of the health system. What they do not realise is that the Bligh government's record \$9 billion Health budget means more health services affecting the lives of more Queenslanders right across the state.

Mr Messenger: They'd get rid of Labor corruption.

Mr LUCAS: I think that was from the person who, when asked the other day what he would do if he won the lotto, said that he would tell the Leader of the Opposition that he was resigning from parliament straightaway. I am told that yesterday in the LNP party room they all got their money out to buy more Super 66 lotto entries for the member for Burnett hoping he would win. So they are all out there at the newsagents putting in another entry for the member for Burnett hoping he will win—putting in a Super Quickpick for the member for the Burnett hoping he will win. We might even put in a bit of money ourselves!

Our \$6 billion health infrastructure program is building and rebuilding 200 health facilities from the Torres to the Tweed and will deliver 40,000 jobs over the life of the projects. The AMA federally called for another 3,000 beds nationally, and by 2016 the Bligh government will deliver 1,700 extra beds in Queensland alone.

An opposition member interjected.

Mr LUCAS: No, no. The member for Noosa would actually need some help to put in an entry, but we can assist him with that as well.

Delivering health care in Queensland is not just about hospitals and beds. It is about planning for and delivering stronger community health, better support to give our kids the best start in life, expanded chronic disease programs to cater for our ageing population, and more accessible public health initiatives such as vaccine programs. Children are living longer. The life expectancy of a child born in 1965 was 71. For a child born in 2010, it is 81. That means that the 42,800 babies born in Queensland hospitals last year will live, on average, 10 years longer than their parents and their grandparents. As I have said before, by 2050 the population of Australia over 80 will quadruple, and we want to get it better.

We want to give our kids the best start in life, which is why at the last election we committed to expanding our already successful newborns and family drop-in centres to expand support for mothers caring for their babies. New mums can access infant weigh-ins, developmental checks information, support about feeding, sleeping and settling techniques, and information and support for postnatal depression. We are opening 16 new additional newborn and family drop-in services across regional Queensland, and already 13,400 families have attended those centres for advice and support.

In 2009 as part of our commitment to giving kids the best start in life, the Bligh government implemented a vaccination program for parents and carers of newborns to protect our most vulnerable babies who are too young to be vaccinated against whooping cough. I am pleased to announce that as at 31 December 2009 approximately 57,500 eligible Queensland children had been vaccinated against whooping cough, and a further 63,750 doses of vaccine have been distributed across the state for parents of newborns.

Queensland Health has a number of initiatives in place to support Queenslanders. Queensland continues to tackle serious health challenges like breast cancer. Last year alone more than 220,000 women were screened for breast cancer. Queensland Health's innovative 13HEALTH hotline means that anyone can call and speak to a nurse at any time of the day any time of the year. Last year 13HEALTH provided advice and support to more than 771,000 callers. What this massive investment in all aspects of health means for Queenslanders is that we are not only saving more lives but also providing a better quality of life through preventative and screening programs, advanced surgical procedures and ongoing management of chronic disease. While the reasons behind a longer life expectancy are multifaceted, it is also largely due to an increased focus on, and investments in, programs designed to improve the care provided to Queenslanders, and indeed Australians—from giving our kids the best possible start in life to tackling the challenges of an ageing population.

Since 2005 the Prince Charles Hospital has performed 6,983 cardiac surgeries. Further, I would like to acknowledge one area where our doctors and nurses have led the way in giving Queenslanders a second chance at life. In 1985 the Queensland liver transplant team led by Professor Russell Strong at the Princess Alexandra Hospital performed Australia's first successful liver transplant. Since then, 975 child and adult transplants have been performed in Queensland. As this week is Australian Organ Donor Awareness Week, I urge all Queenslanders to have a discussion about organ donation with their loved ones. In addition to delivering more beds and clinical staff, we are delivering health care and expanding services because we believe in providing greater access to health care for every Queenslanders.

Queensland Economy

Hon. AP FRASER (Mount Coot-tha—ALP) (Treasurer and Minister for Employment and Economic Development) (9.52 am): It was just 12 months ago today that many of the world's economies had entered deep recession, global trade had collapsed and financial markets were almost paralysed. What followed for us was the news that Queensland's economic growth would contract along with employment this financial year. At the same time, the Commonwealth budget forecast showed absolutely no growth in the national economy and expected a contraction of 0.5 per cent this financial year. But in the face of adversity we took action and made the tough decisions to make sure that our state would bounce back. That is why we invested \$18.2 billion into the Capital Works Program that is supporting 127,000 jobs. That is why we introduced tax breaks for employers of apprentices and trainees. That is why we committed \$57 million to provide work placements and opportunities to 3,000 unemployed people through our Green Army program. As a result, we are starting to see a recovery. It will be long and it will not be immediate, but we are building a recovery.

The midyear review, recently tabled, revealed an improved outlook for Queensland with a revised growth forecast of one per cent this financial year. Just last month Access Economics, in its latest business outlook, forecast that the Queensland economy would grow at a rate of 2.7 per cent. This is faster than the predicted growth of Australia of 1.6 per cent and second only to Victoria. Today the Queensland state accounts record that we had one per cent growth over the year to the September quarter. I table a copy.

Tabled paper: Queensland State Accounts, September Quarter 2009, Office of Economic and Statistical Research [[1754](#)].

There is no doubt that this is good news, but we should remain cautiously optimistic: we are not out of the woods yet. Even though last month's job figures showed the sixth consecutive month of job creation, our task is far from over. While we saw trend unemployment decrease to 5.8 per cent, we must not be complacent.

Today the COAG Reform Council released its 2008-09 report—*National partnership agreement to deliver a seamless national economy agenda*—a plan to increase productivity by streamlining national competition policies. We support this national agenda. We are harmonising regulatory regimes across Australia by introducing national uniformity across occupational health and safety, trade licensing, and consumer and product safety laws. While we support its recommendations, we do contest its findings in part. Its reporting needs to focus on outcomes—not on process—to keep momentum behind the reform agenda. This is a further demonstration of our commitment to maintaining a competitive regulatory environment that supports growing the state economy now and into the future. It is a task we commenced in earnest by putting a choice to Queenslanders exactly one year ago today, and it is a task we remain committed to today and into the future.

Mount Isa, Lead Levels

Hon. KJ JONES (Ashgrove—ALP) (Minister for Climate Change and Sustainability) (9.55 am): Today senior officers from the Department of Environment and Resource Management are meeting with Xstrata representatives at the Xstrata mine in Mount Isa. At today's meeting Department of Environment and Resource Management officers will be examining the analysis of data that Xstrata has conducted over the weekend. Xstrata advised the department yesterday that, after reanalysing its data over the weekend using two methods of testing, it believes it has evidence to demonstrate that the high lead levels at the RSL air-monitoring site appeared to be an anomaly not a breach of its licence conditions.

At today's meeting DERM officers will go through in detail this new analysis to verify that this is indeed the case. The member for Mount Isa and I are hopeful that Xstrata's advice that this was an anomaly of data, not a breach of its environmental conditions, is able to be substantiated today. Data showing elevated lead levels in the air monitoring at one of six sites last week was the first time that data submitted by Xstrata to the department has shown any exceedance.

The Bligh government takes its commitment to the environment seriously. If Xstrata is unable to demonstrate that its independent reanalysis of the monitoring data is not an anomaly or technical error, then as I said on Friday the department will take action. Xstrata is fully aware of its responsibilities under the act. I look forward to updating the House on the outcomes of this investigation as soon as possible.

WorkCover

Hon. CR DICK (Greenslopes—ALP) (Attorney-General and Minister for Industrial Relations) (9.57 am): The global financial crisis has had profound and far-reaching effects on many parts of the Queensland economy. WorkCover Queensland, the state's key workers compensation insurer, has not been immune to these impacts. WorkCover's investments, like those everywhere, suffered sharp losses following the collapse of Australian and international share markets.

When I outlined the impacts of the GFC on WorkCover to parliament last year, I foreshadowed the need for changes to the scheme to ensure it maintains its position as the most stable workers compensation scheme in the nation. I also made a commitment to consult widely with stakeholders on any proposed changes to the scheme. After considering a report from the WorkCover board, the government has now prepared a discussion paper, *The Queensland Workers Compensation Scheme: Ensuring Sustainability and Fairness*, which outlines options for improving WorkCover's financial position. I table a copy of that discussion paper.

Tabled paper: Discussion paper titled 'The Queensland Workers' Compensation Scheme: Ensuring Sustainability and Fairness', Department of Justice and Attorney-General [1755].

One option to be discussed is whether premium rates, currently the lowest in the country, should be raised to ensure Queensland workers and their families remain fully covered in the event of injury and to offset the effect of the global economic crisis. Another option in the discussion paper is a restriction on access to common law claims. One thing is certain: action has to be taken even if the economic crisis continues to ease. Hospital, rehabilitation and medical costs continue to increase above CPI levels, as do increases in lump sum payments and weekly benefits due to wages growth. The government's commitment to consultation about changes to the scheme is now being implemented. The discussion paper is being circulated to stakeholders with input required by 24 March 2010.

We will also convene a reference group of key stakeholders, including unions, employer organisations and lawyers, to provide advice to government about the options proposed in the discussion paper. This reference group will meet for the first time on Thursday. The Queensland government wants to continue offering industry a scheme that offers a fair level of support for workers and their families and value for money premiums for employers.

Disability Services

Hon. A PALASZCZUK (Inala—ALP) (Minister for Disability Services and Multicultural Affairs) (9.59 am): Thousands of Queensland parents dedicate their lives to caring for children with disabilities. They selflessly perform a labour of love without fanfare and out of the public gaze. Without their dedication and commitment, many Queenslanders with a disability would have a reduced quality of life. The Bligh government values the contribution of these ageing carers and we want to help them give their children the support they need. At the same time, we recognise there will come a time when they are no longer able to perform this caring role.

The good news is that we are tackling this dilemma head-on. While the opposition struggles to come up with a disability housing policy, we are investing in new purpose-built accommodation for Queenslanders with a disability right across this state. From Townsville to Toowoomba and from Mount Isa to Maryborough, we are getting on with the job of securing a better future for Queenslanders with a disability.

Queensland is leading the way when it comes to delivering more beds for people with a disability. This fact was highlighted in a *Four Corners* report which screened last week. The report showed that Queensland has delivered 19 out of the 40 new beds so far created across Australia with its \$18.3 million share of the Commonwealth funding. That is more than any other state has so far delivered and it is almost half of the national total. Queensland is well on track to deliver the 36 extra beds it is required to build by July 2012 under this agreement. I am pleased to inform the House that Queensland will not only deliver the 36 beds but also deliver a total of 100 new beds under this program.

We are also delivering better accommodation options for Queenslanders with a disability via our social housing program. In 2009 we helped 2,400 new families who have a person with a disability via the government managed long-term social housing policy. This means around 40 per cent of our new social housing coming on line will assist families who have a family member who has a disability. This is a great outcome for all Queenslanders. The Bligh government is getting on with the job of delivering better services for Queenslanders with a disability right across this state.

Science in Schools

Hon. GJ WILSON (Ferry Grove—ALP) (Minister for Education and Training) (10.02 am): I join with the Premier and the Deputy Premier in extending my sympathies to the families involved in the incident at St Patrick's school, the whole school community and the wider community. I join with them in their observations about that terrible tragedy.

The Bligh government is sparking students' interest in science. We know that science will solve the problems of the future. Scientists make amazing discoveries every day. They can cure illnesses, improve the environment, help us drive smarter cars, develop faster computers and hundreds of other things. We need scientists to keep Queensland strong in every way, and that is why we are committed to creating the next generation of science leaders.

The Bligh government has a range of initiatives focused on inspiring in students a passion for all kinds of science. We are spending \$43.5 million over three years for the Science Spark program. We have declared 2010 the Year of Environmental Sustainability. We are expanding the number of Earth Smart Science schools from 60 to 1,000 over the next few years. We have made science a leadership priority for state schools by providing additional funding for the training and employment of specialist literacy, numeracy and science teachers to work in schools most in need of support.

Just yesterday the Premier and I announced the appointment of some of the 100 specialist science teachers on their way to support teachers in Queensland schools. They will be backed up by 15 regional science managers who have recently had training to help them coach year 4 to year 7 teachers in how they can better understand and educate children in this fascinating and vital subject area.

The Queensland Studies Authority has developed a range of new science resources to help teachers get a better handle on teaching and marking science. We know it is critical that they feel confident and knowledgeable when teaching this subject if they are to keep kids engaged in the classroom. In September last year we announced scholarships to assist existing and aspiring primary teachers to increase their confidence and knowledge in teaching the science curriculum.

We are also working with our federal colleagues to invest in the bricks and mortar that help breed science stars. Around 81 science, technology and innovation centres will be built under the federal government's BER program in primary schools. A further 46 science centres are being built under the BER in secondary schools with an investment of \$72.4 million.

On 2 February 2010, the Queensland government released *A flying start for Queensland children*. The green paper has a number of initiatives that directly build on the work of the ministerial advisory committee for science, technology, engineering and mathematics. As well as the green paper, implementation of the Masters review has led to a decision to test teacher graduates to ensure a good

knowledge of science before they enter the classroom. This goes a long way in making sure Queensland students and teachers are knowledgeable and confident in applying science to the everyday world.

There are teachers throughout Queensland already doing great things to get students excited by science. Sarah Chapman from Townsville State High School is a showcase award winner whose middle school science program has lifted year 8 science pass rates from 60 per cent to 90 per cent and motivated significant numbers of students to undertake tertiary science study. I met Sarah recently with the Premier at the first green paper forum in Townsville. We congratulated her on her great work, which we acknowledge is helping create a new generation of Queensland scientists. Sarah Chapman is a fantastic exemplar for all teachers in the field of science.

Solar Hot Water Program

Hon. S ROBERTSON (Stretton—ALP) (Minister for Natural Resources, Mines and Energy and Minister for Trade) (10.05 am): More than 1,600 Queensland families have had an affordable solar hot-water system installed thanks to Queensland's—

Mr Seeney: 1,600 of 200,000.

Mr SPEAKER: Order! Those on my left.

Mr ROBERTSON: More than 1,600 Queensland families have had an affordable solar hot-water system installed thanks to the Solar Hot Water Program. This government has delivered these systems—

Opposition members interjected.

Mr SPEAKER: Order! Those on my left will cease interjecting.

Mr ROBERTSON: This government has delivered these systems at prices that are well below what was being offered in the open market. That was our aim: to make them an affordable option for Queenslanders.

The Queensland government program relies on the federal government rebate to help achieve the cheap price for supply and installation of systems for Queenslanders. This is a condition that we made absolutely clear from the day of our announced policy during the 2009 election campaign. That is why we were disappointed that last Friday the federal government suddenly reduced the rebate amounts and changed how their program works.

This is not the first big change in the federal government's program. At the end of last year there was a change to the heat pump rebate. There have also been large decreases in the price of renewable energy certificates, by over 20 per cent. Such changes cause great uncertainty in the whole market and have impacted on how quickly we have been able to roll out our program here in Queensland. However, I can say that installations that have already been booked in and had deposits paid will proceed. We think that is only fair. But we are having a close look at the whole program in light of the federal government's decision.

Our aim is still to get solar hot-water systems on people's roofs for an affordable price. Solar hot water makes a significant difference to people's electricity bills—

Mr Seeney interjected.

Mr ROBERTSON: It is still 1,600 more than you promised. Solar hot water makes a significant difference to people's electricity bills, with savings of between 25 and 30 per cent being achieved.

To date, 47,000 Queenslanders have expressed an interest in participating in our Solar Hot Water Program. The significance of the recent changes at the federal level are fundamental to our program. It is the financially responsible action to take to discontinue new works until we can fully understand the implications of the federal government's actions. We are looking at all options to ensure we can keep delivering affordable solar hot-water systems for Queenslanders.

QBuild, Apprenticeships

Hon. RE SCHWARTEN (Rockhampton—ALP) (Minister for Public Works and Information and Communication Technology) (10.08 am): The Queensland government is proud of its commitment to the building and construction industry. In particular, the Department of Public Works through QBuild plays a vital role in this industry, which is crucial to the future development growth of this state. As part of this role, I am pleased to report that QBuild—one of the largest employers of building trade apprentices in Australia—will continue its apprentice program in 2010. The continued education of these young men and women in the various trades at TAFE and on-the-job sites is critical for Queensland if the state is to meet the predicted shortages of tradespeople expected throughout Australia in coming years. Having worked in the industry I can attest that the apprentice program is one that I am particularly proud of.

The program is highly regarded and the record number of applications QBuild received for apprenticeships this year is testament to that. More than 4,350 people have applied for the QBuild apprenticeships on offer in 2010. That 4,350 shows that there is enormous interest in the construction industry and is a huge vote of confidence in this government and its apprenticeship training program.

Mr Wilson: It wouldn't have happened under the other side.

Mr SCHWARTEN: That is for sure; I take the interjection. In fact, if you look back 12 months ago at what those who sit opposite would have taken to the election, we would have less apprentices and less tradespeople to train them. In fact, if you go back a bit further to the Fitzgerald inquiry, you would have no QBuild at all. Apprenticeships this year are being offered in carpentry, plumbing, painting, electrical mechanics, refrigeration and air-conditioning mechanics, fitting, wood machining, shop fitting and stonemasonry. This year QBuild has expanded its horticultural program and introduced for the first time two apprenticeships in horticulture parks and gardens. These apprentices will be employed at Roma Street Parklands—another fine example of this government at work. In addition, there are horticulture and construction worker traineeships.

In order to promote regional growth, 73 of the 100 apprenticeships will be located outside the Brisbane metropolitan area. QBuild staff have had the difficult task of processing the applications, with short-listed applicants being interviewed in early January. The final selection process is currently underway. I would not like to be doing that job because the high quality of people who are applying is just magnificent. For the 100 successful applicants who will officially start in mid-March, their apprenticeship will be a great stepping stone into the industry. I am pleased that since I became the minister in 1998 QBuild has employed 1,339 apprentices and trainees, which I think is a pretty magnificent effort. Currently there are approximately 300 apprentices and field trainees hard at work all over Queensland. This government will proudly continue to keep investing in the future of Queensland with the QBuild apprenticeship program, which is unique in Australia.

Body Corporate Fees

Hon. PJ LAWLOR (Southport—ALP) (Minister for Tourism and Fair Trading) (10.11 am): This year the state government will change the way body corporate fees are decided for Queensland's more than 350,000 unit owners. The Body Corporate and Community Management Act 1997 will be changed so there is a better and fairer system for working out shared costs within apartment complexes or other community title schemes. This is a much-needed change. The act has a loophole, or at least an anomaly, which unfairly allows some unit owners to get away with paying less than their fair share of body corporate fees. The act required all unit owners to contribute equally to the body corporate for building maintenance et cetera, meaning that a ground-floor, one-bedroom unit or a 26th-floor, four-bedroom penthouse has to pay the same. Equal is not necessarily equitable.

Since the act was introduced in 1997, lot owners could apply to have their lot entitlements and thus body corporate fees reduced at any time. Penthouse owners can effectively slash their own body corporate fees, but these costs are merely passed on to the others in the complex so that a ground-floor studio unit owned by a retiree or a pensioner would be left paying much more than they had budgeted for when buying the unit—in some cases double—and this has forced many unit owners out of their homes. The situation needs to be fixed if affordable housing options are to be available to a wide range of Queenslanders. Essentially, what this will mean is that an owner of a small one-bedroom place on a lower floor at the back of a unit complex would not be required to contribute as much towards common expenses as someone with a more expensive place such as a four-bedroom, top-floor apartment with views.

The Queensland government will allow these buildings and complexes which had lot entitlement adjustments made to revert to their original method of dividing body corporate fees when the plan was registered. In 2008 consultations were held to hear how the existing lot entitlement system was working and how it could be improved. Unit owners will now have more certainty about what body corporate fees they are up for. It is important we adopt the most appropriate rules as they underpin the growth of apartment living in Queensland, which more people are turning to each year and which is needed to cater for our rapidly growing population.

Roads Infrastructure

Hon. CA WALLACE (Thuringowa—ALP) (Minister for Main Roads) (10.13 am): The Bligh government has hit the ground running in the 12 months since the Premier announced the election.

An opposition member: Yeah, running away!

Mr WALLACE: We know those opposite hate better roads throughout Queensland. We have workers in hard hats on road construction sites from Cairns to Coolangatta and everywhere in-between. We are building better roads and delivering a better deal for Queenslanders, no matter where they live.

We are investing in more than roads. We are investing in Queenslanders: in mums and dads, families and young people who rely on our road network to get from A to B—from Atherton to Babinda, from Ayr to Bowen and from Aramac to Barcaldine. That is why I am working with the mayors in North Queensland to secure their support for continued federal investment in our northern national road network.

I will be hosting a roads summit for North Queensland mayors early next month. Our focus will be on the 760-kilometre section of the Bruce Highway between Sarina and Cairns. It follows an effective partnership I struck with North Queensland mayors in 2007 to secure additional investment in the Bruce Highway. It was a real win for North Queensland. About \$1 billion was made available for the stretch between Sarina and Cairns, with 15 projects attracting mostly full or joint funding. The Stuart Bypass, stage 1 of the jointly funded \$190 million Townsville Port Access Road, was recently completed. In April last year the new \$48 million high-level Mulgrave River bridge was completed, eight months ahead of schedule. And work will start this year on the \$90 million Cardwell Range realignment and the \$110 million jointly funded Douglas Arterial duplication. We have made excellent progress on implementing safety measures such as overtaking lanes, audible line markings and rest areas—all up, \$65 million worth. We want to maintain that momentum, and I will be fighting to secure more dollars for the north from the federal government. It means jobs for workers in road construction, and it comes at a time when jobs and job security are more important than ever before.

New Fruit Varieties

Hon. TS MULHERIN (Mackay—ALP) (Minister for Primary Industries, Fisheries and Rural and Regional Queensland) (10.16 am): DEEDI scientists and researchers are developing new fruit varieties that will create thousands of farm jobs in coming years. It is another example of our Q2 aim of a strong economy powered by innovation. These new varieties have superior taste, are better adapted to Queensland's climate and are more profitable for growers. For instance, the Queen Garnet is a superplum which continues to show amazing promise as it goes through the commercialisation process. One plum has the antioxidants of two small glasses of red wine and it is expected that there will be a worldwide market for fruit juice products derived from this fruit. As many as 80,000 trees will be available for planting around Australia by mid-2012. In 10 years it is predicted that this plum will be worth at least \$30 million at the farm gate in Queensland and will have created up to 450 on-farm jobs.

Last year I unveiled a new apple—the RS103-130—which stays crispy for weeks and could be the world's best apple. It does not have a commercial name yet, but it can produce up to 60 to 80 tonnes per hectare compared to the industry average of 20 tonnes per hectare. Over the next decade this new variety could help create 750 jobs and double the industry value to \$90 million. New nectarine varieties have also helped this industry grow from \$26 million to \$36 million and resulted in 350 new part-time jobs and 50 new full-time jobs. The industry could be worth \$60 million within a decade. New papaya varieties, developed with Griffith University, are expected to triple the papaya industry value from \$20 million to \$60 million over the next decade and create up to 600 new jobs. DEEDI has signed a \$2.6 million agreement with Horticulture Australia to develop new strawberry varieties suited to subtropical climates. At present, only 10 per cent of strawberries sold domestically are Australian-bred varieties. The aim is to take the value of the Queensland strawberry industry from \$145 million to \$300 million over the next decade, and in the process create about 2,000 new jobs.

City of Brisbane Bill

Hon. D BOYLE (Cairns—ALP) (Minister for Local Government and Aboriginal and Torres Strait Islander Partnerships) (10.20 am): It is with pleasure that I inform the House that last week I released a consultation draft of the City of Brisbane Bill 2010. The bill's key aim is to cut through red tape and give Brisbane City Council the flexibility needed to deliver modern services in a world-class city. The original City of Brisbane Act amalgamated two cities, 10 towns and 13 shires into the City of Brisbane when it was passed in 1924. This new bill will ensure Brisbane's legislative framework is in tune with the 21st century.

This review is part of the Bligh government's modernisation of the local government sector in Queensland. The review of the City of Brisbane Act will deliver a stronger, modern legislative framework for Australia's largest council and properly recognise Queensland's capital city for the first time. The town clerk role of 1924 is replaced with clear responsibilities for the chief executive officer to include provisions to reflect the importance of the position.

I have preliminarily consulted with Brisbane's Lord Mayor and councillors on key proposals to be considered during the development of the bill and have now released a draft bill for further comment. I have invited all Brisbane residents and other key stakeholders to look at what is proposed for Brisbane. Submissions on the consultation draft can be made until Monday, 1 March 2010. I strongly encourage comment on the draft bill from the LGAQ, other South-East Queensland councils, ratepayers associations and Indigenous representatives. The proposed legislation can be viewed on the

Department of Infrastructure and Planning website. This engagement gives the people of Brisbane the opportunity to be involved in the consultation process and balances flexibility in council operations with good practice in performance, accountability and transparency in local government administration.

This review is essential to continuing local government reform in Queensland because the current act is out of date for a progressive and fast-growing capital city. The reform program is delivering a suite of local government legislation, which enables improvement in every aspect of local government operations throughout the state.

Northern Pipeline Interconnector

Hon. SJ HINCHLIFFE (Stafford—ALP) (Minister for Infrastructure and Planning) (10.21 am): I am pleased to advise the House that construction has commenced on another key component of the SEQ water grid following Commonwealth environmental approval. On 12 February, the federal government approved the \$450 million underground reverse-flow Northern Pipeline Interconnector stage 2—or NPI2—between Brisbane and the Sunshine Coast. NPI2 will link the Sunshine Coast to the South-East Queensland water grid and potential future water sources and provide further water security and jobs for South-East Queenslanders, with a total of more than 1,000 people employed, many of them locally, during the construction.

There is no doubt that water is a precious resource that has to be shared. The completed pipeline will provide the reverse-flow capacity to ensure water can flow in either direction depending on demand. It will connect the currently segmented water zones of the Sunshine Coast to the South-East Queensland water grid and provide greater flexibility of water supply—the infrastructure—to support Sunshine Coast growth. NPI2 will connect with the existing 47-kilometre NPI stage 1 between Morayfield and the Landers Shute Water Treatment Plant near Eudlo and allow for the transfer of up to 65 megalitres of water a day. The flow will be regulated by the South East Queensland Water Grid Manager.

The project has undergone three years of rigorous environmental assessment, and the Coordinator-General's report and the Commonwealth's project approval provide a suite of conditions to ensure that any potential environmental impacts from construction and operation of the pipeline are managed and mitigated. Conditions include controls on vegetation clearing, waterway crossings, air quality, noise and vibrations, traffic, erosion and waste management. Other conditions include the requirement that the proponent, LinkWater Projects, offset any greenhouse gas emissions produced during construction and replace any food source trees removed threefold. All environmental safeguards to protect fauna and flora will be undertaken in accordance with the approval conditions for the project and the approved environmental management plan.

Early work, such as clearing in areas not affected by conditions imposed by the Commonwealth government and in compliance with conditions imposed by the state government, is underway. Community and landowner consultation is ongoing in relation to construction activities. The approval for NPI2, which follows the 28 January completion of the drought-busting Toowoomba pipeline, clearly demonstrates the Bligh government's commitment to long-term water security for South-East Queensland.

CRIMINAL HISTORY SCREENING LEGISLATION AMENDMENT BILL

DISABILITY SERVICES (CRIMINAL HISTORY) AMENDMENT BILL

Cognate Debate; Order of Business

Hon. JC SPENCE (Sunnybank—ALP) (10.23 am), by leave: I move—

- (1) That in accordance with standing order 129, the Criminal History Screening Legislation Amendment Bill and the Disability Services (Criminal History) Amendment Bill be treated as cognate bills for their remaining stages as follows—
 - (a) second reading debate, but with separate questions being put in regard to the second readings;
 - (b) the consideration of the bills in detail together; and
 - (c) separate questions being put for the third readings and long titles.
- (2) That, notwithstanding anything contained in the standing and sessional orders, debate of the bills be considered during government business and 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 7.30 pm until the abovementioned bills have been dealt with.

Question put—That the motion be agreed to.

Motion agreed to.

ORDER OF BUSINESS

Hon. JC SPENCE (Sunnybank—ALP) (Leader of the House) (10.25 am): The opposition leader has been rather disingenuous in feeding the media the story that the Bligh administration has been gagging politicians in parliament at a rate far greater than the much maligned Bjelke-Petersen era. He has been very selective in his use of figures in choosing the last 26 months of the National Party rule to come up with the figure of 10 gags on parliamentary debate. He could instead have chosen the year 1987, when 24 bills were guillotined, or the year 1986, when 18 bills were guillotined. And—wait for this—that year the parliament sat for only 28 days. The fact is that governments of any political persuasion are obliged to manage the business of the House and get their legislation passed.

Another interesting statistic is the average duration of sitting days. In the 44th Parliament, which went from 1983 to 1986, the average sitting day was 10 hours and three minutes.

An opposition member: I think you protest too much.

Ms SPENCE: These are interesting. Listen. I will say that again. In the 44th Parliament, which went from 1983 to 1986—and this was pretty average for the 1980s—the sitting day was 10 hours and three minutes. Over the last decade this has been increasing and we are now consistently sitting for 11½ hours a day. In fact, in the last term the average duration was 11 hours and 47 minutes.

In the last few years, under the Bligh government, we have attempted to manage the business of the House so that members are not sitting debating important matters in the early hours of the morning. However, this has not always been the case. I remember well the week of 9 May. It was a four-day sitting week: we sat Tuesday, Wednesday, Thursday and Friday. Friday's business of the House continued on—and this is in 1997 under the Borbidge government—into the early hours of Saturday morning. I seconded the motion on Aboriginal reconciliation at 2.44 on a Saturday morning, with the House finally adjourning at 3.09 am. An important motion of the House on Aboriginal reconciliation was debated in the early hours of Saturday morning.

I think most members would agree that we have allowed full and wholesome debate on issues which members have felt very passionate about, such as the Surrogacy Bill and the Criminal Organisation Bill. We have had 12-hour debates on these issues but, at the end of the day, if every member wants to take 20 minutes to speak on every piece of legislation, which I understand is the opposition's objection to the use of the guillotine, then we are routinely going to have to sit throughout the night or have more parliamentary sitting days.

I believe it is time we modernised the parliament. Today I am happy to offer the opposition and the Independents the opportunity to sit down with me at the start of every parliamentary week and discuss the bills that the government needs to get passed that week and how long they would like to spend on each piece of legislation. This works in other parliaments in Australia. It would allow the opposition members and the Independents the opportunity to manage the requirements of their own members to participate in all debates. They, like the government members, would then be able to determine how many speakers and what length of speeches they can accommodate for each piece of legislation.

PERSONAL EXPLANATION

Record of Proceedings

Mrs PRATT (Nanango—Ind) (10.30 am): I would like to correct a statement recorded in *Hansard* during the surrogacy debate. When on my feet and speaking during any debate, I have the happy knack of being able to shut out any extraneous noise, that being other members interjecting. Although I might be aware of the yelling around me I am not aware of the actual content of that yelling.

On reading *Hansard* the next day I noticed that during the section of my speech where I was discussing polling my electorate to get their views on heterosexual and same-sex surrogacy an interjection was made by a government member and recorded in *Hansard* which changes the intent of what I was actually trying to say. The following words of the interjection which were recorded in *Hansard* pertained to the questionnaire I sent out, and I quote—

How many people did you send it around to? Did you ask more than your family or just your family?

It appears from my following words recorded in *Hansard* that I had answered the interjection when, in fact, I had been talking over the interjection. The *Hansard* record implies that I had sent the questionnaire to only 600 people. By way of clarification and so as not to mislead the House, I would like to correct that statement. The 600 I was referring to was the approximate number of replies I had had to that date, the date of the debate. At that time the replies had only just started to come in, and they were still coming in and are still coming in to this very day. The questionnaire was sent via Australia Post not to only 600 people but to every household in my Nanango electorate because I believe they deserve the right to have a say.

SCRUTINY OF LEGISLATION COMMITTEE

Report

Mrs MILLER (Bundamba—ALP) (10.31 am): I table the Scrutiny of Legislation Committee's *Legislation Alert No. 2 of 2010* and, in addition, I table copies of submissions received by the committee regarding the Valuation of Land and Other Legislation Amendment Bill 2010.

Tabled paper: Scrutiny of Legislation Committee Legislation Alert Issue No. 2 of 2010 [1756].

Tabled paper: Copies of submissions received by the Scrutiny of Legislation Committee regarding the Valuation of Land and Other Legislation Amendment Bill 2010 [1757].

SPEAKER'S STATEMENT

School Group Tour

Mr SPEAKER: During the parliamentary session this morning we will be visited by students from St Thomas More Primary School at Sunshine Beach in the electorate of Noosa. Question time will end at 11.32 am.

QUESTIONS WITHOUT NOTICE

Bligh Labor Government

Mr LANGBROEK (10.32 am): My first question without notice is to the Premier. The state election was called one year ago today. Does the Premier now understand why Queenslanders feel deceived, cheated and conned and will the Premier apologise?

Ms BLIGH: As I have already advised the House this morning, today is the first anniversary of the day on which I called the 2009 election. That was an election called in the toughest of economic circumstances—economic circumstances that were denied by those opposite then and continue to be denied by those opposite now.

I went to the election and I told the people of Queensland in the most open, honest and transparent way all of the circumstances facing the Queensland budget. We said to the people of Queensland that we were the team best placed to get Queensland through the global financial crisis. What did we say we would do? We said at all costs we will quarantine our infrastructure building program because it will create and protect 127,000 jobs. We have delivered the largest infrastructure program in Australia and 127,000 workers are in jobs because of it. We said that we would work on the skills and apprenticeships of Queenslanders and we have delivered. We delivered our apprenticeship incentive on payroll tax and we are delivering new skilled places, giving people a chance to get into the workforce. We said that we would develop new industries and that is what we are doing: delivering an LNG industry in Queensland and working on delivering a green technology industry.

We said that we would put in place job creation schemes that would create jobs, such as our Green Army, and we have delivered it. And guess what? It is working. Our economic strategy is working. We saw from the Treasurer this morning that gross state product grew by one per cent in the September quarter. We have seen from the latest unemployment data that unemployment in Queensland is falling—falling against the odds at a time when everyone predicted it would be growing. Why? Because we went to the election with one clear policy that we stood for: jobs. What did those opposite stand for? Cuts. We are delivering jobs, not cuts.

Last weekend in the *Australian* the member for Surfers Paradise confirmed that his economic policy to cut 12,000 jobs remains. With the Labor Party, Queenslanders get jobs; with the LNP, they get cuts. One year on nothing has changed.

Fuel Subsidy

Mr LANGBROEK: My second question without notice is also to the Premier. The state election was called one year ago today. Prior to election day the Premier gave motorists the commitment: 'I will not kick them when they are down and I will not abolish the petrol subsidy.' Does the Premier now understand why Queensland motorists feel deceived, cheated and conned and will the Premier apologise?

Ms BLIGH: I think that we know that there is only one con happening in Queensland politics and it is happening within the Liberal National Party. We know where the Liberal National Party stands on privatisation. We know that the member for Surfers Paradise believes that state schools should be privatised. We know that the federal Liberal Party believes that Medibank Private should be privatised.

We know that the shadow Treasurer believes that the poles and wires of our electricity network should be privatised. We also know that whatever those opposite may have said about fuel tax, what they have not said is that they would reintroduce the subsidy. Those opposite stand here today perpetrating—

Mr Seeney interjected.

Ms BLIGH: I thank the member for Callide for confirming that an LNP government will not reintroduce the fuel subsidy.

Honourable members interjected.

Ms BLIGH: I note they have not asked me to withdraw.

Honourable members interjected.

Ms BLIGH: What we do know as a result of the confirmation on the weekend by the Leader of the Opposition is that the one policy those opposite are prepared to stand by against all the odds, against the rejection by the Queensland public, is their policy to cut 12,000 jobs every year out of Queensland public sector employment. The LNP has had 12 months to change its economic strategy and it still believes that the way to grow the Queensland economy is to create unemployment.

In stark contrast to that, we on this side believe in jobs; we believe in the dignity of work and we believe in the importance of growing, creating and protecting jobs. There are 127,000 jobs in our building program. There have been 18,000 jobs created in the last six months. That would have been 12,000 fewer if the LNP had secured the confidence of the people.

Those opposite never want to stand and defend their policy, but they have never taken the opportunity to walk away from it. There was an opportunity presented to the Leader of the Opposition in the national newspaper on the weekend and what did he say? 'I stand by my party's decision.'

Mr Lucas: He cuddled up to it like a teddy bear.

Ms BLIGH: He cuddled up to it like a teddy bear. I take the interjection. This is a policy that would take Queensland backwards.

Bligh Labor Government

Ms MALE: My question without notice is to the Premier. We went to the last election in the toughest of economic times. I ask the Premier to update the House on the progress made as a result of the government's economic strategy?

Ms BLIGH: I thank the honourable member for her question. I think members on this side, like the member for Pine Rivers, understand the importance of creating work and understand the devastation created by unemployment.

Our government, elected as we were right in the middle of the global financial crisis, had to deal with the circumstances that we found ourselves in.

Mr Springborg: Record revenues.

Ms BLIGH: I do not know what planet the member for Southern Downs is on today.

A government member: It is a planet where one equals three.

Ms BLIGH: Yes, it is Planet Jake where three equals one.

Opposition members interjected.

Ms BLIGH: I do not know what you think I am talking about, son, but I would love to know. I do not know what you think I am talking about, son, but you can have a little word to me outside and I think we would enjoy the conversation.

Mr DEPUTY SPEAKER (Mr O'Brien): Order!

Ms BLIGH: I think it is important to acknowledge that our economic strategy is working and is delivering jobs for Queenslanders at a time when we could have faced the most devastating effects of escalating unemployment. We are now seeing it come down and that is the clearest possible indication that our economic strategy is working. Yes, we made some hard decisions. Yes, many Queenslanders would prefer that things were otherwise. However, in this job and in this business you have to have the strength, you have to have the courage and you have to have what it takes to make the hard decisions when they need to be made, and that is what we did.

Do members know what those hard decisions are protecting? They are protecting our infrastructure programs. Those hard decisions mean that in Cairns we are building a whole new hospital building. They mean in Mackay we are building a whole new hospital. They mean in Townsville we are building an entirely new emergency department and new wing. They mean that we are redeveloping the hospitals in Rockhampton and Bundaberg. They mean the Sunshine Coast at Nambour will benefit.

They mean the Prince Charles Hospital is being redeveloped for emergency services. They mean we are building a whole new children's hospital and a tertiary hospital for the people of the Gold Coast. We are creating jobs and those jobs are building a legacy that the people of Queensland need and that, in turn, will also contribute to our prosperity and our productivity. We are a government with our eyes firmly focused on the long term. We are creating a stronger Queensland. We stand, very clearly and unashamedly, for jobs and not cuts.

Sale of Public Assets

Mr SPRINGBORG: My question without notice is to the Premier. The state election was called one year ago today.

A government member: And you should be over it by now.

Mr SPRINGBORG: It will take the people of Queensland a long time to get over you—a long, long, long time.

A government member: It has been a long 12 months, Lawrence.

Mr SPRINGBORG: For long-suffering Queenslanders, that is very true.

Mr DEPUTY SPEAKER: Order! Deputy Leader of the Opposition, ask your question please.

Mr SPRINGBORG: My question without notice is to the Premier. The state election was called one year ago today. Prior to election day on 9 March, the Treasurer categorically ruled out privatising any of Queensland's assets. Given that the government is now privatising public assets, including Queensland Rail, does the Premier understand why Queenslanders, the actual owners of the assets, feel deceived, cheated and conned, and will the Premier apologise?

Ms BLIGH: I thank the member for the question although I have to say that, as usual with the questions that I receive from the member for Southern Downs, it is less than factual and less than truthful. As I have outlined to this House before, during the election campaign the government was specifically asked whether asset sales may have to form part of our economic strategy, given the diabolical circumstances of the global financial crisis. That question was answered honestly and the answer was published. Any suggestion—

Mr Springborg: It was 'no'.

Ms BLIGH: No, the answer was 'yes'. I refer the member to the *Financial Review*. It has been put in this House before. The member should keep up. It is a little under 12 months old, but it is just as relevant today. Did the Treasurer and I tell the truth? Yes, we did tell the truth.

Let us talk about the assets that Queenslanders own. Queensland is involved in one of the largest infrastructure programs not only in the history of our state but in the history of this nation. In my previous answer I outlined some of the health facilities that we are currently building. They are just one part of that infrastructure program, but they represent the largest single injection of new buildings and new facilities in health ever seen in this nation. What does all that mean? It means that even after we sell some assets to ensure that we are in a position to continue our borrowing program to keep building what Queensland needs, we will have a bigger asset base than we had before.

Mr Springborg: Did you tell Queensland Rail workers?

Mr DEPUTY SPEAKER: Order! Deputy Leader of the Opposition, you have asked your question. You will get the answer.

Ms BLIGH: We know that on the LNP side of politics they believe, as the member for Surfers Paradise does, in privatising education. They believe, as Tony Abbott does, in privatising health. On our side, we believe that they are the core business of government, that that is what government should deliver to their people and that commercial businesses should, when appropriate, be considered for private sector investment. That is what is happening with commercial businesses in some of our assets.

Mr Gibson: QBuild is next, is it?

Ms BLIGH: We know what is on your list.

Honourable members interjected.

Mr DEPUTY SPEAKER: Order!

Ms BLIGH: Our assets sales program is clearly articulated and well known. What is it delivering? It is delivering an infrastructure program the likes of which this state has never seen. It is employing 127,000 Queenslanders and it is providing the infrastructure that will drive the prosperity and the productivity that is needed in Queensland. I table the relevant article for the honourable member.

Tabled paper: Article in the Australian Financial Review dated 19 March 2009 headed 'Bligh faces power sale' [[1758](#)].

Again I say, we stand for jobs and not cuts.

(Time expired)

Education Reforms

Ms JOHNSTONE: My question is also to the Premier. Could the Premier please inform the House about the progress of public consultation on the education green paper?

Ms BLIGH: I thank the member for the question. I was very pleased to join the Minister for Education and the member for Townsville and her colleagues at the first public consultation on our new green paper on education last week. The meeting was attended by representatives of teachers, principals, schools and P&Cs as well as mums and dads and people who are genuinely interested in education and who want the best for their children. I am sure the member will join with me and the minister in saying that it was a very engaging session. People had lots of good ideas and were very interested in some of the government's ideas.

This morning I have already outlined a number of areas where we have been delivering on our election commitments. I am particularly proud of the work that is happening in the area overseen by the Minister for Education. We went to the election promising to improve our performance in literacy and numeracy. What did we see delivered last year? Improvements in 17 out of the 20 areas in literacy and numeracy, and more initiatives for improvement this year. We said we would increase our effort in science. We have delivered not only 100 new science teachers in primary schools, who are the first specialist science teachers ever in Queensland primary schools, but also, through our State Schools of Tomorrow program, we are delivering new science blocks and upgraded science blocks to more than 90 high schools. What would have happened to the State Schools of Tomorrow program under those opposite? It would have been abolished! They promised people that they would abolish the State Schools of Tomorrow program that is delivering 90 new and upgraded science blocks. We are rolling out 240 new kindergartens to give Queensland families the same access to early education as families in other states have. What would have happened to that program under the Liberal National Party? They made a commitment to scrap that program. It is the usual lack of investment in early childhood education that they delivered the last time they were in government, which saw Queensland provision drop away from the other states.

Delivering on our election commitments is absolutely vital, but developing new ideas and taking forward new agendas during the term of government is equally important. We are not resting on our laurels. We are relying simply on implementing our election commitments. Our green paper takes education forward. We are developing new policies and new ideas to take reform to the next level. What do we hear from those opposite? We have heard them commit to only two policies, which are the same policies that they took to the last election and that were rejected. They would have sacked 12,000 people every single year and put in place hospital boards. They took hospital boards to the last election, they took hospital boards to the election before that and they took hospital boards to the election before that, and now they have convinced poor old Tony Abbott to take it up. They are so stale.

Solar Hot Water Program

Mr SEENEY: My question without notice is to the Premier. When the state election was called one year ago today, the Premier gave an election commitment that 200,000 solar hot-water systems would be provided over the next three years to pensioners and families. After just one year, the government has not provided even one per cent of its commitment. Does the Premier now understand why pensioners and families feel deceived, cheated and conned, and will the Premier apologise?

Ms BLIGH: I thank the member for Callide for the question. There is nothing that I like more than talking about how we are implementing our election commitments, and the chance to do it in this important area is very, very welcome.

The member is right: we went to the election promising Queenslanders that we would drive a whole new rollout of solar hot-water systems in Queensland homes. The Minister for Natural Resources has been working with industry over the last 12 months to get this program up and operational. As we have outlined in the last couple of days and as the minister advised the House this morning, this program was always, in its current form, attached to the federal rebate system. As is always the case in government, when the circumstances change you have to adapt to those new circumstances, and that is exactly what we will do. Our determination to deliver affordable solar hot water to Queensland homes is as strong as it has ever been. We will take the new circumstances and we will redesign the scheme so that we can deliver what we said we would deliver to the people of Queensland.

As a result of our election commitment, there are now thousands of Queensland homes that have it on their roofs that did not have it before.

Mr Gibson: 1,600—that is all.

Mr DEPUTY SPEAKER: Order! Member for Gympie.

Mr Seeney: 1,600 out of 200,000. You have got thousands waiting since July.

Mr DEPUTY SPEAKER: Member for Callide, you have asked the question.

Ms BLIGH: Do you know why there are people on the list? Because Queenslanders want it. Queenslanders want solar hot water. We said that we would deliver this within this term of government, and that is our intention. I am determined that it will be achieved.

What would have been delivered in the area of solar hot water if the LNP had been elected? Nothing. They did not have a policy. They did not have a single policy in the area of solar. They did not have a single policy in taking environmental issues forward. They went to the election and they promised to vandalise the environment. They had no alternative energy policies.

We said that we would deliver. We are on the job doing that. And, yes, circumstances might change and you might have to adapt to that. But do you know what? We have got what it takes. We as a government are perfectly capable of adapting to circumstances as they change. We are not locked in to the rigid thinking that has captured those opposite, who are locked in to the same health policy—get a board—that they have taken to the last three elections with nothing else. We have what it takes to drive the agenda forward, and that is what we are doing.

