



# RECORD OF PROCEEDINGS

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## WEDNESDAY, 23 MARCH 2011

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The Legislative Assembly met at 9.30 am.

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



### SPEAKER'S STATEMENT

#### Answers to Questions on Notice; Ministerial Responses to Petitions

**Mr SPEAKER:** Are there any matters of privilege?

**Honourable members** interjected.

**Mr SPEAKER:** I have a feeling it is going to be one of those days. Honourable members, I wish to advise that, due to the intervening Easter period and the Anzac Day public holidays, answers to questions on notice asked today, 23 March, and tomorrow, 24 March, are required to be supplied to the Table Office by Wednesday, 27 April 2011. Additionally, ministerial responses to any petitions tabled today and tomorrow are also required to be supplied to the Table Office by 5 pm on 27 April 2011.



### APPOINTMENTS

#### Opposition

**Mr SEENEY** (Callide—LNP) (Leader of the Opposition) (9.33 am): Mr Speaker—  
**Government members** interjected.

**Mr SEENEY:** I can tell the government is delighted.

**Government members** interjected.

**Mr SPEAKER:** Just wait. Those on my right will cease interjecting.

**Mr SEENEY:** How long have I got, Mr Speaker?

**A government member:** Not very long.

**Mr SEENEY:** It will not take long. Bring it on. See if you are game.

**Mr Lucas:** You want an early election?

**Mr SEENEY:** Any time at all.

**Mr SPEAKER:** The Leader of the Opposition, I would ask you to come to the appointments. Those on my right—

**Mr Fraser** interjected.

**Mr SPEAKER:** Order! The honourable the Treasurer. Those on my right will cease interjecting. The Leader of the Opposition has the call.

**Mr SEENEY:** I know that the House will be delighted to hear that yesterday I was elected as Leader of the Opposition. I can tell that the government is delighted. Might I say, it is good to be back. I inform the House that the member for Clayfield, Mr Tim Nicholls, was elected as Deputy Leader of the Opposition. I also advise the House that the member for Gympie has been elected as Leader of Opposition Business.

**Government members** interjected.

**Mr SEENEY:** Bring it on. We look forward to it. Bring it on.

**Mr SPEAKER:** Order! If that is how we are behaving with appointments, imagine how we will go at question time.

### PETITION

The Clerk presented the following e-petition, sponsored by the Clerk of the Parliament in accordance with Standing Order 119(4)—

#### Tin Can Bay, Hospital

23 petitioners, requesting the House to provide funding for the establishment of a public community hospital in Tin Can Bay to service the Cooloola Coast region and its many visitors [\[4143\]](#).

Petition received.

## TABLED PAPER

### MINISTERIAL PAPER TABLED BY THE CLERK


The following ministerial paper was tabled by the Clerk—

Minister for Environment and Resource Management (Ms Jones)—

[4144](#) Report on the administration of the Environmental Protection Act 1994—Annual Report 2009-10

## MINISTERIAL STATEMENTS

### Operation Queenslander

 **Hon. AM Blich** (South Brisbane—ALP) (Premier and Minister for Reconstruction) (9.35 am): As we all know, Queensland has weathered a terrible beating from the worst natural disasters in our history. As Minister for Reconstruction, I believe that rebuilding Queensland after those disasters must be the No. 1 priority of our government. Since settlement, Queenslanders have tackled our sometimes unforgiving environment with energy and industry, and this time will be no different. In February, this parliament passed legislation to establish the Queensland Reconstruction Authority and that authority has been working hard with state, Commonwealth and local government agencies, industry and other stakeholders to plan, prioritise and get Queensland's reconstruction moving. Today, we reach an important milestone in our reconstruction efforts with the release of the state reconstruction plan, which will be known as Operation Queenslander. I table that plan.

*Tabled paper:* Queensland Reconstruction Authority: Operation Queenslander—The State Community, Economic and Environmental Recovery and Reconstruction Plan 2011-2013 [[4145](#)].

Operation Queenslander outlines our campaign to rebuild our state. This plan has been developed by the authority led by Major General Mick Slater and his team. It lays out the structure, framework and guiding principles of our response. It has been the subject of widespread consultation with the local government authorities that have been affected. Operation Queenslander lays out not the two years for the authority's work but the three years to December 2013, recognising that some of the major projects might still be occurring after the authority ceases to exist, but which will become part of the responsibility of the relevant agency at that time.

Operation Queenslander outlines the recovery in three phases. Phase 1 ends in June this year and includes the establishment of the authority itself and the transition from immediate post-disaster response to short-term recovery operations. Phase 2 then runs from June this year through to December 2012 and will see the deliberate, methodical reconstruction and enhancement of all flood and cyclone affected communities right across Queensland. Phase 3 will run from December 2012 through to the end of 2013 and will see the progressive handover of reconstruction responsibilities to the usual agencies, such as the state government and local councils.

The reconstruction will mean rebuilding billions of dollars worth of buildings and infrastructure. However, Operation Queenslander makes it clear that the needs of Queenslanders and the personal hardships associated with the disasters will be central to the authority's efforts. We know that during the next two years we must rebuild lives as well as rebuild buildings. The Queensland Reconstruction Authority has identified six lines of reconstruction that I will briefly touch on now for the benefit of the House. The first line, which is central to the mission, is human and social. This means things like restoring local health, social, education and community services and providing counselling and specialised mental health services in those disaster affected areas.

The second line is the economy. We must rapidly restore a competitive and sustainable Queensland economy. Our plan outlines a number of tasks to achieve this, including a major buy Queensland campaign. The third is our environment. These disasters have taken a huge toll on our natural environment, and issues such as contaminated land and the rehabilitation of reserves, parks, waterways and wildlife will be managed with this line of reconstruction.

The fourth line is building recovery. Our reconstruction will be carried out with efficiency to create a more resilient built environment and offer value for money to taxpayers and provide jobs to local companies as far as possible. The fifth one is the roads and transport line of reconstruction. We must repair our infrastructure and make it more cyclone and flood resistant in the future. It is our roads and transport areas that link our communities, and this will see our freight routes up and running and our export chain restored.

The final one is a community liaison and communication line of reconstruction. As we reconstruct our state, we will need to undertake a major series of consultations with affected communities and communicate with communities every step of the way about what is happening in their area and what it means for them, their families and their neighbourhoods. Each of these areas of activity will be pursued by reconstruction subcommittees made up of experts from the community, from local government, from industry and from state and federal government agencies.

The Operation Queensland document will be followed by a number of implementation and local plans. It is a high-level document that will be complemented by local plans that are specific to the areas that have been affected. While we map the way ahead, let us not forget that rebuilding has already commenced in many towns and cities. Already, thousands of kilometres of roads have reopened and next week the reopening of the Toowoomba to Brisbane rail line will take place. To that effect, I can also table for the House today the first Queensland Reconstruction Authority Operation Queensland monthly progress report for March 2011.

*Tabled paper:* Queensland Reconstruction Authority: Monthly Report, March 2011 [\[4146\]](#).

Under the Queensland Reconstruction Authority Act, this parliament charged the authority with the responsibility of providing monthly reports to me as Minister for Reconstruction and making those reports publicly available online. Today's inaugural report sets the benchmark against which we will measure progress. It gives Queenslanders a simple, readable overview of the reconstruction progress that has occurred to date. Today's report records officially that the construction cost is expected to reach the \$5.8 billion mark, and that as a result of the natural disasters Treasury's growth estimates have been revised down for the 2010-11 year.

Interestingly, more than 60,000 claims have been paid by the state government to Queensland families and individuals, totalling some \$60 million of assistance. More significantly, assistance claims to the federal government have now seen 630,000 Queenslanders make claims. This has seen \$725 million worth of personal assistance given to individuals and families who have been affected—that is almost three-quarters of a billion dollars in assistance to families and individuals whose lives have in some way been disturbed by these events.

The report records that we have paid 2,151 grants to small businesses totalling more than \$10 million worth of support, and primary producers to date have received just over 1,600 grants totalling some \$8.1 million. It is early days in the applications for those grants. I do expect them to grow and I will be reporting regularly on them. The first monthly report notes that, as a result of Cyclone Yasi and the floods, 377 schools and education facilities across Queensland were affected. As of today, 375 of those are now fully operational at their schools. The two that remain—Milpera State High School and Rocklea State School—are due to reopen back at their home schools in July this year.

We have seen 9,170 kilometres of state controlled roads affected by these disasters, damaging many of our connecting roads. That represents 27 per cent of the state road network, so almost a third of our road network was damaged by these disasters. As of this report, I can confirm that 41 per cent of that network is fully recovered. This is what we have achieved in less than three months. Of the 20 ports in Queensland, 11 of them were affected by the cyclone or the flooding. As at 3 March, 10 of those had returned to full operation, while the port of Bundaberg is operating but below full capacity.

Among Queensland's coalmines, a total of 54 were affected and production shut down either partially or totally because of these events. We now have 49 of those returned to full or partial production. Three are producing coal but are unable to transport it because of damage to their rail lines or other parts of the transport system, and two are not in operation or only producing small tonnages. It was a remarkable effort to get the mining industry back on its feet.

A clear indication of the level of environmental damage the state has suffered comes from the fact that 142 of our 279 national parks were closed in part or fully because of damage; 104 of those remain closed or partially closed because of that damage. We are starting to make real progress on restoring our national parks but more progress needs to be made.


These reports will be delivered on a monthly basis. As the reconstruction gathers pace, we will see included in these monthly reports information about homes being rebuilt and government buildings being restored. The first monthly report does not specify details about private dwellings or a number of government buildings—state, federal and local—because that work, particularly in the domestic residential area, is still being finalised as insurance assessments and other assessments are made of people's homes. We anticipate that being a very important part of future reports.

Both of these documents are available today on the Queensland Reconstruction Authority's website and I urge members, particularly those in affected areas, to have a look. I give full praise to those workers out there in local government authorities and state government agencies, like the Department of Environment and Resource Management, the Department of Transport and Main Roads and the Department of Communities. Every one of these agencies, along with their local—

**Mr Cripps:** Local councils did a good job too.

**Ms BLIGH:** I take the interjection. I have already recognised them. I am sorry you were not paying more attention, but you are a little preoccupied. I do take the interjection because the member for Hinchinbrook is right. None of this could have been achieved if we had not seen local governments and workers in local councils working side by side with Main Roads workers, community development workers, our Department of Communities workers and Centrelink workers. It is that level of cooperation that has seen us make so much progress on the recovery in just the first three months, and we intend to keep that pace up.

### Natural Disasters, Recovery Assistance

 **Hon. AM BLIGH** (South Brisbane—ALP) (Premier and Minister for Reconstruction) (9.47 am): I am pleased to advise the House that the Queensland Reconstruction Authority is making funds available for rebuilding as soon as possible. Today, I can advise the House that 18 disaster impacted councils are about to share in an immediate allocation of \$220 million in advanced funds to begin their works. This has happened with extreme efficiency. The state's disaster impacted councils were asked to supply the Reconstruction Authority with a list of their damaged assets and subsequently signed a funding agreement last Friday. Just five days later, we are releasing stage 1 of this natural disaster relief funding.

Under a process that has been used for the very first time in Queensland, or in fact with any natural disaster around Australia, we are accelerating the flow of reconstruction dollars back into impacted communities and providing them as an advance. This process is in keeping with the Treasurer's midyear review commitment to have \$400 million out the door and into our affected communities by the end of the financial year. In the past, these payments have been made to councils retrospectively after the work had been completed. This meant that councils carried the debt in relation to those funds on their books for sometimes more than one or two financial years. Given that some of these disasters are not only the largest in our history but have affected some of our smallest councils which have very small budgets, we believed that that was an unnecessarily onerous burden and we have changed the processes to ensure we can get it out the door and on to their books as quickly as we can.

One of the authority's first tasks when it was established was to approach councils and seek their initial submissions, remembering this authority has only been fully operational for a matter of weeks and councils have been doing a great deal of work to quantify the task ahead of them. We have done this and the initial analysis of eligibility has been undertaken. Understandably some councils will take longer to quantify their task and to prioritise that task. I make no criticism of those councils that are not at stage 1. In fact, I would like to reassure all councils that this is just stage 1.


We all need to understand that some councils will take longer because the task is different and more of a burden on some than on others. The authority is aware that some councils are still experiencing flooding, for example, and that has impacted on their ability to make submissions.

The authority will be working closely with all councils, including those that need assistance to finalise their claims, to ensure that funds are distributed as soon as possible and that no-one will be overlooked or disadvantaged. These funds today are a good start. More than 80 per cent of that money will be for road reconstructions.

The stage 1 funding includes funding to the Blackall-Tambo regional council, Brisbane city, the Burdekin shire, the Cassowary Coast, the Etheridge shire, the Fraser Coast, Goondiwindi, Gympie, the Lockyer Valley, Mackay, Moreton Bay, North Burnett, Somerset, South Burnett, Tablelands, Torres shire, Townsville city and the Whitsunday Regional Council.

Under the NDRR arrangements between the states and the Commonwealth, the federal government will meet 75 per cent of the costs to those councils. Our priority in 2011 and beyond is rebuilding Queensland and rebuilding Queensland stronger, bigger and better. These stage 1 dollars are an important first step in that direction.

### Drink-Safe Precincts; Supreme and District Courts Complex

 **Hon. PT LUCAS** (Lytton—ALP) (Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State) (9.51 am): I should note that I am wearing an Ipswich City Council tie today. As local government minister, I am more than happy to promote our local governments throughout Queensland. Any tie that I am supplied with I will wear. I would even wear a Brisbane City Council one but I do not know who the mayor is.

**Opposition members** interjected.

**Mr LUCAS:** With an Ipswich City Council one it will be \$50,000 worth of \$4 pens.

As Queenslanders we enjoy a vibrant and exciting nightlife. Unfortunately, a very small element of our community ruins it for others by engaging in violent or antisocial behaviour. I am not talking about the LNP in Cairns at the Greek restaurant. We should all be able to enjoy a night out in a safe environment.


The Bligh government is committed to nurturing safe communities so in 2009 we called for a parliamentary inquiry into alcohol related violence. In late 2010 the parliamentary Law, Justice and Safety Committee delivered a number of recommendations for improving community safety. One of the key recommendations was the establishment of drink-safe precincts. The committee felt these precincts would provide a safe place for people to unwind and enjoy the night-life on offer.

We supported this recommendation and committed \$4.2 million to set up a two-year trial. Drink-safe precincts are here to improve community safety, so it is important we give the community an opportunity to provide feedback. We want to know what people think about these precincts and any ideas they may have for further improvements to these areas. I am inviting everyone to go online and have their say about the progress of drink-safe precinct trials in Townsville, Surfers Paradise and Fortitude Valley. I would encourage young people in particular to respond because they are the ones who mainly patronise these precincts and they are the ones who mainly work in them.

The survey at the website [www.qld.gov.au](http://www.qld.gov.au) asks patrons about their experience in these precincts, perceptions of safety, attitudes and experiences of violence in these areas as well as their opinions on public amenities and the provision of public transport. The information gathered will help us continue to improve safety in drink-safe precincts so people can safely enjoy our vibrant night-life.

As the House would be well aware, Queensland has just experienced one of its most extreme and devastating wet seasons in living memory. Flooding and continued heavy rain in Brisbane has had a very significant effect on our building industry, including work on the Brisbane Supreme Court and District Court project. Originally the contractor was targeting a completion date of late 2011. I am now advised that that has been revised to mid-2012. These delays will have no impact on the project's budget. Once complete, the Brisbane Supreme Court and District Court building will be the largest court complex in the country and, with the Brisbane Magistrates Court, will create a legal precinct for the city CBD that is unique in Australia.

### Airport Link

 **Hon. AP FRASER** (Mount Coot-tha—ALP) (Treasurer and Minister for State Development and Trade) (9.54 am): Today I can report to the House that with some 15 months of construction to go, Australia's largest infrastructure project, Airport Link, has hit the \$3 billion mark in construction spending. BrisConnections, the builders and operators of the infrastructure, has reported this milestone to the ASX this morning. In the last month, we have seen two massive milestones achieved—completion of both the airport flyover and the fast diamond intersection—transforming motorists' approach to the Brisbane Airport. The flyover was completed nine months early, under budget and today carries up to 3,600 vehicles per hour, saving motorists up to 10 minutes on a trip to the airport, and is free to use.

Obviously the construction of this project has presented significant challenges, particularly to the local residents. I thank residents for their patience throughout the construction process and advise that BrisConnections has confirmed that the project remains on schedule for completion by mid next year.

Airport Link and the Northern Busway has been a job magnet for the north side of Brisbane. Nearly 4,000 construction workers are now employed on the projects, including the busway and the new airport flyover. In fact, more than 14,000 direct and indirect jobs are being supported by the Airport Link project.


While the tunnel boring machines are still digging the tunnels from Wooloowin to Lutwyche, the tunnels from Bowen Hills to Lutwyche are now being fitted out with their ventilation and lighting systems. Since construction began in November 2008, 15 million hours have been worked, more than 10 kilometres of tunnelling has been completed, more than 90 per cent of spoil has now been excavated and the first two of 12 new bridges at Bowen Hills are open. As I said the airport flyover and fast diamond intersection are already open to traffic.

As a critical component of South-East Queensland's roads network, there is no doubting the future benefits Airport Link will bring to the people of Brisbane. It will slash travel times by allowing motorists to bypass up to 18 sets of traffic lights between the CBD and the Brisbane Airport and Australia Trade Coast precinct. It will provide six new traffic lanes between Bowen Hills and Kedron and four new lanes between Kedron and Toombul. It will unclog congestion in Brisbane's inner north, reduce rat-running through our suburban streets and divert traffic onto our major arterials.

This project only exists because of this government's commitment to delivering congestion busting infrastructure. In recent years we have seen the completion of the second Gateway Bridge, the Sir Leo Hielscher Bridges, the Tugun Bypass, and the Darra to Richlands and the Robina to Varsity rail lines. Other projects, such as the Eastern Busway and the Northern Busway are under construction.

We remain fundamentally committed to infrastructure delivery in this state. We have stuck to our guns, shown the leadership, shown the mettle, the capacity to deliver and the courage to stick with it and back ourselves in. We are keeping Queenslanders in jobs, keeping our economy moving, building the infrastructure for tomorrow—just like we said we would.

## Queensland Household Energy Survey

 **Hon. S ROBERTSON** (Stretton—ALP) (Minister for Energy and Water Utilities) (9.57 am): The government owned energy companies Ergon Energy, Energex and Powerlink have recently completed the second edition of the Queensland Household Energy Survey. Around 3,500 homeowners were interviewed to obtain a snapshot of their household electricity use and energy-saving attitudes and awareness. Findings of the survey include 75 per cent of all Queenslanders believe it is important to reduce their energy consumption; homeowners are embracing energy efficient light bulbs, water efficient shower heads and home insulation at a greater rate than ever before; an increasing number of homeowners now regularly switch off appliances at the wall rather than leave them on standby which consumes energy; and a growing number of Queenslanders now understand the importance of buying energy efficient appliances and having them hard-wired into the best available electricity tariff.

Queenslanders have become increasingly energy hungry. Our energy use in recent years has been rising at more than double population growth. The Queensland Household Energy Survey found that three out of every four Queensland homes now have air conditioning. There are around 1.6 million domestic air-conditioning systems in South-East Queensland—a figure that has grown by more than 150,000 in the past 12 months alone. Air conditioning and the wider use of other energy intensive equipment like big screen TVs, gaming devices and computers, puts an enormous load on peak electricity demand.

To help ease this demand, the government has launched a number of energy-saving initiatives and education programs. These include the ClimateSmart Home Service in which the government has invested \$120 million over four years. The inspection is \$450 in value but costs each householder \$50. It can result in savings of up to \$325 on average annual electricity costs. There is also the \$60 million Solar Hot Water Rebate Program that has so far encouraged more than 14,000 homeowners to make the switch from inefficient electrical hot water systems to clean green cheaper solar. Solar photovoltaic installations, which can help reduce electricity costs, have risen from fewer than 1,000 on South-East Queensland home roofs three years ago to more than 50,000 households at the end of February.

The government is doing everything it can to help households meet the rising costs of living. I encourage Queenslanders to take part in future household energy surveys to help us track changes and trends in energy use across the state.

## Ports Infrastructure


 **Hon. CA WALLACE** (Thuringowa—ALP) (Minister for Main Roads, Fisheries and Marine Infrastructure) (9.59 am): Australia has always relied heavily on its port network to export natural resources and receive imports from all corners of the globe. Queensland has world-class ports infrastructure and we are, indeed, the world's largest exporter of seaborne coal. However, we need to continue to increase our export capacity and build new infrastructure to stay ahead of the game. This government is focused on reconstruction and we are getting on with the job, looking into opportunities for the future.

I am pleased to advise the House that the \$110 million Townsville Marine Precinct is on target for completion by the end of the year. Despite the largest cyclone to strike the coast since 1918 and wet weather, we are on target. Dredging of the harbour basin and approaches will be completed later this month, three weeks ahead of schedule. Piling for the Townsville Ross River marina trawler wharf, Rosshaven straddle carrier and the common use facility wharf has commenced and will be completed in June this year. Facilities for the precinct for Rosshaven Marine and Pacific Marine Group are on target for completion by July. That is important because it aids in the boat repair and marine construction industries in North Queensland.

I was recently out on the water in my local patch of Townsville inspecting the damage to navigation aids in the shipping channel from the recent cyclone. Waves were estimated to be between eight and 10 metres in height. Maritime Safety Queensland is focused on rebuilding after Cyclone Yasi, with temporary solutions in place to ensure the port remains open and safe. The replacement of the aids is a state-wide priority, with plans to reinstate critical aids at an estimated cost of \$2.2 million.

We are looking forward to the future with all our ports—with Gladstone Ports Corporation recently announcing a dredging project that will see Gladstone become one of the world's major LNG exporters. This government will listen to the people of regional Queensland. We will continue to fight for infrastructure to keep Queensland communities moving and connected well into the future.

## Yarrabah, Social Housing


 **Hon. KL STRUTHERS** (Algera—ALP) (Minister for Community Services and Housing and Minister for Women) (10.01 am): I am pleased to report some good news from one of our Aboriginal communities. During a visit to Yarrabah last Wednesday with my colleague and the local member, Curtis

Pitt, we were able to put the finishing touches to agreements with the council and the mayor, Percy Neal, on new housing. This year we are keen to build 21 new homes and 10 extensions and upgrades. This is on top of the 12 homes that have just been completed on Yarrabah with state government money. The new housing is a significant investment by both the state and federal governments in both housing and economic activity in Yarrabah.

The Bligh government has funded additional housing upgrades in Yarrabah worth \$1.9 million to 21 other homes, including the very popular plug-in extensions on homes. The houses and infrastructure will be sequenced and built over a four-year period, maximising the possible training and local employment opportunities. I have encouraged the mayor and his councillors to give women a go in the construction industry in Yarrabah. I have offered the support of our very popular Women in Hard Hats program. This kind of cohesive planning will produce long-term employment and economic opportunities for the Yarrabah community.

There is more good news for other communities across Queensland. The Bligh government has engaged in housing building programs in our remote Indigenous communities, which will see significant building and economic activity to help reduce the disadvantage in those communities. We have committed to build 62 houses in 2010-11 in places like Aurukun, Doomadgee, Woorabinda and Hopevale. A decent home is the right of every Queenslanders and we are proud to say that the Bligh government, working in collaboration with our federal government, has taken up the challenge of improving the houses and lives of Indigenous Queenslanders with the rollout of a 10-year program. We are committed to closing the gap, particularly in Indigenous health. Good health begins in a good home.

### Teacher Education Centres of Excellence

 **Hon. CR DICK** (Greenslopes—ALP) (Minister for Education and Industrial Relations) (10.03 am): The Bligh government is building for the future of Queensland by investing in our No. 1 asset—our children. Our education reform program is ensuring that Queensland children can access world-class education. The Masters review of primary school education highlighted the strong connection between teacher training and student outcomes. Teacher education centres of excellence are one part of our investment in high-quality teacher training.


Last October, the Bligh government announced the first centre based at Kelvin Grove State College. This centre will specialise in early childhood education. Then last week, I was joined by member for Morayfield, Mark Ryan, who I know is a passionate advocate for education in his electorate, at Morayfield East State School to announce the locations of the remaining four centres of excellence. These centres will improve and enhance the skills of pre-service teachers by immersing them in a supportive, specialised learning environment and ensuring they are equipped for the real world of teaching. Each centre of excellence will focus on a cluster of schools and provide intensive training in a specialised area. The Morayfield cluster, centred around Morayfield East State School, will prepare teachers for working in schools in low socioeconomic areas.

In Townsville, the Mount Stuart cluster, led by William Ross State High School, will focus on the unique requirements of Indigenous students and their communities. A special needs cluster will be led by Aspley Special School, and a partnership between Benowa State School and Benowa State High School will concentrate on maths and science teaching.

This is a landmark investment in Queensland's teachers and students by a government with a proven track record of delivering better education and a brighter outcome for our students. Everywhere I go in Queensland—and I have visited more than 30 schools since becoming education minister—I have met excellent, outstanding teachers. These centres of excellence will help Queensland teachers raise the bar and go to the next level.

Up to 300 high-performing, pre-service teachers will have the opportunity to participate in these specialist programs each year. These centres of excellence are the 'top guns' of teacher training: they will make the best of the best even better. That is a fantastic outcome for Queensland students.

### Natural Disasters Jobs and Skills Package

 **Hon. SJ HINCHLIFFE** (Stafford—ALP) (Minister for Employment, Skills and Mining) (10.06 am): Every day since the natural disasters hit Queensland this government has been working to repair the damage and help people rebuild their lives. One way we are doing this is through our joint \$83 million jobs and skills package with the federal government. A key plank in the initiative is the use of the Green Army to provide employment and training opportunities for Queenslanders. Through the Green Army initiative, people who have been disengaged from work have been given a chance to carry out jobs that give them hands-on experience. For instance, I have seen firsthand participants involved in weed eradication and land restoration projects at the Wyaralong Dam. Participants such as these have an opportunity to develop valuable skills while being in work full time and being paid.


Under the jobs and skills package, 16 projects worth \$6.38 million have already been approved, creating some 351 jobs for Queenslanders in flood affected communities. Projects are currently underway in Toowoomba, Rockhampton, Ipswich, Gympie, the Sunshine Coast hinterland, Mundubbera, Murgon, Bundaberg, Cherbourg and Brisbane. More projects will be rolled out as we work towards our target of employing 2,400 Queenslanders through the Green Army initiative. The work already being done is varied and includes restoration of local community facilities and national parks as well as restoration of beaches, riverbanks and foreshores.

The members for Ipswich and Ipswich West will be pleased to hear that the Ipswich City Council has been approved for a \$3 million grant to employ 160 Green Army workers. The troop will receive valuable experience as they work through the council's Health, Parks and Recreation Department to help the Ipswich community rebuild.

Another key aspect of this is the deployment of jobs and skills development officers. Skills Queensland is coordinating this very important aspect of the package and has written to some 13 councils such as Cassowary Coast, Banana, Toowoomba, Western Downs, Lockyer Valley, Brisbane, Ipswich and others which have been identified as priority regions. Local departmental staff will work with councils to process the applications as quickly as possible. Once employed, the officers will work closely with local councils to provide job opportunities for Queenslanders.

This is what we are about: providing jobs and job opportunities for Queenslanders. This is something the government has promised to do and we are about delivering it. We have the strong and stable leadership to deliver for Queenslanders. We have a leader in this House who is prepared to deliver for Queensland.


### Drink-Safe Precincts

 **Hon. NS ROBERTS** (Nudgee—ALP) (Minister for Police, Corrective Services and Emergency Services) (10.08 am): The Bligh government strongly supports the rights of people to enjoy public places safely and responsibly. Alcohol fuelled antisocial behaviour is completely unacceptable and will not be tolerated. That is why in response to the parliamentary committee's inquiry into alcohol related violence the government implemented a trial of drink-safe precincts in Townsville, Fortitude Valley and Surfers Paradise. The trial areas feature an enhanced policing presence at peak times as well as improved support and transport services for patrons. The government has also introduced banning orders to give the courts the power to keep troublemakers out of entertainment areas. A formal evaluation of the first three months of the drink-safe precincts is currently underway. However, I am pleased to update the House on progress to date. Anecdotal evidence provided by the Queensland Police Service is that officers on the beat are reporting improved patron behaviour in drink-safe precincts. An increase in the number of highly visible police rostered on in these precincts is acting as a deterrent to would-be troublemakers. The increase in police officers is also enabling enhanced proactive engagement with revellers earlier in the evening, further encouraging patrons to do the right thing.

Police have also demonstrated that they are willing to use the new banning orders to exclude those who engage in alcohol fuelled antisocial behaviour. Six banning orders have been issued to date within the drink-safe precincts, with a further 24 applications before the courts. Of the 30 applications made to date, 20 relate to behaviour in the Surfers Paradise drink-safe precinct, eight in Townsville and two in Fortitude Valley. Police in areas outside the drink-safe precincts are also able to apply the special release conditions under the Bail Act and make application for banning orders under the Penalties and Sentences Act. There have been nine police applications for banning orders made outside the drink-safe precincts in Queensland, with two of these applications resulting in banning orders being issued by the courts and seven awaiting finalisation by the court. There have been a further 15 banning orders made by the courts where no police application was made.

Last week a 21-year-old male was charged and convicted of breaching a banning order after entering the Surfers Paradise drink-safe precinct. It was the first charge of its kind since the precincts were established and sends a clear message that banning orders will be proactively enforced by the Police Service. The message is clear: anyone who thinks they can drink to excess and engage in antisocial behaviour will face the consequences.

### Nurse Practitioners

 **Hon. GJ WILSON** (Ferny Grove—ALP) (Minister for Health) (10.11 am): Nurses are the backbone of our healthcare system. They are the front line in introducing best practice and smarter ways of delivering health services to Queenslanders, and nursing as a profession is continuing to move from strength to strength. Our nurse practitioners are now recognised as highly experienced independent clinicians with specialist skills and qualifications. A nurse practitioner is a specially trained nurse who can do some of the work that used to be done only by doctors. After completing a masters level qualification, nurse practitioners can order diagnostics like X-rays, prescribe some medications and issue referrals to other health professionals. Of course, they work closely in association and collaboration with the medical specialists.

There are currently 145 nurse practitioners working in Queensland, with 81 working in Queensland Health. The introduction of the nurse practitioner role to the Queensland Health system has led to a positive improvement in service delivery. Across our busiest emergency departments nurse practitioners help to streamline the care of semiurgent and non-urgent patients, improving the patient journey and experience, reducing delays and increasing patient access to service, and relieving the pressure on vital specialist medical services.


I am pleased to advise that the Bligh government is on track in delivering our election commitment to invest \$7.8 million over three years to train and recruit 30 nurse practitioners into the busiest emergency departments across Queensland by 2012. Some 22 of the 30 have already been recruited to work across Queensland emergency departments in Logan, Redlands, Redcliffe, Ipswich, Cairns, QEII, Gold Coast, Robina, Nambour and Townsville. The Redland Hospital emergency department was among the first to introduce emergency nurse practitioners in Queensland in 2007. Already this, combined with a purpose-built area within the Redlands emergency department, has led to a significant increase in service efficiency, meaning more patients are being seen and treated sooner.

As well as more nurse practitioners on the front line, the Bligh government is committed to training the nurse practitioners of the future, investing \$160,000 per year in scholarships to enable registered nurses to qualify as nurse practitioners. Nine scholarships were awarded to experienced ED registered nurses in 2010 and 15 have been awarded this year. It is expected that they will be working as nurse practitioners within the next 12 to 18 months. Nurse practitioners are also playing an important role in all states across the country. However, I am proud to say that as a result of the Bligh government's commitments to delivering more nurse practitioners Queensland has the fastest growth rate in the number of nurse practitioners working on the front line. What is more, as at 31 January this year nurse practitioners in Queensland now have the authority to prescribe medication, enhancing their capacity to provide greater health care to more Queenslanders.

Following the federal government's introduction of PBS prescribing for nurse practitioners and eligible midwives last year, Queensland nurse practitioners and midwives now prescribe the medication their patients need. This is significant for not only nurse practitioners but also midwives, with Queensland mums now able to reap the benefits of greater choice in maternity care. The Bligh government is committed to providing Queensland women with more choice in maternity care while maintaining our strong record of safe, high-quality maternity services. The government is investing \$42 million over three years to provide Queensland mums with greater access to ante and postnatal care and allowing the opportunity for more women to give birth closer to home.

Underpinning the Bligh government's commitment to maternity is midwife-led models of care, including continuity of care models. We know Queensland mums want greater access to continuity of care delivered by midwives they know and trust, and I am pleased to advise that Queensland Health is working to achieve the target of 10 per cent of all births in Queensland public hospitals under a continuity of care model by 2013. As part of this, pregnant women across the state are now developing meaningful and supportive relationships with the same midwife or small group of midwives throughout their pregnancy, birth and postnatal period. Thinking outside the square and providing innovative new ways to deliver nursing and midwifery care to Queenslanders is what the Bligh government is committed to delivering, and we are doing this. We will continue looking for smarter ways to deliver health services through the leadership and innovation of the Centre for Healthcare Improvement.

### Murray-Darling Basin

 **Hon. KJ JONES** (Ashgrove—ALP) (Minister for Environment and Resource Management) (10.16 am): The Queensland government is committed to seeing the future of the Murray-Darling Basin secured. Decades of research has concluded that the Murray-Darling Basin environment is under substantial stress, and there have been some very sobering examples. The plight of the lower lakes, dieback in iconic wetlands and salinity are some of the most visible threats to face the basin in recent times. It is patently clear that more water is needed to restore the basin to health, and a healthy basin is an important legacy for us to leave for future generations. Unless we restore the Murray-Darling, the social and economic future of the Murray-Darling Basin communities is not secure.


Despite our conviction to see reform in the basin, the Queensland government has strong concerns about the Murray-Darling Basin Authority's draft proposals, and after talking to mayors, irrigators and other key stakeholders from the Queensland Murray-Darling Basin I know firsthand their concerns. I welcome the Commonwealth government's commitment to improving consultation in the basin through the establishment of an inquiry into the impacts of the Murray-Darling Basin plan in regional Australia and I am very pleased to inform the House that I appeared before the parliamentary inquiry last week to stand up for Queensland. I made it very clear to the chair, Tony Windsor, that Queensland Murray-Darling Basin communities like Goondiwindi and St George are almost entirely reliant on irrigated agriculture. For the sake of these communities there should be a focus on improving environmental flows through investment in irrigation efficiency. There is no doubt that water buybacks do have an important role to play in reform, but it is also important that communities and other businesses are considered.