(Time expired)

Health Services

Mr HOOLIHAN: My question without notice is to the Deputy Premier and Minister for Health. Could the Deputy Premier and Minister for Health please advise the House how forward thinking assists in delivering modern health services across Queensland?

Mr LUCAS: I thank the honourable member for the question. Health in the 21st century is about better health services; more clinicians; more doctors, nurses and allied health professionals; new technology; and improved models of care. Modern health systems require interaction across a whole system—a whole systems approach. On 1 July we will have national registration of all our medical health professions. We are increasing regional and rotational training of people across hospitals. Even urban hospitals, such as the Royal Brisbane and Women's Hospital, the Prince Charles Hospital, the Redcliffe Hospital and the Cairns Base Hospital, all work together in a hub-and-spoke model. We have state-wide clinical networks where specialists in each field work together to deliver integrated services, to improve training and to share the very latest research and skills. Advances in telehealth mean that a doctor and patient in Mount Isa can access real-time consultations with specialists in Townsville and Brisbane, and patients can access specialist consultations without the need to travel.

Yet what do we see from the other side, and indeed from Tony Abbott? We see outdated models of running hospitals—local hospital boards. This is from the crowd who brought us the Mersey Hospital—the single worst health public policy decision in Australia's history. What did Forster do? He ruled out hospital boards. What did the Auditor-General say in the report that the opposition made much of? He said—

To achieve effective integration, central oversight and coordination of planning processes needs to be established.

But the Leader of the Opposition still advocates hospital boards—from those who were \$313 million in debt. What was said about hospital boards at the time? In 1988 the *Courier-Mail* reported—

'The health minister, Mrs Harvey, had stacked hospital boards with friends and National Party cronies'—

a certain person said. That person had been removed from the QEII Hospital board at Mount Gravatt.

In the appointment of 52 hospital boards announced yesterday, Mrs Harvey—

Remember her? She went to jail—

did not make major changes to the heavily criticised Townsville and South Brisbane hospital boards.

He was previously the Brisbane City Council representative. It goes on—

'Mrs Harvey's policy is to appoint people friendly to the party' ...

Mrs Harvey said there was no automatic reappointment of boards.

Who was it who said that? It was then Alderman Richard Jefferies, the Liberal alderman for Camp Hill on the Brisbane City Council. Even in those days the Liberal Party knew the fix was on. We saw in the last sitting week the beginning of the end for the Liberal Party stage 2. How ironic that we launched Terry White's biography recently when last week we saw no conscience vote—the Liberal Party rolled over. Exactly the same thing will happen when it comes to hospital boards and the health system. It is about looking after National Party mates, not about looking after patients. They are bereft of ideas.

(Time expired)

Taxation

Mr NICHOLLS: My question is to the Treasurer. The state election was called one year ago today.

Government members interjected.

Mr SPEAKER: Those on my right will cease interjecting. I ask the honourable gentleman to ask his question again.

Mr NICHOLLS: Thank you, Mr Speaker. The state election was called one year ago today. In the middle of the election campaign the Treasurer promised to freeze tax increases. 'I'm happy to rule it out,' the Treasurer said. With increases in motor vehicle registration, fuel tax and a surcharge on land tax, does the Treasurer now understand why the taxpayers of Queensland feel deceived, cheated and conned, and will the Treasurer apologise?

Government members interjected.

Mr SPEAKER: Those on my right will cease interjecting.

Mr FRASER: I thank the shadow Treasurer for his question. I take pity on him for the fact that he has to be an apologist for a side of politics that is so bereft of policies. As always, he has been given the question, which has been passed down the line. It has been written in another place. What lies underneath this question is a fundamental untruth. What did the 2009-10 budget do in terms of tax reform? It introduced a rebate of up to 125 per cent in payroll tax for apprentices and trainees. That was the only tax change that was incorporated in the 2009-10 budget. And what did those opposite do? They voted against it.

Yes, there were changes to land tax that were announced in the midyear review in December 2008—three months before the election. Yes, there were changes to motor vehicle registration that were announced in the midyear review in December 2008—before the 2009 election. Why were they put in place? They were put in place to fund a road-building program that these jokers would not even keep going, because they did not have the wherewithal to make the decisions to continue to fund the building program that was needed at that time.

So do we make an apology for making sure that we took the tough decisions to fund the building program and to keep the economy moving—to build the infrastructure for the future, to create jobs for the future, to create jobs in regional economies? No, we do not. Where is the deceit, the cheating and the conning going on in this chamber? The deceit is over there. They are trying to deceive the people of Queensland going into the next election by standing for nothing, doing nothing and scrunching up into a little ball.

They are trying to cheat their way out of having to do a skerrick of work to put forward a policy in the alternative, and they are trying to cheat their way into the next election. They are sitting at home at night watching Channel 9, watching the Winter Olympics, hoping that they can be the 'Bradbury government'. Just because they are there, they might get across the line.

Twelve months ago today we put a choice before the people of Queensland. We asked them who was best placed to make the decisions. Who was best placed to take the tough decisions? Who was best placed to put forward a policy? Despite the fact that it hurts the Deputy Leader of the Opposition so much, the people of Queensland overwhelmingly chose this government to make the tough decisions, to chart a course for the future, to make policies, to stand up and do the right thing in the long-term interests of this state.

What we have seen since then is another side that has shut up shop, not done a skerrick of work and not put a policy forward. All they can do is cuddle up to the discredited policies of the opposition leader of the past. He reckons he has lost only one election. The reality is that we would love to give him a chance to lose No. 4.

QRNational

Ms DARLING: My question without notice is to the Treasurer. Can the Treasurer update the House on the acceptance rate among staff moving to the new Queensland Rail as part of the creation of QRNational?

Mr FRASER: I thank the member for Sandgate for her question, because she, like other members of this government, is utterly committed to making sure that we can take not only the tough decisions for the future of the state but also the tough decisions to secure the future employment of the people who work in QR—the people who built QR over its 144 years; the people whose work has created a great Queensland company. By virtue of our decision and the courage of this government to make the tough decisions for the future, we will chart a course for QR to become a great Australian economy.

Ms Bligh: Based in Queensland.

Mr FRASER: Based in Queensland; here to deliver jobs for Queenslanders; here to deliver job security for the people who work for QR.

What have the workers for QR done through this process? They have been going through a process to create the new Queensland Rail, to create the new QRNational. Ninety-eight per cent of the workers in QR have voted with their feet to take up the offer of employment as we chart a course for QR to become a great Australian company for the future. This is about protecting the jobs of people in QR, creating the opportunity for QR to go on and be a great national economy, to give it the balance sheet to fund expansions into the future.

Those opposite love to talk about the 12-month anniversary, but none of them mention the time of the calling of the 2006 election. That is another great story that I am sure the deputy and the shadow minister for education would like us to replay at another point. The reality is that 12 months ago today Queenslanders had a choice. Queenslanders were given a choice as to who would make the tough decisions. This government has made the choices. To this point we see an opposition that is pretending to have no policies. But make no mistake about it: it took a policy to the last election supporting privatisation. It still supports privatisation. Do not listen to what members opposite say; look at what they do. They voted for it in the past. The Leader of the Opposition has voted in this parliament to privatise education.

We saw on Friday the shadow education minister back on radio, back on the airwaves being asked about the decision of the federal Liberals to propose the privatisation of Medibank Private. What did he say? It must have been a moment where the Leader of the Opposition felt like the deputy leader did on the day the 2006 election was called, as he listened to the member for Moggill give a ripper quote. He said, 'In terms of our approach to privatisation, there are occasions where things like Medibank Private should be. They are operating in a competitive market.'

So 12 months ago there was a choice: a choice between this side of politics, with a plan and courage for the future, and a choice between these people who still believe in privatising health, who still believe in privatising education, who still believe in privatising everything. Do not listen to what they pretend to say. They should reveal the secret plan. They should reveal what they will not be upfront about to the people of Queensland: that they have supported, and always will support, not only this program but also going further—privatising schools and privatising health while we invest in health and education.

(Time expired)

Sale of Public Assets

Ms SIMPSON: My question is to the Minister for Transport. I refer the minister to the Premier's claim that the government had been upfront before the election that privatisation was an option. Does the minister agree that railway workers in her electorate were fully informed about privatisation options before the election?

Ms NOLAN: I thank the honourable member for the question. I note today the opposition's ongoing attempt to rewrite the history of the last election because it remains so comprehensively stuck in the past, but I remember that history, too. I remember that this government opened its books to an unprecedented extent to the people of Queensland and went to an election campaign saying, 'These are tough economic times, and we have a commitment to build infrastructure and to create jobs.'

I remember that, when asked during the election campaign whether it was possible that asset sales may have to come onto the agenda in future, the Treasurer answered that correctly in the *Financial Review*. He said 'yes' and that was accurately reported. I remember very well that, since this side of politics won the election, two things have happened: we have continued our commitment to build infrastructure and create jobs, and we have subsequently made some difficult economic decisions on asset sales. Those things are true. Those things are on the record.

What have we done since the election? Immediately after the election and Easter this government completed work on a \$298 million upgrade of rail services on the Sunshine Coast. We duplicated the track from Caboolture to Beerburrum. Later in the year this government, in keeping with its commitment to keep building infrastructure, opened two major busways—the Eastern Busway from Buranda to the Eleanor Schonell Bridge and the Northern Busway from the Royal Children's Hospital to Windsor. I well recall that the government in December opened a whole new railway line from Robina to Varsity Lakes—the first major extension to rail on the Gold Coast for more than a decade.

Mr Lucas: Was it connected to the rest of the railway line?

Ms NOLAN: And, indeed, it was connected. This government is delivering. While the opposition may claim that it was somehow wronged, the other thing that I remember is that this opposition went to the election with a commitment to build a railway line at the Sunshine Coast that did not join up and to build a Petrie to Kippa-Ring railway line—in brackets and with an asterisk 'subject to the global financial crisis'. The people of Queensland made a decision. This opposition was not wronged. This opposition had no plan and it continues not to.

Free-Flow Tolling

Mrs KEECH: My question is to the Minister for Main Roads. Much has been said in recent times about the benefits to Queensland motorists of free-flow tolling. It is of particular interest to my constituents of Albert, who are regular users of the Queensland Motorways network. There has, however, been some confusion about what tolling products can be used on our tollways. Can the minister please advise the House of the tolling products which can be used by motorists?

Mr WALLACE: I thank the honourable member for Albert for her question. She has a great interest in people's transport capabilities in South-East Queensland and it is great to get the question. Free-flow tolling has been a great success story for the Bligh government, and it is not the only one.

It is 12 months since the Premier called the election and we have been on a roll with roads. I have opened the Townsville ring-road, the Mulgrave River bridge in Far North Queensland, the Bundaberg ring-road, the Hospital Bridge in Mackay and the northern deviation of the Gateway project. You name it, we have been there, we have opened it. We have planned, we have built, we have delivered and we are making tracks with free-flow tolling.

As to the honourable member's question about tags, basically one tag fits all. It means motorists only need one electronic tag to pay for tolls for travel on any toll road in Australia. Go via can be used on all toll roads in Queensland, including the Clem7 and Airport Link tunnels, the Go Between Bridge and the Gateway and Logan motorways.

More than one million Queenslanders already have a go via tag. Those motorists can use those tags on any toll road, including council controlled toll roads. There is no need for go via customers to get any other tag. It is simple, streamlined and effective. In addition to electronic tag products, go via also offers motorists other ways to pay their tolls such as video tolling or casual user products.

Some features of go via and other tolling products are different, but it is one size fits all. Free-flow tolling takes the hassles out of using tollways, be they here in Queensland, in New South Wales or in Victoria. It is seamless and easy to use. It is easing congestion in Queensland. For instance, I am advised free-flow tolling has cut travel times by up to 10 minutes for motorists using the Queensland motorway networks in peak periods. That is 10 minutes of travel time saved as a result of the step this government had the courage to take.

It is about improving traffic flow and travel time. That means time savings for motorists. No matter what the Chicken Littles opposite say, this has been welcomed by motorists and over one million tags in the market shows that this has been a real winner. It is good for the environment too. Less queuing means less pollution. Free-flow tolling is a win for motorists and a win for the environment, and it does not get much better than that.

Bligh Labor Government, Media

Mr McARDLE: My question is to the Premier. I refer the Premier to the document tabled last night by a Queensland government agency that reveals the government places a dollar value on every news item planted in national and local news media. For example, a *Sunday Mail* report about a hoped-for visit by President Obama was worth \$51,100. In light of this, I refer to a newspaper article which is headed 'Boom state stripped of AAA rating' and ask: what dollar value is placed on this entirely accurate report?

Ms BLIGH: Mr Speaker—

Opposition members interjected.

Government members interjected.

Mr SPEAKER: Order! Both sides of the House will cease interjecting, I have called the honourable the Premier.

Ms BLIGH: What this question reflects is a total lack of understanding, firstly, about how important the tourism industry is to Queensland's economy and, secondly, how important national and international media coverage—

Mr McArdle interjected.

Mr SPEAKER: Order! Stop the clock for a moment. The honourable member for Caloundra, I tolerated the showing of the newspaper article during the question, I will not tolerate it as a placard. Keep it down. I call the honourable the Premier.

Ms BLIGH: The document to which the member is referring is the report of my recent trade mission for the G'day USA promotion of Australia and the opportunity it provided to promote Queensland. For a number of events during that trade mission I was accompanied by the person who was successful in securing the best job in the world as part of our terrifically successful Queensland Tourism Best Job in the World campaign.

Opposition members interjected.

Ms BLIGH: They may think that jobs in the tourism industry are a joke, but I can assure the tourism operators of Queensland that we take it seriously and we will leave no stone unturned to promote it.

What those programs with Ben Southall did for Queensland in the United States was promote opportunities to holiday here on a regular basis throughout the media in the United States. They also secured media coverage back here in Australia. I do not make any apologies for Tourism Queensland trying to make an assessment of what the value of Ben Southall's work is to the people of Queensland. That is a very important part of promoting Queensland. The promotion of Queensland means Queensland jobs. It means jobs in hotels. It means jobs in motels. It means jobs in resorts. It means jobs in adventure opportunities right up and down the Queensland coast.

We will continue to work with Tourism Queensland to promote Queensland every single chance we get. We will do it when we are on trade missions. We will do it through advertising nationally. If we can secure free advertising for Queensland through programs like those done with Ben Southall we will not hesitate.

I am happy to talk directly to the article that the member mentioned because do you know what? We have a plan to restore Queensland's AAA credit rating and those opposite do not. The Leader of the Opposition went to the press club last July and said, 'Don't you worry about that. I have an economic plan.' There is no plan. There is no plan whatsoever to restore the Queensland budget. There is no plan to restore the AAA credit rating. We have an economic strategy. As I have outlined today, it is one that is working.

Disability Services

Mr PITT: My question is to the Minister for Disability Services and Multicultural Affairs. Can the minister please inform the House how the Bligh government is supporting younger Queenslanders with a disability?

Ms PALASZCZUK: I thank the member for his interest in this particular area. Since becoming Minister for Disability Services I have mentioned in this House my three key priorities. My first priority is to develop an action plan for children with a disability. This will be released over the next couple of months so families can comment on the plan. My second priority has been in relation to ageing carers of children with a disability. As I mentioned in this House earlier this morning, Queensland is leading the way. In fact, we will not only meet our Commonwealth commitments but we will exceed our commitments by delivering 100 extra beds. My third priority as Minister for Disability Services is in relation to younger people with a disability who are in aged-care facilities.

Today, I do not have good news for Queensland, I have great news for Queensland. We are going to be looking after over 100 people. We will divert them from entering aged-care facilities. This is a remarkable achievement. Queensland is leading the way. We are far ahead of every other state in relation to this initiative. But this initiative is not just about dollars. This is not about the number of beds. This is not about the number of people. It is about improving their quality of life.

As I go across the state and meet with these people I am seeing a dramatic improvement in their quality of life. I am talking about people like Sharon and Kerry whom I met at Youngcare. Youngcare is a complex in Brisbane's south-west. These women are in their early 40s. They were in aged-care facilities. Now their quality of life has dramatically improved. They have independence, they are articulate and they are getting on with enjoying their life.

We are also committed to our election commitment of expanding Youngcare onto the Gold Coast. I am pleased to inform the House that we will be moving in this direction very shortly and work will be underway to start this complex on the Gold Coast.

What do we see from the opposition? We see no comment in relation to these initiatives. I notice the member for Hinchinbrook has actually been out and visited Youngcare but he is far more interested in putting out press releases dealing with primary industries than he is about disabilities and improving the lives of people with a disability throughout this state.

We are delivering this initiative right across the state, not just in South-East Queensland. We are delivering in Cairns. The member for Mulgrave knows this more than anyone. We have moved eight people out of residential aged-care facilities into the purpose-built accommodation at Gordonvale. This is great news and we are delivering. In Cairns we have moved four people who were in the Cairns Base Hospital out into the community freeing up hospital beds. This is a great program. This is about improving the quality of life of people with a disability. The Bligh government is delivering. Those opposite just wanted to cut services; we are delivering.

(Time expired)

Bligh Labor Government, Media

Mr GIBSON: My question is to the Premier. I refer the Premier to her statement that her government evaluates and places a dollar value on news items appearing in national and local news media. In light of this, I refer the Premier to a newspaper article about her plan. The article is headed 'Voters believe Bligh lied before election', and I ask: what dollar value does her government place on this accurate coverage?

Mr SPEAKER: Before the Premier answers, I want to seek advice. Order! You will reword the question. The word 'lied' is unparliamentary.

Honourable members interjected.

Mr SPEAKER: Order! The word 'lied' is unparliamentary. You cannot use the device of a newspaper article to put an unparliamentary word into the parliament. I will give you another chance to reword your question.

Mr GIBSON: Thank you, Mr Speaker. My question is to the Premier, and I refer to her statement that her government evaluates and places a dollar value on news items appearing in national and local news media. In light of this, I refer the Premier to a newspaper article about her government's deception with regard to her plan, and I ask: what dollar value does her government place on this coverage?

Ms BLIGH: I thank the honourable member for the question. As I have outlined here this morning, our government has a very clear economic strategy to take Queensland forward. That strategy is designed to restore the Queensland budget to strength after it was knocked for six by the global financial crisis while maintaining and quarantining our infrastructure program. What do we have from those opposite? What we have from those opposite is no plan for Queensland—except the ones that they have taken to the people and had rejected on a number of occasions. It is time for the Liberal National Party to tell the people of Queensland how it would grow the Queensland economy and how it would take us forward. Is it intending to raise taxes? Is it intending to make major cuts—even more than the 12,000—to the Queensland public sector?

Let us talk about honesty. Let us talk firstly about what the LNP believes on privatisation. What was the policy it took in writing to the Queensland election this time last year? In writing the then leader, the member for Southern Downs, issued this policy in writing—

An LNP government would not oppose privatisation of public assets.

The first chance that he got he walked away! What did the member for Moggill say on the issue? He said this in this parliament, so I have to assume that it is correct—

... sometimes we need to sell government owned assets in order to reinvest those funds in more urgently needed infrastructure that it is more appropriate for a government to provide.

That is at the heart of our strategy. We are determined to invest in the infrastructure that Queensland needs. When we found ourselves in the worst of financial circumstances, along with every other nation around the world, we had what it took to make the hard decisions to continue to deliver for Queenslanders—deliver the hospitals they need, deliver the better schools, deliver the roads, deliver prosperity, deliver productivity and deliver jobs. What we will continue to do is grow our traditional industries like tourism, and we will continue to publicise Queensland regardless of the opposition from those opposite. Our economic strategy is working. It is delivering jobs. It is growing our economy. At a time when everybody expected unemployment to be escalating and the economy to be in decline, we are delivering.

Education

Mrs KIERNAN: My question is to the Minister for Education and Training. Could the minister outline for the House how the Bligh government is working across all school sectors to improve education for all Queensland students?

Mr WILSON: I thank the honourable member for the question, because I know that she values, as this government does, the contribution of the non-state school sector to education in this state. Only this morning the Premier announced a very important initiative creating an alliance between the state education system, the Catholic education system and the independent education system to work strongly against the issue of school violence. We have joined forces with the other two sectors wherever opportunity permits, and we will continue to do that. We want parents in Queensland to have a choice about where they send their children.

I was interested recently to see that the Leader of the Opposition also supported our position of providing parents with choice by the fact that we support funding into the non-state school sector when he was launching a new book on education research. But, unfortunately, I must say that I was disappointed because I have yet to hear what is eagerly awaited upon—that is, the LNP education and training policy. What is its education and training policy for the future? I must say that I was disappointed. But rest assured—be patient—there are some bright ideas on the frontier emerging.

One idea that was put forward by the shadow education spokesman the other day was that there should be a maturity test for students who would go from the last year of primary school in year 7 into the first year of high school in year 8. The question is: what is the criteria? What would it cost? How would you work out this maturity test? What would it entail? Which 13-year-olds would move up and which 13-year-olds would stay down? Would there be a 7A or a 7B? What would the test be to determine who goes forward and who stays? Would only those able to part with their teddy bears be allowed to go to high school? One could ask that!

In 339 days there is no education policy. But what we do know is that those opposite are standing firm with their policy that they took to the last state election—that is, to abolish the State Schools of Tomorrow funding worth \$850 million. That means that there would not be \$150 million spent on new schools in Wynnum and the eastern suburbs. There would be no spending on the new schools in Innisfail that are going to be opened shortly. There would be no new schools being built in Ipswich and many other things—no new kindergartens being rolled out, no 100 new science teachers into the primary school system. This party is bereft of ideas, bereft of initiative, bereft of vision and, most importantly, bereft of policy.

(Time expired)

Electrical Instrumentation Apprenticeships

Mrs CUNNINGHAM: My question without notice is to the minister for education. Recently the minister's department reinstated the dual electrical instrumentation trade training package, for which trainers and employers in my electorate thank him. However, I am advised that the number of apprentices signed up fell from 150 to 50 in 2009 for one training organisation, and this trend has continued for the 2010 first intake. With the high demand for the electrical instrumentation trade in the LNG industry, will the minister consider sponsorship for the first year of this trade to encourage employers already struggling from industry downturn to take on apprentices to ensure future skill supplies?

Mr WILSON: I thank the honourable member for the question. I know that she takes the issue of training in her area seriously, and I will come to her question in two parts. Overall, despite the global economic crisis, across-the-board we have seen a significant increase in apprenticeships in the second half of last year compared to the previous year, and likewise with traineeships as well as school based apprenticeships. However, when we look at the industry-by-industry distribution of those increases in commencements, that does indeed reflect where the global economic crisis has really knocked the Queensland economy for six—that is, particularly in the areas of construction, engineering and mining related activities.

Energy Skills Queensland has put together a skills formation strategy for the LNG industry for not only Gladstone but also the Surat Basin. I am advised that under the umbrella of that skills formation strategy consideration was given between October and November last year to the question that the member has raised—that is, assisting dual instrumentation apprentices. With regard to the certificate IV for dual trade electrotechnology systems and instrumentation, some discussions commenced in October 2009 which ultimately in November 2009 resulted in that proposal being accepted by industry at a state level and, I am advised, by local interested employers in the member's area.

This new apprenticeship scheme was declared with a commencement date of 16 November. The issue of sponsorship is an interesting one. I will refer that to Energy Skills Queensland to see what opportunity there is for them to examine that as part of the energy skills formation strategy that they have put together. But rest assured that Energy Skills Queensland is working very closely with the LNG industry—the energy industry. The Surat Basin is going to be bigger than the Bowen Basin in terms of the significance of not just coal but coal seam gas from that area. We are very focused through Energy Skills Queensland and all of the industrial parties—employers and unions—in doing whatever can be done to create job opportunities in that area, because it is part of the future of Queensland.

Gold Coast, Infrastructure Spending

Mrs SMITH: My question is to the Minister for Public Works and Information and Communication Technology. Could the minister outline progress in the government's job creation program through infrastructure spending and, in particular, jobs on the Gold Coast?

Mr SPEAKER: The honourable minister has two minutes.

Mr SCHWARTEN: I will be very short, but it is a very long story. I could stand here all day and speak about it. Suffice it to say, 12 months ago today we made a commitment that we would put our shoulder to the wheel, that we would do everything in our mortal power—whatever it took—to create jobs. It is a good thing we did because, according to the BSA, there has been a 15 per cent drop in building activity on the Gold Coast. If we did not have a major hospital underway on the Gold Coast, with

10,000 jobs up its sleeve—we have already spent \$205 million and created 1,500 jobs—I hate to think what it would be. Perish the thought of what it would be if we did not have a stadium on the Gold Coast underway with the demolition works, which those members opposite wanted two bob each way on.

The best story of last week is that the member for Ipswich West and I went out to Gatton prison. There are 600 blokes and women on the job there, hammers and nail bags going everywhere—600 real jobs. What has the svelte dynamo, the member for Lockyer, been talking about? He is more worried that we have not named the prison yet.

Ms Spence: The prison that we haven't finished.

Mr SCHWARTEN: The prison that we have not finished. The former minister promised that we would not name it the Gatton prison. The member for Lockyer is not interested in 600 jobs. No, all he is interested in is what we will call it. One thing is for sure: we will not name it after him, because he opposed it. He opposed the 600 jobs that the mayor for that area has been very satisfied with. The member could not work it out. The reality is that the member is the canary in the coalmine—and a big canary, too. The reality is that he knows—

A government member: A dodo, I think.

Mr SCHWARTEN: Yes, a dodo. The member knows that the real National Party will stand up and cut jobs, as it has always done—every time.

(Time expired)

Mr SPEAKER: Order! The honourable minister's time has expired. The time for questions is over.

MATTERS OF PUBLIC INTEREST

Bligh Labor Government

Mr LANGBROEK (Surfers Paradise—LNP) (Leader of the Opposition) (11.33 am): One year ago today the Premier rode to Government House in her car to call an election based on false pretences. The Premier rode to Government House knowing full well that the campaign she was about to launch was hollow. It was a sham. It was a fantasy. Queenslanders were badly misled. As in all campaigns, Labor wheeled out a list of campaign announcements. They made promises, they made projections, they made omissions and they misled Queenslanders with every single one of them.

I am proud to say that that was not the path taken by the LNP. In our campaign, every single element was coordinated, costed and targeted to Queenslanders' needs. We laid out a strategy to address the growing peril facing the state economy and to restore basic levels of services after 10 years of Labor failings. Labor did not treat Queenslanders with the same level of respect.

When this Labor Premier drew up her list, she was not fair dinkum. Bare faced, she drove to Government House. She launched her campaign. She stood before microphones and in front of cameras. She crisscrossed the state parroting words from her list. The Premier's list was not a list for change. It was not a list of positive initiatives, effective policies or ideas. It was not a list she intended to implement. It did not reflect the true state of Queensland's finances and the Premier knew it. It was not a list that the Premier, the Treasurer, the Deputy Premier or the Labor Party as a whole believed or endorsed.

So what was it? It was a shopping list of untruths. It was a shopping list of ingredients that, once purchased, would pave the way for Labor's return. It had nothing to do with the future of the state. It was that dishonest. It was a shopping list of empty platitudes, empty promises, half-truths and untruths that the Premier used to con her way back into power. Queenslanders took Premier Bligh at her word. They were conned.

Let us look at the Premier's shopping list. Her falsehoods began long before her trip to Government House, with repeated reassurances that the fuel subsidy would stay, that taxes would not rise, that electricity prices would not rise, that water prices would not rise. After the election, the fuel subsidy evaporated in record time, motor vehicle registration charges jumped 20 per cent and electricity prices and land tax increased—every one protected on the Premier's list, every one a promise dishonoured by this Premier. The people of Queensland were right to expect honesty from the Labor Party in that campaign, just as they expected and received honesty from the LNP.

Even after Queensland's AAA credit rating was lost, Labor did not drop the dishonesty. It was fully committed to its campaign of untruths regardless. The Premier began her campaign with an impossible promise to rebate employers 1¼ times the wages of their apprentices. The vow was so blatantly untrue

it did not last until the news broadcast. But in hindsight, it was a pointer to how badly divorced from morality the Labor Party had become. Labor had no concept of what this state needed, it had no idea what it should do, and it had no idea what it would do if it got back into power. Premier Bligh was just parroting words. They were just words written on a shopping list of untruths.

Next, the Premier was up in Toowoomba. Pensioners were on the shopping list that day and, with the media in tow, the Premier set out with a special dupe for the elderly. Labor promised families that they would be able to get one of 200,000 cut-price solar hot-water systems for \$500 while pensioners would get theirs for just \$100. Who can say how many pensioners' votes turned on that generous commitment? Who can say how many environmentally conscious families walked into the polling booth on 21 March with the Premier's solar commitment in mind? Oops! After the poll, the Premier's promise got a makeover—a get-out clause—and today, with Peter Garrett's help, it seems that the Premier has escaped her obligations once again. The get-out clause was a proviso. Cheap hot water for Queensland families and pensioners was contingent on the Peter Garrett solar hot-water rebate and now the Garrett rebate is dead. So how many hot-water systems are there now, Premier? How much will families and pensioners really have to pay? That is with the maladministration that we have already seen from this government, where it is already making people pay over \$200 just to get their applications in anyway. I ask the Premier: how big is the hole that she has dug for Queensland this time? Another tick on the Bligh government's shopping list of untruths.

Tick fuel subsidy, tick car rego, tick land tax surcharges, tick solar hot water, and then there is a really big tick: 100,000 jobs. There was just no way, when the Premier ticked this box at her Labor Party launch, that she had any idea or strategy to provide 100,000 bread-winning jobs for breadwinners in Queensland. She had a strategy to please the union bosses. She had a strategy to keep her job. She had a strategy to con Queenslanders. But she had no strategy to keep her promises. We are one full year into this parliamentary term and there are 22,000 fewer full-time jobs than there were when that promise was made. A year ago the Premier parroted the words, but there was nothing to sustain them. A year down the track, she is leaping on the back of any jobs related announcement in a vain attempt to present herself as a strategy.

Queenslanders can see right through this Premier. Tick, tick, tick. These days, the ticking we hear in Queensland is not the sound of this arrogant Premier gloating over her shopping list of untruths; it is the tick, tick, tick of time running out for this government.

On listening to my comments today, members may have noticed something missing. There is something on the Premier's list that far overshadows anything that I have addressed in detail so far. The missing tick is the granddaddy of them all. It is the egregious mistruth that surrounds the Premier's secret campaign for asset sales. When the Treasurer went on the Madonna King program on 9 March 2009 he was asked would there be asset sales. 'No', he said. But the Premier and the Treasurer both knew that no matter what happened with the global financial crisis a major turnaround in the state balance sheet was required. Labor opposed the LNP's program to transfer government expenditure from the bureaucracy to front-line services. Once again we hear the misrepresentation today from the Premier. But when it attacked our program it left a gaping hole in its own financial prescription. On the Thursday prior to election day it coughed up the most woefully inadequate schedule of election costings ever presented by a sitting government. Labor presented a page and a half of disjointed figuring with six dot points. The intent was simply to cloak the massive hole Labor had torn in the state's finances. It was to hide the reality that without an efficiency dividend the only option remaining for the Labor Party was to sell state assets.

In his recently published attack on opponents of Labor's asset sales, Jim Soorley made it plain: having denied the logical course of action to correct the problems caused by years of Labor mismanagement, the only option left for Premier Bligh and Treasurer Fraser was the illogical one—asset sales and, worse than that, the forced sale of state assets at the bottom of the market. That was the big ugly secret masked by the Premier's little shopping list of mistruths.

Queenslanders are disappointed and angry at the untruths, the omissions and the chicanery that this Premier unleashed one year ago today. They are tired of the excuses. They are tired of an arrogant Premier who must answer for her misrepresentation. She has left Queensland deep in debt. Prior to the global financial crisis Queensland was \$64 billion in debt. It currently stands at \$85 billion. She is now pursuing unpopular, illogical and ineffective policies at the expense of ordinary people. As we tried to get from the Premier today, this Premier owes Queensland an apology. It is long overdue. She owes us a true account of our position and an honest strategy to address it.

We are a strong alternative government and, by any measure, recent history shows that our vision, honesty and commitment leave those of this government for dead. Today we have discovered that the Premier tries to assign a dollar value for media exposure. She sent a misspelt letter to the President of the United States on a trip to New York and tries to tell us that even though he refused to come and is not coming to Queensland, that somehow there is some sort of media exposure value that comes from it, but she cannot enumerate the damage to us for the media coverage of losing our AAA credit rating and the mistruths that we have clearly shown have been highlighted in the media. The Premier does not want to talk about that.

We have a vision for a better Queensland. We will grow the economy and stop the wasted duplication as we have seen in examples such as the desalination plant and the Traveston Dam. There will be proper planning. We will be honest and upfront with the people of Queensland. We will restore our AAA credit rating. We will abolish the fuel tax for regional and rural Queenslanders and all Queenslanders, and this Premier should be ashamed of herself.

St Patrick's College

Ms DARLING (Sandgate—ALP) (11.43 am): On Monday, 15 February I packed my son off for school and hugged him goodbye as I do every school-day morning. But last Monday was not like any other school day. At 3 pm I collected my son from the school gates of St Patrick's College, but two boys were not collected from school by their parents that day. The death of Elliott Fletcher has shocked the entire country and the grief was acutely felt in the bayside community of my Sandgate electorate. We felt that we all lost a son that day.

I pass on my sincere condolences to the Fletcher family and I thank them for their general concern for the St Patrick's College school community. I am amazed that in a time of such immense personal grief the Fletchers have been reaching out to others. By choosing to have Elliott's funeral mass at St Patrick's College the Fletchers not only showed how much Elliott's school and friends meant to him but also gave the entire college community a chance to say goodbye. Father Liam Horsfall conducted a moving mass of thanksgiving and I was pleased to join the celebration of an energetic young man.

The entire staff and student body of the college has rallied together over the past week to support each other and help the students and their families through these difficult times. College principal, Dr Michael Carroll, has been a tower of strength and has kept parents and students informed every day. College counsellor, Mark Mewburn, coordinated a counselling program at school for parents, students and staff. Counsellors and staff from other schools in Brisbane arrived at the college to offer their practical skills and support and were greatly valued. I also thank the Education Queensland team who, at my request, contacted not only St Patrick's College but also other schools in the area to offer counselling support. The college board and Edmund Rice Education Australia staff put in an enormous effort last week.

Many St Patrick's old boys came back to the college to lend a helping hand and were sitting amongst the students on the day of the funeral mass. The Queensland police have been professional and respectful in response to the incident and I thank the dedicated officers involved for the tremendous way in which they worked with school staff and students. Similarly, I thank the Queensland Ambulance Service, in particular the team from the Sandgate Ambulance Station, for their quick and professional response. I know that many involved in the emergency response had a connection to the college which made the event all the more intense. I also thank the staff who were directly involved during the emergency for their selfless acts of courage and support.

On the day of the funeral the police again provided practical support by managing traffic and providing a police escort for the family funeral procession as the St Patrick's College students and staff made their guard of honour. I was pleased to be able to organise the provision of a shuttle bus as a gift from the state government to help transport mourners from parking areas to the college for the funeral mass, and I thank the police again for coordinating this as part of the traffic management plan.

St Patrick's College students are very well respected in the local area for their service to the community, such as breakfasts and dinner barbecues that they hold for homeless people in Brighton and Sandgate and for tutoring support they give to disadvantaged students. I have concentrated my efforts as the local member on support for a grieving community and I was pleased last week to announce, along with the Premier and Minister for Education, a community hotline. It is important for parents, carers and teachers to remain vigilant for the signs of post traumatic stress. Children and adults all respond to shock and trauma in different individual ways. We must continue to be alert to changes in mood, behaviour or sleep patterns and seek professional support for those in need. I encourage any community member needing advice to call the community hotline on 1800 043 349 for counselling support.

I am so proud of the young men of St Patrick's College. Last week was filled with shock, trauma and sadness but they stuck together as a band of brothers, with the senior students providing extra support to their younger fellow students. I am a proud Paddy's mum and I thank the many people, parents and staff who stopped to ask me how I was coping, how my son was doing and how my family was going. I believe strong bonds have come from this tragedy: amongst the young men, amongst the staff and amongst the parents. But the outstanding question of 'why' still lingers. I ask that people stop the rumours, respect the ongoing police investigation and let another young man have his day in court. I welcome the Premier's announcement of the Queensland Schools Alliance against Violence. I congratulate my son's school for its response to this tragedy, but I know that it would welcome any strategies for improving the safety of our children. Our children deserve a childhood and I look forward to respectful, constructive discussions on keeping our schools safe.

South Queensland Correctional Precinct, Gatton

Mr WENDT (Ipswich West—ALP) (11.48 am): On behalf of my constituents, I also pass on our condolences to the parents and the school community of St Pat's. My son, Michael, attends St Edmund's College in Ipswich, which is a brother school in the Edmund Rice tradition. I certainly feel for what they are going through. We wish them well.

Today I inform the House of another successful example of this government's ongoing \$18 billion building program. Last week I had the pleasure of joining the Minister for Public Works, Mr Robert Swarten, for a visit to the new \$485 million South Queensland Correctional Precinct in Gatton, which has already created more than 600 jobs in the region. Although I have visited many prisons in recent years, it was great to see another huge project being managed by our very capable staff at the Department of Public Works on behalf of Corrective Services. I can report that this project is progressing on schedule and that it will not only provide an economic boost to the area but also, and more importantly, it links in nicely with the government's policy of creating more jobs.

In fact, I was advised that the construction phase workforce hit its peak in January, with around 620 people involved on the project at the one time. Further, when this \$485 million project is completed in 2011, it is expected that an estimated 3,650 full-time equivalent positions will have been created during the construction period, which undeniably provides a huge economic boost not only to the local Gatton, Ipswich, Esk, Lowood economy but also to the wider community. It is important to point out that this figure does not take into account new jobs such as prison wardens, medical staff and chefs that will be created as a result of the completed development. As such, there will be many more good news stories in the future as the facility gears up for its opening.

The minister and I took great pleasure in being given a tour of the construction site for this 300-bed women's prison by representatives of the Baulderstone group. With that in mind, I would like to say a special thanks to the on-site general manager, Mr Stephen Green, and one of the construction engineers, Mr Matt Eastman. Both gentlemen went out of their way to answer the many questions we had. Both gentlemen have been involved in the construction of many prisons. In fact, I understand that this is about the 10th prison that Stephen has been involved in. If anyone has had the experience of touring a building site with the Minister for Public Works, Mr Swarten, I am sure that they would understand the difficulty in trying to tear him away from inspecting these types of facilities. It was no different on that day.

It is amazing to see a project of this size and scope coming together. With that in mind, some of the statistics speak for themselves. For instance, on this 680-hectare site, of which only about 110 acres are currently cleared, there will be 600 tonnes of structural steel, 1,100 tonnes of reinforcing bar and 30,000 square metres of reinforcing mesh used to build the correctional facility. In fact, the complex will contain enough steel roofing to cover six football fields. In addition, 18,000 cubic metres of concrete, or enough to fill 12 Olympic pools, will be poured on the site and more than 50 kilometres electrical and data cable will be laid.

From talking to Stephen and Matt it would appear that Baulderstone is continuing to reach construction milestones, with the project now strongly into the fit-out stage and with all building roofs now complete. I was advised that the finishing trades will continue over the next six months, after which the testing phase will begin. From a personal perspective, I found the way the contractors are currently capturing, diverting and then re-using all water runoff from the site very impressive. The ability to store and recycle all waste water from the site will certainly lead to improved environmental and economic outcomes. In fact, when I visited it was just after a heavy downpour and I can advise that both of the large on-site dams were operating to capacity.

I suppose unless one has been there it is difficult to understand how huge this Queensland government project is and how important it is for creating jobs in the Gatton region, as well as adding a major financial injection to the local economy. I think it is also fair to say that even the Baulderstone employees and subbies feel a special excitement about the project. I know this because Stephen Green, the GM, told me that to date they had been working on stage 1 for almost two years, that they were just over one year away from completion and that everyone was working at full capacity. Further, they all felt that they were providing some great opportunities that would make a real difference in the Gatton community into the future.

In many ways this was being achieved by Baulderstone specifically supporting the unemployed youth and Indigenous people of the area. They are doing this by helping to support the BoysTown Youth at Work program, which allows them to provide valuable construction skills training as part of the development of the correctional centre precinct. This project aims to teach participants the basic skills in construction and work ethic, and provide an introduction to a trade.

(Time expired)

Prostate Cancer

Mr McARDLE (Caloundra—LNP) (11.53 am): According to the Australian Institute of Health and Welfare, prostate cancer is the most common cancer diagnosed in Australia, excluding non-melanoma skin cancers, and the second greatest cause of cancer deaths in men. The latest data shows that in 2010, almost 20,000 Australian men will be diagnosed with prostate cancer and more than 3,300 men will die during the year as a direct cause of prostate cancer. In Queensland, prostate cancer is the most common cancer diagnosed in males and the second largest cause of cancer deaths for males. Despite a 5.3 per cent rise in the rates of new cases each year between 2000 and 2006, probably as a result of testing, it is pleasing to see that death rates have in fact fallen by 2.1 per cent between 2000 and 2006. While that figure is encouraging, much more needs to be done.

In the early stages there are few symptoms of prostate cancer. However, if detected early prostate cancer is often treatable and curable. This is why men aged 50 and over, or 40 if there is a family history of prostate cancer, should not wait for symptoms; they should talk to their doctor about prostate cancer, which is a simple step that could save their life. Prostate cancer is an abnormal growth of cells in the prostate that forms a lump or tumour. In time, without treatment, it may spread to other organs, particularly the bones and lymph nodes, which can be life threatening. Generally, at the early and potentially curable stage, prostate cancer does not have obvious symptoms. This makes it different from other benign prostate disorders, which may result in urinary symptoms. In the early stages of prostate cancer, there may be no symptoms at all. As prostate cancer develops, symptoms can include the need to urinate frequently, particularly at night; sudden urges to urinate; difficulty in starting urine flow; a slow interrupted flow; pain during urination; and blood in the urine. It is important to note that these symptoms are not always signs of prostate cancer. They can also be symptoms of other common and non-life threatening prostate disorders. Men who experience these symptoms should see their doctor immediately to determine the cause and the best treatment.

Currently there is no population based screening for prostate cancer and this can lead to confusion amongst men and their doctors. There are issues related to testing and treatment which should be discussed prior to making a decision whether to be tested. Two simple tests can be done by a doctor: firstly, a digital rectal examination may detect hard lumps in the prostate before symptoms occur; secondly, the prostate specific antigen blood test measures the amount of PSA in the blood. Whilst PSA blood testing is not a cancer-specific diagnostic test, it will alert doctors to abnormal growth in the prostate. It is recommended that men aged 50 and over should talk to their doctor about prostate cancer and, if they decide to be tested, to do so annually or as suggested by their doctor. If there is a family history of prostate cancer, men should talk to their doctor from the age of 40. A man has a one-in-five risk of developing prostate cancer by the age of 85. A man with a first degree relative, that is, a brother or father who has been diagnosed with prostate cancer, has at least twice the risk. Men in remote and regional Australia have a 21 per cent higher prostate cancer mortality rate than men in capital cities.

There were 56,158 new cases of cancer diagnosed in males in 2005. The major cancer affecting males is prostate cancer, which accounted for over 29 per cent of all diagnoses in 2005. These 16,349 new cases of prostate cancer were well over double the number of the second most common cancer, colorectal cancer, with 7,181 cases being reported. The next three most common cancers were melanoma of the skin, 6,044 cases; lung cancer, 5,738 cases; and lymphoma, 2,373 cases. The top five cancers accounted for over 67 per cent of all diagnoses. Men in this state, and indeed across the nation, must continue to be acutely aware of their health and ensure that regular medical checks are undertaken, including for prostate cancer.

Education Reforms

Mr KILBURN (Chatsworth—ALP) (11.58 am): I take this opportunity to thank the Premier and the Minister for Education for their recent visit to Whites Hill State College in my electorate and the announcement of nearly \$700,000 of State Schools of Tomorrow funding to upgrade the Whites Hill State College science labs. This will be a wonderful addition to the school and is only one part of a significant capital works boost to the school, which includes \$3 million for a new resource and music technology centre that is being constructed from funds from the Rudd government's BER program, \$200,000 from National School Pride funding to upgrade the senior school classrooms, \$350,000 from State Schools of Tomorrow funding to upgrade junior school classrooms and \$1 million from the state government to create a new creative arts facility.

As I visit the schools in my electorate and drive through others, I see massive investment in infrastructure. We see it everywhere we go. This infrastructure is preparing our schools for the future. It is pleasing to see the commitment of both federal and state governments to working together to improve educational facilities for children throughout Queensland. While this commitment is welcomed, particularly after years of neglect under the Howard federal government, the Bligh government understands that, as well as capital investment, we need to continually review and improve the education system.

The government's recently released green paper titled *A flying start for Queensland children* highlights the government's commitment to making the Queensland education system the best system that it can be. I personally feel that education is one of the key service delivery areas that is the responsibility of government. Our government has shown a strong commitment to education. This can be seen by the initiatives that this government has implemented. These initiatives include the prep year, which commenced in 2007. I also look forward to seeing the results that are achieved in the NAPLAN testing once this prep cohort moves through the system, as it will be the first time that Queensland children will be tested in an age-appropriate level with children in other states. I am confident that we will see a significant improvement in the NAPLAN results once that initiative takes effect.

Another initiative is the earning or learning initiative introduced in 2006, which helped students develop diverse educational and career pathways, ensuring that all students were given an opportunity to leave school with skills to allow them to move quickly into the workforce. I am happy to say that my daughter was one of the people who benefited from this plan, leaving school with a certificate II in retail and a certificate III in child care.

Another initiative is the middle years strategy and changes to the school discipline policy, which gave our principals the ability to more closely manage school behaviour. These are all fantastic initiatives developed by this government. Other initiatives include more transparent reporting and changes to the assessment and reporting process. I think we can see from this list that there has been an ongoing commitment by this government over many years to improving the educational outcomes for children in our state.