I also detailed to the inquiry Queensland's concerns about how the Murray-Darling Basin Authority has consulted with basin communities to date. Queensland has a strong history of water planning in the basin. For this reason, it is important that the need for change is articulated and the science is clearly communicated. I welcome Minister Tony Burke's appointment of Craig Knowles as the new chair of the Murray-Darling Basin Authority. Later today I will be meeting with Mr Knowles and I am encouraged that he is prepared to take a fresh approach and meet with me personally to hear our concerns here in Queensland.

I will introduce Mr Knowles to the Queensland government's Murray Darling Basin Strategic Consultative Committee so he can hear firsthand from Queensland, from irrigators, about our concerns here in Queensland.

As I said, this group includes representatives from local government, natural resource management groups, irrigators and the environmental sector. There has been decades of talk, but I am committed to reform. The Murray-Darling Basin's natural systems cannot stand up to stress indefinitely and I am committed to standing up for Murray-Darling Basin communities here in Queensland.

### Building Rural Communities Fund


 **Hon. TS MULHERIN** (Mackay—ALP) (Minister for Agriculture, Food and Regional Economies) (10.19 am): I want to take this opportunity to remind rural communities across Queensland that the second round of the \$2 million Building Rural Communities Fund is about to close. I urge eligible organisations to get their applications in before round 2 closes on 31 March. The first round was very successful, with 55 organisations sharing in more than \$465,000 for a range of projects to boost rural communities.

Under the program, eligible rural organisations can apply for up to \$10,000 each in funding to implement projects that improve the economic, social, environmental and cultural capacity of their communities. I would like to especially call on rural communities recovering from the devastating natural disasters to apply for this funding, which will provide them with the resources they need to create a more sustainable and economically prosperous future during this crucial recovery period.

Successful applicants from round 1 recently announced included the Cassowary Coast Regional Council for Connecting the Cassowary Coast, a project to develop plans and identify community transport needs and improve access across the region; Tablelands Cycle Sports at Atherton for the Skilling Local Trail Builders project; the Full Throttle Theatre Co. in Townsville for the development of the Artback project; and the Mount Isa Fish Stocking Group for its website project.

At a time when communities are recovering from devastating natural disasters, the Queensland government's Building Rural Communities Fund provides rural and regional communities with crucial community-building funding to assist with recovery. The \$2 million Building Rural Communities Fund is an excellent Bligh government initiative for the development of rural communities.

### Compulsory Third-Party Insurance


 **Hon. RG NOLAN** (Ipswich—ALP) (Minister for Finance and the Arts) (10.21 am): The Bligh government is committed to keeping compulsory third-party insurance affordable for Queensland motorists. We know that every dollar counts. The reforms we commenced in October 2010 have led to reduced CTP costs and greater competition on price between insurers. For the 1 April 2011 quarter, two of Queensland's six insurers have filed their premiums below the ceiling for class 1 vehicles: one at \$6 below the ceiling, a \$307 premium; and another at \$5 below the ceiling, a \$308 premium. This price competition was achieved through the banning of commission payments or other inducements from licensed insurers to intermediaries like motor dealers. By banning these kickbacks, savings are in the order of \$20 per class 1 car and station wagon. On top of this, the removal of the HIH surcharge resulted in a total saving of \$24 per class 1 vehicle.

Our government reformed CTP to encourage competition and to push down prices. Those reforms are working. From 1 April 2011, owners of class 1 vehicles—that is, regular family cars—who are willing to take advantage of this competition by shopping around can now save up to \$30 per premium. That is a real saving for Queensland motorists. While there is a lot of genuine concern about the cost of living, CTP, like many household goods, is actually coming down. CTP insurance in Queensland today is considerably lower than it was in 2003. It is now at \$307 versus \$357 eight years ago.

Savings are not only available for class 1 vehicles, with owners of class 4 hire vehicles, class 6 trucks and class 17 primary production vehicles also benefiting from competition between insurers. These classes together make up 90 per cent of Queensland's registered vehicles. It is clear that the government's reforms have delivered lower CTP premiums and prompted insurers to sharpen their pencils, resulting in Queensland having the second lowest CTP in the country.

Queensland's scheme today provides more affordable premiums to motorists but, importantly, it continues to provide fair compensation and support for people injured in car accidents through the fault of others. Through these reforms the Bligh government is committed to ensuring that the Queensland CTP scheme continues to meet the needs of injured people while maintaining balanced and affordable premiums for motorists.

### Natural Disasters, Rail Infrastructure


 **Hon. A PALASZCZUK** (Inala—ALP) (Minister for Transport and Multicultural Affairs) (10.24 am): Last week I visited Spring Bluff and saw firsthand the amount of damage throughout the Toowoomba Range area. The western railway system, which is vital for freight and passenger customers, was hit hard during the floods and damage to the line is extensive. Repair works of this scale would usually take at least six months to complete. However, crews have been working around the clock to reopen the line as soon as possible. The expected date for reopening the western rail line has been brought forward twice and it is now expected to be fully operational by 28 March.

It was unbelievable to see the destruction endured in the Toowoomba area. The historical King's Bridge, a 140-year-old heritage listed structure, was completely knocked down. Work has already started to rebuild the bridge, bigger and better. I am told that repairing such a bridge would usually take anywhere from 18 months to two years to complete, but this bridge will be finished by the end of this month. The historical Spring Bluff Railway Station was another sight, with wash-outs and landslips underneath the rail line of about a 25-metre drop. The amount of work needed to restore the line is massive. We have had around 150 Queensland Rail employees working onsite to rebuild tracks and structures.

Each week about 100 trains carrying nearly 200,000 tonnes of freight travel from South-West Queensland over the Toowoomba Range to primary industry processors, the Port of Brisbane and other markets. The reopening of the western and south-western lines will reconnect vital trains carrying coal, grain, livestock and general freight to and from towns all the way out to Quilpie and Dirranbandi. The Westlander passenger service, which travels from Brisbane to Charleville, will recommence services in mid-April.

Queensland Rail crews and local contractors have put in an extraordinary effort to work as quickly and safely as possible, which will see the reopening date brought forward once again. I thank all Queensland Rail staff who have worked so hard repairing the damage and getting our vital freight and transport infrastructure back up and running.

### Child Safety

 **Hon. PG REEVES** (Mansfield—ALP) (Minister for Child Safety and Minister for Sport) (10.26 am): The Bligh government is getting on with the job of rebuilding Queensland while at the same time continuing to deliver services for our most vulnerable children and young people. We are committed to providing safe, stable and supportive homes to help children and young people at risk of abuse or neglect. Our first priority is to deliver services that will help more families stay together, but where that is not possible we will provide out-of-home care options.


Since December, I have recommitted more than \$40 million over three years to provide safe places for vulnerable children and young people. This is part of our commitment of more than \$500 million over three years to deliver more safe places for children who need it the most. This funding will assist our valued non-government partners to recruit, train and support foster carers; provide intensive family support to families in need; and provide safe homes for young people in need. In fact, this funding is about Queenslanders helping Queenslanders.

This funding is already making a difference to the lives of children in care across Queensland—like in Cairns, where \$2.6 million will be further committed to Wuchopperen to provide foster and kinship care services for Indigenous children and young people and to deliver a family intervention service to provide practical support services to families of children and young people living in care or in the family home; or Ipswich, where more than \$2.2 million over the next three years has been recommitted to Lifestyle Solutions to provide residential accommodation for young people aged 12 to 17 with complex support needs.

This latest round of funding is part of our commitment to work with our community partners, including more than 4,000 foster and kinship carers, to achieve safer and brighter futures for Queensland's most vulnerable children and young people. Our NGOs and carers are the backbone of the child protection system. They help ensure that neglected children and young people receive necessities such as food, shelter, education and opportunities for the future. We value their tremendous efforts and we know that, thanks to the commissioner's survey, 98 per cent of children and young people feel safe in their placement. Child protection is a top priority for the Bligh government. This funding will assist in providing more safe places for vulnerable children and young people all around Queensland. This is about Queenslanders helping Queenslanders.

## PERSONAL EXPLANATION

### *Courier-Mail* Article, Funeral Industry

 **Mrs SULLIVAN** (Pumicestone—ALP) (10.29 am): On 9 March I issued a press release in my name as the chair of the Queensland parliament's Environment and Resources Committee. The press release referred to the current inquiry the committee is conducting into aspects of the funeral industry—a serious and very sensitive matter. I table a copy of the press release.

*Tabled paper:* Media release, dated 9 March 2011, titled 'Parliamentary Environment Committee to look at the environmental impacts of burials and cremations' [\[4147\]](#).

It was brought to my attention that the story was published online by the *Courier-Mail*. I table a copy of the article.

*Tabled paper:* Copy of an article, dated 9 March 2011, from the *Courier-Mail* titled 'Labor MP Carryn Sullivan calls for environmentally friendly burials and cremations' [\[4148\]](#).

The online story included information not included in the press release but gave the impression that that information had indeed been sourced from the committee. In particular, the last paragraph, which was not information provided by the committee, has been the cause of a great many negative and threatening comments from online readers, much of them directed at me. I table a copy of these comments.

*Tabled paper:* Copy of blog comments on the *Courier-Mail* article, dated 9 March 2011, titled 'Labor MP Carryn Sullivan calls for environmentally friendly burials and cremations' [\[4149\]](#).


This has caused members of the committee, and particularly me, a great deal of anxiety and distress, and the police have been made aware of the physical threats. I have written to the *Courier-Mail* editor-in-chief and I table a copy of the letter.

*Tabled paper:* Letter, dated 17 March 2011, from Mrs Carryn Sullivan MP to Mr David Fagan, Editor in Chief, the *Courier-Mail* regarding an article in the *Courier-Mail* on the inquiry by the Environment and Resources Committee [\[4150\]](#).

In it I ask him to correct the record by publishing the press release in full, making it clear that the portion of the story that offended its readers was information taken from another source, and close down the blogs from the online story that advocate physical violence.

## PUBLIC ACCOUNTS AND PUBLIC WORKS COMMITTEE

### Report

 **Mr WENDT** (Ipswich West—ALP) (10.30 am): I lay upon the table of the House report No.8 of the Public Accounts and Public Works Committee titled *Review of Auditor-General's reports—January 2010 to December 2010*.


*Tabled paper:* Public Accounts and Public Works Committee: Report No. 8—Review of Auditor-General's Reports—January 2010 to December 2010 [\[4151\]](#).

One of the statutory functions of the Public Accounts and Public Works Committee is to consider the annual and other reports of the Auditor-General. The Auditor-General tabled 13 Auditor-General's reports plus the QAO's annual report during 2010. These reports provided an extensive body of work for the committee to examine, covering a range of agencies, issues and topics. This report details the findings of the committee's review of those Auditor-General's reports.

I would like to thank the Auditor-General and the staff of QAO for the provision of such informative and constructive reports. I would also like to thank all of those individuals and organisations who took the time to provide information to, and who met with, the committee during the course its reviews. Finally, I would like to thank the other members of the committee and, in particular, the research team for their valuable contribution and continued support. I commend the report to the House.

## NOTICES OF MOTION

### Water Entities

 **Mr BLEIJIE** (Kawana—LNP) (10.31 am): I give notice that I shall move—

That this House notes the anger and concern in the South-East Queensland community that has been caused by the operation of AllConnex, Queensland Urban Utilities and Unitywater and calls on the Bligh Labor government to take urgent action to address the genuine concerns of Queensland householders about the operations of these retail water entities.

### Town of 1770 and Agnes Water



**Mr MESSENGER** (Burnett—Ind) (10.32 am): I give notice that I will move—

That this House notes that:

There are Seven Reasons to visit the Beaches of 1770 and Agnes Water.

- 1) Birth place of Queensland
- 2) No crocodiles
- 3) No box jelly
- 4) The sharks aren't that hungry
- 5) You can surf and swim all year round
- 6) There's better diving at the bottom of the Great Barrier Reef
- 7) It's Queensland's best kept secret.

And calls on all members of this chamber to support their local tourism operators who are struggling to survive after the natural disasters and commit to a holiday at the townships of 1770 / Agnes Waters or their favourite Queensland regional or rural tourism destination this year.

### Poker Machine Revenue



**Mr McLINDON** (Beaudesert—TQP) (10.32 am): I give notice that I shall move—

That this House notes the small percentage of pokie revenue which is distributed unevenly across Queensland through the gambling benefit grants and calls on the government to:

1. Establish a community benefit board in each of Queensland's 89 state electorates to be chaired by the state member—

**Mr Lucas:** The Logan council slush fund—here we come again.

**Mr McLINDON:** Listen. This is called a policy. You might learn something—

and consist of a local and federal member and eight members elected from not-for-profit organisations within that electorate.

2. Direct 50 per cent of pokie revenue to be evenly distributed annually to each of the 89 community benefit boards.
3. Process all gambling benefit grant applications and direct to each of the community benefit boards for determination by those local boards on a quarterly basis.

**Mr SPEAKER:** Leader of the House, you have several notices of motion. Which one did you want to debate?

**Ms SPENCE:** The House will debate the member for Kawana's motion, Mr Speaker.

### SPEAKER'S STATEMENT

#### School Group Tours

**Mr SPEAKER:** Visiting the House today are students and teachers from the Talara Primary College in the electorate of Kawana, students from the Metropolitan South Institute of TAFE in Loganlea in the electorate of Waterford and Gold Coast TAFE students.

### QUESTIONS WITHOUT NOTICE

**Mr SPEAKER:** Question time will end at 11.33 am.

#### Bligh Labor Government



**Mr SEENEY** (10.33 am): My first question without notice is to the Premier.

**Mr Fraser:** Lucky she's here.

**Honourable members** interjected.

**Mr SPEAKER:** Order! I call the honourable the Leader of the Opposition.

**Mr SEENEY:** Thank you, Mr Speaker. My first question without notice is to the Premier. Can the Premier advise the House whether anyone has ever described her government as a 'can-do' government with a 'can-do' Premier?

**Government members** interjected.

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

**Mr Lawlor** interjected.

**Mr Robertson** interjected.

**Mr SPEAKER:** I warn the member for Southport and I warn the Minister for Water Utilities under standing order 253A. If there is a repeat when I am on my feet, I will send you out for the remainder of question time. The Premier was asked the question. The Premier is about to have the call. I would ask you to respect the dignity of the House. There is a fair bit of levity today; I know that. I am prepared to tolerate it. But I am not prepared to tolerate or have the authority of the chair undermined in any way. I call the honourable the Premier.

**Ms BLIGH:** Normally at this time on a parliamentary sitting day I would be thanking the Leader of the Opposition for his question. Of course, today I have no choice but to thank the 'interim' Leader of the Opposition because that is the new title, self-described by the member for Callide. Why is he describing himself as the 'interim' Leader of the Opposition? Because yesterday the Liberal National Party decided to tear up the rule book of the Westminster system of parliamentary democracy—

**Mr Seeney:** We've got you worried. You're a bit fragile.

**Mr SPEAKER:** Those on my left will cease interjecting. The Leader of the Opposition, you have asked the question. As I hear it, the honourable the Premier is answering it in the spirit in which it was asked. I call the honourable the Premier.

**Ms BLIGH:** Thank you, Mr Speaker. So what we now have on the other side of this chamber is six ex-leaders or deputy leaders, one of whom has now returned to be the interim leader. He is assisted by an assistant deputy interim leader and he has already told the people of Queensland that he is being directed by an unelected leader from outside of the parliament. We do not know yet whether the unelected leader has an unelected deputy leader who will assist him. This is leadership LNP style. You get two for the price of one: one who cannot do the job because he is not here and the other who says he will do it on his behalf. The member for Callide told the people of Queensland last night that there would be an election leader of the LNP and a parliamentary leader, and the parliamentary leader himself would be only here on an interim basis.

**Opposition members** interjected.

**Mr SPEAKER:** Order! Those on my left.

**Ms BLIGH:** What was the job for the member for Callide when he outlined it last night? 'I will do the hard yards in parliament on his behalf.' On behalf of an unelected—

**Mr Seeney:** Dead right. I'll be here every day.

**Mr SPEAKER:** Order!

**Ms BLIGH:** What the member for Callide has allowed happen is he has allowed the machinations of the Liberal National Party to render him an illegitimate leader of an illegitimate opposition. That is what we see happening here.

**Mr Seeney:** Is that the best you can do? I'm shattered!

**Mr SPEAKER:** Stop the clock. Again, I am prepared to tolerate a level of back and forth because it is clear that the new Leader of the Opposition is the source of it. It is just impossible at the moment to hear the honourable the Premier whom I have asked to speak. While I am tolerating a level of interjection, it is getting to the stage where I cannot hear the answer. I call the honourable the Premier.

**Ms BLIGH:** The member for Callide has now indicated that he will be nothing more than the vessel through which the will of Campbell Newman will pass. That is what he has been reduced to. That is what this opposition has been reduced to. What the opposition told the people of Queensland yesterday was that not one of them is up to the job of leadership. What they have not been able to—

**Mr Cripps** interjected.

**Mr SPEAKER:** The member for Hinchinbrook will cease interjecting.

**Ms BLIGH:** What we now know is that there are two leaders the Liberal National Party and they cannot decide, ultimately, which one would be Premier were they to win an election.

### **Bligh Labor Government**

**Mr SEENEY:** My second question without notice is also to the Premier. I refer to the statements that the Premier made in the past 24 hours about an election, which at least imply that, once again, she is considering breaking a promise she has given to the people of Queensland. I ask: can the Premier advise the House whether she places any importance at all on honesty and keeping her word to the people of Queensland?

**Ms BLIGH:** Well, when you have the member for Callide asking a question about honesty, you understand why they have to have a leader from outside the parliament. The one member—

**Honourable members** interjected.

**Mr SPEAKER:** Stop the clock. We will wait again.

**Ms BLIGH:** As I have outlined, we now have an opposition that has pronounced itself incapable of determining its own policies, pronounced itself incapable—

**Mr SEENEY:** I rise to a point of order. Under the standing orders, the Premier must address the question. The question was: does she place any importance at all on keeping her word? A simple yes or no would be good.

**Honourable members** interjected.

**Mr SPEAKER:** Order! I will rule on the point of order. The Premier was asked a question. As I understood it, the Premier is getting into the preamble. As I look at the clock, she has barely started. I call the honourable the Premier.

**Ms BLIGH:** As I said, we now have an opposition that has pronounced itself incapable of developing its own policy, incapable of determining its own direction and incapable of outlining a plan or a vision for the people of Queensland so they have had to outsource it. They have had to call in a consultant from outside the parliament to contract the core reason for them being in here.

**Mr Seeney** interjected.

**Mr SPEAKER:** Order! The Leader of the Opposition, you have asked the question. The Premier is answering the question. I call the Premier.

**Ms BLIGH:** This morning we saw the interim Leader of the Opposition stand in his place and challenge the government to call an early election. He called on us to 'bring it on'. Now, half an hour later, he is calling on us to call it off. Again, we see an opposition—

**Opposition members** interjected.

**Ms BLIGH:** Ahead of us we have a massive task to rebuild Queensland. We need a rock-solid foundation from which to rebuild our state. Yesterday parliamentary democracy in Queensland was rendered a national joke by the Liberal National parties. It is no recipe for stability, it is no recipe for accountability and it is not a solid foundation. Yesterday the Lord Mayor of Brisbane declared that he was not going to work on rebuilding in 2011; he was going to campaign for himself. As we work, the Lord Mayor seeks to campaign. Anybody who knows anything about the communities that have been devastated will understand the amount of work we have ahead of us. Yesterday Campbell Newman told the people of Queensland that he has no interest in working in 2011. His interests lie with his own political interests. His interests lie in campaigning and not in working. We will work to rebuild Queensland, despite the antics of those opposite.

### Operation Queenslander

**Ms JOHNSTONE:** My question is to the Premier. Can the Premier outline some of the milestones laid out under the Operation Queenslander plan tabled today?

**Ms BLIGH:** I thank the member for the question and for her interest in the long-term rebuilding of Queensland. Operation Queenslander is underway. The rebuilding of our state is proceeding apace. Why? Because it has leadership—my leadership as reconstruction minister, the leadership of Major General Mick Slater and the leadership of the mayors of Queensland who care about rebuilding their communities. Some of the milestones include the reopening of critical infrastructure. This morning members heard me outline in detail some of the work that is happening. Forty-one per cent of our road network is up and operational in less than three months. That is a remarkable effort.

We will be measuring the production of a jobs and skills package to support community recovery, the retention of workers and helping to address long-term skills needs in affected communities. We will be looking to restore tourism visitation numbers to Queensland and we will be looking to get key industry sectors such as tourism, mining and agriculture back on their feet. We will be looking to provide housing solutions for all of those who were displaced through these circumstances.

Those are just some of the key milestones, but it gives one a sense of the size of the task ahead of us. What does that task require? That task requires someone who has what it takes to see it through, someone with the leadership to stay when the hard yards need to be done. What we are determined to do—

**Opposition members** interjected.

**Ms BLIGH:** You simply cannot undertake a reconstruction task of post-war proportions unless you have what it takes to see it through. Yesterday we saw the mayor of our capital city announce that he did not have what it takes to see it through, that he does not want to rebuild his city. I say this to the people of Queensland: we will never abandon you when you need someone to stick with the task.

**Mr Dickson** interjected.

**Mr SPEAKER:** The member for Buderim will cease interjecting.

**Mr Malone** interjected.

**Mr SPEAKER:** Order! The member for Mirani, I order you under standing order 253A(1). I just asked a member to cease interjecting and you came over the top of it. Accordingly, you are out of order.

**Ms BLIGH:** What we now have from the Liberal National parties is what they delivered to the people of Queensland in the 2006 election: two leaders unable to distinguish who would lead a government if they were elected. An election leader—

**Mr Nicholls** interjected.

**Mr SPEAKER:** Order! The member for Clayfield will cease interjecting. That is warning No. 1.

**Ms BLIGH:** We have a so-called election leader and a so-called interim parliamentary leader. How are the people of Queensland to know who would run the show were they to win an election without—

**Mr Seeney** interjected.

**Mr SPEAKER:** Leader of the Opposition, you have had a fair go today. You are now warned under standing order 253A(1). That is your first warning.

**Ms BLIGH:** He is back all right. The arrogance being displayed by those opposite is a contempt of the electorate. They take for granted the votes of the people of Ashgrove and they take for granted the votes of the people of Queensland. We will never take the Queensland electorate for granted. The arrogance is breathtaking.

### Queensland Economy

**Mr NICHOLLS:** My question is to the Treasurer. Under Labor Queenslanders are on the path to \$79 billion worth of debt—nearly \$16,000 for every man, woman and child. Can the Treasurer tell the House if he has any idea at all how to repay this massive debt or is he simply a ‘can’t-doer’?

**Government members** interjected.

**Mr SPEAKER:** Order! Those on my right will cease interjecting. The House will come to order.

**Mr FRASER:** I thank the Deputy Leader of the Opposition for his question and I congratulate him on his elevation to this interim high office. It is yet another rung on the social climb that the member for Clayfield has been on for so long—a desperate climb up so many rungs of the ladder. Today he has reached the giddy heights of being the deputy leader for a while, until an election is called.

Let me be really clear about the economic plan of this government, because we have laid it out in full. More to the point, after we laid it out in full, what did we do? We had the courage, the conviction and the ticker to carry it out. We put into this parliament a budget to reform the state’s balance sheet, to modernise it and to position it for the future. What have we done in the face of all adversity? We have stuck to our guns.

What has yesterday proven in this place? Yesterday has proven that if you do not stand for anything you fall over at the first puff of wind. That is why the member for Surfers Paradise is sitting up the back, because for two years in this place he promised a policy, he promised to put forward an idea, he promised an economic plan. Budget after budget, estimates committee after estimates committee, budget reply after budget reply, CEDA speech after CEDA speech, he promised a policy and what did he deliver? Nothing.

The first moment that the dial turns back, that the camera swings back, that the attention goes on the former Leader of the Opposition, what happens? The opposition is revealed for the house of cards it always was, revealed for the fraud on this parliament that it always was. What is the answer from those opposite? To engage in a bigger fraud—to traduce this parliament, to bring into this parliament a traducing of the democracy of Queensland.

Well might the people of Queensland now take a look at the finances of the City of Brisbane, because the ratings agencies had a little bit to say about the finances of the City of Brisbane. They pointed out that they were under a little bit of pressure. What was the Lord Mayor’s approach? What was the approach of the wannabe candidate for Ashgrove? He sacked the ratings agencies. Is that what he is going to do in this place?

**Opposition members** interjected.

**Ms Bligh:** They don't like it.

**Mr SPEAKER:** They may not like it but I cannot hear it. Those on my left, it is just now a cacophony of noise.

**Mr FRASER:** Just like the same old National Party 'Joh for PM' tactics: when someone brings you to account, what do you do? You traduce those holding you to account. Campbell Newman sacked Standard & Poor's as the reviewer of the City of Brisbane finances because he did not like what they said. Did he face up to the problem? No. Did he plunge the City of Brisbane further into debt? Yes, he did. Can he put the City of Brisbane sailing close to the wind of debt? Yes, he can. When it comes to traducing the City of Brisbane's finances, in the Lord Mayor of Brisbane you had someone who not only could do it but did do it.

### **Wandoan Coal Project**

**Mr SHINE:** My question is directed to the Premier. Can the Premier update the House on the Wandoan coal project and what this potentially means for jobs in Queensland?

**Ms BLIGH:** I thank the honourable member for his interest in the potential economic development in the great south-west and Toowoomba. The member knows that there are vast resources there that can be developed for the economic benefit and jobs of people in his region. Of course, we need to get that development right. We need to make sure we get the balance right between social impact, environmental impact and economic opportunity. To that end, I am pleased to advise the House that the federal government has granted conditional environmental approval to the Wandoan coal project in Wandoan. This is a joint venture project managed by Xstrata Coal. They expect a final investment decision later this year.

This is a \$6 billion project which has the potential to export 100 million tonnes of coal a year. Just a decade ago Queensland's entire coal industry was exporting 100 million tonnes, and now that will potentially be matched by just this one project when it is fully up and running. For the people of this region it means 1,300 jobs in the construction phase and 800 permanent jobs and potentially more when it is at the 100 million tonne mark.

What does this mean for our economy? We have a clear vision for Queensland, and that is for our state to have the strongest economy in the country by 2020, overtaking Western Australia. To do that we need private as well as public investment. This project is a vote of confidence in the Queensland economy. It is a vote of confidence in our government's economic settings. It is a vote of confidence in the strength and the foundations of our economy. It is a massive investment that will drive jobs and drive activity in every one of these regions, around Brisbane and in other areas.

These projects are not easy to get up and running and off the ground. What they need is a government that knows where it is taking the state. Who will decide the policy position on projects like this now that we have two leaders of the Liberal National Party? Will it be the election leader on the outside or will it be the interim parliamentary leader on the inside? How will this process work and when will we be told about the projects and the mining decisions that are so critical to our economy? This is just one example of a project that needs certainty and a project that needs to know not only where the government stands but also where the alternative government stands. The people involved will have to go through two doors to get the LNP's position on this project, as will the proponents of every other major idea.

**Mr Wallace:** And Bruce McIver.

**Ms BLIGH:** Exactly—three doors.

**Mr SEENEY:** Mr Speaker, I rise to a point of order. The Wandoan coal project is in my electorate. I supported it before the Premier even heard about it.

**Mr SPEAKER:** That is not a point of order.

**Government members** interjected.

**Mr SPEAKER:** Order! Those on my right will cease interjecting. The Premier has the call.

**Ms BLIGH:** We have got half the answer. We now need to know what the election leader says.

*(Time expired)*

### **Dangerous Prisoners (Sexual Offenders) Act, Orders**

**Mr BLEIJIE:** My question is to the Deputy Premier and Attorney-General.

**Government members** interjected.

**Mr SPEAKER:** Order! The honourable member for Kawana has the call. Those on my right will cease interjecting.

**Mr BLEIJIE:** My question is to the Deputy Premier and Attorney-General. Two years ago the former Attorney-General was able to tell the parliament how many Dangerous Prisoners (Sexual Offenders) Act orders were made each year. I refer to question on notice No. 39 of this year. Will the Deputy Premier explain to the parliament why he is now unable to answer the very same question? Is it the case that in his old role he could not pay our nurses and now he cannot even count the number of sex offenders being released into the community each year?

**Mr LUCAS:** I thank the honourable member for the question. I am very interested to note that the Dangerous Prisoners (Sexual Offenders) Act was legislation of this government, not legislation of the opposition, not legislation that took place in other states that was subject to challenge in the High Court. I will say this about prisoners as well: we have in fact almost a problem with the number of people in jail at the moment because our sentencing regime is as tough as it is. We have had a very significant reduction in the rate of crime under this government, yet at the same time—

**Mr Dempsey** interjected.

**Mr SPEAKER:** Order! The member for Bundaberg will cease—

**Mr Bleijie:** How many orders have been made each year?

**Mr Dick:** Zero for you.

**Mr SPEAKER:** Order! The Minister for Education will cease interjecting, the member for Bundaberg will cease interjecting and the member for Kawana will cease interjecting. You have asked your question and as I understand it the Deputy Premier is providing an answer.

**Mr LUCAS:** In relation to dangerous prisoners, sexual offenders, there was no supervision for them under the previous government—none, nil, zip. We also know that under this government there has never been an escape from secure custody. They were the revolving door—

**Mr Bleijie** interjected.

**Mr SPEAKER:** Order! Member for Kawana, I have asked you to cease interjecting. I now warn you for the first time under standing order 253A(1). You have asked your question. The Attorney-General is providing an answer so therefore under that standing order you are warned.

**Mr LUCAS:** We know that the only thing that exceeded the number of prisoners through the revolving door that existed under the previous conservative government in this state is the current number of leaders of the opposition and deputy leaders of the opposition they have had. I will say this about confidence in sentencing systems. There has never been a system as rigorous—

**Mrs Stuckey** interjected.

**Mr SPEAKER:** The member for Currumbin will cease interjecting.

**Mr LUCAS:** There has never been a system as rigorous as the current system in relation to the number of sex offenders. I expect my department to use appropriate reporting mechanisms in annual reports and the like in relation to this. I see that as an important part of accountability.

But I will say this when I make a number of observations in relation to the confidence of the public. There are 31 members of the opposition in this chamber and not one of them has the belief or confidence in themselves to lead the parliamentary party as the putative Premier from the opposition. The organisational wing of the LNP has faith in none of them. Those opposite have all signed up for a system where none of them have the faith in either themselves or in anyone else that they serve with to enter the next election as the potential Leader of the Opposition.

**Mr BLEIJIE:** I rise to a point of order, Mr Speaker. I seek your indulgence in terms of the standing orders in relation to relevance. I now table a copy—

**Government members** interjected.

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

**Mr BLEIJIE:** I now table a copy of answers given by both the former Attorney and the new Attorney where the new Attorney has not answered this question. Mr Speaker, I seek your indulgence to get him to answer the question asked.

*Tabled paper:* Answer to question on notice No. 265 of 2009 regarding Dangerous Prisoners (Sexual Offenders) Act orders [\[4152\]](#).

*Tabled paper:* Answer to question on notice No. 39 of 2011 regarding Dangerous Prisoners (Sexual Offenders) Act orders [\[4153\]](#).

**Mr SPEAKER:** There is no point of order.

**Ms Spence:** He is answering it. How would you know?

**Mr SPEAKER:** Order! The Leader of the House! The Deputy Premier is answering the question. I would ask you to come back to the substance of it and round off your answer.

**Mr LUCAS:** As I made it clear earlier, I expect my department to report on these figures. I am a great supporter of reporting these figures in annual reports. As I said before, we did not have an issue with dangerous prisoners under the previous government because it did not actually have any legislation on that.

**Opposition members** interjected.

**Mr SPEAKER:** Order! Those on my left will cease interjecting. I call the honourable member for Sandgate.

### Scams

**Ms DARLING:** My question is to the Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State. I refer to the minister's responsibility for fair trading matters, and I ask: can the minister inform the House of any scams Queenslanders should be aware of?

**Opposition members** interjected.

**Mr SPEAKER:** Those on my left, it is your question time. I will not call the Attorney-General until I have order in the House. I call the honourable Attorney-General and Deputy Premier.

**Mr LUCAS:** The Office of Fair Trading in Queensland is responsible for providing support and information about consumer issues. In the six months to December 2010, I am advised that the Office of Fair Trading finalised 7,761 complaints and achieved \$2 million in redress for consumers.

One of the areas where people have been ripped off in the past is bait and switch. That is when a person actually signs up for something and gets something else delivered. The greatest scam on the taxpayers and the people of Queensland that we see at the moment is the Clayton's opposition leader, the member for 'Campbell', who is in this parliament and now taking a very, very long list of parliamentary entitlements under false pretences.

When someone is the Leader of the Opposition, what are some of their entitlements? They are entitled to get the newspapers delivered. So what will happen is that every morning the Leader of the Opposition will be down there collecting the newspapers in his slippers, getting them out, ironing them and then delivering them on a silver tray to Campbell Newman. They are entitled to a mobile phone. What is going to happen when the mobile phone is not answered? Will we hear, 'Hi, it is Jeff here, Campbell can't take your call at moment, but if you leave a message he'll get back to you straightaway.'?

They are also entitled to an office allowance. But whose name will be on the door—Jeff Seeney for the time being, Campbell will be back soon? They are entitled to an internet allowance. There is a lot of bandwidth available now as the former Leader of the Opposition's glamour shots have gone down. But who is going to have their glamour shots on it now?

They are entitled to a funded vehicle and a driver. Who will do the valet parking? Will it be the Leader of the Opposition? They are entitled to Christmas cards. Will they be best wishes from Campbell and Lisa or Jeff and Therese? We do not know because we do not know who is leading the party. Worst of all, the Leader of the Opposition will take \$61,000 a year extra pay from the taxpayers when he was in this chamber this morning saying that Campbell Newman is the leader.