Let us compare that to the education policy of the LNP. I took the time to check the LNP website. I can unfortunately inform the House that if members of the public go to the website to look for an education policy from those opposite they are going to be sorely disappointed because there is not one. There is no policy for education. There is no plan. There is nothing on the LNP website that has any relevance to schoolchildren and the educational aspirations of people in our state. Even more concerning is that the policy section on the LNP website that used to be there has now been removed. So we can see that the LNP has finally decided to be honest with the public and admit that it has no answers and has no intention of providing alternative policies. I think that is a sad indictment on a party that purports to be an alternative government.

In my time in this place I have seen a lot of what the LNP is opposed to, but I am yet to see what it stands for. If those opposite cannot have a position on something as important as education, that says that they are completely unready to be an alternative government and govern this state. I compared the investment in that one school in my electorate to the policy position of the LNP. I think the public needs to know these things—that those opposite support the privatisation of schools. I wonder what level of investment we would have had in private schools under the LNP during the global financial crisis. It would not have matched what this state government has achieved over the last couple of years.

The announcements keep coming. It has just been announced that there will be more science teachers in primary schools throughout my electorate. That is an exciting announcement. I commend the government on its green paper. I encourage all members of the public to make submissions. I commend the minister and the Premier for their commitment to education in this state.

School Sport Discussion Paper; Chinchilla Weir

Mr HOBBS (Warrego—LNP) (12.02 pm): Today I want to talk about the school sport discussion paper—however, there has been no discussion with parents, P&Cs or students. The plan is to amalgamate the sports regions to align with education regions. This will impact upon 660,000 students—92,000 in the north, the north-west and the south-west. There has been no consultation with the community. The greatest impact of course will be in the north and the west of this state—in vast areas of this state—with the amalgamation of the northern and western regions and the Darling Downs and south-west regions. Sports officers from the north-west and south-west will be relocated to the metropolitan areas. There has been no consultation with students in these vast areas of Queensland.

I point out to members that I have had a considerable amount of mail coming to my electorate office in relation to these matters. For instance, I will read a letter from Mrs Ann-Maree Proud, president of the ICPA, Roma Branch. She writes—

Isolated Children's Parents' Association, Roma Branch would like to express our concern for the abolishment of South West Queensland Region for representative school sport. We believe that management of the Queensland School Sport Unit have made the wrong decision in forcing the amalgamation of Darling Downs and South West regions.

We believe our children will be discriminated for a number of reasons.

- i. Geographically, the new region will be enormous, forcing students to travel up to 1000 kilometres to participate in training and coaching. This will therefore mean a lot of school time lost.

...

- iii. There will no longer be equity on the school sport 'playing field' as rural and isolated students will not have the opportunities to attend state competition as before.
- iv. The closure of the South West region will deny these students of gaining further social skills, developing more self esteem and widening their opportunities. We need to remember that not all children aspire to achieve in the classroom alone, many a lunch hour is spent honing their skills in anticipation of being the next 'athlete' selected.

Also, Mrs Kate Jackson from the South West Regional Council of the Queensland Council of Parents and Citizens Association writes—

As parents of students who are keen to be involved in school sport, we strenuously object to this proposal as we feel our children will be disadvantaged for the following reasons:

...

- Provision of transport to trials in Toowoomba and eastern centres will be costly, time consuming and may be hard to organise.

She makes a lot of points, but I will read a few more. She goes on—

- The participation of students from South Western Region has always provided equity on the school sport 'playing field' by providing opportunities for our rural and isolated children to attend state competitions. This carriage of social justice will be both decreased and denied to *our* students by the amalgamation of the regions.
- There are a high percentage of Indigenous students who participate at a district and regional level for sport as the competition is close to their home region. If the distance and number of participants is increased these students will be disadvantaged.

...

- Playing sport at any level helps to develop self-esteem and social skills.

...

- We do hope this proposal to amalgamate South West and North West sports regions does not become a reality as we feel that children in these two rural and remote areas will be disadvantaged.

So we can see that there are a number of concerns out there from a lot of people. I certainly hope that the state government will take these views into consideration. There is work being done behind the scenes, but I encourage the government to consult and talk to people about what it wants to do.

I also want to talk about the Chinchilla Weir. Its capacity is nearly 10,000 megalitres. It supplies water to irrigators and the town of Chinchilla. The resource operations plan has been done. Environmental flows are important for downstream users—120 megalitres a day are let out regardless of any flow that comes into that weir. The weir now is half full—50 per cent capacity roughly. However, in a recent event 3,000 megalitres flowed into the weir and 300 megalitres were let out. The problem is that they always let the environmental flow go through irrespective of whether there is flooding downstream. That is clearly absurd and ridiculous. We understand the importance of environmental flows for downstream users and that must continue, but we must change the ROP to ensure that common sense prevails and that we are able to utilise the water when we need it and to save the water when we need it.

Whitsunday Airport

Ms JARRATT (Whitsunday—ALP) (12.07 pm): Last Thursday was a red-letter day for the Whitsunday community. After 10 long years we heard the words that we know will transform us into the international tourism destination that, as locals, we know we can be. The Treasurer of Queensland, Andrew Fraser, came to the Whitsundays to announce that the government would support its pro-tourism rhetoric with the funding that we require to take us to the next level. He announced not just the \$4 million airport upgrade that the Premier promised during the election campaign last year but added extra funding to ensure that the terminal upgrade met the most discerning of local expectations.

Plans for the terminal upgrade will see the terminal grow in size by 50 per cent and include facilities that most airport users take for granted. Travellers' luggage is currently delivered by tractors. Tractors propel trolleys into an area at the end of the terminal that is subject to the many vagaries of the natural and man-made environment including rain, heat, bus exhaust fumes and cigarette smoke from those who are having their first desperate gasp after hours of deprivation.

The new design includes an indoor luggage carousel, the separation of arrivals and departures to different ends of the terminal, the positioning of toilet and catering facilities on to the airside part of the terminal, and the relocation and refurbishment of airport offices. For the first time we will have a mainland airport that truly reflects the sophistication and character of the Whitsundays. First impressions are really important, and our airport will soon lay out a welcome mat befitting the needs of modern travellers.

Despite the government's \$7 million injection into this critical piece of regional infrastructure, the Whitsunday Regional Council remains the owner of the facility. I am very grateful for the positive way in which council has worked with staff from the Department of Planning and Infrastructure during the development of the concept plan.

As part of the funding agreement between government and the council, the council will soon go out to the public in an expression of interest process to seek the assistance of professional management for the airport. This is an important move forward, as I believe the council officers have neither the specialist expertise nor the time to devote to the optimal running of this important regional airport. I do thank them for their considerable effort over past years but am relieved that the agreement has been reached within council to pursue the type of management body that will maximise our opportunities to improve air services and attract new flights to the region. This is the key to the future of tourism in the region.

I recognise and applaud the great work already done by Hamilton Island in increasing the number of flights and points of origin of flights to its airport. The growth of flight numbers into the Whitsunday Airport can only help the whole region grow and benefit. This fact was not missed by local media. The editorial statement in Mackay's *Daily Mercury* said that the 'boost in funding for the Whitsunday Coast Airport is an important move in maintaining infrastructure for the tourism industry, which is so important to the region'. Patrick Manning, who made the statement, went on to say that 'if an area is not targeted at mostly adventure or roughing-it holidays, then its airport must be of a standard acceptable to those accustomed to a range of accommodation including quality resorts'.

I am also heartened by the positive feedback I have received from local groups including Tourism Whitsundays, Enterprise Whitsundays and local media outlets. They know, as everyone does in the Whitsunday community, that the airport upgrade is absolutely essential to the future of tourism in our region. That ultimately means that it is crucial for the creation of jobs and the economic welfare of every person who lives or works in the Whitsundays.

The funding announcement is also good news for employment opportunity in the area. The Treasurer has estimated that around 20 jobs will be created in the course of construction, which should be completed within 12 months. I understand that design tenders went out yesterday, so we have hit the ground running.

Nobody could possibly be happier about this announcement than I am. The issues surrounding the establishment of one modern airport on the Whitsunday mainland have occupied my attention since well before I was even elected in 2001. The finalisation of this long-running matter in such a positive way is music to my whole psyche. I place on record my absolute gratitude to the Premier, the Minister for Infrastructure and Planning, and the Treasurer for bringing this to such a successful conclusion. On behalf of my constituents, I sincerely say thank you for your faith in our tourism industry, your faith in our future and the mark of respect you have paid us by being prepared to fund the extended project because it was the right thing to do.

Gold Coast, Police Resources

Mr JOHNSON (Gregory—LNP) (12.12 pm): Today I want to bring to the attention of the House the deplorable and critical situation confronting the people of the Gold Coast because of poorly equipped police operations within the Gold Coast region brought about by the poor policy of this government. Queensland's second largest city, the Gold Coast, has some 500,000 people. It is the largest non-capital city in Australia. Its population is exploding weekly. The Gold Coast cannot boast about its fraud squad, its drug squad or its major crime squad because it does not have one. Townsville and Cairns both have a drug squad, but this significant, major, booming city in our south-east corner does not boast any of these integral police operations. It is an absolute disgrace, in the modern day of 2010, to see crime on the increase right throughout the Western world. For the type of crime that is on the increase, we must have the best equipped, best qualified police to be able to apprehend this element of criminal activity and ensure justice is done.

Local detectives are working around the clock to detect the perpetrators of crime on the Gold Coast. We saw telephone interception powers introduced into this parliament last year. Now I understand that the CMC is about to implement those powers for the detection of criminal activity in its own police ranks on the Gold Coast. What about using these powers to apprehend some of the major drug and crime operations on the Gold Coast so that the Gold Coast can once again be the tourism mecca, the recreation mecca and the family holiday mecca of not only South-East Queensland and Queensland but also South-East Asia and the Pacific rim? We in Queensland are fiercely proud of the Gold Coast.

Between 1998-99 and 2008-09 there was a 52 per cent decrease in the clearance of reported homicides. Between 1998-99 and 2008-09 an additional 530 assaults were reported. Between 1998-99 and 2008-09 an additional 20 armed robberies were reported. Between 1998-99 and 2008-09 an additional 262 serious assaults of all sorts were reported. Between 1998-99 and 2008-09 an additional

30 rapes were reported. Between 1998-99 and 2008-09 there was an 11 per cent decrease in the clearance of reported rates. Between 1998-99 and 2008-09 there was a 10 per cent decrease in the clearance of reported murders.

It saddens me to have to report these figures, but of the murders reported on the Gold Coast in 1998-99 there was an 81 per cent clearance rate. In 2008-09 we have a 71 per cent clearance rate—a decrease of 10 per cent. The attempted murder clearance rate has decreased by 40 per cent. In 1998-99 we had a 100 per cent clearance rate, and in 2008-09 we have a 60 per cent clearance rate. The clearance rate for rape has decreased by 11 per cent. In 1998-99 there was a 68 per cent clearance rate. We have a 57 per cent clearance rate in 2008-09. The clearance rate for extortion has decreased by 33 per cent. In 1998-99 there was a 55 per cent clearance rate, and in 2008-09 we have a clearance rate of 22 per cent.

How do you think our police on the Gold Coast feel when they do not have the backing of this government to put professional, organised crime-fighting bodies in place in our second largest city—something that an LNP government will do. I hope that this minister and this government see the ill of their ways and bring about a change so that we can once again make the Gold Coast the place where people want to go and it can be the tourist mecca it once was. In order to get rid of that criminal activity on the Gold Coast we need to give the police the resources to do so.

(Time expired)

Yeppoon Hospital

Mr HOOLIHAN (Keppel—ALP) (12.17 pm): We continue to hear criticism of the health system in Queensland, but I challenge any critics to travel to most overseas countries to contrast the quality of our services. On and from 8 February the new Yeppoon Hospital and community health service became operational. People who use the facility have nothing but praise for this \$22.5-plus million building, which was actually an infrastructure building by the Beattie and Bligh Labor governments. At one stage Queensland Health had local council, the then Livingstone shire council, and the then National Party hierarchy and candidate against a new hospital. It did have a chequered beginning, which even required the passing of an act to acquire the land—No. 43 of 2006, which was the first act of the 52nd Parliament meeting an election promise.

Despite the opposition we persevered and the result is the present premises. Staff are now able to go about their duties in this ultra-modern designed building coupled with leading technology which is being used to enhance treatment. The building co-locates the hospital with community health, and all the services are under the one roof. The medical portion of the building provides 22 beds with 10 A&E beds, including two emergency treatment beds; two palliative care rooms—they have been furnished by the hospital support group, which also furnished a quiet area in the hospital; four dental chairs; X-ray equipment which no longer uses wet film but is computerised, thereby allowing specialist reading of X-rays at remote sites; and computerised workbooks for record making. There will be one complete record of all patients so that the present difficulty of two systems for community health and acute care will disappear.

The community health area of the new facility has a rehabilitation gym and a full physical rehabilitation area, speech pathology areas, mental health, drug and alcohol counselling and treatment areas, conference areas, visiting areas for other allied health practitioners such as physiotherapists and other preventative health areas. The hospital stands on a beautifully landscaped area with substantial parking. As the new hospital is further from the CBD than the present building, Queensland Transport and Queensland Health together with Young's buses are providing a shuttle service every half an hour on weekdays from the Hill Street bus stop.

We have over 170 staff working in the health area on the Capricorn Coast and they are fully appreciated by the community. We have two medical officers at the new facility and have approval for a third doctor. Dr Scott Cooling is the medical superintendent. He also provides a private clinic. He is ably assisted by the DON, Rhylia Webb, and a great many dedicated staff, whom I would take the whole of my speech to name but whom I acknowledge with thanks. In that regard, I was pleased to attend the Capricorn health district excellence awards on Friday, 12 February where staff across the region were recognised for their commitment to providing the best health care.

The hospital will be named after Dr Ray Channells who was the medical superintendent in Yeppoon for approximately 25 years and who, with Dr John Degotardi, recognised the dangers of lead in house paint and actively worked for its removal. That was a great advance in child safety in Australia and he is a worthy recipient of the recognition which has been accorded to him.

The hospital is operating fully. It has been a hard journey to complete with the opposition and some planning difficulties to surmount. But it is only over time by approximately six months in the planning schedule for major capital works. The work is a credit to the planners in the public works

department and the health department and TF Woollam, the builders. Criticism was levelled at the low expenditure on our new hospital, but it is one of the best planned buildings ever. Even the staff were consulted on the colour scheme for the new facility.

The official opening has not yet been arranged, but I have great pleasure in telling the people of Keppel and Queensland that they have their 21st century hospital. I encourage those in areas where hospitals are being built to get right behind the government because they will not happen if the Labor government is not able to continue its building program. The funding for our hospital, coupled with the \$150 million upgrade of the Rockhampton Hospital, confirms to the community that the future of the Capricornia regional health service in the 21st century is assured.

Nambour Hospital; Northern Interconnector Pipeline

Mr WELLINGTON (Nicklin—Ind) (12.21 pm): I rise to speak on a matter of public interest to many residents on the Sunshine Coast, that is, the need for the Minister for Health to acknowledge that the Nambour Hospital is in crisis—yes, is in crisis—and that staff are being asked to work above and beyond the call of duty not once a week, not twice a week, but continually. There is no spare capacity in the Nambour General Hospital. The hospital is jammed with all beds continually fully occupied. The hospital is effectively gridlocked. Yet just up the road—20 minutes drive away—is the relatively new Noosa Private Hospital.

My colleague the member for Noosa informs me that the Noosa Private Hospital has a significant spare capacity and has had a significant spare capacity for many, many years. I understand that it is able to perform an extra 700 public procedures a year. But what do we need? We need our health minister to pick up the phone and speak with the manager of the Noosa Private Hospital and take up the offer to perform these services. Unless it does, the Nambour General Hospital will continue to be under stress, continue to be in crisis and continue to put significant pressures on our doctors, our staff and everyone who works at the Nambour Hospital.

Earlier this week it was again reported that the Nambour Hospital emergency department is the busiest in Queensland. That is according to Queensland Health's own figures. One of the concerns we have is that the busier a hospital gets combined with a continual lack of spare capacity in a hospital is a recipe for possible mistakes. The government needs to properly resource our hospitals so significant mistakes cannot happen.

For quite some time we on the Sunshine Coast have been drawing to the government's attention our concerns about the inability of the state government's infrastructure plan to keep pace with the significant population growth that this government and previous state governments have been imposing on the Sunshine Coast region. I again use this opportunity to call on the Minister for Health to take immediate action to relieve the continual pressure on the Nambour Hospital by simply picking up the phone, speaking with his director-general and speaking with the manager of the Noosa Private Hospital. It is available, ready and can commence work tomorrow on providing many more operations to the people who are currently waiting for them.

I acknowledge that, as I speak, the Nambour Hospital is undergoing a 90-bed extension, but alas there is not a requirement for Queensland Health to play by the same rules that everybody else in Queensland has to play by. In Queensland, if one wants to build a private hospital or do a major extension to an existing private hospital, council approval is needed. One of the criteria they must address is car parking. Yet, when it comes to our public hospitals, Queensland Health does not have to meet that requirement. It is a disgrace. It is a disgrace that Queensland Health is not required to provide proper car parking for staff and visitors.

Whilst speaking about Nambour Hospital, I want to publicly thank the Sunshine Coast Regional Council for taking responsibility and making sure that the land it owns opposite the hospital continues to be available to relieve parking pressures at the Nambour Hospital. Thank you Mayor Abbot, thank you Councillor Tatton, thank you to all of the councillors on the current Sunshine Coast Regional Council for continuing to make sure that that land is available for car parking.

Whilst I am on my feet, I would like to share with members our anger on the Sunshine Coast with the federal minister for the environment, Mr Garrett, and his decision to approve the next stage of the Northern Interconnector Pipeline. Mr Garrett has been claiming that he is going to limit the amount of water that will come out of the Mary River to the amount of water that can be transported by the pipeline. What he did not do, which he could have done, was put a condition on limiting the size of the pipe. If Mr Garrett, our federal minister, was prepared to genuinely protect the Mary Valley, he would have limited the size of that pipe so there could never be the opportunity for significantly more water to come out of the Mary River and down that pipeline. He knows and we know—we all know—that as the population in Queensland and South-East Queensland continues to grow there will be applications for more water to be used.

(Time expired)

WorkCover

Mr FINN (Yeerongpilly—ALP) (12.27 pm): Queensland has a stable and performing workers compensation scheme. However, like most insurance organisations, WorkCover has not been immune from the impacts of the global financial crisis. WorkCover's investment, like those everywhere, suffered sharp losses following the collapse of the Australian and international share markets.

Today the government announced the release of a discussion paper and the establishment of a reference group to determine the way forward for WorkCover and ensure it maintains its position as the most stable workers compensation scheme in the nation. Queensland's WorkCover scheme has evolved over the years and Labor has a proud history of ensuring Queensland has a strong insurance scheme for injured workers.

In 1990 the Goss Labor government repealed the existing 1916 act and brought major reforms to WorkCover, with significant changes in coverage, benefits and services to injured workers, including expanding the definition of 'worker' to include casual workers; extending the duration of benefits on full award rates from 26 to 39 weeks; increasing maximum benefits payable by 20 per cent; increasing maximum death benefits; reducing the eligibility period for de facto partners from three years to one year of cohabitation; increasing allowances to dependants; and amending the criteria for industrial deafness to include seasonal workers.

These legislative amendments saw the beginning of today's stable scheme, delivered timely labour reforms and brought about a modern compensation scheme for Queensland workers. Through the recession of the mid-1990s, however, we saw similar economic impacts on the Australian economy and financial institutions as we see today. In 1995 the workers compensation fund recorded unfunded liabilities of \$320 million. This is mainly due to increases in the numbers of common law claims, premium merit bonuses awarded to employers, increasing numbers of business closures and employers defaulting on premium obligations. At that time, the deregulation of the legal industry and the low standard of proof required for psychological injury were identified as factors in the rise in common law claims.

The Goss government responded by introducing amendments to address the proliferation of common law actions, including an irrevocable election for common law for impairments under 20 per cent; a comprehensive table of injuries, including whole-person impairment scales; an employer excess; and abolishing the cost indemnity rule as part of common law proceedings for less serious injuries. These changes were controversial at the time. But what did we see when the Borbidge government came to power? The 1996 Liberal-National legislation saw the greatest attack on the rights of injured workers to adequate insurance cover. The LNP changes saw the restricting of the definition of 'worker' to PAYE taxpayers on a contract of service; restricting the definition of 'injury' to claims where employment is the major significant factor; reducing full income replacement from 39 to 26 weeks; introducing self-insurance for employers of 500 or more workers; increasing the level of industrial deafness not compensable from the first one per cent to the first five per cent; restricting journey claims to and from work; introducing compulsory precourt procedures for common law claims; introducing mandatory consideration of, and reductions in damages for, contributory negligence; and restricting access for workers more susceptible to psychiatric and psychological injuries.

The election of the Beattie Labor government saw a turnaround to this and reforms to workers compensation to restore balance to the scheme and deliver greater insurance protection to Queensland workers. The Beattie government acted very quickly to restore the definitions of 'worker' and 'injury', to remove the shortest convenient route requirement for journey claims and to remove the 'reasonable person' and 'ordinary susceptibility' tests for psychiatric claims, overhauled and reviewed the appeal and medical assessment tribunal processes to improve fairness, and strengthened the criteria for self-insurance, including a requirement for an occupational health and safety management system.

Labor reforms continued to roll on right up until 2008, when we introduced the abolition of the statutory reduction of dependents' death benefits for amounts of compensation already paid and in limited death benefits for dependents of workers with a latent onset injury. We have a proud history of reform to WorkCover in Queensland, and today as we begin the next phase of that reform we will again confront some tough issues. This government was elected on a platform of making the tough decisions necessary. As we chart the course for the future stability of the scheme, I am confident we will build on a history of Labor reform and continue to deliver a stable scheme that adequately insures workers and their families from the financial impacts of workplace injury.

(Time expired)

Mr DEPUTY SPEAKER: Order! The time for matters of public interest has expired.

CONSTITUTION (PREAMBLE) AMENDMENT BILL

Second Reading

Resumed from 24 November 2009 (see p. 3477), on motion of Ms Bligh—

That the bill be now read a second time.

Mr LANGBROEK (Surfers Paradise—LNP) (Leader of the Opposition) (12.32 pm): I rise to speak in the second reading debate for the government's Constitution (Preamble) Amendment Bill 2009, which was introduced into the Legislative Assembly by the Premier in late 2009. The Constitution (Preamble) Amendment Bill 2009 seeks to amend the Constitution of Queensland 2001 by inserting a preamble into the Constitution. The opposition will oppose this bill. We have not taken this decision lightly. We will oppose this bill for a number of reasons which I will outline in these remarks.

In the Legislative Assembly's consideration of this bill, the House should be aware of the background to the government's introduction of the bill. The Premier's desire to introduce a preamble that reflects a narrow and politicised agenda has been present for a number of years. In 2001 this parliament amended, consolidated and filled in many of the gaps in our state's Constitution through the enactment of the Constitution of Queensland 2001. The Constitution of Queensland consolidates the conventional and written constitutional law of this state. It begins with the entrenched provisions of the Constitution Act 1867 which are protected in operation by the Australia Acts and re-enacts them within a consolidated volume of constitutional law which spells out in great detail matters that were previously left to political and parliamentary convention. In particular, it places in written form many rules that were previously convention that deal with the composition and operation of the executive government.

Subsequent to the enactment of the Constitution of Queensland 2001, this government, under this Premier, has decided to incorporate a preamble into the state's Constitution. In November 2004 the Legislative Assembly's then Legal, Constitutional and Administrative Review Committee considered the need for and appropriateness of a preamble being inserted into the Constitution of Queensland 2001 and tabled a report entitled *A preamble for the Queensland Constitution?* The committee, chaired by the then member for Barron River, Dr Lesley Clark, recommended against the inclusion of a preamble. The committee cited a number of reasons for its conclusion that a preamble should not be included. Amongst other things, the committee said that—

- the public input received by the committee demonstrates insufficient support for a preamble to the Queensland Constitution;
 - uncertainty exists as to how such a preamble should or might be used to interpret the Constitution, particularly if that preamble contained statements of values or aspirations;
- ...
- the preamble would need to be modified again if Australia moves to a republican system of government;
 - further steps need to be undertaken to complete the consolidation of the Queensland Constitution;
 - there is a lack of consistency between the content of the Queensland Constitution and the proposed aspirational elements of the preamble;
 - given the nature of the consolidated Queensland Constitution, a preamble enacted now could not set out the reasons for the enactment of the provisions in their original form ...

Not content to let the all-party joint report settle the matter, the Premier and her government decided last year to revisit this issue through the Legislative Assembly's current Law, Justice and Safety Committee. That committee tabled a report of an inquiry entitled *A preamble for the Constitution of Queensland 2001* in September 2009. The committee's inquiry was chaired by the member for Springwood, and the opposition members of the committee were the honourable members for Hinchinbrook, Kawana and Beaudesert. The opposition members of the committee lodged a statement of reservation outlining the opposition's deep concerns with this bill. The new committee, having been given its marching orders by the Premier, recommended the enactment of a preamble.

As I have said, the opposition opposes this bill for a number of reasons. I will now outline those reasons. First, the opposition agrees with the first conclusion of the original committee's report into the proposal. The opposition believes that there is too little or no public support for the adoption of a preamble, regardless of the wording of the text. We cannot believe that the government is wasting so much of the parliament's time with a bill like this one. This is in a climate where the government is failing on so many fronts. The Bligh government is taking the state government debt to the astronomically high level of \$85 billion. It is desperately trying to privatise five of the state's key assets in a fire sale and is allowing Queensland to come last or second last amongst the other states in Australia in reading, writing, spelling, punctuation and numeracy in years 3, 5, 7 and 9.

This government is sitting back and allowing our health system to go from bad to tragic. One in five Queenslanders needing emergency hospital treatment within 10 minutes are not being seen on time, one in four children are not being seen on time at the Mater Children's Hospital and, as we saw in the last sitting week, the government cannot even organise a motor-racing event on the Gold Coast. The government is wasting this parliament's time debating the inclusion of a set of words at the start of the state Constitution just to appeal to a narrow section of the Labor Party's base—the so-called 'latte left'.

Secondly, the opposition opposes the enactment of this bill because it opposes the elevated recognition of one ethnic group within the Queensland community—Aboriginal and Torres Strait Islander people—to the exclusion of all others. It is a superficial nod in the direction of political correctness and is designed to divide Queenslanders and not unite us. As a child of Dutch and American immigrants, I have always had great pride in the fact that modern Australia is a free, liberal and tolerant society. Racism and racial preferencing have no place in our federation. We pride ourselves on our egalitarian traditions and our individualism. We are a composite society and, to use an Americanism, a great melting pot for different traditions, faiths, lifestyles and beliefs from other parts of the world.

Mr Choi interjected.

Mr LANGBROEK: Can I just say to the honourable member for Capalaba that he should look at the history of the party that he is a member of—the party that brought in the White Australia policy—before he starts to judge me. In a recent speech I spoke of the need for governments to treat all citizens as equals and not elevate one ethnic or cultural group above the others. I told delegates at a Young Liberal federal convention that I am uncomfortable with the message sent by public officials at public events and ceremonies when speakers begin every speech with the words, 'I begin by acknowledging the First Australians on whose land we meet and whose cultures we celebrate as among the oldest continuing cultures in human history.' Since Labor has been on the ascendancy in the states and now in the Commonwealth, this politically correct custom has become a staple feature of many public functions. It is a Keatingesque practice that we seem to have latched on to in more recent times. In my view, this platitude is a superficial nod in the direction of a select group of Australians. Many Australians find this practice to be offensive. Our governments and our leaders should be seeking to unite us, not divide us. The constant singling out of one racial group in our culture for special praise and recognition above all others is contrary to our egalitarian tradition.

The Labor Party uses it as a mechanism for division, and it is not always consistent with it, either. The Minister for Disability Services and Multicultural Affairs did not use it at the consular dinner, the Treasurer did not use it at the REIQ awards at the Sofitel Hotel less than two weeks ago and the Premier did not use it at the Chinese new year celebration at the Sofitel. They are not always consistent with its use. The recognition of cultural heritage must not and cannot be allowed to be a divide within the community and leaders should not seek to inflict this division on a community that wishes to be united. Kevin Rudd should stop trying to emulate Paul Keating with this practice. All Australians should be treated equally. Similarly, this draft preamble is a superficial nod in the direction of Indigenous Australians and is designed to divide us and not unite us. I do not want the opening words of our state Constitution to become another canvas upon which some parts of the Labor Party can paint their politically correct masterpiece.

The third reason the opposition opposes the bill is that the use of the expression 'First Australians' is a divisive term. It implies that there are second Australians and so on. This type of breaking away one group of Australians based on their race from the rest and elevating them to a level higher than others does nothing to promote a modern, inclusive and liberal society. The use of this expression also fails to acknowledge the ethnic mix in Queensland. As a melting pot, we are a society that includes people from all ethnicities and people who have many ethnicities.

The fourth reason we oppose this bill is that the desire to protect our unique environment, whilst important, should not be taken out of context. The use of this expression by the Labor Party unduly oversimplifies the common goal of all Queenslanders. The community wants its parliamentarians to protect the environment and natural resources but also it wants its parliamentarians to promote prosperity, including economic prosperity.

In my address to the federal Young Liberal convention three weeks ago, I told delegates—

Political correctness has led us to get our priorities mixed up and has led us in Queensland to focus on narrow esoteric agendas and take our eyes off the bigger challenges faced by the State Government. Instead of changing the Preamble of the Queensland Constitution to recognise Indigenous Australians—which will provide no practical improvement to the lives of Queensland's Aboriginal and Torres Strait Islander residents—the Bligh Government should be focussed on improving the literacy and numeracy levels of all Queensland children, including Aboriginal and Torres Strait Islander children.

I believe that the real advancement of Aboriginals and Torres Strait Islanders should be the goal of the Queensland government, not tokenistic changes that achieve nothing and give false promise to the Aboriginal and Torres Strait Islander communities of this state. Just like the wild rivers legislation, this bill is designed to appeal to a narrow political agenda rather than provide a real improvement in the

living standards and the realisation of the aspirations of Indigenous Australians. It is my belief that reconciliation is achieved only through closing the gap between Indigenous and non-Indigenous Australians in life expectancy and opportunities, in health and educational opportunity, and in achievement.

Additionally, I am not satisfied that, despite the inclusion of a new section 3A, the inclusion of a preamble will not prevent courts that wish to use the preamble as an interpretative tool from using the text of the preamble to interpret the Constitution of Queensland 2001 in ways that were not intended by the legislature and contrary to a black-letter approach to constitutional interpretation. Indeed, at the briefing supplied by the government, my office was advised that the government had no specific advice on the relationship between new section 3A and the Acts Interpretation Act, nor could the government assure my office that the exclusion includes the common law so that the preamble could not be used as an interpretative tool by judges in common law based reasoning. Despite an undertaking made on 8 January 2010 to get back to my office with advice on these two questions, the Premier's office still has not supplied this information to my office or to me. That just shows the arrogance of this Premier and her government. Given the way in which constitutions can be reinterpreted by judges over the years without regard to the views of a democratically elected parliament which represents the people, we should always be careful in transferring power from where it resides—with the people and the parliament—to an unrepresentative judiciary.

I have received some correspondence from Queenslanders who are opposed to the passage of this bill and the inclusion of a preamble in the state's Constitution. I want to mention one letter that I received from the Queensland branch of FamilyVoice Australia, which wrote to me and came to see me to present to me a petition signed by 783 Queenslanders. The petition sought my support in seeking to oppose this bill or, alternatively, advocating that this bill should be put to the people in a referendum. The organisers of the petition told me that they sought to present the petition to the Premier but, in what is now becoming increasingly common for this Premier, the Premier and her office arrogantly fobbed them off. I want to thank that organisation and the many other Queenslanders who have written to me on this topic.

Many people who wrote to me expressed the view that the preamble to a constitution is the endorsed words of the people, not those of the politicians elected under the Constitution. The opposition agrees. Just as the proposed new preamble to the Commonwealth Constitution in 1999 both needed to and, quite rightfully, went to the people for its endorsement, so, too, should any proposed preamble to our state Constitution. Our state Constitution is more than just a piece of run-of-the-mill legislation; it is a fundamental statement of our governing structures and gains its legitimacy, if not its legality, from the will of the people, not those elected under it. If this Premier were not so arrogant, she would submit the draft preamble to the people of Queensland for their approval. But the truth is that she thinks that the people of Queensland will get it wrong and will not vote the right way. This bill smacks of the arrogance that is now oozing from this Premier and her government.

This bill also smacks too much of the same lawyers who argue for a bill of rights to underpin their program of social engineering. The LNP will consistently oppose such proposals. We believe in this parliament and the people who elect us as being the ultimate bulwark against absolute power. Preambles and high-flying rhetoric do nothing to cure the social problems that many of our citizens of Aboriginal and Torres Strait Islander descent face. Solutions to real problems is what the LNP supports, not high-flying rhetoric to appeal to the consciences of inner-city minorities who think that it is their job to tell the people what they should want. It is for these reasons that the opposition opposes this bill and will be voting against the bill.

Mr CRIPPS (Hinchinbrook—LNP) (12.48 pm): I rise to make a contribution to the debate on the Constitution (Preamble) Amendment Bill. The bill proposes to amend the Constitution of Queensland to retrospectively insert a preamble into the Queensland Constitution. On 3 September 2009 in response to a referral from the Queensland parliament, the Law, Justice and Safety Committee tabled its report No. 70 titled *A preamble for the Constitution of Queensland 2001*, which recommended a draft text for insertion into the Queensland Constitution. The Law, Justice and Safety Committee, of which I am a member, was required, as part of its terms of reference from the parliament, to draft an aspirational statement in commemoration of the 150th anniversary year of the establishment of Queensland and to provide due recognition to Queensland's Aboriginal and Torres Strait Islander peoples.

The bill adopts the text of the committee's proposed preamble with some amendments. I wish to make two observations about some of the work of the committee not picked up in this bill. Firstly, I note the government has seen fit not to proceed with the recommendation provided to the parliament in report No. 71 of the Law, Justice and Safety Committee relating to options for modernising the oaths and affirmations of allegiance in the Constitution of Queensland 2001.

Although this issue formed part of the referral from the parliament to the committee, the committee reported to the parliament separately on this issue in the form of report No. 71. I very much welcomed the government's response to report No. 71, which indicated the government did not support the committee's recommendations supported by Labor members in the majority on that committee.

Indeed, the government response described the recommendation put forward by the Labor members on the Law, Justice and Safety Committee as not presenting a sensible alternative to the current oath or affirmation of allegiance. I table the government's response for the record.

Tabled paper: Government response to the Law, Justice and Safety Committee report No. 71—Options for modernising the oaths and affirmations of allegiance in the Constitution of Queensland 2001 [1759].

The Labor members on the committee sought to make optional reference to the sovereign, currently Her Majesty Queen Elizabeth II, in the oaths and affirmations of allegiance taken by members of the Legislative Assembly, the Governor, ministers, members of the Executive Council and judges. The recommendation ignored obvious features underpinning Queensland's constitutional arrangements. No wonder the only responsible course of action left open to the government was to describe the recommendation as nonsensical. The LNP opposition members of the committee registered a very strong dissenting report alongside report No. 71.

I want to acknowledge that the committee members worked hard amongst themselves to hammer out the wording of the draft preamble that appeared in report No. 71. Notwithstanding that hard work, the LNP opposition members of the committee still saw fit to lodge a statement of reservation with respect to issues of process that the committee encountered during its consideration of this matter. These concerns are outlined in detail in the statement of reservation from LNP members of the committee attached to report No. 71.

The explanatory notes accompanying the bill state that the draft preamble is the result of a widespread consultation process. I come to this debate as the only member of this parliament to have gone through the consultation process in relation to this issue twice. I was a member of the Legal, Constitutional and Administrative Review Committee of the 52nd Parliament that undertook consultation after that committee received a referral on 4 December 2008 to do exactly what the Law, Justice and Safety Committee would eventually do in the 53rd Parliament. Our referral lapsed with the calling of the state election in February 2009.

Notwithstanding the efforts of both committees to travel around Queensland, accept public submissions and hold public hearings, doing something as profound and as serious as retrospectively inserting a preamble into a constitution in my view ought not to be done without a referendum of the citizens in the relevant jurisdiction. This is not occurring in this case. The referral from the parliament required the committee to develop a draft preamble for insertion into the Constitution of Queensland. While the committee has fulfilled its obligations to the parliament with respect to the referral, the majority of public submissions did not support the inclusion of a preamble into the Queensland Constitution and felt that a preamble was neither required nor necessary.

The simple fact is that there was relatively little public support for a preamble in the wider community in the first instance, especially one not approved by the people of Queensland by way of a referendum. As such, I am not convinced that the parliament in turn has fulfilled its obligation to the people of Queensland. Indeed, this matter has been given some consideration by the predecessor committee to the Law, Justice and Safety Committee, the Legal, Constitutional and Administrative Review Committee in its report No. 46 tabled in November 2004 which actually recommended against the insertion of a preamble in the Queensland Constitution.

The committee made the following observations in support of its recommendation—

The committee does not believe that a preamble for the Queensland Constitution should be developed or enacted at this time. The reasons for this conclusion include:

- the public input received by the committee demonstrates insufficient support for a preamble to the Queensland Constitution;
- uncertainty exists as to how such a preamble should or might be used to interpret the Constitution, particularly if that preamble contained statements of values or aspirations;
- concerns exist about the time, effort and public money required to develop and enact a preamble and whether these resources might be better directed to other competing needs for reform, such as recommendations by previous LCARCs for constitutional reform;
- the preamble would need to be modified again if Australia moves to a republican system of government;
- further steps need to be undertaken to complete the consolidation of the Queensland Constitution;
- there is a lack of consistency between the content of the Queensland Constitution and the proposed aspirational elements of the preamble;
- given the nature of the consolidated Queensland Constitution, a preamble enacted now could not set out the reasons for the enactment of the provisions in their original form; and
- given that the adoption of a preamble by the people of Queensland would be conditional on their broad support for the wording of that preamble, significant and prolonged consultation would be required to develop the form and text. Such consultation should, more appropriately, take place following substantive constitutional reform, or if the Queensland Constitution is to be amended at some time to effect change to a republican system of government.

As the LNP opposition members pointed out in their statement of reservation attached to report No. 70, a cursory examination of the public submissions and other material considered by the committee reveals that many, if not all, of the matters outlined by the Legal, Constitutional and Administrative Review Committee in 2004 remain relevant and yet to be resolved.

The government's acceptance of the recommendation of report No. 46 in respect of its decision not to proceed with the insertion of a preamble into the Queensland Constitution at that time should inform and instruct members of the 53rd Parliament in respect of these recommendations from the Law, Justice and Safety Committee. Public submissions received by the committee demonstrated minimal support for a preamble. There was a clear desire and preference for any proposed preamble to be approved by the people of Queensland by way of a referendum. In the absence of a comprehensive public consultation process a referendum is the only way to ensure any proposed preamble can claim to legitimately enjoy the support and approval of the people of Queensland.

Accordingly, I believe that it is important that any proposed preamble ought to be put to the people of Queensland by way of a referendum. It is true that the Constitution of the state of Queensland is an act of the Queensland parliament. It is true that the Constitution of the state of Queensland may be lawfully amended without a referendum, unlike the Constitution of the Commonwealth of Australia which may only be amended by way of agreement of the people of Australia through a referendum. Whilst I acknowledge that the Queensland Constitution can be lawfully changed without reference to the people of Queensland, that does not mean that it always should be. The Queensland Constitution is not just any ordinary act of the Queensland parliament; it is a special act. Indeed, that the Queensland Constitution is a special act is acknowledged by the fact that the government itself is seeking to insert a preamble on a very special anniversary in the history of the great state of Queensland which is designed to be aspirational. Surely those who the government hopes will be inspired and motivated are the people of Queensland. Surely, in that case, the people of Queensland ought to decide whether or not they are sufficiently inspired and motivated by the proposed wording of the preamble by being themselves asked that very question by way of a referendum.

I say let the people of Queensland have ownership of their Constitution and their preamble when we are proposing to make such an important change, a change that expresses views and attitudes on a wide range of matters. I say let the people of Queensland decide and determine the direction of this great state. Quite frankly, civil, social or cultural attitudes cannot be manufactured by parliamentarians alone determining the form of words. Anything less, in fact, is the antithesis of that ideal when we are dealing with such an important proposal that involves what is a change to a special act of this parliament. This parliament ought not to make that mistake.

In accordance with the referral from the parliament, the committee consulted the Aboriginal and Torres Strait Islander Advisory Council in respect of the incorporation into the draft preamble of a statement of due recognition to Queensland's Aboriginal and Torres Strait Islander people. This was duly incorporated by the committee. However, a letter dated 27 June 2009 from the Minister for Local Government and Aboriginal and Torres Strait Islander Partnerships in her capacity as the chair of the advisory council stated that the council required the committee to make certain changes to its draft proposed preamble and went so far as to say that it requested the committee accept the recommendations of the council in full without further amendment. Although the committee ultimately accepted the advice of the advisory council, I am concerned about the way in which this advice was provided. In particular, I was concerned about the expression of this advice by the minister. The referral from the parliament required the committee to consult relevant stakeholders including, specifically, the advisory council. However, the referral did not direct the committee to adopt the submission from any stakeholder group, including the advisory council.

Sitting suspended from 1.00 pm to 2.30 pm.

Mr CRIPPS: Before the lunch adjournment, I was discussing correspondence from the Minister for Local Government and Aboriginal and Torres Strait Islander Partnerships to the committee. My reservation and concern in relation to this issue derives from the degree to which the minister's correspondence sought to direct the committee. The Law, Justice and Safety Committee, as a committee of the parliament, cannot be directed by any entity save for the parliament itself. If anyone should be aware of that, it should be a minister of the Crown serving in the executive of the government of Queensland and being a member of the Queensland parliament. The point I am trying to make is that it is important to have respect for the committees of this parliament, which is the same as having respect for the parliament itself.

Indeed, we have seen something similar in more recent days. Members and, I assume, others in the wider community have received invitations issued jointly by Minister Boyle and Minister Palaszczuk on behalf of the Queensland government to a reception marking the introduction of a new preamble to the Constitution of Queensland honouring Aboriginal and Torres Strait Islander peoples and acknowledging the achievements of people from diverse backgrounds.

I do not disapprove of the reception in and of itself, but the reception is scheduled for this Thursday, 25 February and the RSVP date was yesterday, the day before the Queensland parliament even began considering this bill. The current political realities of this place make the outcome of this debate something of a foregone conclusion. It will be passed by this parliament, and I understand and acknowledge that. However, it continues to be incumbent upon all of us as members of this place to respect the institution of parliament and its processes. Therefore, I register my concern at the outcome of its deliberations being so clearly presumed. I table the invitation for the record.

Tabled paper: Invitation on behalf of the Queensland government to attend a reception at Parliament House on Thursday, 25 February 2010, to mark the introduction of a new preamble to the Constitution of Queensland honouring Aboriginal and Torres Strait Islander peoples, and acknowledging the achievements of people from diverse backgrounds [1760].

It is disrespectful to pre-empt the deliberations of the parliament in such an obvious way. Again, serving ministers of the Crown should know better.

The referral to the committee from the parliament states that regard should be had to ensuring that the text of the preamble does not purport to include information to be used as an aid in statutory interpretation. No submission or advice received by the committee could discount the argument that under the Acts Interpretation Act the preamble can be used to interpret the Queensland Constitution and other statutes.

My concern is underpinned by recommendation 2 of the committee's report No. 70, where the committee recommends the government obtain expert legal advice in respect of this matter. The government has acted on this recommendation by consulting with the Solicitor-General and has drafted a clause contained in this bill which claims to explicitly clarify that the preamble is an aspirational statement only and that it is not parliament's intention for it to either grant any legal right or create any liability, or to be used as an aid to statutory interpretation of either the Constitution or any other law in Queensland. That is all well and good for the government to say. The Acts Interpretation Act applies to all acts of the Queensland parliament. Should a preamble be inserted into the Constitution of Queensland, it is arguable that a preamble could be used as an aid in statutory interpretation of the Queensland Constitution and other statutes.

I am concerned about a preamble, without being first considered and approved by the people of Queensland by way of a referendum, being used to interpret statute. Indeed, others more recognised for their expertise in this field than I am share this point of view. In his submission to the committee, Professor George Williams noted—

Although a preamble does not create substantive rights or obligations, its symbolic aspect may assist in the interpretation of the construction itself by providing normative guidance. Thus, in its second reading, justiciable aspect, a preamble can be used in constitutional interpretation and in the construction of statutes in the development of the common law as a legally useful statement of fundamental values.

In summary, the central point I wish to reiterate is that the people of Queensland ought to make the decision about whether or not this preamble should be retrospectively inserted into the Queensland Constitution. Such an approval by the people of Queensland would overcome my concerns relating to the proposed preamble's necessity and legitimacy, and subsequently dispose of my concerns relating to the implications that possible statutory interpretation could cause. Given that this will not occur in respect of the proposed preamble contained in the bill, I cannot support it.

I am a strong supporter of our Westminster system of government and I support the concept of parliamentary sovereignty in that system. However, in respect of one of the cornerstones of that system, being the particular role and purpose of our Constitution, we ought to reserve for it a special place and have an abiding and enduring deference in terms of the content of its provisions, including any preamble, to the sovereignty of the people, in this case, the people of the state of Queensland.

Hon. D BOYLE (Cairns—ALP) (Minister for Local Government and Aboriginal and Torres Strait Islander Partnerships) (2.35 pm): I rise to support the Constitution (Preamble) Amendment Bill 2009 and I am proud to do so. I am proud to be a member of the government that has introduced this bill and the preamble to the parliament. I would be prouder still to be a member of this Queensland parliament if the bill was supported unanimously, but it is not. The opposition leader has made it plain that in no way does the bill have his support or the support of the Liberal National Party. What a sorry story indeed.

I know that this news will come as a disappointment to many Aboriginal and Torres Strait Islander people who are following the debate closely. Over recent weeks since the bill has been introduced I have met with a great number of those people, and I know that they are proud indeed to think that at last they may be recognised officially in Queensland in the preamble. I am sure they will be disappointed with the stance taken by members opposite. To those Aboriginal people I say that, however disappointing may be the refusal of the opposition leader and his Liberal National Party team to support the preamble which recognises our first Australians and although it is indeed a shame, it is a shame on him and his members, and not on Aboriginal and Torres Strait Islander people themselves. It does not reflect on Indigenous people but on the characters of the members opposite.