I have never seen anyone more sheepish on television last night than the Leader of the Opposition. He could not tell the people of Queensland who would actually lead the party. Campbell Newman this morning said that he would not be selecting the shadow team. They are back to their old tricks. I have never seen the arrogance that I have seen on that side of politics and each time it brings them undone. Each time they think they have got it in the bag. Campbell Newman thinks the people of Ashgrove—

**Mr SEENEY:** I rise to a point of order, Mr Speaker. I have just been described as sheepish and arrogant in the same sentence. I do not think that kind of works.

**Mr SPEAKER:** You are asking for a withdrawal?

**Mr SEENEY:** Absolutely, Mr Speaker. I find the minister's comments ludicrous and ridiculous and I ask that they be withdrawn.

**Mr SPEAKER:** Do you find those remarks personally offensive? That is the only way I can get them withdrawn for you.

**Mr SEENEY:** I find the minister personally offensive. I also find the remarks offensive in their stupidity and I ask that they be withdrawn.

**Mr SPEAKER:** Order! Let me finish this up. The word 'stupidity' is unparliamentary so withdraw that and then I will come back to the substance of your point of order.

**Mr SEENEY:** I withdraw the words and I withdraw the point of order so the parliament can continue. I want to hear some more from the minister.

**Mr SPEAKER:** Order! I call the Attorney-General.

**Mr LUCAS:** I will conclude on this. We only have to look at their behaviour this morning and yesterday both here and externally to see what they are like.

**Opposition members** interjected.

**Mr SPEAKER:** Those on my left will cease interjecting.

### Shared Service Initiative

**Dr FLEGG:** My question without notice is to the Minister for Education and Industrial Relations. On 23 November 2010 then Minister Schwarten announced the government was abandoning the one-size-fits-all approach to shared services and that the Department of Education and Training would have its own shared service provider. Will the minister tell the parliament what it will cost his department to establish its own shared service provider in the wake of the failure of the \$300 million per year one-size-fits-all shared service provider?

**Mr DICK:** I thank the agent-general—I am sorry, Mr Speaker, I am confused. I thank the honourable member for his question. It appears the career opportunity for the member for Moggill has now gone. It has now closed. He now has to stay on as the shadow minister for education.

**Opposition members** interjected.

**Mr SPEAKER:** Those on my left will cease interjecting.

**Mr DICK:** The real question that has to be asked is: who is picking the shadow cabinet? Is it the Leader of the Opposition as distinct from the interim Leader of the Opposition, the leader of the LNP, the leader of the election team—whatever that is? If the leader of the election team, Campbell Newman, goes to the election, who will constitute the shadow cabinet? Queenslanders have no idea who will constitute the cabinet of Queensland should the government of Queensland change.

**Mr McArdle** interjected.

**Mr SPEAKER:** Resume your seat. The member for Caloundra will cease interjecting. I warn you under 253A. You have been the loudest and the most persistent. It is impossible for the chair to hear.

**Mr DICK:** The shared services arrangements within the Department of Education and Training have always been separate. Not only do we have the farce of what has happened in the last four days in relation to the LNP, we also have the farce of the shadow minister for education not even knowing the administrative arrangements for the department for which he is the shadow minister. He presumes to come in here, after wrecking the leadership of the member for Surfers Paradise and the member for Southern Downs, after deliberately going out and backgrounding the media, after destroying the leadership and ending up with his sworn political enemy, Campbell Newman, as the leader of the election team—that is his legacy. That is his contribution to politics in Queensland.

I can tell the people of Queensland that we will continue to deliver world-class education for Queensland students. That is my No. 1 priority. We will continue to deliver better schools, better teachers and better school outcomes. We are closing the gap in relation to educational outcomes. We have the best performing students in Australia. The gap is closing. We are going to lead Australia like we lead Australia in so many ways.

I will not be lectured to by the member for Moggill, whose only contribution to education policy in this state is tasers for teachers. That is his only contribution to public policy debate in this state. I will not be lectured to. This government will not be lectured to by the member for Moggill, whose only contribution is to arm teachers in classrooms. If that is what the LNP offers Queenslanders, I say let us have that election. We will decisively show who has the education plans for our state.

### Small Business

**Ms FARMER:** My question without notice is to the Treasurer and Minister for State Development and Trade. Would the Treasurer and Minister for State Development and Trade inform the House how the Bligh government is promoting innovation in Queensland businesses?

**Mr FRASER:** I thank the member for Bulimba for her question and for her continued advocacy for the small businesses of her electorate—those businesses that are out there employing people, making investments and giving Queenslanders a job and the chance to participate in our future prosperity.

This government remains committed to supporting business—the businesses of tomorrow and businesses that innovate. That is why I can announce today another round in the Bligh Labor government's business innovation and technology incentive program. Five more businesses will share in more than \$1 million in grants to assist them to innovate, to create new projects and to look to the future. These are companies like Defiance Maize in Warwick, which is looking to double its production based on new technology and expand its product into key markets in the Middle East. These are the sorts of investments that will assist businesses to make the investments to create the jobs of tomorrow and to build the export revenue for the economy of this state. It is the Bligh Labor government's economic policies in action. As I have said so many times, it stands in stark contrast to the complete absence of policy on the other side.

Yesterday we saw the then Leader of the Opposition, the member for Surfers Paradise, who never stood for anything in this place, fall over at the first puff of wind when the heat came on. If you do not stand for anything, you will fall over. The member for Surfers Paradise was yesterday's sacrifice at the altar of Campbell Newman's ego. Make no mistake about what happened here yesterday: this was the indulgence of one man's faith in himself. This has nothing to do with the people of Brisbane, the ratepayers of Brisbane or the people of Queensland; this is all about one man's view of himself and his destiny. We saw the former Leader of the Opposition sacrificed at the altar of Campbell Newman's ego and that has delivered his alter ego into this place. We will have a part-time, fake opposition leader sitting in here with puppet strings hanging down from the gallery above being jiggled and pulled by Bruce McIver, faceless men and the real leader of the opposition, Campbell Newman—the supreme egotist.

What we saw yesterday was a man who was born a politician. He was born into a political dynasty. His father was a politician, his mother was a politician and his ego knows no bounds. He wants to stand on the backs of the people of Brisbane; he wants to climb over the people of Ashgrove. Make no mistake: this is about Campbell Newman's ego and it has naught to do with anything else.

Some very real questions remain here—questions for the CMC to answer—about whether Campbell Newman, the Leader of the Opposition in this place and all the other plotters have corruptly induced an MP. That remains to be seen.

**Mr SEENEY:** I rise to a point of order. I obviously find that offensive and ask for it to be withdrawn. That is ridiculous, absurd and offensive coming from a desperate, desperate man.

**Mr SPEAKER:** Order! The Leader of the Opposition! I got the point of order. The Treasurer has been asked to withdraw. Will the Treasurer withdraw?

**Mr FRASER:** I withdraw. But make no mistake: yesterday Campbell Newman outed himself as a tricky, scheming politician intent on doing dirty deals to get into this place.

## OneSchool

**Mr EMERSON:** My question is to the Minister for Education. Can the minister please reveal how many millions of taxpayers' dollars extra it is costing because of the delayed rollout of the third phase of the OneSchool program?

**Mr DICK:** The answer is quite simple. There is no delay in the rollout of OneSchool. I have been the education minister now for 20 days. As the House knows well, I visited 30 state schools in that time—20 school days, 30 schools. I have been briefed—

**Mr Nicholls** interjected.

**Mr SPEAKER:** Honourable member for Clayfield, you will cease interjecting. I warn you now under 253A(1). That is the final warning for the member for Clayfield.

**Mr DICK:** I have been briefed on a number of occasions about OneSchool. In fact, the working party is meeting again this Friday. It involves all of the stakeholders including all of our valuable partners in the union movement such as representatives from the Queensland Teachers Union and the Queensland Public Sector Union. They are valuable partners in this process. I want to ensure that we get it right. I make no apologies for taking time, as the former minister for education did, interrogating the system, making sure everything is running well.

It has been a spectacular success so far. We have had a staged rollout, which is the way to roll out these things. We are in fact running systems parallel to ensure schools are supported. We will continue a progressive rollout of OneSchool. We will start small, with a number of schools. We will then increase that number until every state school goes live. It should not be forgotten that in the state system in Queensland we have over 1,200 schools, 488,000 students and 38,500 teachers.

This is a great department of state. This is a department that is building the future of Queensland every single day. I want to ensure not only that our teachers and our principals are supported but also that the business service managers—all of those important administration and business service officers who are in the education system—are supported through this. It will take time to get it right. I have a close focus on it. I will continue to ensure that the department has a close focus on it and that we can deliver the best system.

It has worked well so far. I make no apologies for taking my time to get across it to ensure we are working through. My advice so far is that there are no additional costs in the staged rollout. I had a briefing late last week on it. I will continue to see that that continues to work well. It has worked well so far. I make no apologies for the methodical and deliberate approach that I am taking to ensure OneSchool delivers for all Queensland students.

### Schoolteachers

**Mrs SCOTT:** My question without notice is to the Minister for Education and Industrial Relations. Can the minister please inform the House of any initiatives to acknowledge Queensland's hardworking teachers?

**Mr DICK:** I thank the honourable member for her question and her support for her teachers and schools in the great electorate of Woodridge. I also acknowledge today the principal and school leaders from Burleigh Heads State School who are in the gallery today and who are represented in this place by the member for Burleigh. I welcome them to the parliament.

In schools all over Queensland there are dedicated, hardworking teachers who make a difference in the life of Queensland students every day. Their role is to ensure quality education and great opportunities for Queensland students. This year, Queensland students are once again being given the opportunity, as they have for a number of years, to nominate their favourite teacher in the education department's My Favourite Teacher awards.

We have run that competition over six years and Queensland students have nominated 26,500 teachers. There have been 26,500 nominations over that six-year period—a great credit to the students who know and value the teachers who help them each and every single day. I know there has been a favourite teacher competition secretly conducted by the LNP over the last couple of days, and we now know the results. Of course it is not the former leader and the former deputy—the member for Surfers Paradise and the member for Southern Downs. They are so unpopular that they are now on performance management and it is understood that their teaching contracts will not be renewed next year. It is not the member for Callide, who is of course the substitute teacher. He is the substitute teacher in class, although he is happy to take the principal's salary without any of the workload or any of the responsibilities. It is not the head girl; it is not the prefect, the member for Maroochydore. She is in fact very popular in class. She was four votes off becoming the favourite teacher of the LNP but did not quite make it—at least this time!

Rather, what we have is an extraordinary and bizarre situation. The favourite teacher of the LNP is not in the classroom. He is not on the school grounds. He is not even registered to teach in the state system! He is Campbell Newman—'Candidate Campbell'. He is the LNP equivalent of Mr G from *Summer Heights High*. I call him 'Mr C', and there is a great parallel. 'Mr C' like Mr G is full of his own self-importance, he is a bit of a drama queen and if he does not get his own way he packs his books up and storms out of the classroom. That is 'Mr C'. Like *Summer Heights High*, the LNP is now a farce of comic and epic proportions. You cannot teach a class from outside the classroom. You cannot lead the LNP from outside this parliament. This is not about Queensland. It is about power and opportunity. It is about power rather than principle. This is about the ego of Campbell Newman—his overweening ego—and not about Queensland.

(Time expired)

### Water

**Mr DOWLING:** My question without notice is to the Premier and Minister for Reconstruction. Can the Premier advise Queenslanders what was the reason behind dividing responsibility for water, dam management and flood mitigation between three ministers—the Minister for Environment and Resource Management, the Minister for Finance and the Arts and the Minister for Energy and Water Utilities, each with conflicting interests? Is it purely to muddy the water and to allow each minister to avoid any scrutiny or responsibility?

**Ms BLIGH:** For the benefit of the member opposite, since their inception government owned corporations in Queensland have always had two shareholding ministers. That is the current situation and nothing has changed. I am very happy to say that the rationale behind providing further opportunities for the Minister for Water Utilities to focus on water utilities is so that we can work to

ensure that we are doing everything possible so that the mayors of South-East Queensland, including the Lord Mayor of Brisbane, are not unreasonably profiteering from and price gouging the people of Brisbane or the people of the south-east. We have this question—this extraordinary question—from a member who yesterday voted to divide the leadership of his party. What they did yesterday was say, 'One leader's not enough for the LNP. We need two leaders! We're so unruly and so incapable of taking a firm direction forward that we need two people.'

The shadow minister for reconstruction has not had much to say in this parliament about reconstruction, but he has been pretty active on his Twitter account. We would all recall that on the day that Brisbane was facing its worst ever flood he let the world know that he was at lunch with JPL and a group of businesspeople presumably raising money for Tony Abbott's antiflood levy campaign. But many members might have missed this little gem—

Back in the office, paperwork, appointments, phone calls, etc Anyone remember Friday was poets day? (ping off early tomorrow is Saturday)

**Mr Seenev:** That's the best you can do!

**Ms BLIGH:** That is the way that the shadow minister for reconstruction is acquitting himself in one of the most serious tasks, and I take the interjections from the interim Leader of the Opposition, who is defending that sort of attitude.

**Mr Seenev:** Is it the best you can do? Premier of the state and that's the best you can do!

**Mr SPEAKER:** Order! Leader of the Opposition!

**Ms BLIGH:** Every single member of my cabinet and my front bench and my team every single day is working to rebuild Queensland while the shadow minister for reconstruction is taking off early on a Friday because he simply does not have enough to do.

**Mr DOWLING:** Mr Speaker, I rise to a point of order. The tweet as read by the Premier clearly stated I was working in the office all day.

**Mr SPEAKER:** That is not a point of order.

**Mr DOWLING:** I find the comments offensive—

**Mr SPEAKER:** It is not a point of order.

**Mr DOWLING:**—and I ask that they be withdrawn.

**Mr SPEAKER:** It is not a point of order. Resume your seat or I will deal with you.

**Ms BLIGH:** While I am on my feet though I do want to take a moment to thank every single member of the Liberal National Party who voted for the member for Callide last night. What we have seen here on display today puts beyond any doubt that those opposite are not fit for opposition and they are not fit for government.

### Central Queensland, Jobs

**Mr HOOLIHAN:** My question without notice is to the Minister for Employment, Skills and Mining. Could the minister please advise the House about any developments leading to job opportunities in the Central Queensland area?

**Mr HINCHLIFFE:** I commence by thanking the honourable member for his question. Not only is he very keen and demonstrating his keenness to raise funds for the Leukaemia Foundation through his generous act of shaving for a cure; but he is also very keen to see the employment opportunities grow in Keppel and the broader Central Queensland region. In the 2009-10 financial year the mining and petroleum industries contributed more than \$32 billion to gross state product. They also provided some 52,300 direct jobs and almost 157,000 indirect jobs for Queenslanders as at November 2010. Recent media attention has focused on the need for a suitable transitional fuel as the world moves towards safe energy sources with lower carbon emissions. The events in Japan recently have highlighted this as a significant issue for the world energy market.

This sets up Queensland well, with LNG expected to be in high demand on the international export market. That means we can expect to see more than 18,000 new jobs for Queenslanders, with much of that investment focused on the Central Queensland region. We have made it clear many times that, while this industry is very important to Queensland, its development needs to be carefully managed. As the Premier said earlier, the social challenges and the environmental challenges of this industry need to have the right balance. We are putting in place legislation and practices to ensure industry development balances those economic, social and environmental considerations and facilitates the safe co-existence of the resources sector with agriculture.

We know what the stance is of members of the LNP when it comes to jobs. The only jobs that they care about are their own. The only thing that the leader—who I guess is not really the leader—cares about is the 60 grand that he is going to collect until the election. The only job that the member for Clayfield is concerned about is not ruining his long-term ambition, which still burns very brightly. Clearly, the only job that Campbell Newman cares about is the one where he is having an each-way bet on whether he leaves the City of Brisbane in the lurch in its hour of need and drives after his highly arrogant ambition, in this regard treating the people of Ashgrove like a doormat on the way—absolutely an arrogant, irresponsible version of leadership. We believe as a government in growing jobs for Queensland. We are focused on jobs growth and jobs for Queenslanders. Those opposite are focused on their own jobs.

### Bundaberg Base Hospital

**Mr MESSENGER:** My question without notice is to the Minister for Health. Given the fact that the Burnett-Bundaberg region is projected to be one of the highest population growth areas in Queensland, our public hospital bed to population ratio is half the state average and the AMAQ has found that the Bundaberg Base Hospital does not have enough beds to adequately care for patients, will the minister acknowledge that a medical crisis caused by underresourcing still exists at the Bundaberg Base Hospital and will the minister commit to doubling the number of hospital beds, doctors, specialists and nurses in order to solve this crisis and better care for our patients?

**Mr WILSON:** I thank the honourable member for the question. This government is engaged in the most unprecedented investment in not only capital but also operating costs for running Queensland's hospitals and providing more beds sooner to Queenslanders and more services sooner and closer to Queenslanders—a \$7.33 billion capital investment in more hospitals, expanded emergency departments, oncology units, palliative care units and other similar units and \$1.67 billion just in this financial year.

We have increased the budget for Queensland Health to \$10 billion this financial year—up 10 per cent from the last financial year. We have doubled it in the past five years. We have increased and nearly doubled the number of nurses, doctors and allied health professionals—about 13,500 extra—in the past five years. We are investing in major hospitals up and down the coast and inland, in Toowoomba and other centres. That is because we believe that Queenslanders deserve the best quality healthcare service and as close to home as we can provide it. We want to make sure that Queensland Health and the 16 districts, including the district that operates the Bundaberg hospital and other facilities there, are absolutely focused on patient care and quality health service and the delivery of that through front-line services. That is why we want to keep the pressure on and the impetus going to ensure that—

**Mr MESSENGER:** I rise to a point of order. I rise on a point of relevance. I have asked the minister specifically about Bundaberg Base Hospital and the resources there. I ask that the minister address that particular point of the question.


**Mr SPEAKER:** Minister, you will round off according to the question.

**Mr WILSON:** I thank the honourable member again for the question, because you do need, with respect, to understand how major is the investment—25 per cent of the Queensland budget—in health across the state, and Bundaberg is benefiting as well. For example, the information shows that in the final quarter of 2010 the number of patients at Bundaberg waiting too long—the too-long list—for surgery dropped from 187 to only 37. Ninety per cent of category 1 patients were treated within 67 days. Anyone waiting too long is one person too many. That is why we are driving better performance with waiting lists across the range of health services, not just in that area but across Queensland.

**Mr SPEAKER:** Question time is over.

## PRIVATE MEMBERS' STATEMENTS

### Liberal National Party


 **Mr SEENEY** (Callide—LNP) (Leader of the Opposition) (11.33 am): This morning we have seen a tired and shattered government contemplate its own doom. We have seen them contemplate their own doom and seen their spirits collapse, because they know that Campbell is coming and it frightens the life out of them. They know that their days of maladministration in this state are fast coming to a end.

As one of the best recognised civil administrators in Queensland's recent history makes the transition from local government to state government, Campbell Newman will lead an LNP government that will fix up the mess that the Labor Party has created over the past 12 years. They have come in here this morning and tried to run these tired old lines about confusion and it has not worked. It has not worked here, just as it has not worked in the media, just as it did not work on the television last night, because the people of Queensland know clearly that Campbell Newman will lead the LNP election team.

The LNP election team will be made up of the elected members of parliament who already hold seats and a whole lot of endorsed candidates across the state. That is the election team that Campbell Newman will lead to the election. That is the election team that the people of Queensland can quite rightly see as a viable alternative to a tired and failed government. Those opposite know that the people of Queensland are looking for an alternative to a government that has failed in every area of state government responsibility. They have failed to deliver water to South-East Queensland, they have failed to deliver a health system to South-East Queensland, they have failed to construct infrastructure. They have failed on every front.

Campbell Newman and the LNP government that will be elected from the LNP election team that he will lead will come into this place and we will fix the failings of this tired Labor government. The sooner we get an opportunity to do that, the better for the people of Queensland.

### QEII Jubilee Hospital

 **Mrs ATTWOOD** (Mount Ommaney—ALP) (11.35 am): I was pleased to be able to visit the Queen Elizabeth II Jubilee Hospital—QEII Jubilee Hospital—last Thursday afternoon. Of particular interest was discussion in relation to the plans for the proposed upgrade of the emergency department and transit lounge. Staff are looking forward to the expansion of the emergency department, which will create 11 fast-track bays. The funding will provide a new building with expanded services. This will incorporate the hospital's first eight short-stay beds, a 12-chair transit unit and state-of-the-art equipment.


Funding for the new endoscopy unit and a 10-bed palliative care unit at the hospital was announced in August last year. The \$37 million capital expansion of these services will allow patients to move more quickly through the emergency department and reduce waiting times. Locals can expect to see work start on the new building this year and it will be completed in late 2012. Endoscopy services will operate from then, with the expanded emergency department opening in 2013. The palliative care unit is due to open at the end of this year and will include the refurbishment of the third floor to convert existing ward space into four single rooms and two three-bed rooms, equalling 10 palliative care beds.

There has also been a substantial investment in operational funding for QEII to increase its capacity and meet new national performance benchmarks. During the South-East Queensland floods this year, QEII hospital assisted the State Health Emergency Coordination Centre by accommodating 26 displaced nursing home patients from the Pine Lodge Home for the Aged at Rocklea. The patients stayed for a total of eight days and have since been moved to various facilities to receive their care in a more appropriate setting.

As part of the evacuation of Cairns Base Hospital, QEII hospital accepted four patients from the PA Hospital and 28 from Cairns hospital. Staff worked as a team to ensure that these patients were admitted quickly and received care promptly. During these events there was significant effort made from staff at all levels in Queensland Health to accommodate extra patients. While this government is continuing to expand their services and rebuild Queensland, Campbell Newman has abandoned Brisbane and the flood recovery process altogether.

*(Time expired)*


### Queensland Economy

 **Mr NICHOLLS** (Clayfield—LNP) (Deputy Leader of the Opposition) (11.38 am): Today we heard from a 'can't-do' government—a tired, old government that doesn't know and wouldn't if it could. We heard from a Treasurer who cannot repay the debt and who cannot even say how he will repay the debt. His achievements have not been to cut taxes, reduce red tape, help small business and see the economic development of the state progress. Instead, this Treasurer has increased debt to \$80 billion—\$16,000 for every man, woman and child—and seen Queensland go from being the low-tax state to being a high-tax state. There will be an increase in deficits over the next four years of over \$4 billion. That is \$10.5 billion worth of deficits over the next four years that will have to be paid off by every Queenslanders.

He is a Treasurer who cannot get the AAA rating back—a Treasurer who lost it before the last election and now says, 'I can't get it back.' He is truly a 'can't-do' Treasurer. He is a Treasurer who, after all the pain of the asset sales they said would never happen in Queensland, will leave Queensland \$80 billion in debt.

Well before the cyclones and disasters that struck Queensland, Queensland's state finances were on the rocks because we have a 'can't-do' Treasurer. We have a 'can't-do' ministry over there. We have an Attorney-General who cannot answer questions about how many sex offenders are walking out the doors because of this government's 'can't-do' attitude; we have an education minister who cannot answer questions about the IT system and the OneSchool system—their own primary system; and we have a Premier who cannot say whether there will be an early election or not.

### Prince Charles Hospital, Children's Emergency Department


 **Mr WATT** (Everton—ALP) (11.40 am): I am passionate about making sure that children on the northside continue to receive world-class hospital care. That is why I have been such a vocal supporter of the new Children's Emergency Department at the Prince Charles Hospital. I oversaw its development in my previous role as Parliamentary Secretary for Healthy Living and will maintain an active interest in my new role.

The new Children's Emergency Department will open in 2012 and will deliver great emergency care for local children even closer to home. It will include designated children's emergency treatment spaces, 20 beds for short stays, facilities for parents and carers to stay with their children overnight, children's outpatient services and a 24-hour medical imaging service. The hospital staff will include specialist emergency paediatricians to ensure our children get the best care. The even better news is that it is no longer a project on paper. Work has begun. Early works commenced in September last year to prepare the site for the new emergency department and Baulderstone was appointed as managing contractor last year. Further developments are imminent, so watch this space.

The government established a Family Advisory Council to help advise the project team on the development of the new services and facilities. The advisory council consists of 20 members of the general public: a mix of parents, carers and grandparents from within the hospital's catchment area. It will play an integral role in the planning and design of this project, in particular in ensuring that the needs of local families presenting to children's emergency services are met and ascertaining how services can be managed to best meet these needs.


This is the latest in number of projects the Bligh government has built or is building on the north side of Brisbane: Airport Link, duplication of the Ferny Grove rail line and various school rebuilding projects to name a few. We are doing all this while we are rebuilding the state after the recent natural disasters. It is a shame this commitment is not matched by the Lord Mayor of Brisbane. While we are rebuilding the state, he is campaigning for himself. He is abandoning Brisbane in its hour of need and there are 31 'can't-do' leaders here as well.

### OneSchool

 **Mr EMERSON** (Indooroopilly—LNP) (11.42 am): Queenslanders are facing another Health payroll style bungle under the state Labor government, this time in the education department. The planned pilot rollout of the final phase of the \$100 million OneSchool system at two state schools at the weekend was again abandoned. This follows the cancellation of a state-wide rollout plan for January of this phase of OneSchool which involves financial account keeping of receipts and invoices for primary and high schools. It was cancelled after staff raised concerns that they did not know how to operate the system and there were fears that it would lead to massive problems—the same kind of problems we saw with the botched rollout of the Health payroll system. Once again we are seeing evidence that major projects, which cost Queensland taxpayers hundreds of millions of dollars, are just beyond the ability of this tired and incompetent Labor government.

Taxpayers are facing a bill of more than \$200 million to fix the Queensland Health payroll debacle, despite the then minister for ICT telling parliament there was no failure. The new health minister has admitted that, one year after it went live, the Health payroll system is still not fixed. In that time we have seen two senior bureaucrats who have been charged with resolving the problem resign and new ministers appointed. But the same old questions about who is responsible and when the payroll system will be fixed remain. The problems with the OneSchool system have all the signs of another Health payroll debacle in the making. It further exposes major problems with the state's IT service delivery. The new education minister should now explain to Queenslanders what is going wrong with this multimillion dollar system. He must tell Queenslanders when it will be rolled out to all schools across the state and he must reveal how much the delay has cost Queensland taxpayers, rather than telling us in parliament, as he did today, that there have been no delays. He needs to tell the truth.

### Thursday Island Hospital, Maintenance


 **Mr O'BRIEN** (Cook—ALP) (11.44 am): Recently maintenance problems at the Thursday Island Hospital were raised in the local paper, the *Torres News*. I have expressed my concern at the building's poor condition to the minister who has taken rapid and decisive action to address the matters which were raised by the hospital's director of nursing. Thankfully, many of the matters raised in the report were already being addressed locally. Nonetheless, additional senior staff were sent to the hospital to assist with this process.

Last week I sat down with senior Health officials at the Thursday Island Hospital to ensure that not only would these matters be fixed but they would not occur again. Queensland Health has assured me that a program is now in place to fix the problems at the Thursday Island Hospital. Repairs to the

surgery are already complete and it is again operational. The fire alarm system has also been fixed. Temporary measures were always in place but now there is a permanent solution. The isolation rooms are also operational. Other repairs are continuing and systems are being reviewed to address all concerns.

I spoke to staff and union delegates at the hospital who expressed satisfaction with the action taken to date. Some of the work, such as getting the helipad fire pump operational, will occur when the \$40 million chronic disease centre is complete and the electricity supply is upgraded. The good news is that this project is on track, tenders have been called and construction will begin once the successful builder has been chosen. I will continue to work hard to ensure Torres Strait Islanders receive the best in medical care.


### Japan Earthquake and Tsunami

 **Dr DOUGLAS** (Gaven—LNP) (11.46 am): Sometimes in adversity there is opportunity. I put it to members that we should immediately utilise the vast amount of both vacant rental real estate on the Gold Coast and also at least a proportion of the 3,500 units that sit available for sale on the Gold Coast presently. On the Gold Coast we have a remarkable history of providing for 10 million tourists annually and hopefully next year should follow on from that. Roughly one third are local, one third are interstate and one third are overseas tourists. The overseas tourist numbers have declined markedly with the higher Australian dollar and continued financial uncertainty. The major earthquake and tsunami in Japan has affected our numbers from Japan extensively. Japanese tourist numbers, as I say, have declined to very, very low levels—20 per cent of that of normal inbound Australian tourists and of those 90 per cent inbound into Japan mainly all are now cancellations and the only people going in are media.

The Japanese are rationing fuel in their own towns: 20 litres per day per car. There are 515,000 Japanese in the Sendai-Miyagi area living in shelters; the outside temperature is minus 5 degrees; there is no electricity outside the shelters; no heating; most have no access to medication and they have to prepare 1.5 million meals a day. The quake and tsunami affected an area of 500 kilometres. That is roughly Brisbane to Monto. Eighty per cent of the towns in the area have been totally wiped out and 35 to 40 per cent of the population of those areas was over 65 and could not make it to shelters. Most are presumed to have perished.

Today I am calling on the state and federal government to offer to fly Japanese tourists here on heavily subsidised air tickets, to house as many as they can of these Japanese on our wonderful Gold Coast for up to a month at a time in that 30 per cent of our 250 highrises and that they pay their own costs.

### Bullying

 **Ms van LITSENBURG** (Redcliffe—ALP) (11.48 am): Last Friday Queensland and the whole nation stood up against bullying in the Queensland-led Bullying No Way day. We all agree that bullying needs to be eradicated from our schools so our children have the freedom to grow and learn in a positive, nurturing environment. The Bligh government has been working with schools to support them in developing effective anti-bullying programs to ensure that schools and teachers have the skills and support they need to achieve the no-bullying outcomes in schools.

Last Friday, during my visit with transport minister Anastacia Palaszczuk to Southern Cross Catholic College, Woody Point Campus, to give prep and year 1 students their road safety packs, I was happy to talk to students on parade about bullying. I emphasised what bullying is to give students and parents certainty. A student who is hit in an argument with a friend or is pushed on the oval is not being bullied. Bullying is repeated and sustained actions, including taunting, teasing, threatening and all physical violence by one or more people towards others designed to intimidate them for their own purposes.

The emphasis of this antibullying program is to give victims the resilience to say 'no' to bullies and to tell responsible adults about it. It is about raising awareness that watching or encouraging bullies and not doing anything to stop them perpetuates the behaviour. It is about letting bullies and the community know that bullying comes from issues within the bully that they need to change so that they are free to develop positive relationships. The Bligh government has repeatedly delivered great outcomes in education for students and schools and this antibullying program is the latest. We will see bullying reduced in Queensland schools because we are committed to better educational and life outcomes for all Queensland students. This Labor government has brought our education system from the Dark Ages to world-class status, delivering bright futures for all Queensland children.

*(Time expired)*

### Flood Insurance

**Mr DICKSON** (Buderim—LNP) (11.50 am): In February, whilst debating the Reconstruction Authority Bill, I spoke briefly about constituents of mine, the Millers, whose property suffered significant landslip damage during heavy rain in December. They thought they were covered, but their insurance company, Apia, rejected their claims. I wish to update the House on the Millers' situation.

On Monday, Mr and Mrs Miller received the brilliant news that the internal review by Apia had overturned the decision to deny them compensation. Apparently, Apia decided to pay out the claim as it determined that the damage to the Millers' property was caused by road flooding that occurred during heavy rain. That is a fantastic outcome, although I was very critical of Apia for its initial treatment of the Millers.

The local media has reported that the Sunshine Coast Regional Council had known of a previous landslip on that property. In that regard, I now call on the Sunshine Coast Regional Council to purchase the Millers' block of land for the purpose of utilising it as a drainage easement in order to prevent this type of road flooding from again occurring and impacting upon the residents in the immediate area.

While on the subject of other residents of the area, it is important to speak about the Millers' immediate neighbours, Peter and Rebecca Francis. They own the property at No. 17, which is next door to the Millers. Their property also suffered significant damage as a result of this landslip. They were insured, but they have been abandoned by their insurance company, RACQ. RACQ has conducted an internal review of Mr and Mrs Francis's case, but the company review has failed to alter the initial decision not to compensate. The matter is now before the insurance ombudsman. Hopefully, Monday's decision by Apia will encourage the insurance ombudsman to rule in favour of Mr and Mrs Francis, because their property was affected by exactly the same landslip. I hope RACQ sees logic and looks after those people, who are true Queenslanders.

### Caboolture Police District, Police Resources

**Mr RYAN** (Morayfield—ALP) (11.52 am): The Queensland Labor government has a proud record of investing in police resources and supporting safe communities. This government has invested significantly in the human and operational resources of the Queensland Police Service, and I have been working hard to ensure that the Caboolture community gets its fair share. That is why last week I was pleased to welcome the Minister for Police, the Hon. Neil Roberts, to the Morayfield state electorate. The minister and I met with officers of the Burpengary Police Station and we discussed important community safety issues for the Caboolture region.

I was pleased to hear the police minister announce the creation of nine additional police positions for the Caboolture police district in the 2010-11 budget year. Those nine new police positions for this budget year include three officers for the Burpengary Police Station, three officers for the Caboolture Police Station and three officers for the traffic branch. The additional positions for the Caboolture police district are part of the Queensland government's broader commitment to fund an additional 600 police positions state-wide during this term of government. That is certainly a welcome commitment and I am pleased that this government is delivering for our communities.

By investing in police resources for our community, we are investing in safer communities and safe communities are strong and supportive communities. The additional police positions mean the total number of police positions in the Caboolture police district is now more than 210. Therefore, since 2008, the total number of police in the Caboolture police district has increased by 50 per cent. That is a tremendous increase and is great news for our community. However, I know that more needs to be done and I will continue to fight for more resources and more police positions for our area. I am proud that this state Labor government is committed to putting more police officers on the street and to giving those officers the resources they need.

*(Time expired)*

### Gladstone, Health Services


**Mrs CUNNINGHAM** (Gladstone—Ind) (11.54 am): Once again I have to bring to this House the concerns of my community in relation to the lack of health services in Gladstone and the stupendous lack of action by Queensland Health to rectify the problem, especially in light of the anticipated 8,000 to 10,000 workers who will descend on the region. At this point in time, we have no permanent surgeon. It has been confirmed that we need two. Advertising was undertaken and two applicants responded. Rockhampton Hospital recruited one of those applicants. Gladstone recruited no-one.