The Constitution (Preamble) Amendment Bill 2009 is particularly significant for Aboriginal and Torres Strait Islander people because it acknowledges their historical presence as well as their modern contribution to the state of Queensland. The insertion of the preamble honours the Aboriginal and Torres Strait Islander people as the first Australians and pays tribute to their unique values and enduring culture, which enriches the Queensland community.

The bill is an important step towards reconciliation with Indigenous Australians. Reconciliation is about respect. It is about treating others as equals and making right, as best we can, the injustices of the past. 'Injustice' is such a little word. It takes only part of a second to say it. It is easily glossed over and, therefore, its meaning is not fully recognised. Sadly, injustice is what the first nations of Australia experienced at the time of European settlement and for most of the two centuries that followed European settlement. There is no doubt that the apology by the Prime Minister of Australia has gone some way towards redressing the wrongs of the past and healing that injustice. However, as important as the apology is, it does not redress the trauma faced by so many Indigenous people across many decades and which has left, even for the Aboriginal and Torres Strait Islander children of today, a generational legacy of trauma.

We know that in Queensland 75 per cent of Aboriginal and Torres Strait Islander people live in urban centres. Sadly, we know too that the gap in their health and wellbeing, educational attainment, housing and employment is just as large as the gap is for Aboriginal and Torres Strait Islander people who live in remote communities. Why should this be so when those people living in urban centres have access to all of the services, activities and supports that Australians enjoy?

The Bligh government has begun work to address these questions through the development of an urban Indigenous disadvantage strategy. I have spent these many months now since I have been in this position talking with Aboriginal and Islander people who live in our urban centres and asking them why indeed this is so. So often they say to me that what stops Aboriginal people and Islander people from having a go is an underlying sense of shame and a lack of confidence. Many of them regard themselves as not up to the job and fearful of the consequences of further failure.

This is partly the reason it is time we gave full recognition to Aboriginal people and Torres Strait Islander people, to their being here when we arrived as Europeans, to their strength in having survived through these centuries when there has been injustice, to the wonderful culture that so many of us are only now discovering and yet—I can say to other members of the House because I know as the member for Cairns—is of tremendous interest to people from around the world and is a key drawcard in fact for many international tourists to our country. For this complex of reasons, it is very important that we recognise Aboriginal and Torres Strait Islander people formally in Queensland in our legislation in our parliament, and the preamble to our Queensland Constitution is a fine place indeed to do so.

Queensland is the first state in Australia to recognise Aboriginals and Torres Strait Islanders in its Constitution preamble. Victoria acknowledges Aboriginals and Torres Strait Islanders in the body of their Constitution but not in the preamble. The words of the preamble recognise the unique relationship our Indigenous people have with the land, the seas and the waterways of Queensland. It is a positive step for the Queensland community and it is leading the way in reconciliation throughout Australia. The preamble modernises our Constitution, providing a vision for the kind of state Queenslanders believe in—a society based, as it says, on democracy, freedom and peace.

In 2009, in my role as chair of the Queensland Aboriginal and Torres Strait Islander Advisory Council, I had the honour of working with council members—though I must say on the record that they did the hard work while I stood by—on the actual wording of what might form the new preamble to the Constitution of Queensland. This was work indeed that the advisory council members took very seriously, and it was very hard work, as aware as they were that these were words that should reflect the Aboriginal people and their values and the Torres Strait Islander people and their values and words that would be put down in history.

When their job was complete and the words were provided to the committee, I recognised that there were good intentions on the part of committee members but there were some who thought they could improve on the words by changing them. It was in that context that I wrote to the committee and strongly suggested to them that the words that had been put together by the eminent people who make up our Aboriginal and Torres Strait Islander Advisory Council are the words indeed that we should accept. They are the ones best placed to know how their culture and their contribution should be recognised. I thank the members of the Queensland Aboriginal and Torres Strait Islander Advisory Council for that work.

I take a moment again to recognise how beautiful are their words by reminding all members in the House of the third paragraph—the key paragraph that I am addressing in the proposal before the House—of this preamble that we 'honour the Aboriginal peoples and Torres Strait Islander peoples, the First Australians, whose lands, winds and waters we all now share; and pay tribute to their unique values, and their ancient and enduring cultures, which deepen and enrich the life of our community'. What does it say indeed of people who would refuse to support that inclusion as a preamble to our Constitution?

One of the great pleasures I have had in holding the position of Minister for Aboriginal and Torres Strait Islander Partnerships since March 2009 is meeting so many Aboriginal and Islander people and better glimpsing the lives that they lead in communities all over Queensland. It is a joy to see the strength of their family relationships and a pleasure to join with them in their cultural and recreational activities. It was a very special day indeed when I was able to be on Erub Island in the Torres Strait for the annual Coming of the Light Festival. I was welcomed to join in on that very important occasion when Christianity was taken up on Erub Island and other islands of the Torres Strait. It is a cultural occasion each year of great significance for the people of the Torres Strait.

Another of the very special occasions was only a couple of weeks ago when I attended the Indigenous All Stars rugby league match on the Gold Coast. The Indigenous All Stars were playing the NRL All Stars. Skilled Park was absolutely packed out—some 23,000 people—and the great majority of them at a glance were Aboriginal and Torres Strait Islander people. They had the numbers. They were there to enjoy and to cheer their boys on. I was with a number of young ones whom I had taken there from various schools in Brisbane in the Queensland government's box. Of course we were all cheering on the Indigenous All Stars. There were some others there like me, of European background, but we forgot that as the afternoon wore on. We were all calling out for 'our boys' to win, and 'our boys' were the Indigenous All Stars team. I can attest from seeing the Prime Minister, who was in the box next to me, that he felt the same. The enjoyment, the pride and the success of our Indigenous footballers made it a tremendous afternoon indeed.

I also had the great privilege of discovering how many Aboriginal and Torres Strait Islander people are now being hugely successful in diverse fields of endeavour around Queensland. Were I to list just those whom I have met we would indeed be here well past closing time. But I mention to the parliament people like Noel Pearson, a lawyer and Aboriginal rights activist; Professor Cindy Shannon, an academic in the health field; and Dr Mark Wenitong, a leader amongst Indigenous doctors. We have amazing people in the world of entertainment like Tiga Bayles, a radio broadcaster; Leah Purcell, an actress; as well as David Hudson, an Aboriginal player who has toured the world playing the didgeridoo and who has been a leader in Aboriginal tourism. We have amazing sportspeople we all know—Cathy Freeman and her huge achievements; and Steve Renouf and Johnathan Thurston come to mind in terms of my recent experience. We have barrister Nathan Jarro, architect Kevin O'Brien, magistrate Zac Sarra, and there are more and more that we could mention.

It is a better day I think for Aboriginal people. It is a time, with the apology and with reconciliation, when we can hope indeed that our Aboriginal kids of this generation and our Torres Strait Islander kids of this generation will fully be able to enjoy the lifestyle that we as Queenslanders, as Australians, take for granted. In one of the Sunday papers there was a very proud and big picture of three Aboriginal people smiling together, with the heading 'The changing face of Aboriginal Australia'. It can be a changing face. As leaders in this parliament, we should do all we can to make sure that change is positive. I have no doubt at all that by including recognition of the first nations of Australia in the preamble to the Queensland Constitution we are taking another small step in that direction.

Ms STONE (Springwood—ALP) (2.48 pm): It is an honour to stand here in the parliament to speak in support of this bill. Let me start by acknowledging the traditional owners of the land upon which we stand. As I said before, it is an honour to stand in this place and speak on this bill but it was an even greater honour to be the chair of the committee asked to draft a preamble for the Queensland Constitution. The committee was entrusted by the parliament to develop a draft preamble for the Constitution of Queensland 2001 and include in the draft an aspirational statement on the commemoration of the 150th anniversary of the establishment of Queensland and a statement of due recognition of the state's Aboriginal and Torres Strait Islander peoples.

In developing the draft preamble, regard should be had to ensuring that the text of the preamble does not purport to include information to be used as an aid in statutory interpretation, and stakeholders should be consulted during the development of the draft preamble including the Aboriginal and Torres Strait Islander Advisory Council. I am pleased to say that the committee successfully completed that task and its recommendation was accepted by the government with only minor amendments.

Today we will hear from those opposite that the bill before the House should be opposed because the proposed preamble has not gone, or will not go, to a referendum. They claim hundreds of people are against this proposal, yet most of those against were on form letters that we believe One Nation had quite a lot to do with. Most people—again usually those who were against—could not put forward any suggestions or any true indications as to why they were against it. Clearly outlined in the committee's report are those who contacted us against the referral, and I would refer people to that report so they can make up their own minds.

Firstly, let us look briefly at the Queensland Constitution and how it has changed and how it can be changed. The first Queensland Constitution Act was written in the late 1850s at the time of separation from New South Wales. It was replaced by a new Constitution Act passed by the Queensland parliament in 1867. It sets out some of the basic rules for the structure of government at a state level. The Constitution deals with parliament, the Governor, local government, state judges and

other topics. It has been amended many times since it was first passed, and many of the rules are now found in other acts of parliament. Some amendments have to be passed by parliament and then approved by the voters in a state referendum. The Queensland parliament can change the rest of the Constitution by an ordinary act of parliament. The Solicitor-General has confirmed that this preamble can be included in the Constitution of Queensland by an act of parliament and therefore does not require a referendum. I do not intend to talk on all the technicalities of the bill in relation to inserting a preamble into our Constitution or the process. I will leave that to the lawyers on the committee and in this place. They will all have differing views and I am sure that all will be passionate in sharing their views.

The Law, Justice and Safety Committee consulted with many stakeholder groups and interested Queenslanders. In order to do this, the committee decided to look at the work of the previous committee which started an inquiry into a preamble for the Queensland Constitution. The previous committee undertook the following work: widely advertised for submissions in conjunction with the release of an issues paper in February 2009; wrote to approximately 950 stakeholders providing a copy of the issues paper and inviting submissions; met with members of the former Queensland constitutional reform commission; met with members of the Queensland Aboriginal and Torres Strait Islander Advisory Council; and held a public forum in Townsville. I would like to thank the chair of that committee, Mrs Di Reilly, the former member for Mudgeeraba, and her committee for doing this work. The committee decided to use this work in its deliberations.

The Law, Justice and Safety Committee undertook the following work: advertised for submissions in conjunction with the release of the issues paper which was tabled on 7 May 2009; in early May 2009 wrote to approximately 800 stakeholders providing a copy of the issues paper and inviting submissions; met with members of the Queensland Aboriginal and Torres Strait Islander Advisory Council on two occasions; and held a public hearing in Brisbane. I thank all those who participated in the inquiry process.

I think it is fair to say that the majority of Queenslanders are just getting on with their lives and recognising the changes in our state and in our way of life. I believe it would be fair to say that not many Queenslanders would be extremely concerned about the change in this bill today or the technical side of this bill, but what would concern them is if we used words that did not reflect the true Queensland journey. As the chair of the committee, I always kept in mind what this would mean to the person out there on the street, to a person on a property in western Queensland, to a young person studying at uni and working part time, and to the mums and dads of Queensland—in other words, what would this mean to everyday Queenslanders no matter where they live or where they have come from?

Whenever possible I would speak with the community groups in my area about the discussion paper and the inquiry in order to gain their thoughts. While I did not get anyone wanting to discuss this in detail, when the final report was released I did receive a lot of positive feedback on the wording. Many people are probably asking: what is a preamble to the Queensland Constitution? A preamble could include the purpose of the Constitution, it could contain historical information such as where we come from and how we got here today, or it could be aspirational in nature. The referral to the committee stated that the draft should include an aspirational statement on the commemoration of the 150th anniversary of the establishment of Queensland. When looking at the work of previous committees and other Australian jurisdictions which have a constitutional preamble, we found that Tasmania, Victoria, and Western Australia have formal preambles which recite procedural information and do not contain aspirational statements in the sense required by the committee's referral.

The committee considered preambles to constitutions in other countries including France, India, Ireland, Japan, the Russian Federation, South Africa, Sri Lanka, and the USA. The committee notes that these preambles contain aspirational statements. So what should be included in our preamble? After looking at the submissions, other jurisdictions and literature on this subject, a number of common topics became apparent. Firstly, the preamble provides context to Queensland's constitutional arrangements and framework, and describes what our Constitution stands for: responsible and representative government with the purpose of fostering peace, welfare and good government. I will come back to our recognition of the Aboriginal and Torres Strait Islander peoples in the preamble and also to our referral, as I believe this is a very significant part of the preamble.

Secondly, the committee received submissions which addressed the environment. There was strong support in these submissions for the statement to have wording in regard to our unique environment and protecting that unique environment. Submissions referred to the fact that we are the stewards of the land or the environment in which we live now. The committee has included the following wording in the preamble, and I am glad to say it is a part of the bill—

The people of Queensland ... determine to protect our unique environment.

Thirdly, the past to the present—the Queensland journey—needed to be told. In particular, it was important to acknowledge the multicultural Queensland state of today. Multicultural Affairs Queensland's submission stated that Queensland is home to more than 200 cultures, with over 220 languages spoken. This diversity is a strength which should be recognised in the preamble. It was also obvious in

the submissions received that the preamble should show equality for all. In writing this preamble it became clear that we needed to speak of the challenges which many in our communities have faced over the last 150 years, just as it was very important to acknowledge their achievements despite the challenges.

I believe the words in the preamble can mean a lot to many people although in very many different ways. To me it was important that the preamble did reflect and mean something to all. The words that the committee came up with and are reflected in the bill are—

... acknowledge the achievements of our forebears, coming from many backgrounds, who together faced and overcame adversity and injustice, and whose efforts bequeathed to us, and future generations, a realistic opportunity to strive for social harmony ...

If anyone says that is not equality for all, then I do not think they are really reading it. Fourthly, the referral to the committee was to include in the draft preamble an aspirational statement on the commemoration of the 150th anniversary of the establishment of Queensland. Many of us in this place have been attending celebrations around the state that recognise and celebrate our 150th anniversary year. Many of those celebrations commemorated local and state history, and honoured local people on which the foundations of local communities were built. I am pleased that the preamble in this bill today also speaks of our foundations of democracy, the foundations to which we have arrived today and the foundations for the future.

The committee also considers that the 150th anniversary of the establishment of Queensland is an important milestone in Queensland's history. It is a point at which Queenslanders, united in diversity, can look back at the lessons offered from our past and continue to build upon the advances and endeavours of all Queenslanders—advances which make Queensland the place it is today. On the Solicitor-General's advice, and in view of the current drafting practices, the final point of the preamble will read—

... in this the 150th anniversary year of the establishment of Queensland ...

I turn now to one of the most significant parts of the preamble. The committee received the referral to include in the draft preamble a statement of due recognition of the state's Aboriginal and Torres Strait Islander peoples. The committee considered that the recognition of Queensland's Aboriginal and Torres Strait Islander peoples is an important step in the reconciliation process. As I stated before, the committee and the previous committee consulted with the Queensland Aboriginal and Torres Strait Islander Advisory Council on a number of occasions. The advisory council provided an initial submission to the committee. The submission stated that culturally significant terms preferred by the advisory council are 'unique values'; 'land, water and air'; 'traditional owner', not custodian; and 'ancient and enduring cultures'. It was very apparent to the committee that we needed to have a statement of recognition that was in their own words. The committee came under some criticism for questioning and going back to the advisory council for its words. We did this because we wanted to give the council every opportunity to get the best wording it could for such a significant event. Just like the committee members questioned themselves and developed numerous drafts before settling on the recommendation given in our report, we too wanted to get the best we could for the people of Queensland.

Never once did we seek, or ask for, information from the council other than for our own knowledge and understanding to make sure the final statement was best for all. I thank the member for Murrumbidgee, the Hon. Dean Wells, and the member for Hinchinbrook, Andrew Cripps, who worked together and liaised with the council in order to achieve this outcome. The advisory council proposed the following wording for the statement of recognition—

The people of Queensland honour the Aboriginal peoples and Torres Strait Islander peoples, the first Australians, whose lands, winds and waters we all now share; and pay tribute to their unique values, and their ancient and enduring cultures, which deepen and enrich the life of our community.

I am very proud to say that the committee adopted the wording provided by the advisory council in its second submission to the committee in full and without amendment. I thank the council for working with us. It is with pride today that we will see a preamble to the Queensland Constitution that will recognise the contributions and values of our first Australians. It is an honour to chair the Law, Justice and Safety Committee. I believe our report answers many of the questions that have been raised by opposition members. I encourage members and fellow Queenslanders to read that report and get a balanced view on this topic.

I was extremely pleased that the Law, Justice and Safety Committee received the referral from the parliament. From the first day of receiving this referral I always believed we could draft a preamble that reflected the Queensland of the past, today and the future. If we look at the members of the committee and those in this chamber we see that we have a wide variety of life experiences and many different ages. On the committee we have a number of members who are passionate about our Constitution. We had wide-ranging views amongst members about the monarchy and becoming a republic.

I knew that with this depth of passion from the membership of our committee and with submissions from and discussions with interested Queenslanders we would achieve a preamble that was representative of Queensland. While I must admit I was a bit worried at the beginning of the process, as I had visions of the member for Beaudesert jumping up to wax lyrical with some rock song version, I have to admit that he contributed in a very meaningful way to the draft preamble. In fact, all members of the committee contributed to the draft preamble and contributed in a very meaningful way.

That is what I wanted to achieve—all members being able to put forward their knowledge, beliefs, experiences and then put those with the submissions of interested Queenslanders and come up with a preamble that clearly demonstrates our pursuit for equality for all. The other concern that the committee was always mindful of was—

The referral to the Committee requires that any wording used in the preamble does not purport to include information which could be used as an aid in statutory interpretation of the Constitution.

The government obtained legal advice before presenting the preamble that is in this bill today. That issue has certainly been cleared up. The preamble as it stands now, in full and with amendments, will read—

The people of Queensland, free and equal citizens of Australia—

- (a) intend through this Constitution to foster the peace, welfare and good government of Queensland; and
- (b) adopt the principle of the sovereignty of the people, under the rule of law, and the system of representative and responsible government, prescribed by this Constitution; and
- (c) honour the Aboriginal peoples and Torres Strait Islander peoples, the First Australians, whose lands, winds and waters we all now share; and pay tribute to their unique values, and their ancient and enduring cultures, which deepen and enrich the life of our community; and
- (d) determine to protect our unique environment; and
- (e) acknowledge the achievements of our forebears, coming from many backgrounds, who together faced and overcame adversity and injustice, and whose efforts bequeathed to us, and future generations, a realistic opportunity to strive for social harmony; and
- (f) resolve in this, the 150th anniversary year of the establishment of Queensland, to nurture our inheritance, and build a society based on democracy, freedom and peace.

I said before that each and every member contributed to this draft. I thank them for their hard work. However, I think the committee members would expect me to say that it was two members who really put their passion into practice and took charge of the draft. All members of the committee thank the member for Murrumba, the Hon. Dean Wells, and the member for Hinchinbrook, Andrew Cripps, for their hard work, dedication and commitment to achieving a preamble. I believe that, if we were standing here today talking about an amendment that changed the way we vote in Queensland or were inserting a statement that only talked about a specific time or incident in our state's history, then Queenslanders would be very upset and would expect to vote on this. Instead, we have a great preamble. I will quote from the Premier's second reading speech—

In drafting the preamble the committee has incorporated a broad aspirational element which captures the essence of the constitutional framework and system of government in Queensland, acknowledges our past, recognises and honours Queensland's Aboriginal and Torres Strait Islander peoples, and looks to the future of Queensland based on democracy, freedom and peace.

I would also add that it speaks of our foundations that were contributed to by many and it speaks of us all as equals. The opposition says that it does not suggest equality. I think nothing could be further from the truth. People only have to read it to see that it has respect for equality.

I thank all the staff who assisted in our inquiry and report. We often stand in this chamber and speak to bills that affect and change people's lives, and we feel good. Today, we can rise and support an historic statement that recognises all that has brought us to where we are today and be part of history today—this, our 150th anniversary year. It is an honour and privilege to be the chair of the committee that has delivered the report on which this bill has been based. It is an honour and a privilege to stand and be a part of this history. I commend the bill to the House.

Ms O'NEILL (Kallangur—ALP) (3.05 pm): I am very proud to rise to speak briefly in support of the Constitution (Preamble) Amendment Bill 2009 which relates to the insertion of a preamble into the Constitution of Queensland. I congratulate the Premier for giving us the opportunity to honour both the Aboriginal and Torres Strait Islander people and our strong intrepid ancestors. In this our 150th year, it is appropriate to record our honour of the first Australians 'whose lands, winds and waters we now share; and pay tribute to their unique values, and their ancient and enduring cultures, which deepen and enrich the life of our community'.

By inserting this preamble we go some way towards recognising the richness of the culture and history of Indigenous people. After 150 years one could say that it is about time. By acknowledging the achievements of our ancestors we recognise that we owe everything we are and have today to the foundations set down by the far sighted and hardworking people who came to Queensland, who saw in this great region the future best state in Australia. Indeed we must resolve to nurture our inheritance and build a society based on democracy, freedom and peace. How appropriate to put these sentiments into

our Constitution where they will become part of our instrument of government and inform our character and our future. Adding these words will help future Queenslanders understand the debt we owe to our ancestors and elders. I commend the bill to the House.

Hon. KL STRUTHERS (Algeria—ALP) (Minister for Community Services and Housing and Minister for Women) (3.06 pm): I acknowledge the traditional owners of the land on which the parliament stands. In introducing a preamble to the Queensland Constitution, Premier Anna Bligh is giving formal recognition to Aboriginal and Torres Strait Islander people as the first Australians. This is the mark of a great leader. As members of the Labor government we want to right the wrongs of the past and walk with Aboriginal people in communities and all Queenslanders on a path of reconciliation.

It took many years for the true history and brutality of our colonial past to be recognised and accepted. We were taught a lot of nonsense in schools in the old days when I was at school. There is no denying now that Europeans invaded the land, massacred Indigenous people, removed children from families. There is enduring, racism, injustice and dispossession today.

In 2003 I chaired the Legal, Constitutional and Administrative Review Committee of the Queensland parliament. We recommended many strategies to increase the participation of Aboriginal and Torres Strait Islander people in our democracy and in parliament itself. In my view, we will not have true reconciliation in this state or in this nation until Aboriginal and Torres Strait Islander people take up their rightful place in this House. We also recommended that there be a preamble to the Queensland Constitution—a preamble that gives due recognition to Aboriginal and Torres Strait Islander peoples as the first peoples of this nation. I commend the Law, Justice and Safety Committee for its role and work recently in bringing this preamble to the parliament.

We hear today that the conservatives are ready to block moves for a Queensland preamble and are calling for a referendum on the matter. This issue does not need another conservative run referendum. We know your motives, your delay tactics. We saw them under the Howard government. For 11 years we had a Howard government paying nothing but lip-service to reconciliation with Aboriginal and Torres Strait Islander people. Newspapers described John Howard's proposed preamble to the federal Constitution as the poor cousin of the referendum vote on the republic. I do not know what Mr Howard was hearing, but I was certainly hearing a lot of Aboriginal and Torres Strait Islander people saying that they are sick and tired of being poor cousins. Under John Howard the preamble played second fiddle to the republic debate and was destined to fail because he wanted it to fail. He made it fail. He did everything possible to make that preamble fail.

That was the mark of a disgraceful leader—a sorrowful man, a sour man, a man who had nothing but bitterness in his heart in relation to Indigenous peoples in this country. I would put him down as one of the most disturbing and disgraceful leaders we have ever seen in this country. Come on! Take the—

Mr Cripps: Let the people have their say!

Ms STRUTHERS: Now we see them lining up here today—

Honourable members interjected.

Mr DEPUTY SPEAKER (Mr Pitt): Order! Minister, I will ask you to keep your comments through the chair.

Ms STRUTHERS: Again in this House today we see the sort of measure of leadership that the conservatives put up. The sort of men they put up as leaders are weak men—men who cannot stand up to the wrongs of the past, men who try to deny the wrongs of the past and deny justice in Queensland and in this nation. They are men who do not understand how important it is to the whole nation to heal the wrongs of the past and to move forward on a path of reconciliation. They are weak men. They do not deserve to be leaders, yet they have a little following across the other side of the House. Each of you will get up today and deny the reality of what has happened in this country and in this state. Each of you will get up and—

Mr DEPUTY SPEAKER: Minister, I asked you to direct your comments through the chair.

Ms STRUTHERS: Each of them will get up today and deny Aboriginal and Torres Strait Islander people their recognition—their due recognition—in the Constitution of Queensland as the first peoples of this country. It is disgraceful to witness it. I am embarrassed to be here to hear this sort of nonsense that we are hearing from the other side of the House. We know the views of the opposition leader. Earlier this month he was reportedly attacking the practice of recognising Aboriginal people as Australia's first inhabitants, and he has done it again today.

In stark contrast, Prime Minister Kevin Rudd delivered a strong apology in 2008 that filled fair-minded Australians and Queenslanders with enormous pride. Strong leadership is what is needed to make a real impact on living conditions and standards for Aboriginal and Torres Strait Islander people in this state and around this nation. Strong leadership is needed to bring true recognition, justice and economic and emotional security to Aboriginal and Torres Strait Islander people in this state and around this nation. Kevin Rudd showed that leadership. Anna Bligh is showing that leadership. What do we get from the rabble across the road here? We get nothing but scaremongering and fear tactics.

Mr Shine: One Nation!

Ms STRUTHERS: One Nation rebadged—L-N-P. This preamble will help us to move towards the future. This preamble will help us in our efforts to close the gap when it comes to Indigenous disadvantage. We are making determined efforts on this side of the House to close the gap, to improve housing, to improve health, to improve living conditions for Indigenous people around this state. We want better housing and better living standards for Indigenous communities. The future has to be a strong future. Actions such as this preamble may to some be symbolic, but it is a symbol that will speak to the hearts and minds of many Queenslanders. This is about giving Queenslanders another reason to be proud of their state. This is about bringing true reconciliation to this state.

Mr HOBBS (Warrego—LNP) (3.12 pm): I am pleased to rise today to speak to the Constitution (Preamble) Amendment Bill 2009. This bill seeks to amend the Constitution of Queensland by inserting a preamble into the Constitution. Changing or placing an interpretation of what our Constitution means needs to be taken to the people. The responsible thing to do is to take it to the people in the form of a referendum. It is not the responsibility for a single party of this House—the Labor Party—to decide what is best for our Constitution. There is a considerable lack of trust by the people of Queensland of this Labor Party to do the right thing anymore. Even the *Courier-Mail* summed it up and said that Premier Anna Bligh and Labor are running on empty. Do members opposite remember that one? Running on empty is what it said.

The opposition is opposing this bill. It is the people who should make the decision on what should be in the Constitution and then vote on the question. The Labor Party believes that words are a solution to a lack of action in Indigenous matters in this state. Earlier the Minister for Local Government and Aboriginal and Torres Strait Islander Partnerships was critical of the LNP and our stance on this matter and tried to demonise the LNP on Indigenous matters. As the shadow minister for Aboriginal and Torres Strait Islander partnerships, I have to say that Labor has taken the Indigenous vote for granted for a long time and only gives them words in return or cheap slogans that do not provide outcomes.

A visit to the Torres Strait will soon show that this Labor Party has allowed that region to remain the area in Australia with the highest cost of living. Those areas get a barge with food and freight once a week, and Labor has allowed it to happen. Labor has allowed mail to take a week to be delivered in the Torres Strait. Labor has allowed no access for dentists to the islands. Kids cannot even get a dentist, yet this government wants to use words! The Labor Party has allowed health services in that area that would not be acceptable on mainland Australia. The Labor Party has allowed piles of rubbish to be left on the islands to burn and blow away. These words will not fix that. The Labor Party has allowed similar situations to exist in mainland Aboriginal communities. How will these words it proposes today solve those longstanding and pressing issues? How will they solve those problems?

The Minister for Community Services and Housing tried to demonise the LNP in relation to Indigenous affairs. Let me tell her that the LNP has a proud heritage with regard to Aboriginals and Torres Strait Islanders, and it includes the fact that the LNP's Eric Deeral was the first and only Indigenous member of the Queensland parliament—not Labor! The LNP's late Neville Bonner was a senator for Queensland and the first Indigenous member of the Commonwealth parliament—not Labor! In 1973 the LNP government saved our most northern Torres Strait islands from Gough Whitlam's attempt to give the islands over to Papua New Guinea—not Labor! The federal coalition under Harold Holt successfully held a referendum in 1967 to give Aboriginal Australians full citizenship rights—not Labor! The LNP was the first government to empower Aboriginal and Torres Strait Islander communities by creating local councils under the DOGIT legislation—not Labor!

Let us have a look at what Labor has done—the people over there who are putting words everywhere but no actions. Labor's record is that Indigenous people have been locked out by Labor from important decisions affecting their lives. Often Labor's policies have been geared to maximum media coverage but not geared to deliver on the ground in the communities. For example, when the state government introduced alcohol restrictions it failed to deliver alcohol rehabilitation programs or additional policing resources to ensure the laws would be properly enforced. Remote communities have been poorly resourced and supported under Labor to meet the challenges of violence, alcohol abuse and poor outcomes for children.

Labor actively stymied the development of discouraged Aboriginal and Islander leaders by introducing legislation that prevents sitting Aboriginal and Islander councillors from running for state parliament. School attendances for children in remote communities under Labor is poor and education outcomes are well short of the rest of Queensland under Labor. Unemployment remains extremely high in remote communities, with the state government having failed to help develop new enterprises. Wild rivers legislation has disadvantaged Indigenous peoples and their communities.

The LNP is not content to sit back and see our fellow Queenslanders denied opportunities in life that are enjoyed by most other Australians. The LNP respects—we honour—the Indigenous people, their cultures and their contribution to our past and the future path we all take to make Australia a wonderful place to live, work and raise a family as a united and a strong nation.

Mr BLEIJIE (Kawana—LNP) (3.18 pm): I rise to contribute to the Constitution (Preamble) Amendment Bill introduced by the Premier following the tabling of the report compiled by the Law, Justice and Safety Committee. The bill seeks to amend the Constitution of Queensland Act 2001. At the outset I would like to convey my opposition to the legislation before the House today. Can I say that it would take a lot of giving for me to agree with some of the things that come out of the Premier's mouth, but I have to say that I have found one thing—the other side may find it surprising but I have found one—and that is the preservation of Her Majesty Queen Elizabeth II in the oaths and affirmations that we swear to upon entering this House. Members would know that part of the recommendation from parliament was to look at ways to modernise the oaths and affirmations. I congratulate the Premier on believing that our current swearing of oaths and affirmations to Her Majesty Queen Elizabeth II, Queen of Australia, is modern enough to sustain even those members on the other side of the House who wished for all tradition and respect to be whisked away.

As a member of the committee, I would like to refer initially to the statement of reservation tabled as part of the committee report in September 2009 co-drafted by me, the member for Hinchinbrook and the member for Beaudesert. Firstly, a report compiled by the Legal, Constitutional and Administrative Review Committee and tabled in 2004 recommended against the insertion of a preamble in the Queensland Constitution. From that report a number of relevant observations were made and should be considered with this legislation, which was introduced by the Premier.

The public input received by the committee demonstrates insufficient support for a preamble to the Queensland Constitution and uncertainty exists as to how such a preamble should or might be used to interpret the Constitution, particularly if that preamble contains statements of values or aspirations. The recommendations of the report from the parliamentary committee tabled in 2004 have been blatantly disregarded by the Premier with the introduction of this bill. The 2004 report should have been used as a guide, or at least a point of reference, for the current committee's report but, unfortunately, that was not the case.

I am certainly not opposed to any preamble per se, but the process in which a preamble to the Constitution is reviewed and implemented needs a rigid and thorough framework applied, particularly in a state that has no upper house as a mechanism for legislative accountability. Public submissions received by the committee demonstrated minimal support for such a preamble. The lack of an extensive public consultation process should require that any recommended preamble to the Queensland Constitution be taken to the people of Queensland as a referendum. The Premier stated in her second reading speech—

This preamble will modernise our Constitution, providing a vision for the kind of state that Queenslanders believe in—a society based on democracy, freedom and peace.

I ask: how does the Premier think that she can speak on behalf of all Queenslanders when the government is meddling with their Constitution? For the Premier to stand in this House and say, 'This is the vision for the kind of state Queenslanders believe in—a society based on democracy, freedom and peace,' I say, yes, we are a society based on democracy, freedom and peace, but it is not for us in this place to toy with the people's Constitution of Queensland and it is certainly not for the Premier to do so.

Secondly, as the committee heard from Professor George Williams, statutory interpretation has not been given due diligence by the government. Professor Williams stated in his submission—

... Although a preamble does not create substantive rights or obligations, its symbolic aspect may assist in the interpretation of the constitution itself by providing normative guidance. Thus, in its second, justiciable aspect, a preamble can be used in constitutional interpretation and in the construction of statutes in the development of the common law as a legally useful statement of fundamental values.

A legal review that is independent of government should consider the implications of this preamble when interpreting the Queensland Constitution and other statutes as a legal instrument. The Acts Interpretation Act 1954 applies to all the acts of the Queensland parliament and that includes an amendment to the Constitution of Queensland Act 2001, which is what is being considered today. For any amendment to the Queensland Constitution to be considered, a proposed preamble should be reviewed by a legal entity separate to that of government that will consider all of the legal implications and interpretations related to the proposed preamble. It should be then taken to the people of Queensland via a referendum because, at the end of the day, we are inserting words into the people's constitution, not Anna Bligh's constitution. This is the case with any government proposed change to the Australian Constitution and should be the same in Queensland.

The rigorous process that an amendment to the Australian Constitution needs to adhere to before it is successful is both the majority of the votes in favour across the country and at least three of the six states with the majority of votes in favour of that state. In Queensland, the system requires only the government to conduct a review via the committee process. Of course, the committee process we have in Queensland is so accountable and full of integrity, is it not, when you have not one committee in Queensland that has opposition members outnumbering government members. Of course the government can tell the committees what to do based on its numbers on the committee. With this system of legislative enactment, the government will pass the law as it obviously has the numbers in the Legislative Assembly, as it does in the committees.

The federal system is rigorous and has enough checks and balances to ensure that any proposed amendment to the Australian Constitution receives the approval of the majority of Australians in the majority of states. This will ensure that the Australian Constitution is held sacred as the framework of the fundamental principles that govern how law is interpreted in this country. However, in Queensland that is not the case. The Bligh Labor government is tired, it is arrogant—

A government member interjected.

Mr BLEIJIE: I take that interjection. I certainly did not say the 'Bligh love government' because I can certainly say that on that side of the House there is no love for the people of Queensland. The Bligh government is tired and arrogant. The government is tired and it does not have the stomach for rigorous parliamentary debates that may see us here until the late hours of the evening, and it is arrogant to the highest degree in its presumption that the people of Queensland can be taken for granted and treated with absolute contempt.

That cannot be more evidenced than by the presumption that this bill will be passed even before the second reading debate has commenced. Only last week—and other members of the House would have received this—I received an invitation from the Minister for Local Government and Aboriginal and Torres Strait Islander Partnerships and the Minister for Disability Services and Multicultural Affairs on behalf of the Queensland government requesting my company at a reception—

Mr Elmes interjected.

Mr BLEIJIE: That is it. I take that interjection from the member for Noosa. I received an invitation on behalf of the government requesting my company at a reception to mark the introduction of a new preamble to the Constitution of Queensland. The function is being held this Thursday on the Speaker's Green. The preamble that will be celebrated this Thursday had not even resumed its second reading debate before RSVPs were called for by Monday, 22 February. There has been no debate, no vote and no royal assent, but the celebrations by the other side have already been planned in anticipation. What a disgrace that we would have ministers spending money on glossy invitations before the parliament has given due consideration to such legislation.

That is the attitude of a government that treats this parliament as a rubber stamp and which guillotines debates before members from both sides of the political spectrum can contribute on behalf of their constituents—which, may I remind the Leader of the House, is our job. The member for Sunnybank may not be interested in some of the debates, but that is not her call to make. This parliament should be a beacon for democracy in Queensland, but I am always disgusted that it is treated with the level of contempt that has been shown by the Bligh government.

In summation, I oppose the legislation and I am deeply concerned about various aspects of the process that has been undertaken. As a former lawyer, I am concerned about the legal implication of this preamble that may have implications when interpreting statutes of law. I know my other committee members will agree that I have raised this issue every so often in the committee process. This legislation has not been properly investigated and needs independent, expert legal advice separate from the Solicitor-General or crown law.

I support the call by the honourable Leader of the Opposition for more resources into the issues that impact on the everyday lives of our dear Aboriginal and Torres Strait Islander people, including health, education and law reform, not tokenistic gestures that evidently will not assist one Aboriginal child to obtain better health care and will not provide one Aboriginal child with equal access to a better education.

As we have seen in this House, Premier Bligh likes to copy Kevin 07 in many aspects. We saw Kevin 07 deliver the sorry speech. Again very tokenistic but no action to follow it. Now we have the state government tampering with the people's constitution but no action. The Premier and Kevin 07 do have one thing in common—

Mr Kilburn: They are both in government: that's one thing they have got in common.

Mr BLEIJIE: I would not be talking too soon, Mr 'Oncer' from Chatsworth.

Mr DEPUTY SPEAKER (Mr Pitt): Order! I remind you again to please direct your comments through the chair.

Mr BLEIJIE: Absolutely. My apologies, Mr Deputy Speaker. There are many oncers on that side of the House. I look forward to the election next year when we go to the people of Queensland and what this government has actually done—or actually has not done—in this state will be laid out on the table. Kevin 07 and Anna Bligh have one thing in common: the glossy spin has washed away. Their true incompetent leadership traits have been revealed and Queenslanders have had enough. The people of Queensland want action: they want jobs, they want food on their tables, and they want their children to grow up in a state of which they are proud. They do not have that under this government and tokenistic gestures such as this bill do not assist. I condemn the bill being put to the House.

Mr WELLINGTON (Nicklin—Ind) (3.31 pm): I rise to participate in the debate on the Constitution (Preamble) Amendment Bill 2009. I share with the member for Kawana my surprise when last week I received an invitation in the mail to attend the function the member was speaking about that was to be held on the Speaker's Green. At that time there were still two bills for debate ahead of this bill on the *Notice Paper*. It was only this morning when the new *Notice Paper* was produced that we saw that this bill was all of a sudden No. 1 on the *Notice Paper*. I thought it was a little bit presumptuous of the government to assume it would be rubberstamped before the second reading debate had even started. There is certainly nothing wrong with the government sending the invitation, but I do have a concern about the timing. Would it have mattered if it was another week or another couple of days?

This debate is history in the making. I note in the Premier's second reading speech that she talks about the preamble modernising our Constitution, providing a vision for the kind of state Queenslanders believe in—a society based on democracy, freedom and peace. I support the Premier on those words. The bill, in particular clause 4, states—

The people of Queensland, free and equal citizens of Australia—

- (a) intend through this Constitution to foster the peace, welfare and good government of Queensland; and
- (b) adopt the principle of the sovereignty of the people, under the rule of law, and the system of representative and responsible government, prescribed by this Constitution; and
- (c) honour the Aboriginal peoples and Torres Strait Islander peoples, the First Australians, whose lands, winds and waters we all now share; and pay tribute to their unique values, and their ancient and enduring cultures, which deepen and enrich the life of our community; and
- (d) determine to protect our unique environment; and
- (e) acknowledge the achievements of our forebears, coming from many backgrounds, who together faced and overcame adversity and injustice, and whose efforts bequeathed to us, and future generations, a realistic opportunity to strive for social harmony; and
- (f) resolve, in this the 150th anniversary year of the establishment of Queensland, to nurture our inheritance, and build a society based on democracy, freedom and peace.

I support those words, but I have one reservation. Members may be aware that I have already tabled an amendment to this bill. Instead of presuming the people of Queensland, who are free and equal citizens, will do and intend to adopt a number of things, the amendment is worded—

The Parliament of Queensland, as representatives of the people of Queensland—

do a number of things. I think that amendment more accurately reflects what we are proposing here today. I do not have a problem with, and I support the intent of, this aspirational statement. I have read the debate on the bill in the Victorian parliament. It was very enlightening. I have read in detail the Law, Justice and Safety Committee's report on this bill. The consultation and deliberation that that committee and the previous committee had on this very important topic of an aspirational statement to our Constitution is very informative and good reading.

I believe that if we want to be true to the cause, the amendment that I have proposed, and which unfortunately will not be able to be debated until after we have debated this bill, more accurately reflects what we are proposing to do here in this parliament. It is the parliament that is proposing; it is not the people of Queensland. We have had no referendum. I acknowledge that there is no legal requirement to have a referendum. I acknowledge that in the report there has been recognition of many letters being written by various interest groups. The Premier certainly refers to consultation in her second reading speech. I will perhaps use this comparison. In the last Labor government when the government was proposing to change the laws in Queensland dealing with tree clearing, the government and the minister wrote a letter to every landowner in Queensland saying, 'This is what we are going to do'. If it was good enough for the Beattie Labor government to have his minister at the time write a letter to every landowner in Queensland on the issue of tree clearing, surely on a matter about our Constitution, which is more important than tree clearing, we could have had a letter from this government, from the minister, from any minister, to every Queenslanders or voter drawing to their attention the proposal. Alas, that has not happened. There is no intention to have that level of consultation with our community.

Earlier a government member spoke about form letters and stated that because we had so many form letters they had to be disregarded. Quite frankly, I do not agree with that position. If someone goes to the effort of signing a letter, be it a form letter or any other letter, that letter should receive due recognition. That person went to the trouble of signing a letter and that letter should not be disregarded or be assumed to carry less weight than a letter that is personally written.

I do believe that it is presumptuous for this government to assume that all people of Queensland will automatically adopt those words. I personally have no problem with those words, but I thought more appropriate wording would have been 'The Parliament of Queensland, as representatives of the people of Queensland' do these things.

On 11 March 1999 I moved a motion in this parliament. That motion was supported without vote by all members. The motion was about the need for plain English in government correspondence. The motion read—

That this House request all Department heads to ensure that plain English is used in all Government correspondence and that this directive apply to all consultants working for this Government.

In that instance, we had a government and all members saying that we need to use plain English in correspondence. When we come to a bill of parliament for debate I would assume that that same intent would have been followed. I take members to clause 5, in particular proposed new section 3A. It refers to the effect of the preamble. The words in the government's proposal say—

The Parliament does not intend by the preamble to—

do a number of things.

I would have thought it would be better to delete the word 'intend' so that it reads, 'The parliament does' and then outline a number of things. An alternative might be, 'In this section the parliament does' and then outline a number of things. We say that we want plain English. In that case, I would have thought it would be imperative that, in this very important historic amendment to the Constitution, we delete the word 'intend', because it simply clouds the issue. We need certainty. If the government used the words, 'The parliament does not, by this section in the preamble' and then outlined a number of things, it would have made clearer what the government has proposed. I raise that for the government to consider. Is it prepared to amend clause 5 to make it clearer so that we do not have a possible dispute in the courts at a later date?

I refer members to the Victorian debate. I wonder how many members have taken the trouble to read the debate that occurred in the Victorian parliament in August 2004. It is very informative reading. The Premier referred to the debate when introducing this bill. I urge members to read the debate in the Victorian parliament, because that parliament raised concerns similar to the ones I have raised in my contribution and I anticipate will be raised in further contributions by other members of the crossbenches or the opposition.

Under the heading 'Alternatives to the Bill', the explanatory notes state—

There are no alternative methods of achieving the policy for an aspirational preamble to the Constitution.

I do not agree with that. I believe there are alternative methods of achieving that. Unfortunately, I believe that this government has tried to be provocative, to inflame the Liberal National Party and other members of the crossbenches into making provocative and outlandish statements so that it may be the lead story on the local six o'clock news and the government can say, 'They're red-raggers,' 'They're One Nation disciples,' or whatever it might be. That is not the case. We are concerned about process, process, process. As I have already said, I support what the government is intending to do but I do not support the way it is proposing to do it. Accordingly, I will be forced to vote against this bill because of the process that the government has proposed.

I note that we are celebrating 150 years of the existence of our wonderful state. We are talking about the historic significance of this preamble. I say to the government: let's be consistent. Let's distribute Queensland flags to all of our primary schools and our students. Let's encourage our students to be involved in talking about our Constitution. As I go around my schools, I do not see a great level of enthusiasm from the government to promote our flag or encourage patriotism in our state. I think there is political opportunism in bringing forward this debate ahead of its scheduled time on the *Notice Paper* to try to divide the opposition and the crossbenches. That will not happen. We are not that silly. We were caught out on the last bill, but it will not happen on this one. At least, I do not think it will happen on the crossbenches. I look forward to the bill proceeding to consideration in detail. Hopefully, Queenslanders will see what the government is proposing to do.

Ms GRACE (Brisbane Central—ALP) (3.43 pm): At this special moment I, too, want to acknowledge the traditional owners and pay my respects to their elders, both past and present. I rise to support the Constitution (Preamble) Amendment Bill 2009. I am pleased to be in a position to vote in favour of this bill. I welcome the key object of the bill, which is to acknowledge the peoples of Aboriginal and Torres Strait Islander descent as the first Australians and, indeed, the first Queenslanders. Unlike those opposite, I have no problem and no difficulty acknowledging what is reality and fact. I believe that it is just to recognise our past, look to our future and reflect on our history as part of a modern Queensland Constitution.

An enduring statement on behalf of all Queenslanders that acknowledges a Queensland society based on democracy, freedom and peace and that reflects its citizens' aspirations, values and hopes can do much to unite us in the future. Recognition and respect are important values. I commend the Law, Justice and Safety Committee's report, which recommended that we recognise this great country's and Queensland's first inhabitants, and respect and honour their unique values and cultures which have, indeed, deepened and enriched the lives of our community and me. Throughout our history,

Indigenous people have had it tough. They have been victims of questionable past government policies and they have been discriminated against in many ways. In the spirit of reconciliation, it is more than important—it is crucial—that, in modernising Queensland's Constitution, we honour the true first Australians and pay tribute to their ancestors.