We have 0.7 of a full-time paediatrician, the wonderful Dr Bob McCrossan, who is recovering from a heart attack. There is no help for him on the horizon. We do not have a permanent internist or permanent gynaecologist, and doctors are being told it will be six weeks before any advertising can be done. Why? We need two or three specialists for sustainable rosters, yet Queensland Health is not even recruiting.

Last year I was told that a permanent medical superintendent would commence in February. Currently we have a locum. We have had locums for the majority of time since Dr Mottarely resigned. This morning I was told that that appointment will not happen until May. Our bed occupancy is down, simply because patients are referred to Rockhampton or Brisbane.

We need a specialist model for the Gladstone Hospital. Currently, we operate under an SMO model and they do a brilliant job. Rocky is fine, because they recruit for positions in the district and fill their own vacancies. They have no problems. For Gladstone, there appears to be no recruitment plan and no enthusiasm for services to grow. If this government wants Gladstone and its residents to accept the impost of industrial growth, then it needs to act now to provide services. People want to see infrastructure now. No more talking, no more waiting; people want action.

### Funeral Industry

 **Ms STONE** (Springwood—ALP) (11.56 am): Recently, some media articles on the funeral industry have mentioned a family who, due to a lack of correct process and documentation, are unsure if they have received the ashes of their father. Firstly, I give my condolences to the family, who undoubtedly are going through a very stressful time in relation to the passing of their father and, now, the problems that have occurred with the funeral arrangements.


Yesterday, I attended a meeting with a number of representatives from the funeral industry, including the Queensland Cemetery and Crematorium Association, the Queensland Division of the Australian Funeral Directors Association, the Queensland Funeral Directors Association, the Independent Funeral Directors Association, the National Funeral Directors Association, Bledisloe Australia, Invocare, the Brisbane City Council, the Centenary Crematorium and the Eco Memorial Park Crematorium. At the meeting, the family told us of the problems that occurred during the funeral arrangements for their father. The family have been speaking with the member for Waterford and today he is taking their case to the Deputy Premier.

The family received a sealed plastic box with no verification markings or any documentation to assure them that the remains they received were, in fact, those of their father. At the meeting, they pointed out that they had more documentation and verification on the ashes of their pet dog, which they had had cremated. That says it all. We have more regulations, checks and balances associated with the disposal of our animals than we do for the funeral arrangements of our loved ones. I am pleased to say that the groups I met with yesterday have a solution that they believe will assist in making sure that no other family has to go through the stress that this family has gone through. Today I will be taking that suggestion to the Deputy Premier.

Of course, we discussed many other topics regarding the funeral industry. They do not want to see the reputation of the industry downgraded and destroyed by people who do not deliver the type of service we expect for our loved ones who have passed away. Today I will take those concerns and recommendations for the industry to the Deputy Premier. Hopefully, this will be the start of providing better consumer protection and better town planning for the industry, as well as greater enforcement.

*(Time expired)*

### Bruce Highway, Flooding Immunity

 **Mrs MENKENS** (Burdekin—LNP) (11.58 am): The cost to regional Queensland from continuing road closures due to flooding has been considerable. In particular, ongoing road closures along the Bruce Highway are costing business and, in turn, Queenslanders. We are seeing additional freight charges and stock shortages, which have really taken their toll with increasing frustration being levelled at inaction over trouble spots. It is about time this 'can't-do' Labor state government acknowledged the mounting concerns of business and consumers in North Queensland in particular. This 'can't-do' Labor state government rolled over to the federal government's slashing of road funding for the state's flood recovery. It simply rolled over.

All road funding and, indeed, flood funding is critical. However, to agree to reprioritise Queensland road funding to the Bruce Highway, to the tune of \$325 million, is simply cruel. Of this, \$115 million was destined for two road projects between Townsville and the Burdekin, and they have now been shelved. The minister tried to downplay this by stating that planning and investigation would still be occurring, but that is little solace as these physical roadworks will be delayed.

We see these familiar trouble spots again and again, such as Yellow Gin Creek and Sandy Gully, which are only small gullies. Sandy Gully is near Bowen. If it gets 50 millimetres of rain and there is a high tide, hundreds of workers trying to get through to Abbot Point are held up, plus there is what happens to the Bruce Highway. It holds people up for hours and it is ridiculous.

The member for Hinchinbrook recently offered some meaningful advice—such as further maintenance and the removal of the build-up of hymenachne and the build-up of sand. This could go a long way to improving these trouble spots. These simple measures do not cost a great deal of money.

*(Time expired)*

### Epilepsy Grief Foundation

**Hon. MM KEECH** (Albert—ALP) (12.00 pm): On 16 February I tabled in this parliament a petition on behalf of the Epilepsy Grief Foundation. It drew to the attention of the House the devastating statistic that each week in Australia three young people die as a result of sudden and unexpected death in epilepsy, better known as SUDEP. To prevent deaths, the petition requested that dedicated epilepsy clinical nurses be employed in each major Queensland hospital and urged that seizure-alarm bed monitors be placed on the Medical Aids Subsidy Scheme.

I am pleased that the health minister has responded to this large petition in time for this Saturday's Purple Day, the international day for epilepsy awareness. In his reply the minister stated what all those who have epilepsy and their parents wish for—namely, that 'all epilepsy patients deserve to have accurate and comprehensive information about all aspects of their condition'.

I can advise honourable members that within Queensland Health a dedicated paediatric epilepsy network is conducting a comprehensive evaluation of all information available to patients. A similar evaluation will be conducted by the adult epilepsy network. With hard work and dedication, a support group, Epilepsy Grief, has been established by volunteers including Lisa Krause, John and Judy Sexton and Diana Britton, who joined forces after the deaths of their teenage sons and grandson. Until I met these fine people I had never heard of SUDEP and, until their sons died unexpectedly from epilepsy, neither had they. Following a meeting with the Premier, which I arranged last year, the group has been busy developing an excellent website, [www.epilepsygrief.com.au](http://www.epilepsygrief.com.au), and publishing this impressive and informative brochure, which I now table.

*Tabled paper:* Brochure by Sudden Unexpected Death in Epilepsy group titled 'SUDEP Risks and Risk Management' [\[4154\]](#).

In recognising international epilepsy day, I congratulate the courageous team of volunteers at the Epilepsy Grief Foundation and all medical practitioners at Queensland Health.

*(Time expired)*

### Queensland Floods Commission of Inquiry

**Mr BLEIJIE** (Kawana—LNP) (12.02 pm): I rise to draw the attention of the House to issues which have arisen from business owners and associations seeking personal leave to appear at hearings conducted by the independent inquiry commissioned by the 'can't-do' Bligh Labor government. With reference to this issue and in response to two questions without notice from me and the member for Southern Downs, the Premier stated on 10 March—

The court will actually come to you and help you make a statement and a submission. It does not get much easier than that.

Further, the 'can't-do' Premier stated—

I would just make the point that there are many people who will want to present material to the commission who will not want to do it in a public hearing. They should be given the right to do it in whatever way suits them, and that is what will happen.

I repeat: 'They should be given the right to do it in whatever way suits them, and that is what will happen,' said the 'can't-do' Premier of Queensland.

I have met with flood affected businesses—representing over 130 businesses in the Rocklea area—and their legal representatives. Those legal representatives did in fact, on behalf of those 130 businesses who were flood affected, seek leave to appear before the commission. Their first submission to seek leave to appear before the commission was refused, and we have raised that issue in this House. Their second submission to the commission—

**Government members** interjected.

**Mr BLEIJIE:** Mr Deputy Speaker, I take personal offence when government members laugh at the fact that 130 businesses represented by legal counsel could not get leave to appear before a commission.

**Mr WILSON:** I rise to a point of order, Mr Deputy Speaker. The member clearly does not understand the separation of powers. It is a matter for the royal commissioner to determine who should appear before them and who should not.

**Mr DEPUTY SPEAKER** (Mr Hoolihan): Order! That is not a—

**Mr BLEIJIE:** And I—

**Mr DEPUTY SPEAKER:** Member for Kawana, please resume your seat. That is not a point of order. I call the member for Kawana.

**Mr BLEIJIE:** Perhaps the minister should know the standing orders in this House.

**Mr DEPUTY SPEAKER:** Member for Kawana, your comments are offensive to the chair and they will be withdrawn or I will sit you down.

**Mr BLEIJIE:** I withdraw. This commission of inquiry is set up so people can seek leave to appear before it. The Premier has said in this place that, through whatever means necessary, people will have the right. They sought leave to appear and represent the 130 businesses that were flooded, and they have been denied access twice. I table for the benefit of the House two documents with both refusals.

*Tabled paper:* Copy of a letter, dated 7 March 2011, from the Queensland Floods Commission of Inquiry to Hawthorn Cuppaidge & Badgery regarding an application for leave to appear at hearings conducted by the commission [\[4155\]](#).


*Tabled paper:* Copy of a letter, dated 17 March 2011, from the Queensland Floods Commission of Inquiry to Hawthorn Cuppaidge & Badgery regarding leave to appear before the commission [\[4156\]](#).

(Time expired)

**Mr DEPUTY SPEAKER:** The time for private members' statements has expired.

## TRANSPORT AND OTHER LEGISLATION AMENDMENT BILL

### First Reading

 **Hon. A PALASZCZUK** (Inala—ALP) (Minister for Transport and Multicultural Affairs) (12.05 pm): I present a bill for an act to amend the Adult Proof of Age Card Act 2008, Building Act 1975, Criminal Code, Electrical Safety Act 2002, Electricity Act 1994, Environmental Protection Act 1994, Tow Truck Act 1973, Transport Infrastructure Act 1994, Transport Operations (Marine Safety) Act 1994, Transport Operations (Passenger Transport) Act 1994, Transport Operations (Road Use Management) Act 1995, Transport Operations (Road Use Management—Driver Licensing) Regulation 2010, Transport Planning and Coordination Act 1994 and Transport (Rail Safety) Act 2010 for particular purposes. I present the explanatory notes, and I move—

That the bill be now read a first time.

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


Motion agreed to.

Bill read a first time.

*Tabled paper:* Transport and Other Legislation Amendment Bill 2011 [\[4157\]](#).

*Tabled paper:* Transport and Other Legislation Amendment Bill 2011, explanatory notes [\[4158\]](#).

### Second Reading

 **Hon. A PALASZCZUK** (Inala—ALP) (Minister for Transport and Multicultural Affairs) (12.06 pm): I move—

That the bill be now read a second time.

The Transport and Other Legislation Amendment Bill 2011 makes a number of important amendments to transport legislation. Major changes mean a more cost-effective and efficient construction of Gold Coast Rapid Transit. Further changes proposed in the bill mean more options for police to crack down on high-risk drink drivers. Finally, provisions included in the bill also allow for the creation of court ordered exclusion orders that would prohibit a person from using the public transport network in certain circumstances.

Gold Coast Rapid Transit is a key element of the Queensland government's, the federal government's and Gold Coast City Council's plan to ease traffic congestion on the Gold Coast. Stage 1 of the project will lead to a reduction in car trips of 30,500 per day. The bill makes further enhancements to transport legislation to support the establishment and delivery of the Gold Coast Rapid Transit light rail project by streamlining processes for the delivery of infrastructure on the Gold Coast. For example, amendments to the Transport Infrastructure Act 1994 will enable cost-effective construction and operation of the project; reduce administrative burdens and risk pricing by the bidding consortia by simplifying processes; and clarify the existing legislative framework, which enables a public-private partnership operator franchise to construct and operate light rail transport infrastructure.

The Bligh government is committed to addressing the challenges of road safety in our state. Last year's road toll was the lowest we have had since detailed records began more than 50 years ago. The government is committed to doing all we can to see that this result is maintained and indeed improved.

This bill amends the Transport Operations (Road Use Management) Act 1995 to introduce a range of reforms to our drink-driving laws in an effort to improve road safety. Research tells us that a person driving with a blood alcohol level of .10 is five times more likely to be involved in a crash than a person with a zero blood alcohol level. Today we are introducing a new middle alcohol limit offence for drink drivers.

The bill creates an offence for drivers with an alcohol level of .10 up to .15. The maximum penalty for these drivers will be increasing from \$1,400 to \$2,000 and the court can disqualify them from driving for between three and 12 months. In addition, a person charged with the new middle alcohol limit offence will have their driver licence immediately suspended. This extends the existing suspensions that apply for those with an alcohol level of more than .15. This will ensure that all drivers detected with higher levels of alcohol will lose their driving privileges until they have been dealt with by the courts. We want people to be safe on our roads. We want to reduce the injury, death and trauma associated with road crashes.

Currently, drivers can be tested for alcohol up to two hours after they were driving. The bill extends that period to three hours. It also allows a police officer who detains a suspected drink driver to operate the breath-analysing instrument. Currently, another officer must operate the instrument. These reforms will be of particular assistance in rural and remote regions of the state where testing equipment and additional police officers may not be readily available. They will also stop drink drivers escaping justice.

Holding a Queensland driver's licence is a privilege and these laws are aimed at keeping drink drivers off our roads. Tragically, people continue to be killed and injured on our roads because of drink driving. The Queensland government recognises the devastation that drink driving can have on people, on their families and on the broader community.

I signal today that I believe more can be done in relation to testing people for alcohol where a road crash has occurred. I am currently examining the feasibility of making it standard practice to test a person who attends hospital as a result of a road crash. Introducing a compulsory blood testing program could assist in the identification and prosecution of drink drivers. This is an issue of importance to the government and I intend to finalise a policy position in coming months.

Late last year, with improving public safety in mind, changes were made to the Liquor Act which included the creation of civil and criminal orders which ban troublemakers from drink-safe areas, hotels and other liquor premises. While the House made amendments to the Passenger Transport Act in 2008 that introduced criminal based public transport exclusion orders, the creation of a complementary civil regime, in line with the recent liquor changes, will further assist the courts in dealing with troublemakers on public transport in a targeted and proportionate manner.

Further, the recently created liquor regime, coupled with these transport changes, contribute to a strong whole-of-government stand against antisocial behaviour. Under the new civil transport regime, those acting violently on public transport or those racking up more than 10 penalty infringement notices, for such things as fare evasion, in any one year will be held accountable for their antisocial behaviour. This will go a long way to promoting the safety and security of passengers on our public transport network and protecting public transport infrastructure. I commend this bill to the House.


Debate, on motion of Ms Simpson, adjourned.

## QUEENSLAND INDUSTRY PARTICIPATION POLICY BILL

### Second Reading

Resumed from 22 March (see p. 698), on motion of Mr Fraser—

That the bill be now read a second time.

 **Dr DOUGLAS** (Gaven—LNP) (12.11 pm): I would like to table a document that explains my point about this Queensland government that spends \$100 million a year on office supplies. Basically it is a cosy arrangement where a government agency can sell office supplies directly to other departments while local businesses have to be one of three quotes from private firms that are having to tender.

*Tabled paper:* Copy of a notice from the Queensland Government Gazette regarding government expenditure on office supplies [4159].

Governments such as this current Bligh government are not unfamiliar with losing vast amounts of real capital of taxpayer funds on selling ideas that have no real business plan. The ZeroGen \$100 million disaster and the cogeneration plant at Norwell consumed \$200 million and are a good example of unscientific ideas getting traction. When it suits them, Labor wastes vast amounts of capital on crazy schemes like the expansion of the desalination plant to a \$1.2 billion disaster and the western corridor pipeline that was worth \$2.4 billion and was basically tender on invoice. None of these achieved any savings, furthered any scientist progress or assisted any Queenslanders or business other than to pay their wages.

The Treasurer makes a curt reference in his second reading speech to unions as employee representative stakeholders who, with employers, will be consulted by government. Unions are declining and only represent eight per cent of Australian workers. Their former relationship with Labor by virtue of

Labor leagues and representatives linked at their core to those leagues has been replaced by a new class of ideologically driven, largely urban professionals. This really means that they pay lip-service to those needs and aspirations of the workers and their families. The product of this continues to be these motherhood statement policies that mean nothing in practical terms. In fact, they mask the true actions of asset sales and champion socialist causes.

The bill states that the states and the Commonwealth have international obligations in relation to government procurement and refers to local industry being engaged on infrastructure projects. If this bill is to be relevant it should refer to the real problems confronting Queensland in the next 10 to 15 years. These are, firstly, the massive need for regional infrastructure investment to facilitate the rapidly growing energy industries from Toowoomba to Mount Isa—immediately to our west. Secondly, the movement of between one million and two million baby boomers retiring in 2011 to 2026 to primarily the coast. Possibly 60 per cent will move to between Coffs Harbour and Bundaberg. Thirdly, the increasing social and financial demands of the ageing population and an ageing working population who has to support them.


There is also a compelling need to reduce debt so as to reduce wasting money on paying interest. Finally, has anyone in government ever considered how important it should be to confront any issue that is confronting us and our workers and to try to take the simple and least expensive option? The state should be focusing on what it can do to get local industries building the facilities and service capacity to provide these priorities that I have raised as our key problems over the next 15 years rather than trying to subjugate the market to yet another set of government regulations and also locking governments into an impossible act of union driven demands which will lead to excessive overmanning, effective state government subsidisation and an attempt to defeat market economics. This is before stating that we need to be careful about being challenged by other countries who believe we have broken our international trading treaties. We need to confront the real issues that our biggest project engineering firm Leighton is now a subsidiary of a German-Spanish parent and a big percentage of our major manufacturers are owned by the foreign multinationals. The key to existing in that world is taking advantage of the international nature and allowing the competition to drive down the price for services that need to be delivered to the public.