Equally, I also welcome the acknowledgement of the achievements of our forebears who, coming from many different and diverse backgrounds, created this great state. Their foresight, hard work and struggles are well documented. They were hardworking, fearless and loyal citizens who toiled to make a better home and were not afraid to lead the way. Last year, celebrating the state's 150th anniversary year, many celebrations were held throughout the state, many of which recognised the many cultures and events that made Queensland what it is today. It was an honour to attend many of those celebrations, and I can only state how proud I was to be a Queenslander at this time and to have had the opportunity to participate in the many different ways the community celebrated and acknowledged the past and looked to the future. Where would we be without their courage, fortitude and leadership?

If our forebears had paid heed to the opposition's reasoning in not supporting the bill—that is, insisting on a costly and legally unnecessary referendum, fear of its use and just denying history—they would never have passed Queensland's Constitution as we know it today. Like the government, this state's forebears had the leadership and wisdom for responsible and representative government. I believe that they, in the spirit of the ongoing reconciliation process, would have been proud to take the important step to ensure Queensland's Constitution recognises the ancient cultures of the Aboriginal and Torres Strait Islander peoples. This is leadership. Unfortunately, it is leadership the opposition is bereft of. Those opposite wander around in fear, denial and scaremongering.

I congratulate the Aboriginal and Torres Strait Islander Advisory Council, which submitted a statement of recognition. It was pleasing to learn that that statement was included in the bill, in full and unamended. This is an historic moment. I am particularly proud that the process of drafting the preamble ensured that the council was part of the preamble's formation and enactment. This land's traditional owners and the many and diverse cultures that have made this state great deserve to be recognised. I believe it serves as a platform for a vibrant multicultural community. I am a proud member of this community, a proud Queenslander and proud to be part of a government that takes leadership seriously, taking the opportunity to honour and build upon the foundations of our democracy.

The world is not perfect and this state is not perfect. If we waited to do anything to our Constitution until all was perfect then I am afraid nothing would ever be done. Not even our current Constitution would have been made. This preamble is long overdue and will be the rock upon which our democratic institutions will rest and endure. It is just, it is right and it is far-sighted. I commend the bill to the House.

Mr WETTENHALL (Barron River—ALP) (3.48 pm): I rise to support the Constitution (Preamble) Amendment Bill 2009. In so doing, I acknowledge the traditional owners and elders of all of the lands throughout Queensland. There could be no more appropriate time to be considering the insertion of a preamble into our Constitution than as we celebrate and reflect on the 150 years since Queensland separated from the colony of New South Wales.

Over that time, and for many years before it, since white settlement in this state, Aboriginal and Torres Strait Islander people have suffered great deprivations, great discrimination and, as a result of those unfortunate circumstances, to this day endure great disadvantage compared with many other members of our society. That entrenched disadvantage presents to this government and to other governments throughout Australia some of the most significant and formidable challenges in public policy to overcome. Yet we can look back over the past 150 years and beyond, since white settlement in Queensland, and gain from the lessons of history some sense of optimism and confidence that over the next 150 years improvements will be made to the living standards and the quality of life of Indigenous people in this state.

That, to me, is really what this preamble is all about. It is an acknowledgement of history but it is also a statement of optimism and confidence about the future. It is particularly surprising, but more so particularly disappointing, that the opposition in this debate has not found it within its heart to approach this issue in a bipartisan manner. There are from time to time opportunities when this parliament has issues before it of importance that warrant a bipartisan approach. I cannot think of one that would have been more suited to that than this Constitution (Preamble) Amendment Bill. Let us look at the words. The preamble proposed to be inserted into the Constitution states—

The people of Queensland, free and equal citizens of Australia—

- (a) intend through this Constitution to foster the peace, welfare and good government of Queensland; and
- (b) adopt the principle of the sovereignty of the people, under the rule of law, and the system of representative and responsible government, prescribed by this Constitution; and
- (c) honour the Aboriginal peoples and Torres Strait Islander peoples, the First Australians, whose lands, winds and waters we all now share; and pay tribute to their unique values, and their ancient and enduring cultures, which deepen and enrich the life of our community; and
- (d) determine to protect our unique environment; and

- (e) acknowledge the achievements of our forebears, coming from many backgrounds, who together faced and overcame adversity and injustice, and whose efforts bequeathed to us, and future generations, a realistic opportunity to strive for social harmony; and
- (f) resolve, in this the 150th anniversary year of the establishment of Queensland, to nurture our inheritance, and build a society based on democracy, freedom and peace.

I cannot in any of those words find cause for controversy or division. It is to me absolutely extraordinary that in the debate we are having in this place today members of the opposition have illustrated I think such a high degree of small-mindedness and mean-spiritedness that has prevented them from embracing in a bipartisan way that wholly uncontroversial set of words that reflect on our history and offer a framework for confidence and optimism to improve the living standards and the quality of life of all Queenslanders into the future.

Had we been having this debate 15 years ago, or 20 years ago, or 30 years ago, perhaps I and many other Queenslanders would not have been surprised if members of the Liberal and National parties had come into this place and opposed a form of words like that. But in 2010 I have to say that I am utterly surprised and utterly disappointed and to a certain extent despondent that members of the opposition would find in those words cause for argument. There is nothing in those words that ought to be controversial. They are a unifying set of words. They are an expression of a wholly uncontroversial aspiration on behalf of all the people of Queensland.

How is it that people on that side cannot find it in their hearts to reflect on the history that has caused so much pain and so much heartache in this state? How is it that they cannot reflect on the numerous instances throughout our history where we have painted out the very existence of Aboriginal and Torres Strait Islander people in this state and where many different legal fictions, prejudicial programs and acts of discrimination have sought intentionally or unintentionally, with good intentions or bad, to extinguish the very existence, the very memory, of Indigenous people, Aboriginal and Torres Strait Islander people, in this state? This is one small, simple step that we can take to etch forever in the memory of our people and etch forever in the consciousness of our young people who will come to study this Constitution and reflect on our history and reflect on the contribution not only that Aboriginal and Torres Strait Islander people have made to this great state but that people who have come from all corners of the world and have settled here over the past 200 years have made.

Isn't that a lesson for our young people that is worthwhile learning? Why can the people of this state, particularly our young people, not turn to our Constitution and get a little bit more than a dry lesson in constitutional law and the institutional frameworks that govern our parliament—the three arms of government in this state? Why can they not turn to our Constitution and have before them an expression of the aspirations of the people and an acknowledgement of the first Australians, who, after all, have been the custodians of this land since time immemorial and as a result of their custodianship we all enjoy the standard of living that we do today? It is absolutely extraordinary that those simple lessons of history and that simple ideal for our younger generation to be able to turn to our Constitution and find in it an expression of the aspirations of these people is sought to be denied by this small-minded and mean-spirited and cold-hearted approach of members of the opposition.

Not only does this preamble acknowledge what is right and proper in acknowledging the first Australians; but it also of course acknowledges the contribution, as I have indicated, that people from all corners of the world have made to our great state. It is a great credit to them all, past and present, that we now enjoy a society in Queensland that fortunately is characterised in the main by tolerance. That is not to deny that there have not been—including as a result of debates had in this place and laws passed by this parliament—programs and laws that in their intent and in their implementation have had discriminatory effects.

I do believe that the Queensland of 2010 is a more tolerant place than the Queensland of 150 years ago. I would have thought that members of the opposition would have been able to recognise and acknowledge that we have changed. I thought that they might have on this occasion dragged themselves out of the 1950s mentality within which they find themselves trapped in this debate and on others that we have had in this place just past, but sadly that has proved not to be the case. Sadly, the LNP and its leaders have failed to grasp the opportunity that this historic bill has presented to this parliament to adopt a bipartisan approach toward the recognition of first Australians and the contributions that people from all over the world have made to our state. What an opportunity it would have been. It is my belief that, in order to face the challenges of improving the living standards and the quality of life of all people, but particularly those most vulnerable and most disadvantaged in our society, and regrettably amongst them are Aboriginal and Torres Strait Islander people, we must acknowledge the wrongs of the past and we must acknowledge the realities of history. They were the first Australians.

Included in the preamble I think is a very important and complementary form of words in relation to our determination to protect our unique environment. When white settlers first came to Queensland and to Australia, they looked upon a land that had been cared for by generation upon generation upon generation of Aboriginal and Torres Strait Islander people. The many nations throughout Australia of Indigenous people through a complex set of laws, customs, traditions and practices had built up a vast knowledge of how to manage the land.

We need only reflect for a moment on the great legacy that Indigenous people have bequeathed all settlers in this country over the past 200-odd years. It is to them that we owe our standard of living today. They did not wreck, pillage and destroy the land on which they and their families depended over countless generations. We arrived in this place on a vast continent in virtually pristine condition. Only now, or only perhaps in the last 20 years, are we beginning to appreciate the importance of protecting our environment. It is an issue, particularly for young people, that is very important. We are in the midst of a debate that is taking place around the world on climate change and how important it is that we take steps to avoid catastrophic climate change that will change forever the planet on which we live.

When we are listening to that debate and taking part in those conversations, I think it is timely that we reflect on the custodianship of this land that Aboriginal and Torres Strait Islander people have bequeathed to us—and the knowledge that they still have and still practice from which we still have much to learn. That is why that form of words is so important. It reflects what I believe to be an almost universal aspiration of Queensland's people—the protection of our environment. That above all other things is what life depends on. It is also what the future prosperity and the future wellbeing of our society in Queensland depend on. If we do not protect our environment and if we do not provide an opportunity for our young people to look in our Constitution for strong statements about these things, then we have failed and we leave open the prospect to deviate from that course at the expense of future generations.

I congratulate the Aboriginal and Torres Strait Islander Advisory Council for aiding the Law, Justice and Safety Committee in its work in recommending to government and to the parliament the form of words to be inserted in this preamble. I think that all of us in this place at one time or another have been involved in a committee where we have been asked to contribute our ideas about a form of words, whether it be to a resolution or to a piece of correspondence. We can all have ideas about which words might be better than others, but I think the committee has done a very good job in coming up with this set of words. I think it is a set of words that will add immensely to our sense of pride in our achievements and in our potential to achieve even more in the future. For that reason, I commend the bill to the House.

Hon. A PALASZCZUK (Inala—ALP) (Minister for Disability Services and Multicultural Affairs) (4.05 pm): I rise to speak in support of the Constitution (Preamble) Amendment Bill 2009. The preamble recognises Queensland's rich and vibrant multicultural history. Today one in six Queenslanders were born overseas, and net overseas migration is the biggest contributor to our population growth. Throughout its history our great state has been shaped by cultures from all around the world. Sadly, this is a history the opposition wants to ignore. It wants to ignore the contribution of Queensland's multicultural communities and the contribution of Indigenous Queenslanders. This is yet another sign of the opposition's arrogant contempt for Queenslanders and its unwillingness to listen to what people in the community are saying.

The preamble is part of the government's response to the Queensland's 2020 Ideas to Action Forum, which recommended a preamble to the Constitution. It was drafted following widespread consultation, and the preamble reflects this. I quote from clause 4 of the bill, which states—

The people of Queensland, free and equal citizens of Australia ... acknowledge the achievements of our forebears, coming from many backgrounds, who together faced and overcame adversity and injustice, and whose efforts bequeathed to us, and future generations, a realistic opportunity to strive for social harmony ...

Unlike the opposition, the Bligh government recognises that Queensland's multicultural diversity is one of our state's greatest strengths. We value the contribution our multicultural communities make to Queensland and we look forward to the contribution they will make in many years to come.

In 2009 Queensland celebrated its 150th anniversary, and our diverse multicultural communities were at the forefront of these celebrations. Queenslanders from all backgrounds came together not only to celebrate the state's rich and diverse multicultural history but to cast an eye forward to the future. This brings me to one of the key points of the preamble. It is not just about Queensland's past; it is also about our future. The explanatory notes to the bill state—

The insertion of this preamble in the 150th anniversary year provides an enduring acknowledgement of Queensland's past and expresses the future aspirations of the people of this State.

One of my key priorities as multicultural affairs minister is to develop a stronger multicultural policy for all Queenslanders. That is why last October I launched a public discussion paper, 'A multicultural future ... for all of us'. The discussion paper will give Queenslanders a chance to have their say on multicultural policy this year. Already we have had three consultation forums, with 22 planned throughout the state. We want to hear from Queenslanders about multiculturalism, and we are keen to embrace their ideas because we know they have a lot to contribute. We want to know what is working out there and we want to know what we can do better as a government. It is outrageous that when the government is reaching out to the community the opposition is resorting to cheap political point-scoring by not supporting this preamble.

Last year I increased the core funding that the Bligh government provides to the Ethnic Communities Council of Queensland. This funding boost is in recognition of the vital work that the ECCQ does in advocating for Queensland's diverse multicultural communities.

The chair of the ECCQ, Ms Agnes Whiten, welcomed the funding boost and said that this was 'an important signal to all in the community that the Bligh government continued to give a high priority to the importance of social harmony and recognition of Queensland's rich and diverse communities'. Today the ECCQ made its thoughts about the preamble very clear. It stated—

The Ethnic Communities Council of Queensland welcomes the introduction of a new Preamble to the Constitution of Queensland honouring Aboriginal and Torres Strait Islander peoples, and acknowledging the achievements of people from diverse backgrounds. Ms. Agnus Whiten, Chair of ECCQ added that in the 150th year of the establishment of Queensland as a State this step is part of the reconciliation process with the first peoples of this land.

Furthermore, in acknowledging the achievements of people from diverse backgrounds, it embraces all of us ...

On the other hand, we know that the opposition has an atrocious track record on multicultural affairs. We know this because when it was last in government its own ethnic advisory committee told it so. In 1997, Nationals Premier Rob Borbidge was blasted by his own Ethnic Affairs Advisory Committee for his 'weak and mischievous' approach to dealing with racism. A *Courier-Mail* article by Martin Thomas dated 18 June 1997 states—

Advisory committee's chairwoman Mary Kalantzis said Government policies were misguided, haphazard and were helping to fuel racist attitudes.

She said the Borbidge Government had lost the confidence of ethnic communities.

Professor Kalantzis said Queensland's ethnic affairs policies were the most inadequate in the country.

Judging from the comments made about the preamble by members opposite earlier today, the opposition has not improved one bit when it comes to any policy or any consideration about multiculturalism in this state. Those opposite still have no position on multiculturalism and they clearly do not value the contribution of Queenslanders from diverse backgrounds. If they did they would be supporting this preamble that we are debating today.

As a state we are young, but Queensland's cultural history is long. Our multicultural communities are drawn from many cultures, some very ancient. From the first wave of English and Irish settlers to postwar European migration and the later waves of immigration from the Asia-Pacific, Africa and the Middle East, Queensland has continued to prosper thanks to this rich and diverse history. Queensland's migrants have helped to power the state's economy and enriched our cultural life in so many ways. The preamble recognises their contribution to our cultural and economic life and to the state's ongoing prosperity.

The preamble also recognises Indigenous Queenslanders as the first Queenslanders. Indigenous Queenslanders have a proud cultural heritage spanning thousands of years. Their artwork and dreamtime stories are richer and more ancient than those from anywhere else in the world. As the local member for Inala, I hold regular meetings with Indigenous Queenslanders and leaders, and I know firsthand the great pride they take in their cultural traditions. I am proud to acknowledge our very first Australians and will continue to do so at events where I represent the government. While the Bligh government continues to bridge the gap, the opposition seeks to divide.

Queensland's multicultural heritage is something we should all be proud of and embrace. This preamble acknowledges the enduring cultural legacy the state's multicultural communities have bequeathed to all Queenslanders. In her second reading speech the Premier stated—

The preamble provides context to Queensland's constitutional arrangements and framework and describes what our Constitution stands for—responsible and representative government with the purpose of fostering peace, welfare and good government.

In conclusion, we will continue to deliver and enhance services for our multicultural communities. We will continue to listen to the needs of our multicultural communities right across our state. This year the Bligh government will deliver a new multicultural policy for all of us. I commend the bill to the House.

Mr ELMES (Noosa—LNP) (4.13 pm): I rise to make a contribution to this very important debate on the proposal for a preamble to the Constitution of Queensland 2001. I welcome the opportunity, as I do each and every time I am afforded time, to represent my electorate of Noosa in this place. My first reaction to the proposal to introduce a preamble to the Queensland Constitution was to simply ask why we would need one in the first place, particularly as the previous parliamentary committee charged with developing a draft preamble recommended against it on very good grounds. The government, in response to report 46, stated—

Given the apparent lack of public support for a Preamble, concerns as to how a Preamble should or might be used to interpret the Constitution, and other concerns raised by the Committee, there is insufficient justification for the Government to seek to include a Preamble in Queensland's Constitution.

My research shows that New South Wales, Victoria, South Australia and Tasmania have yet not seen fit to have a preamble to their respective constitutions. Neither has, for example, Canada, India, Mauritius or the United Kingdom taken the opportunity as yet to adopt one. Indeed, the Constitution of the UK is unwritten. The Western Australian preamble is steeped in the past, while the French Constitution of 1958 requires one to google a number of source documents to flesh out its meaning. Of course, the Constitution of Queensland 2001 recognises and must be read in conjunction with the earlier constitution acts of 1867, 1890 and 1934.

Matt Foley, a former minister in both the Goss and the Beattie governments, has written quite appealingly in the *Courier-Mail* of 30 November last. He opened his viewpoint article with the question, 'Why must the Queensland Constitution be so dull?' He could have been writing about constitutions, per se, could he not? They are not what we would call sexy documents. I very much doubt there are too many Queenslanders who sit up in bed at night and read passages from either the federal or the Queensland Constitutions as perhaps some might do when they read the Bible or the latest Tom Clancy thriller.

To continue the metaphor, the Constitution is a security blanket; something that is there in times of great need; something that can be read, studied and, by its very nature, provides protection. We are lucky in Queensland when compared to so many other countries and communities throughout the world. Our collective need to rush to the Constitution rarely, if ever, occurs. We do not suffer from civil strife or revolution, but if we do the Constitution and the powers it grants to our various law enforcement and legal entities to govern and to our Governor, through Her Majesty the Queen, will stand us in good stead should ever the need arise.

This being the case, I am perplexed as to why there is such economy with word, intellect and aspiration in the preamble that is being proposed. The preamble before the House is the culmination of ideas that basically come from four government backbenchers. For the record, the opposition had three members on the Law, Justice and Safety Committee who presented a dissenting report.

I believe it is an affront to the people of Queensland that this gang of four were charged to represent the values, ideals and aspirations of all Queenslanders, and that this government dares to presume that the members, although with good intention, have the wisdom and accumulated knowledge to speak on behalf of all Queenslanders and prepare a document intended to tug at the heartstrings of the people of this great state.

To illustrate my point, I am sure there are many in this House who remember the famous 'Beattie burger', as it became known—that amazing new logo that was to represent Queensland as the Smart State but which left everyone wondering what it was and believing it depicted a complete paradox to the catchphrase. Although members may think this logo was the work of the best doodler in the cabinet room, it was not. This logo was the result of many months of carefully considered design by professionals engaged at a cost of many thousands of dollars. There were many months of careful professional doodling to come up with the little winner that it became.

If a preamble is so important to this government, why does it not demand the same level of expertise by wordsmiths? In his article Foley cited that from the deliberations in early 2000 by the Queensland Constitutional Review Commission emerged the possibility for a preamble to emphasise the new foundation for the state's constitutional regime and for it to affirm widely held values.

But if we are to have a preamble, why should it not be even more radical than this? Should it not say who and what we want to be and what values and beliefs will underpin our aspiration? Should it not boldly state for everyone to see our great pride in ourselves as a fair, compassionate, tolerant, decent and caring society? Should it not reflect our equality and celebrate our diversity? Should it not reflect our love for our environment, that we are but the keepers of it for future generations and that we are obligated to enhance and not degrade it? Should it not recognise all of our forebears and their contributions to the richness of our society, its culture and its multicultural mix? Should it not thank all of those whose sacrifices maintained our freedom? Should it not thank those who fought, those who have been wounded and, above all, those who have made the ultimate sacrifice on our behalf so that we might remain a free people? And, yes, it should also include the vital role that Aboriginal and Torres Strait Islander people play and continue to play in our society.

Above all else, if we are to have a preamble, it is these values that I would like to see included. But it is not for me to impose my thoughts and values on the Constitution that belongs to all Queenslanders, nor is it the place for four government backbenchers and the cabinet to impose their political views on our most important document. If the government believes that to insert a preamble into our Constitution is so very important, then why did it not involve every Queenslanders whom it purports to represent? There are approximately 4½ million Queenslanders. Less than 1,000 submissions were sent out by the first and second committees. I understand that over 200 submissions were received. The majority were variations of form letters stating that no preamble is desired. A further 19 submissions opposed any preamble at all. This being the case, why is it that this government is intent on persisting with an initiative of which the majority of Queenslanders are totally unaware or who believe the preamble is unnecessary?

The Constitution is the protection of the rights of people in this state. It is only the people of this state who have the right to change it or add to it. It is only the people of this state who by referendum and by referendum only should change any part of the state Constitution. And do members know why there is no referendum proposed here? Because it would fail spectacularly. A committee of seven members from this place was called on to form the Law, Justice and Safety Committee. It could not agree on the preamble. If consensus was not possible with only seven people, then why would any government, let alone a Labor government—the alleged champion of working families, the doyen of

democracy that speaks for all Queenslanders on matters such as petrol taxes, asset sales, energy privatisation, ill-conceived and failed infrastructure programs—seek to ram this bill through knowing that it is so obnoxious? Because they can and because they choose to respect democracy and democratic principles on one day and one day only about every 2½ years on polling day.

At the outset of my contribution I also proudly mentioned the electorate of Noosa which I represent. My constituents are very conscious of the Queensland Constitution. Indeed, two of the more famous of those constituents—Jim Berardo and Bob Ansett—challenged the legislation to dispossess my community of its democratically elected council when they acted in the Supreme Court on behalf of that community. In 2007 we watched gobsmacked as then Premier Peter Beattie contemptuously set aside the Constitution of Queensland 2001 by the Local Government and Other Legislation Amendment Act 2007. He removed the enshrined right of people to be consulted via referendum as to whether or not they welcomed amalgamation.

Fortunately because of the Howard government, because the Liberal Party and the National Party at the federal level so valued the rights of the individual, a plebiscite was able to be held in Noosa. It is history now that 90 per cent voted no to amalgamation. But the Beattie-Bligh government ignored the decision of the people of Queensland and ploughed on, trampling the aspirations and democratic rights of the majority of its citizens with the now Treasurer riding shotgun. That this Labor government should further insult the people of Queensland with this preamble to once again meddle in their fundamental protections without asking them their views and without acting with even a scintilla of propriety or respect makes my blood boil.

But even the recognition of Aboriginal and Torres Strait Islander communities is instantly debased in this preamble with the riders which render it at once meaningless. It specifically does not grant any legal right to create any liability to be used or to be used as an aid to statutory interpretation of either the Constitution or any other law in Queensland. It appears to be the legal equivalent of a wisp of smoke on the wind. It appears to bear the hallmarks of so much of the grandstanding by this Labor government—no substance, all spin. Before anyone gets up and calls a point of order, the relevance is this: when it suits the government's political purposes, it will gross up some gratuitous token of meagre recognition and milk it for every bit of political mileage it can get. But when the rubber hits the road—when there is real work to be done—it is nowhere to be found. It swats the community's rights like pesky flies. It has debased the meaning of 'consultation'. It has defied any notice of true community engagement. It stands for nothing, and it stands condemned. And here with the preamble it tries to knock off its relevance even before it is passed into law. How demeaning for us all!

Mr MESSENGER (Burnett—LNP) (4.25 pm): One has to say that at first glance the words used within the constitutional preamble are very eloquent words expressing noble sentiment in what appears to be a very statesman or stateswomen-like manner. However, because it is presented and championed by a Premier and a government who are extremely unpopular and who are desperate for good news and statesmanlike media coverage and, as painful experience has taught us, a Premier who is always on the make to score political advantage, create opportunity to make a new tax and socially engineer and divide the Queensland community with any seemingly innocent proposal, then I ask the people mentioned in this preamble—the Aboriginals and Torres Strait Islanders and also our forebears coming from many backgrounds, all people I have the utmost respect for—to be very cautious when they approach this issue. Be warned: there is more to this preamble than meets the eye.

In the last two decades we have all been burnt many times by Labor's good ideas, symbolic acts and outright dishonesty. Under the cover of reasonable and much-needed change, this Labor government has managed to sneakily advance the most radical of social engineering or some new tax through this place. Three good examples I can think of to illustrate that argument are, one, the surrogacy laws, which were social engineering taken beyond the limits; two, wild rivers legislation, and we are only now seeing how deadly it can be to Aboriginal communities that want to break out of the cycle of welfare dependency; and, three, the sustainability declaration forms, preparing the way for a great big state based ETS tax and more red tape.

While words and symbolism are always important, it is actions that count—and actions by this government to practically help Aboriginals and Torres Strait Islanders have been seriously lacking. Aboriginal and Torres Strait Islander people—while their grandparents and mothers and fathers are dying on hospital waiting lists and children are hungry and failing to be properly taught reading, writing and maths skills, ensuring that they will remain slaves to the welfare system—are entitled to approach this as another example of government humbug. I speak personally on this issue.

But if this government really wants to make an important structural change to our Constitution to improve the wellbeing of Australian and Torres Strait Islander people, instead of fiddling around with our Constitution that should be voted on by the people of Queensland using a referendum, we should be having a debate on the number of Indigenous elected representatives who are in this place. Every piece of legislation that passes through this House should be spoken about and to by an Aboriginal and Torres Strait Islander voice, because there is a real and undeniable connection between key social outcomes, life expectancy and the amount and quality of political representation in this parliament—indeed, any

parliament. The debate we should be having today is how and when do we get more Aboriginal and Torres Strait Islander voices in this place, in this chamber—in the thick of it on the floor of this parliament.

Aboriginal and Torres Strait Islander people have always proven to be great warriors and advocates for their people and in a fair fight they will always win and deliver for their people. The start of their fair fight begins when Aboriginal and Torres Strait Islander people are in this chamber—this political battlefield—not cheering from the sidelines for a non-Aboriginal and Torres Strait Islander politician who will say one thing but whose actions speak the opposite. We have Aboriginal and Torres Strait Islander flags on the floor of parliament—important symbolism, but symbolism nonetheless. When will we hear Aboriginal and Torres Strait Islander voices and see their faces in this chamber?

Speaking metaphorically, politicians playing with the Queensland Constitution without permission from the people through a referendum is like trying to defuse an unexploded atomic bomb. If the exercise goes wrong, then it is not just the politicians of the day and those nearby who will pay the price; it is the many future generations to come who will suffer from the political fallout. There are real concerns that contained in this collection of very benign and very beautiful words, or omitted from these very beautiful words, there may be legal or social time bombs.

I am not the only person to have these thoughts. The Premier herself addressed this issue when she admitted in her speech—

The committee's report also recommended that the government seek advice on any legal implications arising from the insertion of a preamble. I inform the House that the government, on the basis of that advice, has included a clause which will exempt the use of the preamble as an aid for interpreting the Constitution or any other Queensland law.

If the constitutional preamble has to be quarantined so that it does not infect the Constitution proper with an unknown legal contagion, why take the risk in the first place? Why the unseemly rush? Let us place more value on our Constitution. Why not take the time to properly consult with a broad range of legal experts and also the Queensland community to come up with a form of words that is 110 per cent guaranteed to be free of any adverse legal threats to our Constitution either in the words themselves or the omission of words that one would expect in a Westminster parliament?

One important word that I have concern about, because it is missing from this constitutional preamble, is the word 'Westminster'. Why can we not reaffirm the fact that we have a Westminster form of representative government—not a republican form of representative government but the form of representative government that has served us well for 150 years? The Commonwealth Constitution preamble states quite specifically—

Whereas the people of New South Wales, Victoria, South Australia, Queensland, and Tasmania, humbly relying on the blessing of Almighty God, have agreed to unite in one indissoluble Federal Commonwealth under the Crown of the United Kingdom of Great Britain and Ireland, and under the Constitution hereby established.

The Commonwealth preamble states quite specifically three important symbolic, practical and fundamental references and principles: the Almighty God, the Crown and, of course, the Constitution. Two important symbolic, practical and fundamental principles are missing in the Premier's and this Labor government's proposed preamble: Almighty God and the Crown. We have to ask ourselves: why this deliberate choice?

This preamble is the product of a Labor dominated and controlled committee. We have heard plenty of evidence about that. Why is Labor so scared of a reference in our constitutional preamble to Almighty God? Perhaps it gives more value and weight to humanist views rather than those of the pastors, priests and preachers who lead our community in worship on Sunday. Why is Labor scared of a reference in our constitutional preamble to the Crown? Part of the answer to that question must be that Labor Party policy is to make Queensland and Australia republics. By having a reference to the Crown in the preamble would it then be harder for a future Labor state government to force the state into becoming a republic?

Many people would say that it is not possible for a state to go it alone and become a stand-alone state republic with, for example, a federal government still a Westminster constitutional government. Those people would be wrong. Respected legal professionals have an alternative view. According to law professor Gerard Carney, it is possible to have a mixture of republican and monarchical states under the Australian Constitution. Gerard Carney is a professor of law and he has taught at Bond law school. He writes in the book *Australia: Republic or Monarchy* at page 205—

If in the end republicanism is not voluntarily embraced by all Australians for both levels of government nor imposed upon those unwilling to embrace it, is it feasible both legally and practically for the Federation to be comprised of both monarchies and republics? What is at issue here is whether or not the conversion to republicanism must be a 'boots and all' affair. In other words, if one State (or even the Commonwealth) remains monarchical does this prevent the others from becoming republics?

If one accepts that the current Federation of six States and the Commonwealth are, within the constraints of the Commonwealth Constitution, independent of each other, and that there are seven Crowns, then there seems to be no reason in law why one or more of these entities cannot adopt a constitutional system which is different from the others whether this be a monarchy or a republic, a parliamentary or presidential system.

The fact is that this preamble is unlike any existing Commonwealth preamble in that it lacks any reference to Almighty God and the Crown, two of the fundamental principles in our Commonwealth preamble. In closing, members on this side, and I believe the great majority of the public of Queensland, now know to be ever vigilant and to never underestimate Labor's capacity to carry out radical social engineering under the guise of a good deed. This is an incomplete preamble. It goes part of the way to recognising the greatness of our state, our Aboriginal and Torres Strait Islander people and our non-Indigenous forebears, but it still fails to recognise two fundamental principles that are recognised in the existing federal Constitution: the Almighty God and the Crown. It also introduces a fundamental and real legal uncertainty and lacks the manners and good grace to consult the people properly through a referendum. For those reasons I oppose this bill.

Mrs CUNNINGHAM (Gladstone—Ind) (4.37 pm): I rise to speak to the Constitution (Preamble) Amendment Bill 2009 and to acknowledge the very valid contributions of members from both sides in this debate and, from the non-government side, the expressions of concern that mainly relate to the process involved in the preparation of this bill as opposed to only the content. I would certainly be much more comfortable if we had placed these matters before the people of Queensland. Although I recognise that a referendum is an expensive process, with the availability of electronic communication there are ways of getting feedback from the community en masse. I note also that this part of the Constitution is not entrenched and that, therefore, a referendum is not obligatory.

I am very appreciative of the briefing that we received from the minister's office. The officers were most helpful. Can I put on the record that sometimes the notice for those briefings—not for this one but for other briefings—is exceptionally short and impractical. At times that makes it difficult, particularly for the Independents, to be able to make those briefings. We were advised—and rightly so—that the preamble that is proposed in this legislation is aspirational and that it is something that we want to state as the people of Queensland. However, I would have to agree with the amendment of the member for Nicklin—and I will be supporting the member's amendment—that more accurately the preamble should reflect that it is the parliament that has decided on this wording. The committee is an all-party committee. It is the parliament, as representatives of the people, which is making these statements.

Having said that, I believe that the majority of people in the community—the majority, not all—would have no difficulty or concern about the content of clause 4 in particular, simply because the statements that are in it reflect the views of the majority of the community in Queensland. Other contributors to this debate would like to see more included in the preamble—and I do not disagree with them—such as the recognition of our Christian basis in law and practice and the fact that other groups of people throughout the history of this nation have contributed significantly to the quality of life and the freedoms that we enjoy now. I refer to the people who have been to war in the significant conflicts World War I, World War II, Korea and Vietnam. And then of course there are the peacekeeping efforts at the moment. Those conflicts, the big wars that many of our parents and grandparents were involved in, shaped the country that we are now in and protected the freedoms that we now enjoy. I believe that 99 per cent of people, if not 100 per cent of people, in the community would support a recognition of that in the preamble. I ask the Attorney-General whether he would give consideration to further discussion to recognise the additional valid elements that have been raised in this chamber, such as our Christian basis and those groups, particularly returned service men and women, who have contributed to the country we are today.

I am concerned, as others have said, about the process that has been involved. As I said at the beginning, this part of the Constitution is not entrenched and therefore a referendum is not obligatory. However, the spirit of the Constitution is that it is the people's document. It is something that every individual in this state should embrace. I think on most Australia Days many of us speak about the fact that we are a rich nation and that the residents—people born in this country and people who come to this country—add richness to the tapestry of our history, past, present and future.

The only objections I have received have related to the process that was involved in the passing of this legislation. The people who have objected in writing to me have said that they believe the community as a whole should have been more involved. I place on the record my support for that sentiment.

I note that clause 5 of the bill places some constraints around the use to which the preamble can be put. At the briefing we were told that crown law had been consulted. Clause 5 amendments are to ensure that the contents of the preamble cannot give rise to any civil cause of action and it cannot affect the interpretation of the act or any other law in force in Queensland. I believe that is a very important clarification.

On the basis of the fact that the opposition I have received has related to the process and not the content, I am inclined to support the bill. I will be interested in the Attorney-General's response to the member for Nicklin's amendments and also his consideration of further discussion with the community in the short term—not the long term or the never-never—about recognising these other very important

elements in our preamble including, as I said, recognition of our Christian basis and those others who have contributed to our history and our affluence and freedoms. I believe the wording that is proposed in the preamble does reflect the feelings of people in the community.

I put on the record that, in similar circumstances in the past, when there has been an attempt to change the Constitution without reference to the community I have voted against it. I probably will in the future because, overwhelmingly, the people of this state should have the say and not a say in what their Constitution contains. However, as I said, at this point in time I am inclined to support the bill. I will be interested to see how the Attorney-General responds to the member for Nicklin's amendments in that they are a better reflection of the process that this bill has experienced.

Mr WATT (Everton—ALP) (4.44 pm): I believe that the insertion of a preamble in the Queensland Constitution represents a great day for Queensland. To date, this term of the Bligh Labor government has seen a number of significant law reforms. Last sitting we introduced laws to decriminalise altruistic surrogacy. We have also introduced a defence for victims of domestic violence when they commit manslaughter. We have introduced legislation that grants superannuation rights for same-sex couples and the Attorney-General has recently put forward a proposal to introduce sentencing advisory councils to involve the community in criminal sentencing.

Today we see another progressive law reform by the Bligh Labor government: the insertion of a preamble to our state's Constitution which sees us recognise our state's history, its democratic traditions and the contribution of our diverse population, particularly the contribution of our Aboriginal and Torres Strait Islander peoples.

The insertion of a preamble in the state Constitution has a long history. It has been contemplated but not delivered for at least 10 years. Most recently, this parliament referred the development of a draft preamble to the Law, Justice and Safety Committee, of which I am a member. This parliament requested that the preamble include both an aspirational statement on the commemoration of the state's 150th anniversary and also a statement recognising the state's Aboriginal and Torres Strait Islander peoples.

A preamble has been considered several times by previous committees of this parliament and other advisory groups. The Queensland Constitutional Review Commission was established in May 1999 to report on possible reforms to the Queensland Constitution. This commission, which included people from both sides of politics, recommended the insertion of a preamble and went as far as putting forward a draft. This was not adopted. Twice previously the predecessor committee to the Law, Justice and Safety Committee considered this matter. The Ideas Summit convened by the Premier in 2008 also recommended the acknowledgement of Indigenous people in the constitutional preamble. Despite all of these efforts, the insertion of a new preamble in the Constitution has been in the too-hard basket until today. We finally have a government that is prepared to tackle this issue and add a modern vision of Queensland to the preamble of the state's Constitution.

Throughout this debate opposition members have questioned why a preamble matters. I suppose the answer to this comes down to whether one considers that symbolic actions have worth. I, for one, do. I believe that it is important that our Constitution recognises the principles on which our system of government is based, as this preamble does. I believe that it is important that our Constitution honours our Aboriginal and Torres Strait Islander peoples as the first Australians. This kind of acknowledgement is the very essence of reconciliation.

Opposition members have repeatedly said that what matters to Aboriginal and Torres Strait Islander peoples is decent health care and educational standards. I absolutely agree that these things matter, but I do not believe that we can regard them as our sole contribution toward reconciliation. To me, assisting Indigenous Queenslanders reach the standards of education and health care that all other Queenslanders enjoy is merely assisting them to achieve their basic human rights. It is not enough to say that these things are about reconciliation. Reconciliation requires more than this. It requires some recognition of the special place of Aboriginal and Torres Strait Islander peoples in our society, and this preamble is a good way to provide that recognition.

I believe that it is also important that our Constitution sets out a shared ambition for Queensland. This preamble does that. The words of this preamble include a shared vision to build a society based on democracy, freedom and peace. To me, these are all good reasons, albeit symbolic reasons, for inserting this preamble in the Constitution.

As I have mentioned, I served on the committee that put forward this preamble. I was disappointed to see the opposition members of the committee put forward a statement of reservations. Both in that statement of reservations and in the debate today they have put up all sorts of red herrings for why the opposition cannot support the insertion of a preamble in our Constitution. They say that a preamble has limited public support. What they do not say is that 140 of the submissions received which opposed the preamble were a two-line form letter. They say that it could be abused in interpreting the

provisions of the Constitution. What they do not say is that this bill inserts another provision clarifying that the preamble is not to affect the interpretation of the Constitution or any other act. It could not be clearer than that.

My favourite of the excuses the opposition gives as to why we should not insert a preamble in the Constitution is that we should only insert a preamble if it is supported at a referendum of the Queensland people. The truth is that LNP members cannot bring themselves to commit to an aspirational statement of our values as a state, or to recognise the special place of Aboriginal and Torres Strait Islander peoples as the traditional owners of the land we now share. How weak is that? I suppose it is not that surprising when we consider that at the last sitting the so-called Liberals of this parliament went missing in action during the debate on the surrogacy issue. Even though it was said that they were going to have a conscience vote, not one LNP member spoke in favour of the government's legislation on surrogacy. I assume that the failure to have a conscience vote only betrays the fact that there is no longer a conscience in the LNP.

As I have said, the LNP's excuse that it cannot support the bill without the preamble being referred to a referendum is my favourite of the excuses put forward by the opposition. There is one reason in particular why it is my favourite of the many excuses of the opposition, and it is that the LNP is not the only political party in Queensland that supports a referendum. Indeed, one of the submissions that the committee received—I think it was submission No. 2—was from another political party that over the years in Queensland politics we have heard much about and it is the One Nation party.

Mr Dick: Tell us about it.

Mr WATT: What did the One Nation submission have to say? I am glad that the Attorney-General asked. The One Nation submission bears a striking resemblance to the views being put forward by the LNP speakers in this debate. It says that the matter of a preamble to the Queensland Constitution should be the subject of a referendum. Not only did we see former Liberals in this House beaten into submission by the Nationals in the surrogacy debate but also we see the LNP contracting out its policy making to the One Nation party. Earlier today we had the tragic sight of the Leader of the Opposition speaking on this bill. This man was once a Liberal, but his desperate need to hold on to his fragile leadership has seen him transformed. He is almost Frankenstein's monster, created and cloned by the various National Party members of parliament to talk about things that he does not believe in. We know that he does not believe in the things he says. We know he is channelling the views of his National Party henchmen who are keeping him in power. I say to him, 'It is not too late; remember who you are and what you believe.'

I could not believe that in this House today the Leader of the Opposition repeated some of the outrageous remarks that he has made of late regarding Indigenous people, but now they are in *Hansard* forever. He talked about the preamble being a waste of time. He objected to this preamble's elevation of one ethnic group, the Aboriginal and Torres Strait Islander people of this state, above all others. I would have thought that the role of the Indigenous people of Queensland as the first inhabitants and owners of this land is a very good reason to elevate them above the interests of all other people in this state. Of course, in this modern age everyone has equal rights, but I do think that there is nothing wrong at all with recognising the special place of Indigenous people in our state's history and future. Of course, all of those comments were made by the man who, not only at a Young Liberal convention but also in parliament today, ridiculed welcome to country ceremonies. I look forward to seeing him at the ceremony to be held on Thursday, after we pass this preamble. I look forward to seeing how he reacts to people when they perform a welcome to country ceremony at that celebration and at every other celebration that I attend with him in the future.

As I have mentioned, there are very good reasons why it is worth inserting this preamble in the Constitution. I do not pretend for a minute that it will change the world. I do not believe for a minute that it will advance the rights of any one Queenslanders over another. If we as a parliament cannot come together to express views that we all share, regardless of our political persuasions, for the past, the present and the future of our state, it will be a very sad day. The opposition needs to get over its prejudices. It needs to be prepared to work with the government, as opposition members on the committee were prepared to do, and put the interests of Queensland and its future first, to get together with us and express some shared values so that we can all go forward as one state. I commend the bill to the House.

Ms van LITSENBURG (Redcliffe—ALP) (4.53 pm): I rise to support the Constitution (Preamble) Amendment Bill 2009. The new preamble commemorates Queensland's 150th anniversary. Like a mission statement for a company, this preamble sets out our vision for where we want to take Queensland in the long term. The Bligh government has been working towards a fairer, more democratic society that delivers a better lifestyle for all Queenslanders. Democracy, freedom and peace are the foundations necessary to build any modern, secure society and it is the basis of what Queenslanders want for our great state.

Many nations around the globe envy our lifestyle and can only dream about the values of democracy, freedom and peace. To mark our 150th anniversary, it is important that we recognise the value, strength and custodianship of our Indigenous people. I believe the recognition of our Indigenous people in this preamble restores to them a dignity and a treasured place in our history that they deserve, and will enable us to go forward with more equity within our democracy. Theirs is an ancient culture and recognising their history and traditions is a vital part of recognising the road we have travelled as Queenslanders and the richness of our heritage, which have led us to where we are today. I believe this gives us a stronger basis to work together towards better outcomes for Indigenous Queenslanders in the coming years and to go forward as a modern multicultural society.

The strength of this preamble is the consultation undertaken through the Law, Justice and Safety Committee, which ensured many Queenslanders, particularly Indigenous Queenslanders, had their say. I believe this preamble provides a positive focus to the Queensland Constitution and provides a marker for how far we have come in our development as a state and how far we still have to go. I commend the Premier and the Law, Justice and Safety Committee for their work on this bill. I commend the bill to the House.

Hon. PG REEVES (Mansfield—ALP) (Minister for Child Safety and Minister for Sport) (4.57 pm): It gives me great pleasure to rise to speak on this bill, which represents what our government stands for: equal rights for all Queenslanders. It represents the latest step our government has taken to ensure that the role of Aboriginals and Torres Strait Islanders in Queensland's history is recognised as it represents the kind of Queensland we want to build for the future; one that is progressive and open, and that embraces reconciliation and multiculturalism in our state. Unlike those opposite, on our side of the House we are committed to furthering the cause of reconciliation and we have been working hard to do this for many years.

On 3 June 1997 I was sitting in the public gallery of this House when a motion was moved by then opposition leader, Peter Beattie, to provide an apology to Indigenous people for past policies that led to the stolen generation. I recall seeing the tears of the people who sat beside me in the public gallery who had themselves been hurt by those past policies. I recall their anguish when the Liberal and National coalition government of the day voted against the Labor motion. One year later I was elected to this parliament. If anything gave me motivation to run for office, it was seeing my predecessor, a Liberal member, vote against the motion. Not only did he vote against it; he was the only Liberal member who spoke against the motion. That was a sad day for Queensland and I am very pleased that we have come such a long way.

Under this Labor government we have now taken a great step to right the wrongs of the past. In 2000 I was very proud to stand side by side with more than 50,000 Queenslanders as we marched in support of reconciliation and put on the record our apology to the stolen generation. I will always remember 4 June 2000 as a day when Queensland made history, when as a state we showed that we had come of age. We joined people across the nation to say sorry for the wrongs of our past.

That day was a real turning point in the move towards reconciliation in this state. I am pleased to say that in the almost 10 years since then even more progress has been made. The Prime Minister's apology in 2008 was a historic moment for our country—a moment that said we acknowledge the hurt caused and we acknowledge the need to say sorry so we can look forward to the future with hope and confidence. I recall that morning watching the live broadcast in the Parliamentary Annexe and how proud I was of being an Australian that day, just as I was proud to be a Queenslanders on 4 June 2000. These were the moments that said to the world we are a compassionate nation, unified by our diversity.

This bill before the House furthers that cause and it demonstrates our commitment to not only honouring the role of Aboriginals and Torres Strait Islanders in our history but improving their future. In my portfolios of Child Safety and Sport, we are working very hard to ensure that Indigenous Queenslanders have the same opportunities in life that all Queenslanders receive. We are investing heavily in family support and early intervention for Indigenous families to help address the overrepresentation of Indigenous children in the child protection system. We are delivering new infrastructure programs and support services for Indigenous communities to boost the opportunities for Aboriginals and Torres Strait Islanders to get involved in sport and recreation and to lead healthier lives. These are the kinds of initiatives we are delivering at the grassroots to secure a better future for Indigenous Queenslanders.

I take this moment to congratulate the National Rugby League for its great initiative a couple of weeks ago. Anyone who had the privilege to attend the match or watch it on TV would know what a great moment that was. It demonstrated what sport can do as well as what we can do here in the Queensland parliament. This preamble proposed in this bill provides a guiding principle for what we want the future to be—a future based on democracy, freedom, peace and equality. This is important not only for Indigenous Queenslanders but for Queenslanders from all backgrounds. Indeed, the preamble is about recognising the diversity of our great state.

In the electorate of Mansfield, which I am very proud to represent on the south side of Brisbane, we have one of the most diverse and multicultural communities in Queensland. It is this diversity that makes our area such a fantastic place to live. It is the kind of diversity that the preamble proposed in this bill aims to celebrate. I am proud to be part of a government that aims to govern for all Queenslanders, a government that pays tribute to the diversity of our state. As such, I am extremely proud to commend the bill to the House.

Mr KNUTH (Dalrymple—LNP) (5.02 pm): The Constitution (Preamble) Amendment Bill seeks to amend the Constitution of Queensland 2001 by inserting a preamble into the Constitution. Not only will we be opposing this bill; but an amendment to our Constitution on this scale should never have been presented without seeking the views of the Queensland public. When legislation is put before the House, lobbyists, interest groups, concerned citizens for and against make their position known. With these proposed changes, I have not been contacted by anyone who is for this preamble. Yet I have been confronted by numerous lobby groups and citizens expressing great concern about the insertion of this preamble, which is not being done by referendum.

This preamble has nothing to do with improving the quality of life of Indigenous people. I have worked with many Indigenous people who I know would give this preamble the thumbs down. The question is: who has the government consulted to implement these changes to our Constitution? The government never consulted with the Queensland people. It never consulted with the majority of the Indigenous people. In this state there is supposed to be equality. Obviously you do not have to be Einstein to work out that this preamble has the potential to cause division. All Australians from all different walks of life and backgrounds have a story and all of us have contributed in some way or form and deserve acknowledgement. Many Aboriginal people will see this as a way of creating more division, rather than uniting us. It is bad medicine to elevate one cultural group at the exclusion of another. Governments must seek to unite, not to divide. Singling out one racial group or cultural group for special praise and recognition above all others is contrary to our egalitarian society.

This government should be pursuing real advancement for Aboriginals and Torres Strait Islanders, not rhetoric topped with ice-cream that looks sweet but contributes nothing. This government needs to talk to Indigenous people. It will find that they are not looking for a preamble. They are looking for opportunities to climb the ladder, looking for employment, looking for access to higher education and, in those Cape York communities, looking to be self-sufficient, to be creative and to have opportunities for sustainable management.

I would like to acknowledge the LNP members of the Constitution review committee—the members for Hinchinbrook, Kawana and Beaudesert—who were thorough and issued a statement of reservation, noting the majority of public submissions did not support the inclusion of a preamble into the Queensland Constitution and felt that the preamble was neither required nor necessary. I encourage government members to get out and talk to the Queensland people who built this great state. They will find that there are many more vitally important issues out there, especially the state debt, the shocking state of our health system, rural decline, the provision of a reliable and affordable energy source and the sale of our profitable assets. For all of these reasons, I oppose this bill.

Dr DOUGLAS (Gaven—LNP) (5.05 pm): This is a populist document that has no place in 2010, nor in 2020, when unemployment is rising, many people's homes are threatened with foreclosure, we have rising interest rates and our state's viability is threatened because in three years this Premier has doubled state debt to \$80 billion. The state's Constitution and its preamble seems to be a Labor response to justifying that it upholds states rights and is a true believer in the Federation of Australian states that makes up the Commonwealth.

I make no bones about it: I am a federalist and I generally respect the great battle that was fought on this issue in our nation 110 years ago. We in Queensland gave up much of our collective wealth, prosperity and human endeavour to achieve that. My own family spent years condemned for their public support for the transition to become members of the greater Commonwealth. Some months ago I raised in this House those key words from the preamble of our current federal Constitution, which states—

Whereas the people of New South Wales, Victoria, South Australia, Queensland; and Tasmania, humbly relying on the blessing of Almighty God, have agreed to unite in one indissoluble Federal Commonwealth under the Crown of the United Kingdom of Great Britain and Ireland, and under the Constitution hereby established ...

There are seven definitions that follow. I was told in this House by the former Attorney-General, the member for Toowoomba North, that we have moved on—the implication being that either the preamble, as is written, is irrelevant or that preambles themselves are irrelevant. What that preamble does say is written in clear, precise, carefully selected words and it encapsulates what it is the Constitution is to do, who it represents and the direction of that group of states choosing to link as one. I am sorry to offend those who believe that they have done a good job on this state's constitutional preamble, but it is none of these things. As we are a member of the Commonwealth, it must reflect that we are one unified group. We must demonstrate that we share mutual desires for our individual and

collective future. This is the basis of neutrality in Federation with other states. If the preamble of the federal Constitution is a template, then why would this Queensland document seek to diverge so much from that original preamble? In doing so, it weakens not just the Constitution but the basis on which it justifies itself.

The preamble, as is presented, is not a document that seeks linkage to all Queenslanders such as the Commonwealth's federal Constitution does. I say this because the document seeks to separate or divide groups—in this case, Aboriginals and Torres Strait Islanders from those settlers who have followed. Equally, it fails to recognise that just because someone is born to a family which may have emigrated here they are a lesser person recognised in this Constitution because they are not an Aboriginal or Torres Strait Islander.

Furthermore, this preamble should not be a social experiment document. It is irrelevant to include our environment, social harmony and even our 150th anniversary. This is populist nonsense dressed up as policy. For a government that has forcibly implemented the dreadful wild rivers legislation that is universally condemned as a collar and chain on Aboriginal progress in North Queensland, to institute this type of fawning political correctness is unworthy. It is wrong. It demeans us as a parliament and it reflects collectively on Labor fitness for government. Therefore, it contradicts paragraph (b) of its own preamble, that being 'adopt the principle of the sovereignty of the people, under the rule of law, and the system of representative and responsible government, prescribed by this Constitution'. It fails its own test.

There is nothing inherently wrong with the now Labor tradition of recognising Aboriginals and Torres Strait Islanders, as is their custom at public functions. There is also nothing wrong with having a Q150 celebration, but these are not critical ingredients of a state constitutional preamble. There are many microcultures within Queensland, and the diverse culture of ATSI groups make up a significant proportion but certainly not the greater proportion. We also have Vietnamese, Han Chinese, Russians, Sudanese, French, Italian, Romanians—and the list goes on. My point is that a constitution is there to bind us together, not to separate us. Clearly, a constitution wishes to enforce fundamental values of freedom, equality and liberty through good governance, the rule of law and democracy, but it does so by including everyone and not seeking to perversely discriminate in favour of one group over another.

Do any honourable members here clearly understand who it was who vigorously opposed Federation? It was both the farmers and the workers alike. It was mainly farmers in the first case who were going to be severely affected by free trade between states—that is, cross-border trade—and workers who did not want the impost of a non-regional—read national—wage agreement. Average everyday Queenslanders who collectively lived in what was said to be the wealthiest state in the world by benefit of gold at Mount Morgan previously did not wish to share their wealth with anyone. The majority resented losing their own lifestyles and the transfer of vast sums to the federal Treasury. These are the realities of Federation and our common heritage. The words 'common heritage' are the key. Irrespective of whether we are Anglo-Saxon, Celtic, Aboriginal, Slav or Inuit by ancestry, we are all Australians—eulogised in poetry by Banjo Paterson, sung about in song and lived as citizens. I put it to honourable members that we are Australians first and Queenslanders second. Any preamble within our Queensland Constitution must either mirror or endorse that federally.

I do not reject the findings of the Law, Justice and Safety Committee. I respect the sentiments expressed by the ATSI Advisory Council. It is one thing to have a state Constitution; it is another to have a preamble of it. If either of these documents seek to overturn the validity, the sanctity and the law that flows from the federal Constitution, then that document—in this case our preamble—is an affront to all Australian citizens. You cannot be both in life and choose what you are when it suits you. It is all very well to be parochial when one supports our state's representative teams as they battle it out in sport. It is not much different even in the state when the Cowboys play the Broncos, but it is certainly another matter indeed when we as Australians do battle, for example, in Afghanistan in war service. We are one, and it cares little if you come from Bamaga to Barcaldine, from Bedourie to Busselton. The nation supports you no less.

The federal preamble carefully seeks to unite us. The preamble is for everyone, but it is within the Constitution where specific direction is to be found. Equally, if the communities and the government felt so strongly that it wished to address their concerns about issues from ATSI through its environmental policy to the 150th anniversary celebration, then it should have placed it within the Constitution itself.

Today in this House the member for Algeester in talking to the bill condemned those with whom she disagreed. Specifically she labelled the LNP speakers as a whole, the former Prime Minister, John Howard, and the majority of those who preceded us as citizens as wrong. She claimed not only the higher moral ground but also a greater knowledge based on her personal briefs. This final point is the critical one. I say to the honourable member for Algeester: the people have spoken on this issue. Over 80 per cent do not support her at all. This is evidence based on the submissions to the parliamentary inquiry that has led to this preamble. Furthermore, 67 per cent of all Queenslanders are opposed to change and, moreover, to this preamble in the Queensland Constitution. This was in the most comprehensive review of all—a vote.

The Constitution is not yours, nor any other member's of the Labor Party's, nor the LNP's. It belongs to everyone, and government members must never assume they have a greater right. The member for Algeester's offensive, inflammatory, unparliamentary comments are so outrageous. I would also like to talk about the comments of the member for Everton, who pilloried LNP members for not speaking on the Surrogacy Bill and somehow linking it to this. Might I ask why did he not speak on the Surrogacy Bill? I must agree with other speakers that, if a failing Labor government wants to proceed along these types of lines, we must have a referendum and let the people decide. The process is wrong, the content is wrong, it is anti-Australian and it denies the public a right of say. It is a denial of the democratic process, and it is greatly disrespectful of our mutual heritage. It is an affront to our sovereign nation and our own Constitution.

Without evidence it is hard to say why proper consultation did not occur. I put it to the House that this is a bill about public spin and no substance. I do not believe it leads to a contempt of the federal document but it does go very close. It leads me to believe that it is unsatisfactory and will probably be treated as irrelevant. If that is the case, then why are we doing anything at all?

Our state's borders are lines in our own mental map. The moment you cross over a border does not mean you change your status, nor should one behave any differently. If our preamble is to change, it must reflect even more strongly our linkage to one another, not differences between us. We Queenslanders are a part of a greater sovereign nation as Australian citizens. A flawed Queensland preamble is not worthy of support.

Ms FARMER (Bulimba—ALP) (5.15 pm): I rise with pride to speak in support of the Constitution (Preamble) Amendment Bill 2009. In doing so, I acknowledge the traditional owners of the land on which we stand. Unlike the Leader of the Opposition, I feel completely genuine in doing so. I am sorry to hear that he has felt tokenistic in making such an acknowledgement at public functions.

I always feel proud to be part of the Bligh Labor government and to know that since I have been in this parliament I have been part of a government which is committed to making sure that Queensland is the best it can be. This legislation is another example of that very commitment, and it is at times like this that I am especially proud to be part of this government. In Queensland's 150th anniversary year we are legislating to include in our state's Constitution a preamble which honours and recognises Queensland's Aboriginal and Torres Strait Islander peoples and their ancient and enduring cultures which provide such a rich contribution to Queensland's community.

It is difficult to speak on this issue without referring at least once to the speech which was made by Prime Minister Kevin Rudd on the occasion of his apology in federal parliament to the stolen generation. We have, of course, just passed the second anniversary of that momentous occasion. One of the things the Prime Minister talked about in that moving speech was the need for us to lay claim to a future which embraces all Australians. If we are to move forward to embrace our future, we must become fully reconciled to our past.

We are in the unique position in Australia of having amongst us a culture which is the oldest uninterrupted culture in the world. In its 50,000 years it has survived monumental changes to its climate and its environment, and it has survived two centuries of inequality, racism and injustice. That we should not embrace that culture with respect and admiration is a concept that is beyond me. That we should not accept that our own identity cannot be separated from that of Aboriginal Australia is beyond me.

The position of the LNP is beyond me. I have heard many of them talk about what Aboriginals and Torres Strait Islanders do and do not need, what are the best services to provide them, where money should be best spent et cetera—these things being the basis of why we should not pass this preamble. I am sure some of what they have said is true. There is no denying the demoralisation, the despoilation and the fractured identity of so many Aboriginal and Torres Strait Islander people, and the work that needs to be done to ensure that they are on an equal footing with non-Aboriginal and Torres Strait Islander Queenslanders. However, something I heard from an Aboriginal elder only two weeks ago brings home to me something much more fundamental. Uncle Albert Holt was speaking at the School for Distance Education on the occasion of the second anniversary of the apology to the stolen generation, and I was privileged to be representing the Premier in the audience.

Uncle Albert was telling of the hugely emotional experience of being in parliament when the Prime Minister made the apology. He talked about the rivers of tears which flowed then and for days afterwards. Many of Uncle Albert's words have stuck with me. However, the most poignant moment for me was when he said that the occasion of the apology was the first time he felt like he was being treated like a human being.

How far we still have to go to acknowledge this proud and wonderful culture for its part in our history. This preamble is about leadership, respect, acknowledgement and vision taking Queensland forward. I commend this bill to the House. I thank the committee for putting it together. I reiterate the pride I have in being part of this debate this week.

Mr CHOI (Capalaba—ALP) (5.20 pm): At the outset I thank the Premier for introducing this bill to the House. I was not going to speak on this legislation so I am not prepared. After I had listened to members opposite speak, I could not help but insist that the whip give me a chance to voice my displeasure with some of the comments made by members opposite.

I start with a story. Let us say that a family was having dinner at home one day—a husband, wife and kids—just like everybody in this House would do on a normal day, and someone rocked up to their place without any reason and kicked them off their land, perhaps even murdered some of their relatives, took away everything they had and took away their rights and liberty. For 200 years nothing happened. In fact, until recently we ignored history. As a nation we are now prepared to say sorry for what we have done to the first inhabitants of this land. We as a nation have managed to say sorry. It is a fantastic step forward. It is a step in the right direction. Now the state wants to give due recognition to the fact that they were the original inhabitants of this land. Unfortunately, the LNP does not want to let that happen.

We cannot change history. What happened in the past is in the past. But we have to acknowledge history and learn from history. The original inhabitants of this land, the first people of this land, have a special place in this country and we need to acknowledge this. I agree with the comment that all people should be treated equally. I am all for that. I will keep repeating that all people should be treated equally irrespective of their race, their colour, their creed or their religion. All people should be treated the same.

We know that not everybody is being treated the same in our society. In a discriminative society, people have special rights because of their status or their wealth. We do not want that. In a legalistic society, everybody is treated equally irrespective of their needs. I do not think anybody wants that, either. In a compassionate society, one that I would prefer my children to live in, we want people to treat others according to their needs. We accept that as a society. When I drive to my local shopping centre and find a parking space at the front door, I want to be able to park there but I cannot because those spaces are reserved for people who have a disability. We accept that because that is positive discrimination. Some people in our society have special needs. In a compassionate society we accept that and say that we want that because that is a good thing to do.

As a state we acknowledge that the first people of this land, the Aboriginal people of this land, have a special place in our Constitution and therefore we should mention them in the preamble. I heard the comment made by members opposite that all migrants want to be treated equally. I cannot speak on behalf of all migrants, but I am pretty sure I can speak on behalf of the migrants I have spoken to. They have absolutely no problem with Indigenous people of this land being treated differently to them because they are the first people of this land.

I am not too sure what has gotten into the members of the LNP that they are fighting this. As part of a compassionate society they need to take a long, hard look at themselves and where they stand on this issue because history will judge them harshly.

Mr HORAN (Toowoomba South—LNP) (5.24 pm): I certainly wish to say a few words on the Constitution (Preamble) Amendment Bill 2009. I could not help but notice during the day the stark difference between the two sides of this House—that is, the words that come from those on the government side and the actions talked about by those on the opposition side. Speakers from the opposition have been talking about providing real things like opportunities, education, housing and health. These are the things that really matter to Aboriginal and Torres Strait Islander people.

People on this side of the House have spoken about the importance of the Constitution and the fact that the Constitution is owned by the people of Queensland. The preamble should not be something that is put together almost at the direction of the government and certainly it should not be put together by a small committee of the parliament that has reservations about some parts of it and then foisted on the people of Queensland. It uses words like 'the people of Queensland' in the preamble and the people will be told that this is their Constitution.

Nothing is more precious than a constitution. Nothing is more precious than great care in a constitution. Nothing is more precious than the will of the majority of the people of the state or the nation in determining how their constitution will be worded. It should not simply be put through parliament by a simple majority of the government of the day. A constitution should be thought out, talked about, debated and owned by the people. Only if it is accepted by the majority at a referendum will the Constitution have the legitimacy, strength and integrity that we want in a constitution. It should be held in respect and in awe and be believed in.

When I was minister for health I remember doing something that was small but I felt significant. That was helping to establish the medical school at Townsville. The important part was that of the 80 or so students in each year there was a specific clause providing for six to be Indigenous students so that we could provide real opportunities for Aboriginal and Torres Strait Islander people to graduate in that profession and hopefully stay in the areas from whence they came or return to those areas after their further study. It is only by providing those sorts of opportunities that we do something genuine for the Aboriginal and Torres Strait Islander people. Words divide the state, but if we do real things they provide opportunities and potential for the future.

By singling out one particular group we take away the real feeling that Queenslanders, like Australians, are one. Why would we not then recognise the service men and women who have fought for this country or the pioneers who have built this country? Why would we not talk about the Pacific islanders who were tragically brought here to work in the sugarcane industry? Why would we not talk about the refugees who had to start a new life here? Why would we not talk about the British who gave us the parliament, the democracy and the system of law in our country? Why would we not talk about the Irish who gave Australia its mateship or the Germans, Greeks or Italians who gave a strong work ethic to this nation? We could go on and on and on. A constitution should be about one people; it should not be about splitting and dividing. That is one reason the opposition will not be supporting this bill.

I want to read into the record an open letter that was sent to the Queensland Premier on behalf of 783 people who signed this open letter. It states—

Dear Premier,

I am surprised at the proposal to amend the Constitution of Queensland by inserting a Preamble which purports to speak in the name of 'the people of Queensland' without putting this proposed Preamble to the actual people of Queensland in a referendum.

The proposed Preamble claims that the 'people of Queensland' intend, adopt, honour, determine, acknowledge and resolve various things. In the absence of a referendum how can you or the Parliament possibly attribute such views to the people of Queensland?

The last time Queenslanders were asked about a constitutional preamble was in the 1999 referendum to change the Australian Constitution. That proposed preamble sought to attribute to the 'Australian people' sentiments quite similar to those in the current proposal.

You will recall that Queenslanders rejected that proposed preamble by a vote of more than 2:1 (67.19%). Queenslanders were more opposed to the preamble than the voters in any other State and by a significant percentage more than the national average of 60.66%.

There is no reason to assume that Queenslanders have changed their minds about constitutional preambles over the past 10 years or that they would be more in favour of a preamble to the Constitution of Queensland than to the Constitution of Australia.

Indeed over 80% of the 203 submissions received by the recent parliamentary inquiry into a preamble opposed the introduction of a preamble.

I respectfully request that you (a) withdraw the Constitution (Preamble) Amendment Bill 2009 or, failing that, (b) amend the Bill by making its passage subject to approval at a referendum by a majority of Queensland voters.

It may be appropriate for the Governor of Queensland to issue a Proclamation in connection with the 150th anniversary. This could certainly give expression to some of the matters covered in the proposed preamble. Such a Proclamation would correspond better to the desire to mark the 150th anniversary of Queensland with an appropriate aspirational statement than an ill-considered constitutional preamble that is not supported by the people of Queensland in whose name it purports to speak.

Again today we see more legislation brought into the parliament that is about the social agenda and the social issues of the Labor Party. When are we going to see some legislation in this place that deals with the real needs of this state—about better infrastructure, about better education, about better health, about better housing and the things that really matter to people? When are we going to see legislation that will reduce the horrendous costs that are hitting the people of Queensland as pensioners and people on low incomes struggle with massive rises in registration, petrol tax, water costs, electricity costs and see the sell-off of their assets—not two per cent or three per cent increases in costs but 10 per cent and 15 per cent increases in costs? People are coming into members' offices on both sides of the House saying, 'I can't pay any more. I don't have any more money.'

The cost of living in this state is crushing people, and day after day the government comes in here with social type legislation when people trying to survive day to day—live a life, look after their kids, put a roof over their head and put food on the table—cannot afford the cost of living in this state because of the \$85 billion debt and the consequential massive increases in every fee and charge and item and registration and petrol tax and the selling off of the family silver. They are the sorts of things that matter, not Labor left-wing ideology being brought into this parliament purportedly in the name of the people of Queensland. That is one of the major things that is wrong with this legislation in terms of this preamble—that is, it is not from the people of Queensland but from a small group within the Labor Party who want to put this in place.

Queenslanders should be one. We should recognise ourselves as one. An instrument as important as a constitution should be altered through a referendum so it forever holds the respect of the people of Queensland—because it is truly a constitution of the people of Queensland, not a constitution and a preamble of just a few on the government's side of the House. I will be joining with my colleagues in voting against this bill and saying, 'Let's do something decent and proper for people—not just words.' I refer to the eloquent speech of the member for Warrego, who clearly demonstrated the words from that side of the House and the neglect that is happening to the people of the Torres Strait. They want to see action. They do not want to see words. They want to see a government that is fair dinkum and a government that will be true and treat them with respect and provide them with opportunity and chance, and that will only be provided by an LNP government.

Mrs PRATT (Nanango—Ind) (5.34 pm): I rise today to speak to the Constitution (Preamble) Amendment Bill 2009. I have always taken very seriously my right and my obligations to Australia as a whole and to Queensland. Therefore, I can say in all honesty that I am very proud to be able to stand here today in this parliament and voice my opinion, as is my right, on this bill. But I have to ask: where does this government, this Premier or any other member who forces this Constitution (Preamble) Amendment Bill through today get off thinking that when it comes to the Constitution they have more right to an opinion than the other 4.4 million people in Queensland? Some 51 Labor MPs outweigh the 4.4 million Queenslanders? I do not think so! This is the Constitution of the people of Queensland, not the constitution of the Labor government. It is not a platform for this government to cavalierly wipe away the very rights of all other people in Queensland to have a say.

It is irrelevant whether or not we support the aspirational statement put forward by the government in this preamble because it will pass. It may very well have passed if it went to a referendum but we will never know because the people have not had an opportunity to speak and the Constitution of this state is one of the most important documents that we know of. As the member for Nicklin said, everyone was contacted with regard to tree clearing legislation but not this—our Constitution. There is no legal requirement to hold a referendum. I agree. I know this to be fact. However, I have to ask why it is that this parliament offers fewer rights to the people of Queensland than the federal government offers to the whole of Australia. The federal Constitution at chapter VIII under the heading 'Alteration of the Constitution' says that, in essence, the Constitution vested the right to change the Constitution in the people and not in the parliament, and this important part of the Constitution is dealt with in chapter 11 of *Understanding the Australian Constitution*. The federal government allows the people that right yet Queensland does not.

I do not believe that the majority of Queenslanders are or were aware of the government's intention to alter the Constitution or necessarily agree with the bill's intention. It is presumptuous of the government to believe otherwise and to assume it knows the people's state of mind. By not allowing the people to have a say, the government is basically saying it does not trust the Queensland people to do the government's bidding, and why should they do that bidding? The Queensland government does not believe the Queensland people would pass this referendum and it is on record that there is very little support for it, as we have heard today, and if we look at other referenda that have been put forward we can see why. There have been seven state referenda, only two of which were approved. Federally, there have been 48 referenda, eight of which were passed. So there was a chance that this referendum could have passed. In the past when it came to Aboriginal issues, the people of Australia have indeed supported those referenda.

I am very disappointed that this bill was brought forward in a hurry to take precedence over other bills and is to be pushed through without any due and real consideration or giving the people of Queensland an opportunity to have a say. Pushing this bill through is like winning a race when your opponents are chained to the starting line and have no chance of beating you. It is a very hollow victory and a very meaningless one as well. Government members keep yelling out across the chamber, 'Did you send in a submission?' Most people outside of this House did not get the same opportunity. As has been stated before, most people oppose the preamble. Of the people who made submissions, most people oppose the preamble.

My understanding of politicians is that they are representatives of the people, they are servants of the people. Being a member of this place does not make us important, nor does it give our opinion any greater worth than that of any other Queenslanders. The preamble states—

The people of Queensland, free and equal citizens of Australia.

But where is the equality in this debate? The people have not been given an equal opportunity to have a say on this issue. The preamble states further—

- (a) intend through this Constitution to foster the peace, welfare and good government of Queensland; and
- (b) adopt the principle of the sovereignty of the people, under the rule of law, and the system of representative and responsible government, prescribed by this Constitution; and
- (c) honour the Aboriginal peoples and Torres Strait Islander peoples, the First Australians, whose lands, winds and waters we all now share; and pay tribute to their unique values, and their ancient and enduring cultures, which deepen and enrich the life of our community; and
- (d) determine to protect our unique environment; and
- (e) acknowledge the achievements of our forebears, coming from many backgrounds, who together faced and overcame adversity and injustice, and whose efforts bequeathed to us, and future generations, a realistic opportunity to strive for social harmony; and
- (f) resolve, in this the 150th anniversary year of the establishment of Queensland, to nurture our inheritance, and build a society based on democracy, freedom and peace.

Yet today, Labor members speak to this bill and disregard the very principle of democracy.

I can say in all honesty that I can probably support the preamble. I do not really have a problem with it at all except that I believe it is not necessary. We are told that this preamble is purely aspirational, but on many occasions preambles are referred to. The Queensland Parliamentary Library briefing note states—

Preambles were commonly found in old Acts. Their intention was to inform the reader with sufficient information identifying the reason for the enactment of the relevant piece of legislation. Generally speaking Preambles were used to identify the types of conduct that the legislation prescribed or actions of government that would require parliamentary approval.

The rationale for the slow discontinuance of the use of Preambles in legislation was that they were not essential to the validity of the legislation concerned as they only contained background information.

And it continues—

... the legal worthiness of Preambles to legislation has been replaced and improved by the use of Explanatory Notes to the Bills.

There has never been a universal view as to the interpretational strength that should be attached to Preambles in Australian legislation. For instance one view that they should be referred to almost as a last resort was held by the Chief Justice of the High Court in *Bowtell* in 1906.

... where the words of a statute are plain and clear, their meaning cannot be cut down by reference to the Preamble. But, if the words are uncertain as applied to the subject matter, and may bear more than one meaning then you may, in a proper case, refer to the preamble to ascertain what was the occasion for the alteration of the law.

This early view was endorsed by subsequent Chief Justice in 1981 in the case of *Wacando*.

...

Historically, Preambles have been used by the courts, not only to aid the interpretation of ambiguous sections and to assist in determining the mischief to be remedied by the Act, but also to determine the intent of the Parliament, as context for clarifying the possible meaning of substantive sections, and as a guide to limit general substantive provisions. Suggestions that the Preamble could not be referred to without any ambiguity in the relevant Act seems to lack strong authority.

...

Plato's ideal preamble—

And I would like to read this to the House—

The Athenian Philosopher Plato believed that Preambles to laws explained and persuaded before the text of the law commanded. In Plato's view Preambles allowed legislators to appeal to the heart as well as the mind to persuade, explain, and inspire before commanding.

Perhaps that is the intent of this particular preamble. I heard one government member say something along the lines that if we cannot come together to express and to share our views, it is a pretty poor show—or something along those lines. I would have to agree. It is a pretty poor show. But in this case only a handful of members in this House are really getting a chance to voice their opinions.

It is my belief that we are Australians first and Queenslanders second. We are all equal in this country and that is the way it should always stay. I do not believe that it is necessary to have a preamble to the Constitution, no matter how good it may be. But it is necessary to address Aboriginal and Torres Strait Islander issues that are still far from being resolved. I was a member of the Palm Island Select Committee yet, years later, I still have Aboriginal people asking me, 'When is something going to happen? It is all talk and no action. We are sick of words.'

This preamble is merely words. Why should Aboriginal people be satisfied with a Labor government's aspirational words? Words are so easy and cheap. On the other hand, actions are hard and costly. That is the road we should be taking—action, not just words.

Hon. KJ JONES (Ashgrove—ALP) (Minister for Climate Change and Sustainability) (5.45 pm): I am really proud to stand here today and speak in support of the preamble that is before the parliament.

Mr Reeves: Hear, hear.

Ms JONES: I think that deserves a 'Hear, hear.' There has been a lot of discussion about what a preamble is and what it means. I think the Premier's speech really summed it up when she said that it gives us context to the way in which we look at our Constitution and what our Constitution stands for: responsible and representative government with a purpose of fostering peace and welfare and good government.

What is particularly exciting for me—and I am very proud to acknowledge this here today—is that this preamble includes an acknowledgement of Indigenous Queenslanders as the first Australians and the unique relationship that they have had with our state and the areas which we now have responsibility for protecting, particularly in my portfolio of environment, and also their position as representing the oldest of living cultures on earth. That is something that all Australians can be proud of as part of our unique history.

I understand that, in forming this preamble, the Law, Justice and Safety Committee consulted with the people of Queensland and in particular with the Aboriginal and Torres Strait Islander Advisory Council. At the committee's invitation, the Aboriginal and Torres Strait Islander Advisory Council submitted a statement of recognition. I think that is a great positive step and shows that this preamble is not something that is being forced upon people but is the result of a lot of consultation.

I have been listening to the debate and I note for the record that the Liberal National Party has said that it will be opposing the introduction of this preamble. I have heard a number of members opposite say that the reason they are going to oppose this bill is they believe that there should be a referendum on the matter. That got me thinking, 'Why do they feel that there needs to be a referendum?' The Queensland parliament is meant to be representative of the Queensland people. We have 89 members of parliament representing areas throughout Queensland. In actual fact, Queensland is the only state in Australia that still has weighted electorates—that is, there are fewer Queenslanders in some electorates than there are in others because Queensland is the most decentralised state in Australia.

So when I reread the preamble before I took part in this debate I thought, 'What part of this preamble do they think that, if we took it to the people of Queensland, they would not support?' The preamble states—

The people of Queensland, free and equal citizens of Australia.

I think most Queenslanders would not have a problem with that.

The preamble states further—

(a) intend through this Constitution to foster the peace, welfare and good government of Queensland.

For the life of me I cannot think of one constituent who would be upset with me for supporting that paragraph. The preamble goes on—

(b) adopt the principle of the sovereignty of the people, under the rule of law, and the system of representative and responsible government, prescribed by this Constitution.

So I thought, 'Is that a paragraph that, if we had a referendum, the people of Queensland would come knocking on our doors saying, "This is a disgrace. We don't want that in our preamble?"' No, that did not seem to be one that I thought that we, as 89 members of parliament, could not agree on and one on which ordinary, everyday Queenslanders would not agree with us.

Or is it (c)—

honour the Aboriginal peoples and Torres Strait Islander peoples, the First Australians, whose lands, winds and waters we all now share; and pay tribute to their unique values, and their ancient and enduring cultures, which deepen and enrich the life of our community;

Is it that which the members of the LNP have a problem with? Do they think that if we took it to the people of Queensland in a referendum they would not support that statement? Is that the one? Is that the paragraph that those opposite are opposing and that they do not think ordinary Queenslanders believe in? I do not agree with them.

Mr Johnson: Just wanted to fix up your broke government.

Ms JONES: So you do think it is that paragraph?

Mr Johnson: Yep. You want to get a few things right first.

Ms JONES: I do not think Queenslanders would oppose that. I think that statement is reflective of the views of most everyday Queenslanders. Maybe it is (d) that the LNP do not think Queenslanders agree with, and the reason they are opposing this preamble today is that it is determined to protect our unique environment.

A government member: They hate the environment.

Ms JONES: That is right. This is actually the one. I think I have actually found the part of the preamble that the LNP are so opposed to—that is, protecting our unique environment. That makes me reflect on what the LNP's record has been since the last election when it comes to the environment. While Minister Robertson is here I will not have to revisit how they voted against the original vegetation management protections in 1998 which have delivered huge environmental gains.

Mr Robertson: 2005, 2007, 2008, 2010—2009, sorry.

Ms JONES: The minister is not predicting that they will vote against further reforms. Last year again they voted against protecting regrowth vegetation, which is vegetation that is 20 years old. They voted against protecting the Great Barrier Reef. They voted against the Vegetation Management Act, as Minister Robertson said. A number of members of the LNP have written to me calling on this government to not apply its koala protections because they say it is stalling developments in their electorates.

They want to rewind the protection of the green zones in Moreton Bay, contrary to all the scientific evidence. Today a report came out showing an increase in fish, in size and numbers, in the Great Barrier Reef as a result of the protections we have put in place. I am hoping that this is the case also in Moreton Bay. Our initial data is showing there has been an increase in the size of fish in Moreton Bay since the green zones have been in place.

They want to go around shooting protected species. A number of their members say that in the parliament every time the parliament sits and write to me about it. They also want to feed native animals and not apply the Nature Conservation Act. I have had LNP members contact me or make statements in the press that we should not enforce the Nature Conservation Act. It is particularly alarming when the shadow minister endorses that view because, quite frankly, as the minister for the environment I feel that it is my job to enforce the environmental laws in Queensland—a novel concept.

Before the member for Surfers Paradise became the leader he did have a bit of a green tinge. He actually supported Queensland introducing its own ETS—going it alone, not part of a national scheme. But now he wants taxpayers to foot the bill for big polluters to pollute. He has walked away from the polluter-pays principle and wants Tony Abbott's scheme where there is a fund of money—which is not a magic pudding; it is taxpayers' dollars and Tony Abbott, in his own words, says we will get up to \$10 billion—that he wants to take away from taxpayers and essential services such as schools, hospitals, roads—the infrastructure they cry about every other day of the week—and give to polluters to pollute. That is its policy when it comes to climate change.

As I said, they do not want the environmental regulator to enforce environmental law. I think the reason the LNP does not support this preamble in the parliament today is paragraph (d), which states—determine to protect our unique environment;

Towards the end of the preamble, paragraph (e) states—

acknowledge the achievements of our forebears, coming from many backgrounds, who together faced and overcame adversity and injustice ...

I am sure those opposite do not oppose that. I am sure none of the LNP oppose that. No, they do not oppose that. That is good. It goes on—

... and whose efforts bequeathed to us, and future generations, a realistic opportunity to strive for social harmony;

Do those opposite oppose that? No, the LNP do not oppose that. Paragraph (f) states—

resolve, in this the 150th anniversary year of the establishment of Queensland, to nurture our inheritance, and build a society based on democracy, freedom and peace.

My question is: does the LNP oppose that? No. So I am really unsure what part of the preamble is so offensive that those opposite cannot support it. I have gone through all of them, so it must be either (c)—

honour the Aboriginal peoples and Torres Strait Islander peoples, the First Australians, whose lands, winds and waters we all now share; and pay tribute to their unique values, and their ancient and enduring cultures, which deepen and enrich the life of our community;

or (d)—

determine to protect our unique environment;

Quite frankly, I have read this preamble and I think it is reflective of the views of the community and the aspirations of all Queenslanders. I think a preamble is something that unites Queenslanders and brings us together. A preamble is not designed to divide Queenslanders or to put people at war with each other over words. This is about uniting Queenslanders and about the aspirations we have as a modern state. I think Queensland is the best state in Australia. I would never want to live anywhere else. I think this preamble absolutely defines for me what a great state Queensland is. I thank the Premier for her leadership in this regard.

Mr HOOLIHAN (Keppel—ALP) (5.55 pm): At the outset, in speaking to the Constitution (Preamble) Amendment Bill, I thank the Premier and the Law, Justice and Safety Committee for bringing forward this preamble so that it can spell out the aspirations and the wants and needs of Queenslanders.

I am a bit perplexed by every speaker. It is very sad that, although members will troop in here when the opposition calls a division, some of them do not sit in here and listen to the correct set of circumstances. The member for Nanango suddenly got a chapter 11 in the federal Constitution. I have to tell her that it stops at chapter 8. If anyone wants to read it, I have with me a copy of the Australian Constitution.

Everyone in this House seems to have overlooked one small thing: there is no preamble to the Commonwealth Constitution. There is a preamble to the Commonwealth of Australia Constitution Act which is chapter 13, 63 and 64 Victoria. The preamble is before the act. The Constitution of the Commonwealth of Australia is, in fact, a schedule to the act—one of those things that are sort of an afterthought. It might surprise a few members if they were to read it because section 6 of that act in fact gave New Zealand the right to come into the Commonwealth of Australia.

Mr Johnson: They are all here. What are you worrying about?

Mr HOOLIHAN: I take that interjection. There are quite a few of them here. They are good neighbours and consequently I cannot see any problem with them as part of the Constitution.

Mr Nicholls interjected.

Mr HOOLIHAN: I will mention Western Australia separately. I take the interjection from the member for Clayfield. Western Australia has tried to get out of the Commonwealth twice. It was overruled by the Privy Council because, surprisingly, they did not have a referendum. Where was the referendum when we got the Queen of Queensland? That was not required under the state Constitution, either. It was foisted upon the people of Queensland. There was no consultation such as there was with this preamble.

In terms of the Commonwealth Constitution, it might also be instructive to some shell-like ears that the Commonwealth Constitution can, in fact, be amended by pure act of parliament. There are 14 sections which say 'until the parliament otherwise provides'. The Commonwealth parliament can make laws which actually amend the Constitution. There are a couple of fairly obscure parts which say that the parliament may provide on such basis as it deems fair. I would suggest to everyone that this preamble that we talk of today deals with fairness; it deals with those aspirations of the people of Queensland. It gives us a platform to take into account the aspirations of everyone—not our first people and not our second people, which the Leader of the Opposition mentioned, but everyone.

One instructive piece of reading that I would recommend to every person in this House, and I do not deal with the Q150 publication, is *A History of Queensland* written by Raymond Evans. It was first published in 2005. I think at the moment it is out of print. The Parliamentary Library would have a copy. That book discusses what happened to Aboriginals and Chinese in this state. Before 1900 the member for Capalaba could not have sat in this House. That happened at the instigation of the pastoralists. For 50 or 60 years in Queensland, outside of Brisbane Aboriginals and Chinese were fair game. They were shot as vermin.

An opposition member: Oh, come on.

Mr HOOLIHAN: They were. Have a look at the history of it. The pastoralists did that because they wanted their land.

Mr Nicholls: It was the Labor movement, too.

Mr HOOLIHAN: There was a Labor movement, but there was no Labor government until 1899 when Anderson Dawson formed the first one in the world, in Queensland.

Mr Nicholls interjected.

Mr Johnson interjected.

Mr DEPUTY SPEAKER (Mr Ryan): Order! The House will come to order. Member for Gregory, if you want to interject you will return to your seat, but I remind all members that interjections are highly unparliamentary. The member for Keppel has the call.

Mr HOOLIHAN: Let us look at the Commonwealth Constitution and get over all of the facts about 'the parliament of the Commonwealth otherwise providing'. Nobody has read out section 106 of the Constitution, which I think is very instructive. It states—

The Constitution of each State of the Commonwealth shall, subject to this Constitution, continue as at the establishment of the Commonwealth, or as at the admission or establishment of the State, as the case may be, until altered in accordance with the Constitution of the State.

That brings us back to the current preamble. We are dealing with the Constitution of the state. If anyone bothered to look at the 2001 Queensland Constitution they would find that certain sections of the Queensland Constitution were not amended or dealt with, because they could not be dealt with without a referendum. That includes the original part referring to the Queen of Queensland. There was no referendum on that, although now we have to have a referendum to do anything about it. Perhaps at this stage I should disclose my interest in another area. In 1999 I was a candidate for the Constitutional Convention. I ran under the banner of the Australian republican movement. I have a really strong commitment to Australia having its own head of state. At the present time, as evidenced in this preamble, the law in this state is that we have a sovereign and we pay homage to that sovereign in terms of the requirements of the law. That is reflected in clause 4 of the bill, which states—

- (b) adopt the principle of the sovereignty of the people, under the rule of law, and the system of representative and responsible government, prescribed by this Constitution; ...

Until that changes, I support the law of Queensland and the law of Australia, as every one of us is required to do. This preamble does not change that law.

Some speakers in this debate have spoken about the law. Indeed, there are some practising lawyers in this House. I was pleased to hear the member for Kawana make mention of the fact that he is a former lawyer. I hope he stays a former lawyer, because he said that the preamble becomes part of the Constitution. Obviously he did not even bother to read the bill, because clause 5 inserts new section 3A, which states—

The Parliament does not intend by the preamble to—

- (a) create in any person any legal right or give rise to any civil cause of action; or
- (b) affect in any way the interpretation of this Act or of any other law in force in Queensland.

Therefore, I hope the member stays a former lawyer. While we are on this subject, the member mentioned 'our dear Aboriginal people'. I have to make mention of the fact that I think his 'dear Aboriginal people' are probably like the member for Southern Downs's gay friends, because not too many Aboriginal people live in the electorate of Kawana. I digress slightly. The member used the word 'oners'. I think he forgot the fact that he has not been in this House for 12 months, so he cannot point the finger at anyone else. He has to justify what he does. What he said in this House today will very quickly get to the people he represents. The choice is his.

In terms of the Constitution, the member for Ashgrove went through each section of the bill and asked what the opposition to it was. Not one person from the LNP stood up and said, 'This is the basis for opposition.' We heard some mealy-mouthed comments about how things are not going the way they want them to go. However, if things did go the way that they wanted, Queensland would be a disaster at the present time.

Mr Johnson: It would be a disaster under you.

Mr HOOLIHAN: Perhaps the member for Gregory could return to his seat, as you suggested, Mr Deputy Speaker. Under members opposite Queensland would be a disaster, and that is why the people of Queensland returned a Labor government.

This preamble does not change the act. It does not change the Constitution. It does not create new law. It creates an aspiration for parliaments of this state. I have not heard the LNP say, as it has said with other bills, that it will rescind this the minute it gets into power. Perhaps we might hear from some of their speakers about that. I believe that will not happen, because they appreciate and they will rely on the aspirations that are spelt out in this bill. Through the Constitution, it intends to foster the peace, welfare and good government of Queensland. The Commonwealth Constitution, to which the Queensland Constitution is subject, sets out in section 51—

The Parliament shall, subject to this Constitution, have power to make laws for the peace, order, and good government of the Commonwealth with respect to ...

Then it sets out a whole heap of placita. We are not making it law in terms of being part of the Constitution. We are setting out what, in future years, governments coming into this House—and bearing in mind, this was the case for 150 years—can look at and say, 'This is what we must do to advance the welfare of the citizens of Queensland. This is what we must do for good government.'

I object to some of the rubbish and the drivel that has been spoken. The member for Gaven said if we honour the Aboriginal people, we leave out the rest of the people who make up this country. My forebears came out here in chains because of a decision by the best minds of the English judicature. Sadly, they were Irish and they arrived here in chains. I have great pride in what they achieved. I have great pride in what my family achieved.

Nobody has bothered to read clause 4(e) of the bill, which states—

acknowledge the achievements of our forebears, coming from many backgrounds, who together faced and overcame adversity and injustice—

and I have dealt with some of the injustice that was foisted on the people of Queensland—

and whose efforts bequeathed to us, and future generations, a realistic opportunity to strive for social harmony; ...

When I commented on what the member for Kawana said about 'our dear Aboriginal people', I was criticised. I represent the seat of Keppel which adjoins Rockhampton. Many years ago a demographic survey was carried out that showed that Kempsey in New South Wales and Rockhampton had the highest number of Indigenous and Torres Strait Islander people. Joskeleigh, which is just south of Emu Park, is a community established by Torres Strait Islanders. In our community, the Darumbal people are our Indigenous forebears. They deal with the government, they deal with their own people and they appreciate the fact that the government considers that they are equal. Suddenly, they are equal. There is no denying that we have to close the gap. There is no denying that we need legislation to overcome what has happened to our Aboriginal people.

In 1973 I was working in the Magistrates Court system in Mount Isa as the senior clerk. We had Aboriginal people who came in there who had massive amounts of money, yet they could not draw \$200 unless the then department of Aboriginal and Islander affairs said they could. They had to justify every cent, but it was those people who went out and laboured for that money. That money disappeared into the maw of the National Party. The head of the department at that time was a man named Patrick Killoran, who ran it as his own little fiefdom and the Aboriginal people were treated like serfs.

The aspiration of this parliament has to be that our Aboriginal people and our immigrants—and we have many immigrants now from Africa—have to get the same consideration as we all believe we get as white Australians, white Queenslanders and residents of Queensland. If we do not set out those aspirations, those people can always feel that they are deficient—feel that they are deficient in the colour of their skin, which is not correct, feel that they are deficient in their ability to think and their ability to learn because that is what they get told. That is what has been foisted on a lot of them for many years. The aspirations of government should be echoed in the preamble. It should be set out the way it is. I fully support the preamble set out in the Constitution (Preamble) Amendment Bill. I support every piece of it.

If anyone wants to continue the debate about the Constitution of Australia or the Constitution of Queensland, I will give them a copy of the Constitution of Australia—they can find a copy of the Constitution of Queensland in legislation. After the division bells have been rung, I will make note of what the LNP members do. They will sit over there, as they did last week on the Surrogacy Bill, when all of the Liberals—who are supposedly supportive of equality of peoples—sat over there and choked on their conscience. They sat there and they did not have a conscience vote.

At least the Labor Party is following its conscience. We are the party that gave the Aboriginal people the right to feel they were welcome in Australia; it was their country. Most of the Queenslanders I speak to would have no objection to this preamble. It does not become part of the Constitution, as I have already said. It is aspirational and it might show some of the thickheaded thinkers on the LNP side that they have to have some policies. They have to look after all of the people of Queensland, not just those people that they think meet their standards. I support the bill.

Ms JOHNSTONE (Townsville—ALP) (6.13 pm): I thank the member for Keppel for that insightful contribution on constitutional law—I had no idea. The member for Keppel raised some very important points in the area of constitutional law. I want to talk about the reasons why I want to support the Constitution (Preamble) Amendment Bill. I think it is a sign of a nation's maturity when we acknowledge the wrongs of the past and put in place significant steps which go towards healing and mending the hurt and harm that have been caused by these wrongs of the past.

This bill before the House here today, this aspirational statement that we want to put into our Constitution, signals to all that we in Queensland are about matching our policy and actions with protecting the things that make Queensland unique and special. As a member of this place who has both a World Heritage listed environment and a discrete Indigenous community in my electorate, I can say with confidence that the people of Palm Island, Magnetic Island and Townsville believe that the cultural and environmental qualities that they protect are in fact uniquely Queensland.

There has been a lot of talk in this debate today about the special place that Aboriginal and Torres Strait Islander people should or should not have in the preamble to the Constitution, but when we talk about the environment let us look at Townsville as an example, at Magnetic Island and at the way the community in Townsville has come together in recent times to protect something unique just south of Townsville known as the Cromarty Wetlands. This highlights the importance of having the environment acknowledged in this preamble. The Burdekin Shire Council, the Townsville City Council, Townsville Enterprise, private individuals, the federal government and of course the Queensland government are all speaking with their wallets and contributing towards the purchase and subsequent protection of the unique parcel of land that we all know in Townsville as the Cromarty Wetlands. I think that stands out in my mind as a significant acquisition for the state and for the people of Townsville in particular. We want to protect that very special land at Cromarty which is unique in the world.

There has been a lot of talk today about the Aboriginal and Torres Strait Islander people and whether they should or should not be acknowledged separately to the rest of the population in this preamble. I have been shocked and surprised by the comments of some of the speakers in the debate here today. We are talking about the oldest living culture in the world. Why wouldn't we be acknowledging such a tradition and be proud of it?

On the day of the apology from the Prime Minister, I kept my children out of school that morning and took them into school later. We went into the mall in Townsville and sat there with the rest of my community to watch on the big screen as Prime Minister Rudd gave the apology of this nation to these people. It was one of the most emotionally charged days I can remember. I then took my children to school and explained to my son on the way how important that speech was, how significant it was. We talk about putting policy into action. That apology allowed us to come to a place where we can go forward and try to mend some of the hurts of the past. The hurts are real and they are still applicable to those individuals who are living with that loss of identity even today.

After the apology that morning I can remember going into work at the Townsville Multicultural Support Group. We had suspended usual business for the morning. We put the flags up, we invited people in and we just sat around and talked. We had Indigenous people there. We had people from the Philippines there. We had people from Sudan there. We had people from all over Townsville from all different cultures coming together to acknowledge that we as a nation have evolved, that we are moving forward. It was a great place to be on that special day and it was great to be a part of that.

This preamble really highlights to me the issue of equity. When we talk about equity, we talk about fairness and we refer to principles of justice that aim to address inequalities. This is not about treating everybody the same. It is about recognising the special needs of groups who may be disadvantaged or have some unique place in our culture and our community. I am very pleased to be able to return to Townsville after this week in the parliament and share with the Wulgurukaba, with the Bindal, with the Manbarra and with the Bwlgcolman people of my community that they are now recognised and have a special place in the Constitution of Queensland. I am also going to be very pleased to go back and tell the people of Townsville that Magnetic Island, Cromarty Wetlands and all of the beautiful islands that we have up and down our coast on the Great Barrier Reef have a special place in the Constitution of Queensland, because that is what makes Queensland unique. I am very pleased to have spoken—

Mr Johnson: Have you corrected the transport problems on Palm Island yet, Mandy?

Ms JOHNSTONE: On Palm Island we are doing some really amazing work. We are increasing our ferry services.

Mr Johnson: I am pleased to hear that.

Ms JOHNSTONE: We have spent close to \$1 million making sure that the services to that community are improved. There is a lot of work to be done. The select committee was referred to here before by the member for Nanango. I have read that report in detail.

Mr Johnson: I was part of it.

Ms JOHNSTONE: Well, the member would recall the recommendations. A lot of those recommendations have been implemented. There is a long way to go. Nobody is saying that there is not. But, if we do not acknowledge the special place these people have in our history, give them an identity and give them a context to go forward with, we have nothing to go forward with. We need to go forward in unity and recognise these people as the special people they are. I commend the bill to the House.

Mr O'BRIEN (Cook—ALP) (6.19 pm): It is with great pleasure that I rise to support the bill currently before the House. As I did in my maiden speech, I would like to acknowledge the traditional owners of the land on which we meet and the traditional owners of the state of Queensland who are spread right across this great state of ours.

It has been an important debate tonight. It is important because symbolism matters. Symbolism matters because it is about who we are, where we come from and what we believe. Those things are important, and they change over time. There has been a lot of debate in the chamber today about the White Australia Policy, assimilation and all sorts of things that we used to believe in this state and that we passed laws about in this chamber in our history. There was a time when we did support white Australia—when workers and pastoralists supported a White Australia Policy. There was a time when women could not vote on who represented them in this chamber. There was a time when we believed that Aboriginal people should assimilate with mainstream culture—with white culture. Those beliefs have changed over time, and we should acknowledge that. We have to respect that.

That is why I think it is important that this parliament supports this preamble and makes a decision about this preamble, because things do change over time and change is hard. The White Australia Policy was very hard for this chamber to eventually throw out. It took many, many years—too many years. It is an embarrassing legacy that we now endure in this place and as a nation. It does get mentioned in other countries which are aware that that was a policy we held for many years. When people like Pauline Hanson pop up, they are scared that we are going back to those sorts of views and those sorts of statements. Less than 10 years ago we had 11 One Nation members in this place espousing old views that I do not believe anybody on this side of the House believes anymore. I am not sure after tonight's debate about that side of the House, but I think it is important that we restate our values and we put them on the record. I think it is important that we are proud of those as well.

I think the debate has been important because it highlights the differences between the two sides of politics. We had an opportunity to do something great today—something symbolic maybe but something unifying. It is something to make Queenslanders proud of us. Many people have referred to the PM's apology. When the PM apologised to the stolen generation, our nation changed. It really changed. It was a real healing moment. They were just words, but it was a moment where the nation healed and came together. It was a really important moment for all of us. Aboriginals and Torres Strait Islanders were relieved, lifted and moved to tears just by words.

As politicians we understand words. It is our trade. We give our word and we follow it up with action. Words are important. Saying sorry to somebody helps people heal. A declaration of war is just words, but its consequences can change the fate of a nation. Genuinely telling somebody that you love them is just words, but it moves people in a metaphysical and spiritual way that adds to their emotional wellbeing. They are just words, but words are important. Words have meaning because we are not just physical beings. That is why we had a chance to do something great today, but instead those opposite have simply dragged us into the mire of partisan politics.

What has been most offensive in this debate has been the reluctance of those opposite to want to acknowledge that Aboriginals and Torres Strait Islanders were here first. It is beyond me why they have such a problem with that. Do they not believe it? I do not know. I have heard of holocaust deniers. I do not know if they do not believe that Aboriginals and Torres Strait Islanders were here first, but of course they were so why shouldn't we say it? Why shouldn't we respect it? Part of the argument has been that it does not change or improve their circumstances, so we should not bother. But I do not think we should wait until the world is perfect before we acknowledge that this land has traditional owners and show some respect that their culture has survived and endured through the years.

Symbolism is important. We see it every day. When we walk into this chamber, we nod and bow to the Speaker. It is a symbolic gesture to acknowledge the authority of the Speaker as the embodiment of this parliament. Soldiers salute to one another. It is just a symbol, it is just a gesture but it acknowledges respect to an officer, and an officer is obliged to return that salute to the soldier as a symbol of respect. Similarly, acknowledging traditional owners is a symbol of respect. I assume most people here doorknock. When you go into somebody's place, when you go onto somebody's yard or onto somebody's farm, you honk the horn or you yell out and you knock on the door. You do not just waltz into somebody's land. You show them respect, you let them know that you are here or that you are coming. Am I welcome? That is how you exchange pleasantries between people.

What I fail to understand is why those opposite cannot understand that you can have unity in diversity and diversity in unity. It is a powerful symbol of what we are that we can have all sorts of cultures in this state, all sorts of faith, all sorts of people from all walks of life and they can be unified. They can keep their culture, they can keep their language, they can practise their customs and their way of life, and they can still be Queenslanders, they can still be Australians and we can live in harmony together. I think that is the spirit that this preamble captures. I think it is an important set of words that we place on the table of this parliament today. It is such a crying shame that those opposite could not grasp this opportunity to say to all Queenslanders from wherever they have come—whether they have been here for 40,000 years or whether they have arrived last week off a boat from Sri Lanka or from a refugee camp in Africa—that they are welcome here and that their views will be respected here. We ask you to acknowledge our rule of law and respect the rule of law that we have here and that we create here, and we will respect your right to live in peace and harmony and to practise your culture. Why is that so difficult in 2010 for those opposite to grasp?

I think that tonight's vote is going to be an important vote. I think it is going to say a lot about whom we are as Queenslanders. I am a proud Queenslanders but sometimes it is hard to be a Queenslanders, because when you go to other places and other states they think we are a bunch of rednecks. Tonight those opposite go some way to proving the point. I believe that the majority of Queenslanders would support this preamble and should support this preamble. I believe it is an important statement, and I commend the bill to the House.

Hon. DM WELLS (Murrumba—ALP) (6.29 pm): It was an honour to serve on the committee that recommended the preamble to the Constitution. It was an honour to serve with the honourable member for Beaudesert, the honourable member for Kawana, the honourable member for Hinchinbrook, the honourable member for Everton and the honourable member for Chatsworth, and it was an honour to serve with the chair, the honourable member for Springwood, whose vision and tenacity welcomed us into a committee that was effectively able to make the recommendations that were made to the parliament and which have been welcomed by so many members. I feel privileged to have been part of that process.

Sitting suspended from 6.30 pm to 7.30 pm.

Mr WELLS: As I was saying before dinner, if I remember correctly, it was a very great honour to serve on the committee that recommended this form of words to the parliament. It was an especial honour to serve on a committee that was graced by the presence of the honourable members for Beaudesert, Kawana and Hinchinbrook as well as the members for Everton and Chatsworth, and in the chair the honourable member for Springwood.

Before dinner I paid tribute to the thoughts of the honourable member for Springwood. I paid tribute to what she did as chair of the committee, to her strategic vision and to the manner in which she handled the committee and its work. The only reason I repeat that now is that she was not in the chamber before dinner. I hoped that by repeating it on this occasion I would get it very clearly before her

that on behalf of all of the members who took part in that committee we greatly appreciated the way she ran it. We greatly appreciated her organisational skills and her commitment to ensuring that there was widespread consultation. Even some people who did not seem to evince a tremendous amount of interest in being consulted had it put very squarely in front of them that they had the opportunity to speak to a parliamentary committee. Many of them did. Some of them gave us some ideas that were of some value.

Ms Grace: She is a great member for Springwood.

Mr WELLS: She is not only a great member for Springwood but also a particularly competent and hardworking chair of the committee. On behalf of your colleagues, thank you, Barbara.

I would like to address one of the issues that honourable members on the other side have raised. Indeed, if I do that I will probably be addressing the whole case of the honourable members from the other side. The honourable members' case had a certain overwhelming harmony to it—the kind of harmony one can get from only one note. It was sort of like an eternal fugue repeated time and time and time again.

Their proposition came down essentially to this: those opposite had a certain amount of diffidence about putting a preamble into the Constitution. They felt humbled by the enormity of the task before them. I think they said we should not speak for the people of Queensland. They said, 'Who are we to speak for the people of Queensland?' Well, if I could remind them of their job description, they are actually the duly elected representatives of the people of Queensland and it is actually part of the job description of the duly elected representatives of the people of Queensland to speak for the people of Queensland. Consequently, it is entirely appropriate that we should speak for the people of Queensland.

Mr Shine: We get paid to do it.

Mr Kilburn interjected.

Mr WELLS: I take the interjections of the honourable member for Chatsworth and the honourable member for Toowoomba North. That is, in fact, what they are paid to do. If they have some reluctance to speak on behalf of their constituents then perhaps they should encourage some of their constituents to come here instead of them.

The diffidence that the honourable members from the side of the House evinced was not as manifest in our forebears as it is in their humble breasts. This document I am holding contains an act of the Queensland parliament of 1867. It is an act of Victoria Regina from 1867 to consolidate a variety of documents relating to the Constitution of the state of Queensland. That was put together by our predecessors in this place. That was the embryonic Constitution of the state of Queensland legislated by this chamber, in this room, by our ancestors.

Mr Shine interjected.

Mr WELLS: They did not have a referendum, as the honourable member for Toowoomba North indicated. Do members know why they did not have a referendum? Because they were the elected representatives of the people of Queensland and they knew that it was their job to look after getting the Constitution together.

A government member interjected.

Mr WELLS: The opposition does not seem to think it is the job of elected representatives to make decisions and to represent those who sent them here. If they are not going to do it, fortunately there is a majority in this House who are prepared to take those steps. There is a majority in this House who are prepared to follow in the footsteps of those who went before us. There is a majority of people in this House who are prepared to move on this preamble to the Constitution.

This document, the Constitution of Queensland, either in its 1867 iteration or any other version, is not an exciting piece of prose.

Mr Shine interjected.

Mr WELLS: I thank the honourable and learned member for Toowoomba North. It is a bland iteration of the institutions of governance of the state of Queensland. Some people have regretted the fact that our Constitution is not an exciting, thrilling document. I do not regret it. It is unlike the French Constitution or the American Constitution. It is unlike those in that it is not a document that was forged in the sinews of war.

Ms Grace: What about the Italian?

Mr WELLS: Or the Italian Constitution. I thank the honourable member for Brisbane Central. It was not forged in the sinews of war and it was forged by people who did not face the kinds of issues faced by the authors of those revolutionary documents. Our Constitution was forged by people who

were very confident in the possession already of certain freedoms and certain institutions. They wrote a document which laid down the freedoms that they already knew and were delivered by institutions such as the rule of law and representative and responsible government. These are people who for hundreds of years had known of those institutions and took for granted the degree of freedom, the degree of liberty that those institutions provided. Of course those institutions do not provide the totality of freedom, the totality of opportunity and the totality of welfare that we would like to see in our community, but they go a long way. Our forebears who wrote our somewhat bland Constitution were people who were aware of what they already had and simply took it for granted, hence the lack of colour in our Constitution.

But when one thinks about it, what our preamble celebrates is in fact the institutions which are referred to in this document, the freedoms which are generated as a result of the institutions in our Constitution. Our Constitution is the key to all of our laws. Our Constitution does not contain all of our laws; it is the key to all of our laws, and that Constitution generates, preserves and ensures the freedoms and the benefits that our ancestors took for granted. It is therefore very appropriate that we should offer a preamble which celebrates that fact. After 150 years of separation from New South Wales, we are in a position where it is very appropriate that we should do so.

The preamble does celebrate what our ancestors achieved while at the same time asserting the truth—that the quest for justice is an ongoing one. The preamble that this committee has offered to the parliament is not a complacent preamble. It is not a self-congratulatory preamble. It is one which emphasises the fact that the quest for justice is ongoing, that the quest for the best possible society is one in which we must continue to engage. However, the preamble that the committee offers to the parliament is one that appropriately celebrates what we have achieved and does so at a very appropriate time. I commend the work of the committee to the House.

Ms DARLING (Sandgate—ALP) (7.41 pm): It is my pleasure to rise to speak on the Constitution (Preamble) Amendment Bill to add my words of support to my colleagues on the government side of this chamber. We have spent most of the day listening to arguments from those opposite, who were fairly pedantic, I think, in picking at little bits and pieces as to why we should delay or why we should procrastinate further when it is obviously the perfect opportunity following the 150th birthday of Queensland to finally recognise the traditional custodians of this land and the original inhabitants.

I am pleased to lend my support to this bill. I am proud to be a government member and I am proud that we are finally recognising the place in Australia and in Queensland of our Aboriginal and Torres Strait Islander peoples. I thank all of the government members for their very well-executed arguments and I thank all of the members of the bipartisan committee. I was on the committee last term that began to look at this issue. We knew it would be a perplexing issue. We did seek a lot of feedback. I am really proud with the set of words that have been recommended for the Constitution. I commend the bill to the House.

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (7.43 pm), in reply: This bill to create a preamble for the Constitution of our state represents an historic landmark for Queensland. In early 2008 when I hosted the Queensland 2020 Ideas to Action forum I asked Queenslanders to think big about the future of Queensland. This bill today seeks to implement one of the forum's suggestions—the inclusion of a preamble in the Queensland Constitution specifically recognising Indigenous Queenslanders as the first peoples of this state. I take this opportunity to again thank the many Queenslanders who put forward their suggestions in submissions about what should be included in the preamble to our Constitution—Queenslanders like Sally-Anne who wanted our preamble to recognise the importance of equality, or Zelda who supported recognition of our unique environment, or Rodney who included recognition of the rule of law among his suggestions.

The preamble before the House today takes these concepts put forward by ordinary Queenslanders and incorporates them into an aspirational statement which will provide context to our Constitution for generations to come. This preamble represents both an acknowledgement of where we come from and a vision for the society that Queenslanders strive for—a society founded on the principles of democracy, freedom and peace. Importantly, it acknowledges and respects the significant contribution made by Queensland's Indigenous peoples to the Queensland that we all share today.

Australia is home to the oldest living culture on earth. This is not only something that we should recognise; it is something that we should celebrate. It is something that we should shout from the rooftops. As the first Australians and indeed the first Queenslanders, Aboriginal and Torres Strait Islander people will forever hold a unique and special place in our state. I note that some of the contributions from those opposite denied that Aboriginal and Torres Strait Islander people are in any way special, that they have any unique value. I do not believe that that represents the community views held in Queensland. Not only is Australia unique among the nations of the world in being home to this remarkable ancient living culture; Queensland is unique among the Australian states: we are home to two Indigenous cultures—the people of Aboriginal Australia and the people of the Torres Strait.

This preamble acknowledges the achievements of all of our forebears from many backgrounds and celebrates the rich cultural diversity that we enjoy here in Queensland. I note again some of those opposite asserting regularly the importance of our Anglo-Saxon heritage—and I concur with that—but I do note that it was imported. Every one of us came from somewhere else. The preamble affirms our determination to protect this state's unique environment and acknowledges and celebrates that the Constitution (Preamble) Amendment Bill was introduced into this parliament in our 150th anniversary year of the establishment of the state of Queensland. What better way to say something powerful about who we are, about where we have come from and what has shaped us as a people than to look at our Constitution—the legal instrument that establishes us and lays out the foundations of our democracy.

These are not controversial concepts, nor are they some narrow politicised agenda, as the Leader of the Opposition has suggested. These are the statements that describe a modern, thriving state that Queensland is today 150 years after our inception. I have already indicated that the inclusion of a preamble in the Constitution is not an idea that the Queensland government has plucked from the air. This was a recommendation of the Queensland 2020 Ideas to Action forum in which over 100 of Queensland's brightest minds came together to talk about a modern Queensland. It is on their recommendations that we resolved to progress these amendments.

I am very saddened by the opposition's objection to recognising Indigenous Queenslanders in this important way. Instead of standing together with us on this side of the House in recognition of the unique part that Aboriginals and Torres Strait Islanders have played in shaping our remarkable state, it has resolved to reside in the past. After the Leader of the Opposition's, I think, somewhat strange attack on welcome to country ceremonies, the position that has been taken by those opposite today is another sad indictment about the lack of regard on that side of politics for Indigenous Queenslanders.

It is true, as many of those opposite have said, that this preamble is just words. Well, the entire Queensland Constitution is just words. *Hamlet* is just words. *Waltzing Matilda* and *Advance Australia Fair* are just words.

A government member: The Magna Carta.

Ms BLIGH: The Magna Carta is just words. Indeed, the Oath of Allegiance to this country is just words and the ode that we all recite with pride on Anzac Day is just words. Words matter. Words capture our thoughts and our feelings and words express who we are. These words have been drawn up by Indigenous Queenslanders for Indigenous Queenslanders. These words, coupled with the government's determined actions to close the gap, are an important step forward.

I have heard calls from some of the opponents to this bill for a referendum. There have been 25 amendments to our Constitution in the past 143 years and there have been only six referenda on those matters. So we have made 37 changes to the Constitution of Queensland without a referendum. I note that the great hero of those opposite, Joh Bjelke-Petersen, had no problem amending the Constitution without a referendum. The Constitution Act Amendment Act 1977, introduced by that government, made fundamental changes concerning the role of the Governor. These changes were not put to the people of Queensland in a referendum. Not only were these fundamental constitutional provisions not put to a referendum, they were then entrenched by the government, preventing future changes without a referendum.

So we see from those opposite that the LNP and its predecessors, the Liberal and National parties, were willing to make many changes to the Queensland Constitution without a referendum but they are not prepared to do the same for Aboriginal and Torres Strait Islander Queenslanders. They were prepared to make a change to the Constitution of Queensland for the Queen. They were prepared to make a change to the Constitution for the Governor without a referendum. But they will not do it for the first peoples of our state.

The Solicitor-General has confirmed that the preamble can be included in the Constitution by an act of parliament and that that does not require a referendum and the associated costs to the Queensland taxpayers—a cost estimated at over \$10 million. I agree with the opposition on one point: Queenslanders deserve to have a say about their preamble. That is why all Queenslanders were given the chance to put forward their views about the preamble and its content through the public consultation undertaken by the Law, Justice and Safety Committee and its predecessor, the Legal, Constitutional and Administrative Review Committee. Tonight, I take this opportunity to thank every member from both sides who applied themselves diligently to the task of both of those committees and I congratulate them on the work that they have produced for us to act upon.

I acknowledge the opposition of FamilyVoice Australia to the inclusion of this preamble in the Constitution. Far from fobbing off FamilyVoice, as the Leader of the Opposition has suggested, my office offered to meet with the group and accept their petition and discuss their concerns. While they declined that offer to meet, which they are entitled to do, my office accepted their petition on my behalf.

The opposition's suggestion that the results of the Law, Justice and Safety Committee's consultation show some overwhelming evidence that Queenslanders do not want a preamble to their Constitution is false and laughable. The fact is—and this, I think, is a very telling point about what is going on on the other side of politics—that the majority of submissions opposing a preamble were one-line form letters based on a template circulated by the One Nation party. Only 19 submissions gave reasons they did not believe a preamble should be included.

Mr Elmes interjected.

Ms BLIGH: I note the support of the former Liberal member of Noosa for One Nation policies. I think it is important for Queenslanders to understand that there was a concerted campaign undertaken by the One Nation party to undermine this initiative. On our side of politics, we have stood against One Nation at every available opportunity and we do so again tonight. Tonight, the member for Indooroopilly, the member for Noosa, the member for Robina and the member for Moggill will once again stand with the member for Surfers Paradise and with One Nation, as they have time and time again in the past. This could hardly be called overwhelming opposition to the proposal and One Nation is not reflective of the views of Queenslanders.

On the other hand, a number of Queenslanders passionately took up the opportunity to contribute ideas about what should be included. I have given the House some examples already, but I want to congratulate and thank the submissions that came from Dr Jackie Huggins, from Dr Paul Reynolds, from the Townsville branch of the Australian Family Association, the Australian Monarchist League and the Roman Catholic Archdiocese of Brisbane, among others. Those Queenslanders can be truly proud of the part that they have played in this historic process.

The member for Nicklin has circulated an amendment to include in the preamble a statement that the parliament of Queensland is acting on behalf of the people of Queensland. I thank the member for Nicklin for his very considered and thoughtful contribution to the debate. He reasonably asks the question, I think, about whether or not this parliament can say that we are acting on behalf of Queenslanders. It is a good question in a democracy. I would put to the House that everything we do in this parliament we do on behalf of the people of Queensland whom we represent. This is what the people in each of our electorates elect us to do.

Given the extensive consultation on the preamble and the hard work of the bipartisan committee in developing the text, I am confident that the preamble before the House is a reflection of the views of Queenslanders. I note that, although there was a dissenting report from the opposition on the question of a referendum, there were no dissenting views put in the report of the committee in relation to the wording of the proposed preamble. I think it is reasonable to conclude from that that the wording enjoys bipartisan support. I understand that the referendum question was one on which there was not unanimity—and I do not suggest that there is—but that was the only matter on which there was a dissenting voice raised.

I understand the views of the member for Nicklin, but I say to him on this occasion that the government is not able to support the amendment. I believe that it is an amendment genuinely conceived. I have taken into account the fact that when you look at constitutions in other jurisdictions around the world you see that they are generally documents that speak of the people of that particular jurisdiction. 'We the people' is a very common start to a constitution and I want our Constitution to stand up there with the best in the world. So I accept the member's point. I have given a lot of thought to it this afternoon, but I think when you add a preamble to a constitution it should have stirring language and I think this preamble captures that much better. As I said, I am satisfied that the words of the preamble are words that capture what we are trying to say about who we are. We could spend another 10 years working on the words. I think it is quite remarkable that a committee made of members from both sides of politics managed to come up with a set of words that they could agree on. I suggest that sending the matter to a committee of four million people would take a lot longer.

We have heard a lot from the opposition about previous consideration of the inclusion of a preamble. Yes, it is something that we have turned our minds to in the past. In fact, a previous parliamentary committee outlined a number of preconditions that it thought were necessary before we took this step. I put it to the House that a number of those preconditions have now been met, including a complete overhaul of the Constitution of Queensland Act. In addition, times have changed. Queensland is constantly evolving and many of the issues that in the past were considered to be stumbling blocks to a preamble have been addressed. Moving forward sometimes requires us to look back, to reconsider issues and to come at them afresh. Obviously, that is what the participants of the Queensland 2020: Ideas to Action forum have done in recommending that the government consider a preamble.

I well remember the member for Southern Downs coming to the ideas forum in Canberra and coming to the Ideas to Action forum here, spending hours and hours in the Indigenous stream. In fact, in Canberra he spent all of his time in the Indigenous stream. He sat in the forums that were held here with Indigenous Queenslanders who were part of the Ideas to Action forum and he nodded and said that, of course, he agreed with what they were seeking. His fraudulent activity will be exposed tonight when he votes against the one consideration that they asked us to put forward.

I have heard today opposition concerns that the bill may create rights at law or be used as an aid in statutory interpretation. The member for Nicklin has also raised concerns about the use of the word 'intend' in clause 5 of the bill. I want to reassure the House this evening that the Solicitor-General's advice was sought on the development of the clause. The Solicitor-General has confirmed that clause 5 of the bill prevents the preamble being used to aid statutory interpretation or to develop rights at law. This clause meets modern drafting standards.

I note the Leader of the Opposition's assertions that his office did not receive advice from my office in relation to a question raised during their briefing regarding the creation of common law rights. I understand that, in fact, an offer was made to email follow-up advice on this point to the Leader of the Opposition's office and the offer was declined. I am happy to confirm tonight on the record that the Solicitor-General has advised that the preamble will not create any new common law rights. There is no secret about this. My office provided this advice to the member for Maryborough and the member for Gladstone at their request on 10 February following the same briefing provided to the opposition office.

The Solicitor-General's advice is clear: this preamble will not change the legal position in Queensland. The opposition is clutching at straws for reasons not to support this preamble. They are desperately casting around for a reason to vote against it because they simply cannot bring themselves to take a step into modern Queensland in the 21st century.

This preamble is a statement for all Queenslanders. Today we have a preamble before us that incorporates the aspirations for our future. I congratulate all those today who have had the courage to support this. With this change to our Constitution we take another step forward on the path to reconciliation. I wish it had been a step that we could have taken together with the Liberal National Party. What a powerful statement it would have been for the whole Queensland parliament to take one step forward for reconciliation together and to acknowledge that one simple fact.

It is a fact that the Aboriginal and Torres Strait Islander people of this state are our first peoples. There is no disputing that. To have it recognised and celebrated is an important moment in our history. But it was not to be. The Liberal National Party were not able, for whatever reason, to take that step together with the Labor Party and recognise Aboriginal and Torres Strait Islander Queenslanders. Despite that, with the support of Labor members of this House, in decades to come when young Queenslanders sitting in a Queensland classroom are invited to look at the Constitution of this state they will find a preamble that says something noble and inspiring about who we are and where we have come from. I am proud to be part of a team that has the courage to bring it forward. I commend the bill to the House.

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

AYES, 50—Attwood, Bligh, Boyle, Choi, Croft, Cunningham, Dick, Finn, Foley, Fraser, Grace, Hinchliffe, Hoolihan, Jarratt, Johnstone, Jones, Kiernan, Kilburn, Lawlor, Lucas, Male, Miller, Moorhead, Mulherin, Nolan, O'Brien, O'Neill, Palaszcuk, Pitt, Reeves, Roberts, Robertson, Ryan, Schwarten, Scott, Shine, Smith, Spence, Stone, Struthers, Sullivan, van Litsenburg, Wallace, Watt, Wells, Wendt, Wettenhall, Wilson. Tellers: Keech, Darling

NOES, 35—Bates, Bleijie, Crandon, Cripps, Davis, Dempsey, Dickson, Douglas, Dowling, Elmes, Emerson, Flegg, Gibson, Hobbs, Hopper, Johnson, Knuth, Langbroek, McArdle, McLindon, Malone, Messenger, Nicholls, Powell, Pratt, Rickuss, Robinson, Seeney, Simpson, Springborg, Stevens, Stuckey, Wellington. Tellers: Horan, Sorensen

Resolved in the affirmative.

Consideration in Detail

Clauses 1 to 3, as read, agreed to.

Clause 4—

Mr WELLINGTON (8.10 pm): I move the following amendment—

1 Clause 4 (Insertion of preamble)—

Page 4, lines 13 and 14—

omit, insert—

"The Parliament of Queensland as representative of the people of Queensland, free and equal citizens of Australia—".

I listened carefully to the Premier's reply to the contributions that members made in the debate on the Constitution (Preamble) Amendment Bill. I do not intend to respond to all of those matters. Suffice it to say, for the record, that I believe the more appropriate wording would have been 'The parliament of Queensland, as representative of the people of Queensland'. I think that more accurately reflects what is happening this evening. I acknowledge that the words the Premier has proposed may be, in her words, more powerful.

Tabled paper: Explanatory notes to Mr Wellington's amendment (to clause 4) to be moved in consideration in detail to the Constitution (Preamble) Amendment Bill [1761].

I reflect on the time that the previous Labor government wrote to all landowners in Queensland about an issue involving tree clearing. I believe that created a precedent as, in the past, the government has written letters to many Queenslanders. Because that has not happened in this case and because there has been, in my words, limited consultation with groups—that was referred to in the committee—I believe it is more appropriate to use the words that I have proposed because they more accurately reflect what is happening in this chamber. I acknowledge that the government has proposed to model this legislation on the Victorian legislation. Suffice it to say, I believe we can more accurately reflect what is proposed.

Ms BLIGH: Again, I thank the member for Nicklin for what was a very thoughtful contribution and I accept some of his arguments. On balance, having considered the matter this afternoon, I do not believe that the government can support the amendment for the reasons I outlined in my reply speech. I do understand the point that the member makes. There is always a balance between the parliament doing the things that it is empowered to do and the extent to which we can involve everyday Queenslanders. In this case, the committee went to a great deal of effort to give people a say and I am satisfied that the wording deliberated upon by the bipartisan committee satisfies what normally one would consider a preamble should look like and sound like. I accept that the member disagrees with me on this occasion, but I do reassure him that I took his views into account and on this occasion am not able to support them.

Mrs CUNNINGHAM: I rise in support of the amendment because almost 100 per cent of the concerns expressed to me about this constitutional amendment have been on the process as opposed to the content, and those concerns are that the process did not include a reference to the community or to the people. The amendment that the member for Nicklin has moved makes it clear that this parliament is acting as a representative body for the people of Queensland when, in many instances, particularly in the entrenched provisions of the Constitution, one could rightly say 'the people of Queensland' because they have spoken via referendum.

In the member for Nicklin's speech made during the second reading debate and the Premier's reply speech, comments were made about the strength of the statement 'as the people of Queensland'. I think the strength of the wording will come up in the second amendment that the member for Nicklin proposes. In this instance I believe his amendment is fair, particularly given the concerns that have been made known to me in relation to the process of these amendments.

Non-government amendment (Mr Wellington) negatived.

Clause 4, as read, agreed to.

Clause 5—

Mr WELLINGTON (8.15 pm): I move the following amendment—

2 Clause 5 Insertion of new s 3A

Page 5, line 14—

omit, insert—

"The Parliament does not in the preamble,

I table the explanatory notes to the amendment.

Tabled paper: Explanatory notes to Mr Wellington's amendment (to clause 5) to be moved in consideration in detail to the Constitution (Preamble) Amendment Bill [\[1762\]](#).

I draw members' attention to the wording that is currently in the bill that we are debating. It states—

The Parliament does not intend by the preamble to—

- (a) create in any person any legal right or give rise to any civil cause of action; or
- (b) affect in any way the interpretation of this Act or of any other law in force in Queensland.'

I believe that deleting the word 'intend' adds clarity to what the government is proposing to cover by this section. The whole intention of the amendment is to remove ambiguity. I believe that my proposal clearly removes any ambiguity, as the clause would state—

The Parliament does not in the preamble—

- (a) create in any person any legal right or give rise to any civil cause of action; or
- (b) affect in any way the interpretation of this Act or of any other law in force in Queensland.'

I believe that is a clearer definition than that proposed by the government. In addition, I seek clarification on the wording of new section 3A(a), which states—

create in any person any legal right or give rise to any civil cause of action ...

I ask the Premier: why restrict it to only legal rights? Why not also include words such as 'privilege', 'duty', 'obligation' or 'liability'? After all, these are all matters that can be created or taken away by this parliament. If the intention was to take it a lot further than mere legal rights, those other words should have been included. After all, my understanding is that it is the intention of parliament to make a statement of fact and that it should not give rise to any legal rights or other forms of duties. I believe that my amendment improves on the current proposal of the government.

Ms BLIGH: I thank the member for his contribution. I seek clarification, because it is a little confusing. As I understand it, the amendment we are debating now is the member's proposal to insert a new section 3A that would omit the current line 14 and replace it with the words, 'The Parliament does not in the preamble'?

Mr Wellington: Yes.

Ms BLIGH: In essence, this is about removing the word 'intend'.

Mr Wellington: Yes.

Ms BLIGH: The whole purpose of this clause being in the bill is to remove any ambiguity. We did seek Solicitor-General's advice on it and he was very clear that the clause as drafted by the government has the effect that we are seeking. However, I would say that common sense would say that the proposal put forward by the member for Nicklin does it in an even less ambiguous way, so I propose that the government will accept the amendment.

Non-government amendment (Mr Wellington) agreed to.

Mr WELLINGTON: Could the Premier also respond to the other issues I raised, in relation to the use of the words 'legal right', if that is appropriate, and the clarification of—

Government members interjected.

Mr WELLINGTON: That is only the amendment. I am talking now to the second part of the clause.

Ms BLIGH: I am sorry. I was not deliberately omitting to make comment on that; I was focusing on the amendment itself. I rely again upon the advice received by the Solicitor-General that the drafting of the other provisions of section 3A are sufficient to remove any ambiguity about the question of whether or not this preamble creates any new right or privilege or entitlement. I think it is fair to say that we are very lucky in Queensland to have a very talented Solicitor-General, and I think his advice in this case can be relied upon.

Clause 5, as amended, agreed to.

Third Reading

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (8.19 pm): I move—
That the bill, as amended, be now read a third time.

Question put—That the bill, as amended, be now read a third time.

Motion agreed to.

Bill read a third time.

Long Title

Hon. AM BLIGH (South Brisbane—ALP) (Premier and Minister for the Arts) (8.20 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.

CRIMINAL HISTORY SCREENING LEGISLATION AMENDMENT BILL

DISABILITY SERVICES (CRIMINAL HISTORY) AMENDMENT BILL

Second Reading (Cognate Debate)

Criminal History Screening Legislation Amendment Bill resumed from 9 February (see p. 57), on motion of Ms Struthers, and Disability Services (Criminal History) Amendment Bill resumed from 7 October 2009 (see p. 2601), on motion of Mr Cripps—

That the bills be now read a second time.

Mr CRIPPS (Hinchinbrook—LNP) (8.20 pm): I rise to make a contribution to the debate on the Criminal History Screening Legislation Amendment Bill. This bill, introduced by the government, was introduced during the last parliamentary sitting week, which was two weeks ago today. It is being debated in cognate with the LNP opposition's Disability Services (Criminal History) Amendment Bill, which I introduced into this House on 7 October last year.

The Bligh government has been ducking and weaving the LNP opposition's Disability Services (Criminal History) Amendment Bill since that time, while it devised a way to avoid voting against the bill without having something else in its place that it could offer up as an alternative. For three sitting weeks in a row, the Disability Services (Criminal History) Amendment Bill has been No. 1 on the *Notice Paper* for general business on a Wednesday night, but it has been held over, passed over and moved aside while Labor developed the Criminal History Screening Legislation Amendment Bill. Nevertheless, I welcome the Criminal History Screening Legislation Amendment Bill. There is an old saying: better late than never. I offer the apologies to the House of the shadow minister for community services, housing and women, the member for Burdekin, who is unfortunately unwell and is unable to be here for the consideration of this bill.

When this bill was introduced by the government just two weeks ago, two things were evident: firstly, it is a substantial bill of over 500 pages with obviously far-reaching implications for the sector it relates to; and, secondly, while on the face of it the bill has good intentions, it is somewhat overdue. Eighteen months ago in this House the member for Burdekin asked a question of the then minister for community services as to why a man with disabilities had been placed in the care of a man with a violent criminal history. This man was assaulted by his carer. He suffered great trauma and his family endured great distress. Since that time the government has not taken any action towards strengthening the system that is supposed to protect people with disabilities, until now.

That incident involving the assault of a man with a disability by his carer was a glaring weakness in the existing system whereby consideration of a violent criminal history did not play a part in deciding whether or not to employ someone as a carer, notwithstanding that the member for Burdekin had drawn attention to the incident in the parliament. The ongoing inaction on the part of the government resulted in my introduction of the Disability Services (Criminal History) Amendment Bill four months ago, because clearly there was no urgency on the part of the government to act on criminal history screening. Now, just two weeks after the introduction of a bill of more than 500 pages amending some 25 acts, we are debating the bill.

I am sure all members would agree that central to the objectives of this bill is the concept of trust. A parent needs to be able to trust the child-care services that their child attends. A family member needs to be able to trust a carer for their son or daughter with a disability. A husband needs to be able to trust the health practitioners caring for his wife. A student needs to be able to trust their teachers at school or the bus drivers on the way to and on the way home from school. A young person needs to be able to trust the police upholding the law in our community. These are all relationships in our community built on trust. Unfortunately, despite the best efforts of 99 per cent of people in organisations in these sectors, there will tragically be the odd occasion when that trust is breached.

I pause to pay tribute to the overwhelming majority of professionals, employees and volunteers involved in the sectors covered by the provisions of this bill. They work in some of the most difficult circumstances thrown up by our community. It is not easy work. At the same time, these professionals, employees and volunteers work with some of the most vulnerable people in our community. That is why we need the government of this state to implement the best system of checks and balances possible. As I have said previously, while this bill appears to have good intentions, I would like to discuss some of the aspects of its proposed implementation.

Across-the-board, consistent screening is a step in the right direction. Sacrificing the detailed needs of individual sectors is not. Expecting a screening process that attempts to pull together a number of different existing processes to deliver the best level of criminal history screening is optimistic at best. Members need to understand that what is proposed is not the implementation of a single criminal history screening process to replace a number of existing processes. What is proposed is more than 500 pages worth of amendments to existing criminal history screening processes that will attempt to minimise the inconsistencies between these individual systems. The success of this proposal will be contingent on various government departments and statutory authorities effectively communicating with one another.

While I welcome efforts to streamline the system, I express my concern at the prospect that there will be an increase in costs to community organisations and individuals working in these sectors. When it started in 2001-02, the cost of a blue card was \$40; today, it is \$61.75. Under this bill, it jumps again to \$70. The fee to replace a card is now \$10.30. The cost of a yellow card, which was previously borne by the government, will now hit the applicant and the cost will be the same as for a blue card—increasing to \$70.

Opposition and Independent members were briefed this morning on this bill. The question was asked expressing concern about the possible financial impact on organisations and individuals accessing a criminal history check under these new provisions. We were advised that, in relation to community organisations at least, additional recurrent funding would be provided to compensate them for additional costs incurred by the new fee regime associated with obtaining a blue or yellow card associated with this bill commencing in the 2010-11 budget. I request that the minister comment in this regard in her summing-up and confirm that this will be the case.

I will wait with interest to learn of the amount of funding the government will produce to help our community organisations bear this burden. I am sure that my colleague the member for Burdekin will be equally interested. Our community organisations are at the front line of the provision of disability and social support services in our community. They have been faced with increasing costs and ever-increasing bureaucracy. That does not appear to be alleviated by this bill.

What has to be paramount in any debate concerning criminal screening is the protection of vulnerable people. The needs of our children and people with disabilities need to be foremost in our minds. The best way to do this is to ensure that no-one with a violent criminal history can work in a position of trust with vulnerable people. There is no compulsion to work in these areas of employment. The interests of the vulnerable people must outweigh any other considerations. A responsible government owes it to these people to ensure that the employees who are paid to care for our children and people with disabilities are people in whom we can safely place our trust. I am uncertain that this bill will fulfil this vital goal.

The stated objectives of the bill are to reduce duplication and increase consistency across criminal history screening systems employed in various sectors in Queensland. The provisions of the bill propose to reduce duplicate screening by providing for the following exemptions between these sectors. Police officers and registered teachers will be able to apply for an exemption from holding a blue card when providing child regulated services which are outside of their professional duties. Blue card holders will be able to apply for an exemption from holding a yellow card, and registered health practitioners including nurses and midwives will be automatically exempt from requiring a blue card or a yellow card when they are providing services to children as well as adults with a disability as part of their professional duties.

The explanatory notes accompanying the bill state that the provisions of the bill will increase consistency across various criminal history screening processes by amalgamating into the blue card system screening of the following groups: all persons providing services to children with a disability; 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 governments undertaking child related roles.

In order to achieve consistency in criminal history screening frameworks, the provisions of the bill also align the exclusionary frameworks of the blue card, yellow card and teacher registration systems. The bill proposes to amend some 25 acts of parliament across a range of professions and sectors. The bill amends the Disability Services Act 2006 and Guardianship and Administration Act 2000 to extend the maximum period for short-term approvals of restrictive practices and to commence these provisions as soon as the provisions of this bill are given assent.

The bill also makes a technical amendment to the Disability Services Act 2006 to clarify a further circumstance when the transitional period for the use of restrictive practices stops applying. Understandably, different criminal history screening systems have different focuses to maintain safeguards for different groups of vulnerable people in the community and to target screening at individuals providing different types of services. For example, the teacher registration system screens teachers to safeguard children and determine a person's suitability to teach, the blue card system targets screening at individuals providing child services to safeguard children, and the yellow card system targets screening at individuals providing services in funded organisations to safeguard adults and children with a disability.

Presently, the teacher screening process does not exempt teachers from requiring a blue card. Individuals holding a yellow card are not exempt from requiring a blue card. Individuals with a blue card are still subject to a teacher screening process if they apply to become a teacher. As such, significant duplications, inefficiencies and unnecessary costs are experienced by organisations and individuals in these sectors. In addition, there are some inconsistencies created by this tangled web of screening processes. For example, individuals providing services to children with a disability in non-funded organisations are not screened under the yellow card system but are screened under the blue card system.

To try to address the duplication and inconsistencies involved, the bill proposes a range of amendments which will extend appropriate exemptions to certain professionals, provide exemptions to individuals holding one coloured card from being required to hold another, and recognising the possession of an existing coloured card as grounds for an exemption to the requirement to undergo a further criminal history screening process to enter a particular profession.

In 2008 amendments were made to the Disability Services Act 2006 and Guardianship and Administration Act 2000 to create a legislative scheme to regulate the use of restrictive practices by disability service providers and to mandate positive behaviour support following the report by Justice Carter titled *Challenging behaviour and disability: a targeted response*. I have previously discussed the detail of the issues canvassed in the Carter report in this place during the debate on the State Penalties Enforcement and Other Legislation Amendment Bill on 11 November last year. That bill contained amendments that extended the transitional period for restrictive practices for a further nine months. Restrictive practices are used at times to manage the challenging behaviour of a person with a disability to prevent risk of harm to themselves or others.

When the scheme commenced on 1 July 2008, provision was made to allow for short-term approvals for restrictive practices where it is necessary to use a restrictive practice to prevent an immediate and serious risk of harm to a person where there is no time to obtain authorisation under the full scheme requirements. A short-term approval can be given by the chief executive of the Department of Communities, the authorised delegate of the chief executive or the Adult Guardian depending on the type of restrictive practice proposed.

Under the existing provisions, a short-term approval provides up to three months for the development of a behaviour management plan for an individual with a disability exhibiting challenging behaviours. The proposed amendment will extend the maximum period for short-term approvals to six months. The explanatory notes in the bill assert that the proposed amendments are required to provide disability service providers with sufficient time to prepare an assessment for the adult, develop a positive behaviour support plan and obtain consent and/or approval from the relevant decision maker under the full scheme requirements. The explanatory notes suggest that disability service providers have experienced problems with completing these requirements within the current three-month time frame—hence the amendment to extend this time frame to six months.

I wish to express some concern about this amendment. I sympathise with the challenges faced by disability service providers to develop behaviour management plans in these time frames, particularly given the scarce resources they have at their disposal, in respect of the implementation of the recommendations of the Carter report within their organisation. Certainly, disability service providers have been left without adequate financial support from this government to implement the recommendations of the Carter report. I wonder if an extension of the short-term approval time frames for restrictive practices would be necessary if disability service providers were provided with adequate resources by the government to implement the recommendations of the Carter report within their individual organisations that deliver services to the community.

Again, opposition and Independent members were briefed this morning by departmental and ministerial advisers. I asked whether the extension of the short-term exemption for the development of a behaviour plan from three to six months would continue to apply once the transition period for the implementation of the Carter report had expired. The departmental and ministerial advisers indicate that this would be the case. Six months will continue to be available to disability service providers to develop a behaviour management plan in respect of clients that exhibit challenging behaviour.

Justice Carter delivered what can only be described as a landmark report dealing with the care and protection of Queenslanders exhibiting challenging behaviours. The proposed recommendations from Justice Carter, he believed, provided for a fundamental process of reform, renewal and regeneration of the way in which Disability Services Queensland and the disability sector would respond to the demand for services delivered in this area with the aim of providing an efficient, cost-effective and financially sustainable outcome for the proper care and support of persons with an intellectual disability exhibiting challenging behaviour across Queensland.

I really have to question whether Justice Carter would consider an extension from three to six months for the development of a behaviour management plan for a person exhibiting challenging behaviour, even before the transition period for the implementation of the report's recommendations has expired, to be consistent with his vision of having at least an efficient system for the delivery of care and protection to people with disabilities exhibiting challenging behaviours. That is a real concern. Once again, I invite the minister to respond to that particular issue when she sums up.

This government is proud of the blue card system. The system has merit and is supported by the opposition. The system, while not as transparent or enforced as it could be, does provide a familiar framework for Queenslanders and they have some confidence in it. Why, then, has this bill not expanded the blue card system? Why has the government not taken the opportunity to provide an integrated, transparent, strong system which is tailored to the individual sectors of applicants affected by this bill?

That is one missed opportunity that I raise tonight. The other is the chance to provide actual and real security for vulnerable people in Queensland. A person who has a history of perpetrating domestic violence should not be working with children or vulnerable people. A person with a history of convictions for violent mugging should not be placed in a position of care or trust. This could potentially continue to be the case in Queensland notwithstanding the passing of this bill. That is one failing of this bill. It really

does not change the system in any substantial way for the better. It does not implement a familiar, consistent system that would offer protection to vulnerable people across all sectors. It relies on relevance of criminal history, forgetting that in some areas of work all criminal history is relevant.

That is why in the bill introduced by the LNP opposition, the Disability Services (Criminal History) Amendment Bill, a criminal history for a period of seven years is acknowledged. While a conviction for a violent act is an automatic exclusion, a violent criminal history is also cause for consideration by the chief executive.

From a disability services angle, the government's bill largely misses the point. There is a need to provide complete criminal history screening and there is a need to differentiate between different types of work undertaken by different people. There are differences between, for example, an administrative assistant and a carer in disability services. A person with a violent criminal history who seeks employment as a carer is an obvious risk to a vulnerable person.

What is needed is not just to increase the ease of movement between areas but to increase trust in the system to make sure that checks are relevant. This bill simply tries to connect the existing systems and, in doing so, as I mentioned earlier, relies on communication between departments and between statutory authorities. That is a big call given the history of this government and the long list of administrative failures that have occurred.

Equally, other areas are left out of the amendments altogether. For example, there is nothing to stop a person with convictions for domestic violence from working in support services for victims of domestic violence. There is no explanation for the absence of such provisions in this bill, which otherwise canvasses a wide range of circumstances.

This bill, nevertheless, is good news for some sectors—that is, people who provide services to children with disabilities, teachers and police engaged in out-of-profession child related duties, health professionals and other people affected by the duplications in our system. The focus is firmly on the applicants for the notices. While we need to ensure the system works for applicants, we cannot afford to forget that the system is in place primarily for protection. The objectives of the bill are to reduce duplication of criminal history screening checks, to increase the consistency of criminal history screening by amalgamating dual-role applications and to align the exclusionary framework of the blue card, yellow card and teacher registration systems.

There is no mention among the objectives of the bill of the need to improve reporting and recording of exclusionary framework information, no statement of the need for greater transparency and no intention to ensure appropriate levels of screening are undertaken to protect vulnerable people. Under this bill, automatic exclusions will occur only when an individual has been convicted of a serious sexual offence against a child or person with a disability and has been sentenced to imprisonment, a person has been convicted of a serious child related sex offence and is subject to reporting obligations under the Child Protection (Offender Reporting) Act 2004, a person has had a final prohibition order imposed under the Child Protection (Offender Prohibition Order) Act 2008 or a person has had a sexual offender order imposed under the Dangerous Prisoners (Sexual Offenders) Act 2003.

While it is right that these orders and convictions should preclude someone from working in these sectors, it is the schedules, particularly under the disability section, that raise concerns in my mind. While applying uniform laws across a range of departments may be theoretically streamlining, there is doubt as to whether these areas are comparable in structure, need and applicability.

The ability of registered teachers and police officers who provide child regulated services outside of their professional duties to apply for exemptions from holding blue cards is a positive step. I would have expected a more streamlined system to allow for the provision of blue cards to teachers or police as part of their registration and swearing in. Instead, we are left with another layer of bureaucracy in having teachers and police needing to apply for exemptions. The automatic nature of the exemption is understandable. The lack of an automatic notice is less understandable and not particularly streamlined. New applicants for teacher registration who are already current blue card holders will escape having to pay for the \$23.10 criminal history check. Once again, I think that is a positive step. Instead, teachers will each pay an \$11.55 administration fee to allow their registration to verify their blue card status. Certainly, this is really not a streamlined system which can claim to automatically accredit teachers upon registration. After all, a criminal history check is already part of their registration, but it is a slight improvement on the current system and to that extent it is welcomed.

In relation to the amendments to the Child Care Act, this bill covers adult occupants not involved in the provision of stand-alone or home based services. Under this bill, these people will effectively be treated as if they were part of the child-care services being provided, and provisions are made to ensure applications for notices are made on request.

If a carer in a licensed home based service asks the licensee to apply for a notice about an adult occupant the licensee must do so. In stand-alone child care an officer may direct a carer to apply for a prescribed notice or exemption notice about another person reasonably suspected to be an occupant of the home and with a criminal history being deemed unsuitable for presence around children.

An adult occupant of a home in which home based child-care services are provided will be treated as an employee or volunteer employee in terms of processing notices. This bill treats all adults present at a home based child-care service as though they are part of the service. This is an improvement in the system. While it increases the bureaucracy on services which are already suffering from a heavy burden of bureaucracy, it will increase the safety of children in these care services.

With regard to health professionals, the expansion of the automatic exemption across a wider range of practitioners is welcome. Including nurses and midwives in the exemption from the requirement to hold a blue card or yellow card when they are providing professional services to children and adults with disabilities will make the system easier from a health point of view.

Before I conclude, I ought to deal with the concerns of the Scrutiny of Legislation Committee in respect of this bill. A large number of clauses in the bill potentially affect the liberties and rights of individuals who will be required to be the subject of criminal history checks under the provisions of this bill. As the amendments work towards the protection of those requiring it, there is often a trade-off against those rights and liberties. I am satisfied that the interests of our most vulnerable people must take precedence.

The disclosure of the information about a criminal history, including criminal charges not resulting in a conviction, is necessary to ensure the workability of the system. Similarly, information concerning a person's application for a notice and the existence of a negative notice are both required to implement an effective system that protects the most vulnerable in our society.

The essence of the system is ensuring that risk is assessed and people who are in a position of trust cannot be allowed to present a risk to vulnerable people. We need to ensure our community organisations remain in a position where they can rely on a blue card system to provide trustworthy and transparent protections and help to strengthen our community against those who would abuse it.

So I accept the proposition put forward in the explanatory notes accompanying this bill that potential breaches of privacy are considered justified on the basis that it is necessary to effectively protect children as well as people with a disability and to ensure adequate safeguards have been put in place where appropriate. Ultimately, this bill at least acknowledges the need for a framework to protect our vulnerable residents of Queensland. It also calls for more work to be done to ensure their trust is placed in people who can be trusted. It certainly reduces duplication but does little to decrease bureaucracy or increase compatibility. It dictates to the community sector what should happen but then burdens the community sector with the costs at this point in time.

Despite these reservations, I believe that there are positive measures in this bill. On behalf of the LNP opposition, and in the absence of the member for Burdekin, I am happy to support the bill.

Mr SPRINGBORG (Southern Downs—LNP) (Deputy Leader of the Opposition) (8.48 pm): I rise to contribute to the debate on the Criminal History Screening Legislation Amendment Bill 2010. It is with some reservations that I speak to this bill. I would also like to commend the shadow minister, who has just spoken on the Disability Services (Criminal History) Amendment Bill, which he introduced in this place on 7 October 2009. It certainly goes much further than what is being proposed here by the government. It provides a mantle of safety, a mantle of security and a mantle of certainty for those people who are vulnerable, who are being cared for in our disability sectors across Queensland and whom we know need the highest level of scrutiny and the highest level of protection which can be offered by this parliament.

I would also urge the government to support the bill introduced by the member for Hinchinbrook and say that bipartisanship operates both ways. It does not operate two ways in this place. About 80 per cent of the legislation which the government introduces into this parliament is supported by the opposition. The same is not considered in reverse. Ironically, there have been numerous situations where the government has voted down private members' bills introduced by the opposition and then introduced similar legislation itself only a few weeks or a few months down the track. It then has to suspend the standing orders to allow for the issue to be voted on by the parliament again because, of course, those issues have previously been defeated. The standing orders indicate that members cannot vote on substantially the same matter in one particular term. Therefore, I would encourage the same degree of bipartisanship to be exercised by the government as is exercised by the opposition.

Any time we hear about streamlining from this Labor government, it usually means more costs and less services. We are told these amendments are designed to minimise the number of criminal history checks that a person will need to have before starting particular employment or work. At a national level under the Howard government, CrimTrac was established to manage criminal history checks. CrimTrac provides national criminal history checks for a range of organisations across the country. These services involve checking the criminal history of potential employees on behalf of employers such as government agencies and non-government organisations.

A national criminal history check involves identifying and releasing any relevant criminal history information subject to relevant spent convictions, non-disclosure legislation and/or information release policies. CrimTrac facilitates about 2.5 million national criminal history checks a year through a

decentralised process involving all Australian police services evaluating relevant police records with a view to determining the type and extent of CHI that can be released. All national criminal history checks must be undertaken with the informed consent of the person being checked, unless the check is mandated by relevant legislation. At the state level we have a mixed bag of schemes and checking that, as we now learn, has meant that departments have failed to communicate with each other and all the while children could still be placed at risk because of bureaucratic silos.

There is widespread interest in obtaining access to criminal history record information from reliable sources for the purpose of screening an individual's suitability for employment, licensing or placement in positions of trust. The interest is based on a desire or perceived need to evaluate the risk of hiring or placing someone with a criminal record in particular positions and is intended to protect employees, customers, vulnerable persons and business assets. A police certificate contains a certification that the person to whom it relates either has no disclosable convictions or has a disclosable conviction that is detailed in the certificate. A disclosable conviction is one that is recorded by the court and has not been rehabilitated or spent under the Criminal Law (Rehabilitation of Offenders) Act 1986 and, in the case of Commonwealth convictions, the Crimes Act 1914 and the disclosure of which to any person does not breach the Criminal Law (Rehabilitation of Offenders) Act 1986, the Penalties and Sentences Act 1992 and the Juvenile Justice Act 1992.

There are three types of police certificates. The first is a 'name only' police certificate based on a search of the person's name against the criminal history records held by police services Australia-wide. This is the most often sought for employment purposes. The second is a 'name with fingerprints' police certificate based on a search of the person's name and fingerprints against the criminal history and fingerprint records held by police services Australia-wide. This is most often sought by persons applying for a visa to work or reside in another country or for adoption purposes. The third is a name only with ASIO security assessment—an ammonium nitrate police certificate—based on a search of the person's name against the criminal history records held by police services Australia-wide and an ASIO security assessment relating to politically motivated violence.

When we look at the approach being promoted by the government through the blue/yellow card system, it is an individual approach to screening. What additional assessments are available that could further strengthen the safety of vulnerable people and our children? Experts in child sexual abuse Richard Wortley and Stephen Smallbone at Queensland's own Griffith University have devised a situational approach to child sexual abuse. They have recognised three types of offenders. The first type of offender is those who have been committed, and that is 23 per cent of serial sex offenders. They say that these offenders have a sexual preference for children and manipulate the environment to create opportunities. The second type is the opportunistic offender, and that is 41 per cent of first-time sex offenders and versatile criminals with a history. These offenders are sexually ambivalent, have generalised poor self-control and exploit opportunities. The third type is the reactive offender, and that is 36 per cent of first-time offenders for any offence. They have no strong attraction to children, are considered conventional and respond to situational stresses and/or stimulation.

With regard to situational prevention, Wortley and Smallbone conclude that crime can be prevented by altering immediate environments in which offending occurs and reducing opportunities and other situational pressures such as increased guardianship, environmental design, workplace protocols, controlling access to home and facilities, individual stimulus control and relapse prevention programs. With regard to core ideas, they conclude that all behaviour is a result of person and situation, that the potential to commit crime is widely distributed in the community, that a great deal of crime is opportunistic and that even planned crime is governed by situational factors. They conclude that we should focus on the crime event—proximate versus distal causes. They conclude that crime is not a random event but is patterned by criminogenic environments and it is often easier to predict where and when crime will occur than who will offend. They also conclude that it is difficult to change offenders but it is easy to change situations.

Let us talk about the blue card system. Does it offer a foolproof system that will guarantee that no child will ever be harmed who is in the care of a blue card holder? I think it is fair to conclude that, no, it will not. This government was given the opportunity to implement stronger checking mechanisms when the last lot of major changes were proposed in 2008. We have consistently urged the government to implement a system of photo identification on blue cards—something that consistently has been delayed or denied by this government. As we stand here today, the government is offering a supersystem cobbled together from existing checks across various government agencies. A system of vetting potential employers and volunteers who come in contact with children and vulnerable people is a vital step to ensuring their safety. It is only a step though. This initial process should be backed with spot checking and workplace safety audits to reduce high-risk workplaces where children are at risk of harm, as I have already canvassed previously.

I also want to talk to amendments being put forward through the Juvenile Justice Act 1992. The bill has not even come into effect and we are already back making amendments to amendments because of identified problems. Clearly this error relates to the calculation of the time young offenders spend in custody. We already know that Queensland's youth detention centres were increasingly being

used as remand lounges rather than centres for convicted offenders, and this has been revealed by a new independent report. It has been said that youth detention centres are full but that they are mostly full of young people waiting for trial and/or sentencing.

Most concerning is the fact that, under the Bligh government, Queensland's youth justice system has become a revolving door for young offenders. Labor is filling our detention centres with children on remand. This is a symptom of our Children's Court having the worst backlogs in the country, as detailed in the 2010 report on government services released earlier this year. It showed that more than three-quarters of all young offenders in detention have been there before and a staggering one in four have been behind bars at least five times previously. The findings of the most recent commission for children and young people report titled *Views of young people in detention centres* confirmed that Labor's youth justice system was a revolving door to jail. That report came on the back of internal documents that showed that a near 90 per cent of Indigenous youth offenders graduate to adult crime.

So what is happening in youth justice? At the moment, young offenders are receiving light periods of detention and are released back into the community only to be picked up again for another short stint inside. This drafting correction is important to ensure that young offenders are not detained for incorrect periods. The question must be asked: how many child offenders released from youth detention in the last three years were held longer or released early because of miscalculated sentences?

The blue card and the proposed yellow card changes being put forward are supported with reservations. It is a watching brief on the fallout of the cost of this system, which places more cost on many community service providers. But this is the cost of additional checks and balances for working with our children and vulnerable Queenslanders. Make no mistake: the government has said that these changes are not about revenue raising but about genuine streamlining—a process that we will wait and see about.

As I said at the outset, we are always very concerned when this Labor government, as verified by its record, promises streamlining, promises a reduction in regulation, promises a reduction in red tape, promises greater protection in the community, promises that it is going to be cost neutral and promises that it is going to be cost-effective because, generally, the system becomes more bureaucratic, less streamlined, sometimes less protective of those people who are supposed to be protected and certainly more costly.

Mr Johnson: And more cumbersome.

Mr SPRINGBORG: As the honourable member for Gregory said, often the system becomes more cumbersome. We heard a similar promise from this government with its much vaunted QCAT, yet we already know that what was supposed to improve service delivery across myriad tribunals has seen significant blow-outs in hearing dates. The LNP supports the principles and objectives of the blue card system and hopes that these additional requirements on the commission for children and young people will not stretch its resources. Certainly, from our perspective, we have a watching brief. I hope that the protections that are supposedly offered in the government's bill, which no doubt will go through on the numbers, will achieve what the government says they are going to achieve. I would certainly urge government members to consider the bill that has been presented by the member for Hinchinbrook, which seeks to take those protections much further to ensure that vulnerable people in the area of care for disabled people in Queensland have a greater degree of protection than the government is proffering with this bill.

Hon. A PALASZCZUK (Inala—ALP) (Minister for Disability Services and Multicultural Affairs) (9.03 pm): I rise to speak in support of the Criminal History Screening Legislation Amendment Bill. Safeguarding vulnerable people, including people with a disability, is one of the Bligh government's key priorities. The Disability Services Act 2006 contains two key objectives to uphold this priority. Section 6(a) of the act acknowledges the rights of people with a disability and promotes their inclusion in the life of the community and section 6(b) of the act ensures that funded disability services are safe, accountable and respond to the needs of people with a disability. These drivers of reforms, introduced by the Disability Services Act 2006, include criminal history screening.

Queensland has the strongest and only legislatively mandated criminal history screening system for people working in government provided and funded disability services in Australia. The screening process under the existing system considers charges and convictions for all offences regardless of when they were committed, including all violent offences. Let me give members some examples of what the act identifies as excluding offences. These offences include rape, abuse of intellectually impaired persons, indecent dealing with children under the age of 16, procuring prostitution, certain offences under the Classification of Films Act 1991 and making, possessing and/or distributing child exploitation material under sections 80 and 81, schedule 5 of the act. The existing scheme automatically excludes people imprisoned for the most serious offences, including the ones I have just identified. The existing criminal history screening regime targets the full range of criminal history—charges and convictions—with no time limits.

As at 19 January 2010, over 58,000 criminal history checks had been carried out under the Disability Services Act. Those checks resulted in 10 applicants being automatically excluded from holding a yellow card and, therefore, not being able to be engaged as a disability worker. For those who have an identified criminal history, the chief executive of the Department of Communities can issue a yellow card only after considering the criteria in the act together with the comprehensive criminal history screening guidelines. This criteria includes consideration of whether it was a conviction or charge, whether the offence was a serious offence, when the offence was committed, the nature of the offence and its relevance to disability employment and any penalty imposed.

The government's Criminal History Screening Legislation Amendment Bill makes changes to the screening process across a range of employment types, including child safety, police, teaching, health and disability services. The amendments that relate to disability services will strengthen what is already the strongest system in Australia. It will also achieve greater streamlining of criminal history screening in Queensland.

For disability services, some of the main changes in the government's bill are expanding the range of serious offences that prohibit a person from holding or applying for a yellow card—and this will include people subject to certain orders and obligations under Queensland sex offender legislation; the screening of people who deliver government provided or funded disability services to children under the blue card system instead of the yellow card system; and allowing blue card holders who seek employment in government provided or funded disability services for adults to apply for exemption from holding a yellow card.

The Bligh government will be assisting the funded non-government disability services sector in relation to the changes to the yellow card system. The Department of Communities will also be working with the funded sector to continue to support the recruitment of volunteers with a targeted communication strategy. These changes will both strengthen the safeguards for people with a disability and streamline criminal history screening in the government provided and funded disability services sector in line with the Disability Services Act.

I now address the private member's bill. The opposition's Disability Services (Criminal History Screening) Amendment Bill 2009, which the government is opposing, complicates criminal history screening for government provided and funded disability employment. The opposition's bill introduces screening for a particular type of disability employment, namely, employment as a carer. The bill introduces the new concept of a carer prohibition notice to both the government provided and funded disability services sector and the non-funded sector.

Under the opposition's bill, a person convicted of any violent offence within the past seven years, however minor, is automatically excluded from working as a carer. Although the reasons for that exclusion would include serious violent offences such as murder and grievous bodily harm, it would also include less serious offences and not take into account that range of other issues that I have canvassed previously.

The opposition's bill proposes two things: it introduces screening for people engaged as carers in provided and funded services in addition to the current yellow card system and it extends a limited form of screening to carers in the unfunded sector. That could potentially cover private care arrangements made by families and individuals. Such intervention into families and individuals' lives would be very intrusive, difficult to justify and very difficult to monitor or police.

The Bligh government is opposing the opposition's bill for the following reasons: it will impose an additional screening system on top of the existing yellow card system without demonstrable benefit; violent offences are already comprehensively covered and considered in the existing system; and the existing system is working and already contains safeguards for the safety of people with a disability who interact with government delivered or funded services.

The government has already considered the issue of whether to regulate the unfunded sector. As early as 2006 a public benefit test was conducted to test this. It found that regulation of the non-funded disability services sector was not warranted as the size of this sector was not significant. However, it is proposed to commence a review of the Disability Services Act 2006 later this year. The issue of whether or not to regulate the unfunded sector will be revisited and canvassed thoroughly at this time. I have had the privilege of speaking with the peak disability body about this and its members have agreed to this course of action. In summary, the Disability Services Act as proposed to be amended by the Criminal History Screening Legislation Amendment Bill provides the strongest foundation Queenslanders with a disability have had to safeguard their rights.

I briefly want to address the short-term approvals in relation to restrictive practices. The government's criminal history screening bill also makes amendments to the short-term approval provisions for the use of restrictive practices. The short-term approval provisions were introduced on 1 July 2008 as part of a legislative scheme to regulate restrictive practices by disability service providers. This was part of the government's response to implementing Justice Bill Carter's report titled

Challenging behaviour and disability: a targeted response. Some adults with an intellectual cognitive disability who receive disability services may have what is called challenging behaviour where their behaviour places themselves or others at risk of great harm. Generally these adults do not have the capacity to consent to decisions around their care. At times disability service providers may need to use restraint through a restrictive practice to manage an adult's challenging behaviour to protect the safety of the adult or someone else.

I acknowledge that the member for Hinchinbrook has visited a number of people who are living in accommodation out at Wacol who display this challenging behaviour. I think he would agree with me that these people not only are our most vulnerable clients but also have such complex behaviour that it does take a long time to sit down with them with a number of therapists to work out a positive behaviour support plan. For those incidents where restrictive practices are required, the scheme sets out a comprehensive authorisation process. It outlines when a disability service provider may lawfully use a restrictive practice in the care and support of an adult with intellectual or cognitive disability. Under the full scheme a number of requirements have to be satisfied before authorisation can be provided. This includes demonstrating it is the least restrictive option via an assessment plan for the adult and independent approval.

The main purpose of the scheme is to help people to develop positive life skills. The proposed amendment is to extend the maximum period for short-term approvals from three months up to six months. Experience in implementing the scheme over the past 18 months has shown that it may take service providers longer than three months to comply with the full scheme requirements.

I take on board what the member for Hinchinbrook said earlier in his speech. I will give members an example. In January I visited a service office in Maryborough. I was sitting down with one of the workers and she told me that it actually took six months to complete this comprehensive assessment in relation to the positive behaviour support plan. I do not think we need to make any excuses at the moment. I think these plans, because we are dealing with our most challenging and vulnerable clients, need to be as comprehensive as possible. After discussions with Justice Carter on this very matter and also Kevin Cocks from Queensland Advocacy Inc., I am quite sure that in the future we will be able to streamline the forms and eventually reduce the amount of time it will take to complete that. At the moment it is a brand-new system that we are setting up. It is complex. It is dealing with our most challenging and vulnerable clients and we need to get it right. For that I make no excuses. I would rather have a fully comprehensive system and not scrimp on anything to make sure that we get it right.

In conclusion, the rights of people with a disability to their safety and wellbeing are paramount. These amendments clearly continue to promote the inclusion of people with a disability in the life of the community. They ensure and strengthen safeguards for people with a disability. Most important of all, they help to ensure funded disability services are safe and responsive to the needs of people with a disability.

Finally, it is very good to see that the opposition is supporting the government on this legislation. This is a very important bill. It streamlines a number of things across a range of different areas and a number of government departments. With those few words I commend the bill to the House.

Debate, on motion of Ms Palaszczuk, adjourned.

ADJOURNMENT

Hon. AP FRASER (Mount Coot-tha—ALP) (Acting Leader of the House) (9.14 pm): I move—
That the House do now adjourn.

Glass House Electorate, School Leader Induction Day

Mr POWELL (Glass House—LNP) (9.14 pm): Last Friday was school leader induction day in the electorate of Glass House. There are few more uplifting experiences for a member of parliament than to witness another generation of school leaders formally inducted into their positions, for we all know that these school leaders will be at the vanguard of our communities, businesses and governments in the years to come.

Elimbah State School was first off the rank with Sheridan Fleming, Jacob Marshman, Michaela Grant and Joseph Marsters being presented their school captain badges. Sheridan, Jacob, Michaela and Joseph have wasted no time in adopting the formal requirements of their leadership positions, leading the school of more than 500 students in the Lord's Prayer, school creed, merit awards and the famous superbis presentations. Special mention must go to young Joseph, who had to support a scaled superbis model, while principal Gary Austen drew out the winners. The fact that the model was almost the same size as Joseph is testament to his perseverance and strength.

It was then on to Woodford P-10 State School. Being a P to 10, the induction ceremony was of a slightly larger scale. It was my pleasure, alongside the federal member for Fisher, Peter Slipper, the P&C president, Michael Wallis, and the RSL president, Ron Nipperess, to present badges to the school's new junior leaders, senior and junior house captains, student council representatives, the student council executive and the senior school captains. So, in no particular order, my congratulations go to Troy, Bianca, Brody, Anastasia, Conner, Kristina, Rachel, Tyler, Lisa, Roxanne, Kayn, Aidan, Steevylee, Ben, Taylah, Nikki, Anthony, Leith, Kate, Laura, Madeline, Liam, Teeneka, Carina, Naivasha, Adin, and Tegan.

To senior school captains Quinlan Van Nunen and Elisha Condie, well done. Elisha, public speaking does not come naturally to everyone, so you did exceptionally well in emceeing the ceremony. Continue to back yourself. The nerves will eventually disappear. And, Quinlan, keep that sense of humour. It will hold you in good stead for the busy and challenging year ahead. I know you will both work hard alongside your principal, Mrs Ronnie Hill, to ensure today's effort is tomorrow's success.

Friday concluded with an invitation from Montville State School principal, Ms Mary Hynes, to attend the opening of their new school facilities. A big thank you to year 7 student Neeve Netherwood for meeting me at the school gate and conducting me on a personal and very professional tour of the school. It was yet again inspiring to see new leaders rise to new challenges. School captains Mitchell Duggan and Anja Christoffersen had only been in the job for a week when asked to emcee this auspicious occasion with senators, members of parliament and many old boys and old girls in the audience.

I often hear laments that younger generations do not meet the high expectations set by those who have preceded them. I can assure members and the constituents of Glass House that if these leaders are representative of their generation then our future, our communities, businesses and government will be in very safe and capable hands.

Stafford Meals on Wheels

Hon. SJ HINCHLIFFE (Stafford—ALP) (Minister for Infrastructure and Planning) (9.18 pm): I recently had the privilege of joining Stafford Meals on Wheels and its team of dedicated volunteers to celebrate their 30th anniversary. Since Stafford Meals on Wheels delivered its first 20 meals on 4 February 1980 from its original kitchen at the Brothers Rugby League Club at Corbett Park, The Grange, it has collectively delivered more than 700,000 meals. I have seen firsthand the work of the 100 or so volunteers at the Stafford kitchen, a facility which was built at Keong Park in 1986—volunteers like Jack Pool, who has dedicated more than 10 years to the organisation. Jack is keeping community service alive on the north side with his selfless contribution to the community for which he deserves to be commended.

There are many integral people who keep this service going and I would like to mention a few who joined the celebrations. I congratulate committee secretary Marilyn Dickson and committee member Mary McDonald for their commitment to this important community service; Bill Hartman who has been a volunteer for more than 10 years; and the manager of operations, Gayle Young. I would also like to make special mention of Tom Ellis, who turned 90 recently and is still delivering four meals a week—a truly remarkable effort. Whether they help out every day, one day a month or, like me, once a year, it all makes a difference. We as a community owe every volunteer a great deal of thanks for continually going above and beyond.

An ever-innovative service, in the past 18 months the kitchen has also delivered 540 meals to young mums with postnatal depression and has assisted Nundah Meals on Wheels with more than 25,000 meals. Students from Everton Park State High also regularly volunteer at the kitchen. This provides a tremendous opportunity for the students and community alike.

Stafford Meals on Wheels has welcomed volunteers with a disability from Crossroads at West Chermide who want to give back to the community. In a pioneering program, about three times a month Stafford Meals on Wheels and Crossroads volunteers deliver meals to local elderly residents, with the support of a carer and a volunteer bus driver. The community spirit does not stop there, either. This not-for-profit organisation is also assisted by volunteers from a number of local businesses including Quest Newspapers, Results Fitness Centre, Harcourts Real Estate and the latest business to come on board, Stafford Bunnings.

Stafford Meals on Wheels is more than a service that delivers a meal. The volunteers are there every day and often they are the only contact many clients have on a daily basis. They deliver meals with a helping of compassion and seasoned with community spirit. I congratulate all volunteers, past and present, who have played a role in the success of Stafford Meals on Wheels.

Glassing

Mr DICKSON (Buderim—LNP) (9.20 pm): All too often we have read front-page news stories with headlines such as 'Coast man tells of club terror: "I thought I was going to die"'. The stories are about young people being the victims of vicious and senseless glassing attacks. Those were the headlines I saw recently in my local daily paper. The paper referred to a 21-year-old man who lives in my electorate, Jesse Palu. Jesse is very lucky to be alive. He suffered horrendous injuries when he was attacked with a broken beer bottle at a Brisbane nightclub. Jesse underwent four hours of surgery to repair his wounds. His doctors told him that the wounds were so deep the glass could easily have penetrated his lungs or heart. Fortunately, Jesse is a body builder with very strong chest muscles. Someone less well built might not have been so lucky.

The frightening part about this attack is that Jesse was just doing what young people like to do. He was having a good night out with his sister and his mates. He accidentally bumped into a group of men on the dance floor. In response, he was punched and hit over the head with a beer bottle so hard that it broke. The resulting injuries inflicted included deep cuts to his chest and stomach. The nightclub where this attack happened is apparently one of those identified as 'high risk' and targeted by the government for a glass ban. Understandably, Jesse is in favour of replacing glass with plastic. Sadly, he is only one of many young people who will carry the scars of a glassing for the rest of their lives, but at least he is still alive to talk about it.

As a society, we cannot continue to tolerate this violence. We need to ask why it is that so many young people in particular are behaving in this way. To react to an accidental bump or the spilling of a drink by smashing a bottle over another person's head is totally unacceptable. Drunkenness is not an excuse. There is no excuse for inflicting injuries like these on another person. Banning glass in high-risk venues is a good first step in ensuring that injuries like Jesse's are avoided. However, it does not address the underlying issue of what is causing such a level of violence. This is not happening just in nightclubs and it affects people across all walks of life. Recently two sons of a former MP were also victims of a vicious attack.

I do not pretend to have the answers to this problem. As a father of two sons in their 20s, I look at Jesse Palu and realise that something like this could just as easily happen to my children. It is a frightening thought for any parent that one's son or daughter could head off for a night out and end up the victim of a vicious assault. This is not the sort of society I want, and I am sure all members of this parliament would agree with me. We need to do everything we can to find ways of stopping this violence before more people like Jesse are hurt, injured or killed.

Sherwood-Graceville District Neighbourhood Plan

Mrs ATTWOOD (Mount Ommaney—ALP) (9.23 pm): In a debate in parliament last week regarding the SEQ plan, I spoke about the council's neighbourhood planning process. Tonight I am pleased that there is now some relief for residents of Corinda. In last week's *South-West News* on page 5 the headline was 'Residents alter plan'. The article stated that community feedback has prompted Brisbane City Council to make significant amendments to the draft Sherwood-Graceville District Neighbourhood Plan. According to the committee chairwoman, Amanda Cooper, the new plan reduced the development footprint for the Corinda Centre Precinct so that the area of concern would remain low-medium residential, instead of the planned five-storey development.

During the last sitting week I advised the House that the Brisbane City Council had chosen this area to make up the population targets in the South East Queensland Regional Plan. This recent backdown by the BCC proves that it is the role of local councils to make planning decisions in the neighbourhood planning process and that they are able to take the community's views into consideration.

Contrary to Brisbane City Council's repeated claims to residents that higher density plans for Corinda were forced on it by the state government, an article in the *Satellite* newspaper last week titled 'Council trims plan for Corinda' states that people power has convinced Brisbane City Council to scale back the contentious draft Sherwood-Graceville District Neighbourhood Plan. I note that the BCC has also stated that the draft plan would be made available for public submissions midyear. I look forward to seeing the new draft Sherwood-Graceville neighbourhood plan later this year. I will be strongly encouraging my constituents to have their say and to tell council what they would like to see in the future for their local area.

I was pleased to have the opportunity to listen to and work with local residents and to lobby officers in the Brisbane City Council and the Lord Mayor about their concerns about five-storey developments next door to tin and timber houses in Corinda. I also wrote to local residents requesting that they make their views known to the Brisbane City Council and the Lord Mayor, who have the ability to make decisions on the neighbourhood plan. Last year I organised an information session for locals to gain an understanding about the broadscale guidance of the South East Queensland Regional Plan and how it sits in relation to local neighbourhood planning.

The Bligh government is reforming and simplifying planning laws to try to make it easier for Queenslanders to understand the planning system and become involved in planning for the future of their local neighbourhoods. Therefore, I was disappointed with the BCC's approach of blaming the state government for decisions it made on a local planning level. It is great to see that the council has realised that the tin and timber homes of Corinda need protection. These types of residential properties are an important part of the defining character of our region and are integral in upholding the unique characteristics of Queensland, past and present.

I believe that public transport developments such as TODs around railway stations should be further investigated along the Ipswich line. These developments focus on making use of existing public transport systems.

(Time expired)

Redlands Electorate, Roads

Mr DOWLING (Redlands—LNP) (9.26 pm): Tonight I rise to advise the House that children are being put at risk because Labor's main roads department is being blocked by Labor's Department of Environment and Resource Management, DERM. The two departments are quite literally playing Russian roulette with the lives of students from Faith Lutheran College at Victoria Point, Carmel College at Thornlands, and the new Bay View State School in Thornlands. In total, more than 1,000 students' lives are put at risk every day as they travel to and from school, because of a few trees. That is what is holding up the intersection upgrades at Beveridge Road, Dinwoodie Road and Ziegenfusz Road in the Redlands electorate.

There are also sporting clubs whose members do not count for much under this current government strategy. The Redlands Netball Association, the Pinklands junior rugby league club, the Yarrara art club, the pony club, the bridge club and the country music association have members whose lives are being put at risk. Most of those clubs have in excess of 100 members. In actual fact, the netball club has north of 1,000 young members, and its courts are used every single day by schools and on the weekends by various sporting associations. However, they do not count for a great deal. Trees come first.

My constituents are telling me that they think Labor has lost the plot. Main Roads needs to step up and deliver the works program. DERM has had the applications before it for months but is trying to work out its offset strategy. It is just going nowhere. Surprise, surprise! Trees are going to have to be removed from a road corridor to deliver road infrastructure. My community is fed up because they feel Labor has failed them in delivery. I am sure that Main Roads is fed up because DERM is holding it up. Certainly the council is fed up, because it wants to proceed with the intersection work. These works have been designed, they have been approved, the tenders have been approved and the funding has been arranged. Faith Lutheran College has contributed hundreds of thousands of dollars towards the project. The tender has been let. However, because of DERM's inaction and its delaying, the tenders have now lapsed. They have gone beyond their currency.

DERM has cost Queensland at least another six months and has lost the cost of a new tender process. It continues to jeopardise the lives of students in my area. It has also failed on Magnolia Parade, Creekwood Street, Anita Street, Double Jump Road, Boundary Street and Giles Road. Under this government, dual-lane roadworks that should have been completed 10 years ago are still 10 years away. All of the intersections are dangerous, they are all dysfunctional and they put lives at risk because Labor has failed to deliver.

(Time expired)

Burma-Thailand Railway

Mrs SMITH (Burleigh—ALP) (9.29 pm): Sitting in a Burleigh Heads park in 32 degree heat with 95 per cent humidity is nothing compared to the conditions endured by Australian servicemen working on the Burma-Thailand Railway during World War II. On 15 February this year, the 68th anniversary of the fall of Singapore, I attended, with former prisoners of war, a moving ceremony and dedication of a plaque listing the names of all 43 doctors and six dentists who worked selflessly to alleviate the suffering of prisoners of war who were forced to work on the notorious Burma-Thailand Railway.

To build the railway the Japanese assembled a multinational workforce of approximately 250,000 Asian labourers and over 60,000 Australian, British, Dutch and American prisoners of war. The 415-kilometre line, linking the Thai and Burmese railway systems, was constructed simultaneously from both ends. Construction began in June 1942 and was finally completed in October 1943—only 16 months later.

Initially imprisoned in the Changi prisoner of war camp, prisoners were divided into forces and then sent out to the railway. Of the 9,500 Australians sent as slave labour to work on the railway, 2,646 would never return. They died as a result of starvation, diseases, tropical ulcers and ill-treatment. That number would have been significantly higher were it not for the dedicated work of the doctors who worked in appalling conditions with little or no medicine and a meagre quantity of surgical instruments.

Dr Peter Hendry, one of the 43 doctors to have tended to POWs in the work camps, was the guest speaker at the Burleigh ceremony. At 94 years of age, he is one of only three doctors of the original 43 who are still alive. Dr Hendry spoke passionately about his fellow servicemen. He related stories of unimaginable hardship and great gallantry. Dr Hendry, whilst acknowledging the work of 'Weary' Dunlop, recounted extraordinary tales of heroism from his fellow medicos. These courageous and dedicated doctors will always hold a place of honour in the memory of all those to whom they ministered during those dark days.

I acknowledge, with a great deal of respect, those former POWs who were present at the Burleigh Heads ceremony—Norm Anderton MBE, Mervyn Cox, Jim Curson, Norm Hutley, Gordon Jamieson, Noel Jensen, John Miller, George Munro, Harry Nesbitt, Gerald Rosenberg and Ted Whitmore.

The Gold Coast and District Branch of the Queensland ex-POW Association held its final meeting at the end of last year. The years are catching up with its members and it was decided to formally close the branch rather than let it just fade away. Their motto 'We honour our dead by caring for our living' is a testament to their courage and endurance.

Tiwi Pearl Plan; Bay View State School; Bayside Domestic Violence Initiative; One Punch Can Kill Funding

Dr ROBINSON (Cleveland—LNP) (9.32 pm): I rise to address four issues in my electorate that are of concern. The first is the *Tiwi Pearl* plan. The government's *Tiwi Pearl* plan for Moreton Bay is only a peewee step in the right direction of compensation for recreational fishers for loss of fishing grounds in Moreton Bay. The opposition welcomes the news that the artificial reef program for Moreton Bay will finally begin after 14 months of nonaction by the Bligh government. The minister's claim that the *Tiwi Pearl* will be a 'major extension' of the Henry Atkinson reef, however, is a farce. A 24-metre boat hardly rates as a major extension to any reef. If the other five reefs are to be peewee reefs too, then the government has severely downsized its election promise and clearly does not care about recreational fishers. The government needs to do better.

The second issue I want to address is the Bay View State School crossing. The state government's decision to build and then remove a pedestrian crossing at the newly opened Bay View State School is endangering children's lives and defies logic. In what could only be described as another bungle, the new Bay View State School in Thornlands was supplied with a world-class pedestrian crossing as part of the school's safety plan. Then, without explanation to the public, it was suddenly removed. What is left is an unsupervised remnant of a crossing that children are still using but with the added danger of having a false sense of security about the crossing. I ask the transport minister to immediately reinstate the school crossing to ensure the safety of the children.

The third issue I want to address is the Bayside Domestic Violence Initiative. Honourable members may recall that on several occasions I have spoken in the House on the subject of domestic violence against women. The BDVI provides court support at the Cleveland and Wynnum courts, among other useful services, to women who have suffered domestic violence. When the BDVI was about to fold last year due to lack of government funding, I raised the matter in the House. Gratefully, a small emergency grant was made available that helped the BDVI survive. But they now face permanent closure in June this year unless the government takes them seriously. The government needs to act soon with further funding so that we do not lose this service.

The fourth issue I want to address is the One Punch Can Kill funding. Tonight I received leave to attend the Matthew Stanley Foundation's DVD launch. The Stanley family live in my electorate. It was heart wrenching to listen once again to Paul describe how his son was killed through an act of youth violence. Matthew's death touched my family deeply, as it did for many other parents of teenagers. I commend the Easts Leagues Club in Coorparoo for its generosity in funding the DVD production. Matthew's death highlights the fact that one punch can kill. I ask the government to move swiftly to clarify what is happening with the on-and-off funding for the One Punch Can Kill. The government said that it was renewing the funding, then said it was not and then said it was with \$500,000, but no-one has seen the funding yet. I call on the government to make the funds it promised available immediately to help combat youth violence.

Hope Island, Road Project

Ms CROFT (Broadwater—ALP) (9.35 pm): I am pleased to report to the House on the completion of a roads project that I have worked on with the community and the department of main roads for some years. The Bligh government's \$166 million Hope Island road duplication project from the Pacific Motorway through to Columbus Drive is nearing completion. Recently I was joined by Bonny Babes child-care director, Bonny Fraser, as we officially switched on the new signalised intersection lights at Crescent and Broadwater avenues. The completion of this major signalised intersection represents an achievement for the many parents and staff at the child-care centre and local residents who raised with me their concerns about the difficulty motorists had in safely accessing Crescent Avenue off the increasingly busy Broadwater Avenue.

This project forms one section of the duplication of the Hope Island road project. These road projects have been a major Gold Coast infrastructure commitment that has protected an average of 325 direct and indirect jobs over the life of its project. This vital project was prioritised under the South East Queensland Infrastructure Plan and Program and is essential to improving traffic capacity and safety, as well as catering for the traffic growth over the next 20 years. I am pleased and feel somewhat satisfied that I have been able to work for the community to see this major project through from start to finish, over a time span of nearly nine years.

Roadworks can be disruptive and the construction of this project caused much inconvenience to many residents and concern to local motorists and businesses. I would like to thank the community for their patience and support during this project. I thank the Main Roads staff and contractors for the communication extended to the motorists and local businesses and for the work they have undertaken on this road, which carries nearly 22,000 vehicles a day. The Bligh government is committed to improving road safety, easing congestion and creating jobs. The delivery of this Hope Island road project for the people of the northern Gold Coast demonstrates this commitment.

Gladstone Electorate, Mental Health Workers

Mrs CUNNINGHAM (Gladstone—Ind) (9.37 pm): On Monday this week I accompanied a parent to Mental Health to seek answers for her son's continued health care. Jordan has autism—he is 15 years old—and after a crisis of anxiety and fear was referred to Mental Health. He responded to his mental health worker, and his parents and the worker saw quite an improvement in both his attitudes and his behaviours. Sadly, this mental health worker has taken ill herself and will be off work for some time. We certainly wish her a speedy and complete recovery.

We were advised that her entire patient list of 25 patients was phoned and told that their care would cease—no alternative care, just no service. It is these incidents that are not only regrettable but unacceptable in a growing electorate like Gladstone. The mother initially was given no direction and little help, and she called me because she wanted to know basic things like: how will he get scripts? He had a specialist appointment; will that continue? He had an occupational therapist appointment; will that continue? The answer to all the questions except the one about the scripts was no, it will not continue. He may go on a list for the specialist but then he would need to see another mental health worker before that happened. He will not see the occupational therapist because his mental health worker is not there to guide him through the system. She did receive a reluctant agreement to raise Jordan's situation at the next team meeting—otherwise no help unless he reaches crisis. This mum was understandably gutted. But what of the other 24 clients? Gladstone Mental Health desperately needs an additional child mental health worker, a qualified worker, not only to cover this worker's extended and necessary leave but also to provide services to this community.

A consultant psychologist visits once a week for six appointments only. That is all the time he has. A registrar attends once a fortnight, and I was advised Rockhampton Mental Health, through which Gladstone is administered, is recruiting a doctor to assist the specialist doctor more. At the meeting a mental health leader said, 'Because of a lack of resources we only look at crisis situations.' That is so discouraging for a parent with a child or young adult who they saw improvement in but who is regressing.

Because of this crisis management requirement, many children who make progress quickly regress and return to quite dark experiences. I would ask the Minister for Health to fund at least one additional clinical position at Gladstone to give parents already facing significant challenges in the mental health area or dealing with other disabilities that move over into the mental health area hope for the future and hope for their children.

'Ride for Isabel' Cycling Event

Mr PITT (Mulgrave—ALP) (9.40 pm): Every year in Australia more than 58,000 couples experience reproductive loss including around 1,750 stillbirths. As members of the House are aware, a little over two years ago my wife, Kerry, and I were devastated when our daughter Isabel was stillborn at 41 weeks. Sadly, tragedies like ours affect families across Queensland each and every day. Bereaved parents often find the need to talk to someone who has had an experience similar to their own. Stillbirth and Neonatal Death Support (Queensland) is a not-for-profit organisation that offers 24-hour support services via telephone and email as well as regular support meetings.

My wife and I were very well supported during what was a traumatic time for us. We vowed to do whatever we could to increase awareness of this little understood and even less talked about issue. We wanted to give something back. On Saturday, 13 March the inaugural 'Ride for Isabel' cycling event will take place. The 85-kilometre bike ride between Flying Fish Point—just south of Innisfail—and Woree in the southern suburbs of Cairns is to honour the memory of our daughter and to raise funds for SANDS (Queensland). The ride also coincides with the start of Bike Week, the major celebration of cycling in Queensland.

There is already strong interest from the community in joining this ride. Far North Queensland has one of the highest rates of cycling in the nation—three times higher than that of Brisbane. In the Cairns region there are more than 2,500 cyclists connected to cycling organisations and clubs alone, not counting the many who simply ride their bike as part of a recreation program or to school. The inaugural 'Ride for Isabel' will see riders of varying age and experience participating. This is typical of the cyclists that we see on our roads every day. It is too easy to suggest that all cyclists are the same or ride for the same reasons.

Importantly, bike events like this go a long way to challenging people's attitudes towards cyclists and showcase the highly organised and vibrant cycling community in our region. While I am riding next month, I will also get a firsthand look at the conditions cyclists face on our roads from one end of the electorate of Mulgrave to the other. I have already stated that the Wright's Creek Bridge needs to be upgraded as a matter of urgency for the safety of all road users, particularly cyclists, and no doubt I will become aware of other danger spots over the course of the day.

Investing in cycling is an important investment in healthy, sustainable, livable communities, and the Principal Cycle Network Plan announced in December last year set out this vision for Far North Queensland. The Aeroglen to Cairns CBD route has already secured joint local and state funding, and I look forward to this being replicated in the fast-growing southern corridor of Cairns and out to Gordonvale. I hope people will dig deep and support the 'Ride for Isabel'. It is a cause that is near and dear to my heart, and I cannot think of a better way to launch Bike Week in our region.

The House adjourned at 9.43 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, Messenger, Mickel, Miller, Moorhead, Mulherin, 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