Workers' wages have to remain market competitive, but good businesses will prosper. We have a manual skilled base of workers that is currently only being sustained by immigration and a market downturn in the cities on the eastern seaboard in particular. The current unemployment rate of 5.1 per cent is near full employment. Credit card debt is 25 per cent lower than it was in 2007—only three years ago. This is a big acid test for us all.

The bill is not looking forward in the way it should be looking forward. It talks about effective and efficient policy. It talks about embracing all stakeholders and drawing in all GOCs and their subsidiaries. What it avoids doing is traversing the gap between ideology and the issue and need for an outcome. It will fail because Labor foolishly thinks one can talk the talk but not set targets driven around very clear objectives and setting KPIs for itself about what it needs to achieve for Queenslanders and by when.

States and their governments are only relevant to the public in the current day if their administration delivers what it says it will do. Labor and Premier Bligh will discover what will happen when the public are delivered much of what they did not explain or deserve. It may well happen at the election. That is what I think is going to happen.

I genuinely think the Treasurer believes that this bill is good governance. It will be judged very harshly by the market because of what it did not bind the government to do in a measurable way. I talked about that earlier when I talked about KPIs. I would urge government members to read Rod Cavalier's book. It will help them understand what is going wrong with Labor policy. This bill is exactly what Cavalier correctly states is the politically conceptually flawed policy failure. Did it ever occur to anyone in government today that small business is the key to employment and that real economic growth in Australia is built around small business and will continue to be so for the next hundred years? Where was small business included in this bill? Why was it not included?

 **Mr WETTENHALL** (Barron River—ALP) (12.18 pm): I rise to support the Queensland Industry Participation Policy Bill 2010. At the outset, I want to reject totally the comments by the member for Currumbin in the debate yesterday where she described this bill as innocuous and vacuous. That will be good news for workers throughout Queensland who stand to benefit from this bill and its objectives, which are all about supporting local Queensland businesses and local workers. They will be interested to hear that the member for Currumbin and the opposition thinks that supporting Queenslanders and supporting Queensland businesses and supporting Queensland jobs is vacuous and innocuous. What nonsense.

Contrary to those absurd claims, the debate on this bill is particularly timely as our state faces the massive task and expense of rebuilding following the floods and cyclones that have caused so much damage throughout Queensland. In regional areas like North and Far North Queensland there is

understandable and reasonable concern that local builders and contractors can get their fair share of the reconstruction and rebuilding work. The Bligh government is committed to ensuring that as much local labour as possible is used in rebuilding Queensland. The rebuilding effort will occur through both public and private projects. Much of the rebuilding of private homes and businesses will be funded through insurance claims. While the government has no power to direct insurance companies, I expect that insurance companies will be providing work to local tradespeople, local contractors and local companies. This is what communities in disaster affected areas need. This is what they want, and that is fair enough.

I understand that both the Premier and the CEO of the Queensland Reconstruction Authority have met with the Insurance Council of Australia and have delivered this message to them in no uncertain terms on behalf of those communities, those Queensland workers and those Queensland companies. Our government has backed up this message with practical measures. For example, we appointed a North Queensland coordinator of the Queensland Reconstruction Authority and established an office of that authority in Innisfail to be accessible to communities affected by Cyclone Yasi. In addition to its offices in Cairns and Innisfail, the Queensland Building Services Authority has established a temporary office in Tully, offering a full range of BSA services and advising residents how they can use local labour in their rebuilding projects. The BSA has also established a register that residents can search in order to find local licensed builders. That site can be located at [www.bsadisasterrecovery.qld.gov.au](http://www.bsadisasterrecovery.qld.gov.au).

The Queensland Government Chief Procurement Office has released information on how government agencies can help disaster affected communities recover by, for example, in regional Queensland sourcing goods and services locally and making sure that local suppliers are given an opportunity to tender for government business. The Minister for Government Services, Building Industry and Information and Communication Technology, the Hon. Simon Finn, who recently visited cyclone affected communities in the Far North, has confirmed that QBuild has employed 149 local contractors and 43 suppliers on local reconstruction jobs and they are all locals. The minister has also instructed his department that QBuild should continue to use local contractors whenever and wherever they can.


The Minister for Main Roads, the Hon. Craig Wallace, has announced that 6,500 jobs will be available to local workers and local businesses on \$600 million worth of road repair jobs over the next two to three years in North and Far North Queensland. Last week he convened a workshop in Cairns to provide information to local businesses and local workers about how to apply for those road repair jobs and projects.

Yesterday evening here in Parliament House both the Premier and the Minister for Tourism, Manufacturing and Small Business hosted a 'back in business' event and launched a new campaign to encourage Queenslanders to 'buy local' and 'back a Queensland'. This reminds us all that we can help Queensland businesses get back on their feet by buying Queensland produce, taking a Queensland holiday or dining out at a fabulous Queensland restaurant.

Sitting across all of these local initiatives is the current local industry policy, which is designed to give local industry full, fair and reasonable opportunity to tender for infrastructure and resource based projects. It also obliges all government agencies and government owned corporations to report annually on levels of local industry participation in projects undertaken and to prepare local industry participation plans for projects valued in excess of \$5 million, or \$2½ million in rural and regional areas.

Under this bill, that current local industry policy will be transitioned into law. Indeed, the bill provides a legislative basis for successive Queensland governments to maximise the opportunities for local suppliers to be involved in Queensland government funded procurement. The bill strengthens the current arrangements by codifying the objectives of the local industry policy and by providing that the policy must be consistent with principles of achieving value for money and assuring probity and accountability for procurement outcomes.

In recognition of the significant contribution that rural and regional Queensland makes to the Queensland economy and to the labour force, the bill requires the minister to have regard to the objective of supporting regional and rural development in Queensland. This bill is another example of how our government is supporting Queensland to recover from floods and cyclones and provides a solid foundation for future growth of Queensland companies and firms and Queensland jobs. I commend the bill to the House.

 **Ms FARMER** (Bulimba—ALP) (12.24 pm): I rise to speak briefly on the Queensland Industry Participation Policy Bill 2010. As a member of parliament representing an electorate with a strong manufacturing base, this bill is close to my heart and is seen by many local companies as a significant achievement. I congratulate the government on what has already been achieved in Queensland since the local industry policy was introduced in 1999. Clearly, this policy has been successful, with Queensland manufacturers winning in that time 3,145 contracts totalling \$4.928 billion with \$1.402 billion going to regional Queensland companies.

As a very new member of parliament, I was very quickly made aware of the local industry policy by local boat builders who compete at state, national and international levels for boat building contracts and are very successful by any measure on the world stage. The Bulimba electorate is on the map for boat building because of many of these manufacturers. A number of the people running these companies are second and third generation owners and have spent years honing their craft. They take pride in producing and being recognised as producing the best at what they do. These are not people who want or need to be given an unfair advantage. They do not want anyone to do their job for them. However, intrinsic to their expectations is that their work will be given full, fair and reasonable consideration in any tendering process, particularly government tendering processes. This is what the current local industry policy is all about and it has been very successful at achieving it.

Now is such an important time, however, to have another look at the policy and make sure we are maximising its benefits. By enshrining the policy in legislation we will be doing just that. We will be making sure not only that support for Queensland industry is in place through successive governments but also that our processes are sufficiently transparent and accountable to know that we are most definitely allowing Queensland companies to take up all of the opportunities that are available.

This bill is a public statement of confidence in Queensland industry at a time when we need it possibly more than ever. It encourages Queensland manufacturing companies to identify new opportunities for growth. There most surely are a myriad of opportunities, given the burgeoning new industries in our state such as the LNG industry. Quite simply, by introducing this bill, we are taking Queensland government policy to the next step, ensuring Queensland companies not only can consolidate their place in this state but also will have a greater chance for a place on the world stage.

One year ago I was very pleased to visit the Forgacs Engineering site in the Bulimba electorate with Andrew Dettmer, the Secretary of the Australian Manufacturing Workers Union in Queensland. Forgacs is one of Australia's leading ship repair, ship construction and engineering companies and employs around 90 workers. The purpose of my visit was not only to take a look around what is an iconic site in the local area, given its previous incarnation as Cairncross Dock, but also to make a commitment to the workers there to ensure the long-term growth of manufacturing in the local area by signing the charter for Australian manufacturing. This is what this bill is all about. It is about workers and providing a future for them by securing jobs for them.


The AMWU charter was created by the union as part of its Manufacturing Matters campaign to promote the growth of local manufacturing. I congratulate the union on this campaign and on the very constructive role it has played in representing the interests of the manufacturing sector to government. One year later, this bill that we are debating today brings that goal to a point and it is something I celebrate. Quite frankly, I have no idea who the LNP is talking to when it criticises this bill. There is absolutely no-one who thinks this is a bad idea. It is being widely welcomed.

**Ms Grace:** They are probably talking to Campbell.

**Ms FARMER:** I take the interjection from the member for Brisbane Central. It is obviously Bruce McIver or Campbell Newman.

The Premier has only recently again reinforced the importance of manufacturing in this state by appointing a minister to be specifically responsible for manufacturing—the excellent member for Whitsunday who is also the Minister for Tourism, Manufacturing and Small Business. I look forward to the minister visiting my electorate to speak to manufacturing companies in the Bulimba electorate about the Queensland Industry Participation Policy Bill and the important role that manufacturing has in the prosperity of this state.

This bill is yet another plank in the commitment by the Bligh Labor government to support jobs and economic growth in Queensland. As the Premier said this morning, we are the ones doing the hard yards. We are the ones who are putting the plans in place, and we are here to see things through. We are the ones who are committed to rebuilding Queensland. I congratulate the minister and the Treasurer on his initial carriage of this important bill and express my support for the new minister as she moves towards its implementation.

 **Ms BOYLE** (Cairns—ALP) (12.29 pm): I am pleased indeed to rise to support the Queensland Industry Participation Policy Bill before the parliament on behalf of the people of Cairns and the region of Far North Queensland. If members want to know whether the people of Cairns are in favour of this local industry participation policy and whether we in the Far North have benefited from the local industry participation policy then the answer is yes and yes. There is no doubt about it.

For many years Cairns and other regional centres have been concerned that too often state government work, tenders for products and services and construction go to the big boys and girls in Brisbane and the south-east corner and that the regions have not had their fair share of state government procurement at all levels. This local industry participation policy has not only protected Queensland businesses but also protected regional businesses in terms of ensuring they get a fair

share of the work available, and that is something that Cairns businesses and Cairns workers have been very pleased about. The next step is to enshrine this in legislation in order to ensure that any future governments—Labor or, heaven forbid, a government led by those on the other side of the House—will embrace this policy through this legislation and continue the rollout of the policy in the years ahead.

After listening to the member for Currumbin's contribution to this debate yesterday from my office, I was gobsmacked. Not only was she criticising the government's action for putting this bill into legislation; at the same time she was contradicting herself and trying to take credit for the LNP for supposedly developing the inception of this idea. She cannot have it both ways. In fact, it was all three ways if I remember what she said. Firstly, she said that the government should not take the credit because the opposition started this; secondly, she said that there was no point putting it into legislation because it is really empty; and, thirdly, she said that her side would toughen it up and make it even better. She really cannot have it all those ways. In fact, we are toughening it up.

The hard fact of life—it does not matter what field of endeavour it is—is that if you are called to account by law and if you are called to account in details by reporting methods then you are going to implement that policy a bit more enthusiastically than you might have previously. Therefore, the fact that this bill tightens up the accountability provisions is in itself going to lift the policy to the next level. Will the people and businesses of Cairns welcome that? We certainly will. We will also welcome it in its extension to government owned corporations, because we have not always believed that their enthusiasm for looking for local companies to take opportunity from tenders for products and services has been as great as it should have been.


Too often, local companies in the regions feel as though there is an assumption that because a company is bigger and they come from Brisbane they will do a better job. Quite often in fact that has proven to be incorrect. Quite often it is the local companies that understand the particular needs or the particular service to be provided or the building to be built and they not only provide a better quality product or service but also provide the whole-of-life maintenance and follow-on services that are necessary in order for effective delivery of that product or service.

People in Cairns are still on guard in terms of any state government department, any local government department or any federal government department that hands out tenders for Cairns and the region to South-East Queensland companies. In fact, we are gobsmacked at the moment by Warren Entsch, the federal MP for Leichhardt. After all of his nonsensical statements about the state government not giving tenders to local companies, he has just announced his new super-duper—so I am told; I have not looked at it because I could not be bothered—website, which was tendered to a Brisbane IT company. What a slap in the face for excellent IT companies in Cairns!

That is the kind of thing that will happen under Campbell Newman. The people of Cairns already know what he has had to say about how the regions of Queensland are getting too much. Recent state government announcements relating to Townsville and Mackay were criticised by Campbell Newman because he said that Brisbane needed more. He said that the funding and the infrastructure money should go to Brisbane. Similarly, he criticised an announcement from our Prime Minister for giving money to the regions and instead said that it needed to go to Brisbane. Maybe some Brisbane people would be happy about that, but many people in the regions such as Western Queensland would not be happy about that at all. Trust this man—what is he? Is he anything? Is he the leader? Heaven knows!

I return to the local industry participation policy and state government tenders. I note in the chamber the former minister for public works. I have to put on the record in this speech his tireless efforts over the last decade and more to ensure that the regions of Queensland have had their share of business through the State Purchasing Policy. Cairns companies, Cairns businesses and the *Cairns Post* monitor this issue all of the time just in case any state government department or agency or government owned enterprise falls from grace and slips up and, as in the old days, gives the work to Brisbane based companies without a fair go for regional businesses to tender. However, the people of Cairns will be really pleased about the new accountability requirements, especially at this time.

I am sorry to say that there is 13 per cent unemployment in Cairns. It has gone back up again in these last few months. Most of us understand that because of Yasi—because of the dreadful damage done and because of the chaos that is only now beginning to be sorted—it will probably be a few more months before the big numbers of jobs that will come with the reconstruction will really get rolling. Four local building companies have collapsed over the last three years, with the fourth announced recently. We were so sorry to hear about Mr Udo Jattke and Glencorp. He was a very good participator as a construction company leader in our community. Nonetheless, the jobs will come in this next quarter and it is important that every state government department and agency and every GOC looks for every way, including through the Queensland industry participation policy, which will soon be legislation, to give Cairns companies, Cairns businesses and Cairns employees a break.

 **Mr EMERSON** (Indooroopilly—LNP) (12.37 pm): I start by saying what an excellent contribution we heard yesterday from the shadow minister on this issue. As the shadow minister said, this bill tries to legislate for something that should not need to be legislated. A local industry policy has existed for more

than a decade. What is needed is not more legislation but the leadership of the government and its ministers to ensure that the policy is implemented and that local industry is being supported where possible. The fact that we are debating this bill today shows that that leadership has been lacking and that this government has failed to deliver on its local industry policy. The talk from this government about supporting local businesses has been empty rhetoric.


I took great interest in what the member for Cairns said about the local ICT industry. Let us look at the local ICT industry and let us look at how this government treats the local ICT industry in Cairns. The Queensland government is the biggest consumer of ICT in Queensland. But the Queensland government is not the biggest consumer of Queensland ICT. Non-Queensland suppliers get the lion's share of government contracts.

**Mrs Stuckey:** Shame.

**Mr EMERSON:** I take that interjection from the shadow minister. It is a shame that this government does not buy Queensland ICT. The majority that it buys is from non-Queensland companies. Many Queensland technology providers find that they can outsell rivals overseas, but they cannot crack the buyers in their own state government. They constantly lose out to big foreign and interstate rivals.

We have the ridiculous situation of Queensland companies selling great products internationally and having to apologise for the fact that their own government will not even use their products. The Queensland government proclaims its support for the local ICT industry, but when it comes to its buying decisions it shows its true attitude. When it comes to buying ICT, bureaucrats find every excuse not to buy local. Local ICT companies do not expect preferential treatment, but what they would like is to be considered on their merits. Our local ICT companies have hundreds of satisfied customers around Australia. They sell internationally, but they struggle to sell to our state government. There seems to be some sort of cultural or technological cringe by the Queensland government.

The Queensland government goes on about wanting Queensland companies to be successful and to be exporters, but it will not buy from those same companies. By far the biggest help that governments can give to local industry would be to put its money where its mouth is and to buy from these companies. Queensland ICT suppliers would much rather get that kind of support than get handouts from government. The Queensland government has to make a decision. Does it want to grow the local ICT industry or not? Does the government want to just give empty rhetoric or provide true support?

 **Mr McLINDON** (Beaudesert—TQP) (12.41 pm): I rise to make a contribution to the debate of the Queensland Industry Participation Policy Bill 2010. At the outset, I must say that I am extremely happy to see this bill before the House. I thank the government for enshrining this policy in legislation. I must disagree firmly with the comments made by the member for Indooroopilly in terms of having a policy but refusing to have it in legislation. I think that is completely irresponsible. We need to encapsulate the policy in legislation to ensure that there is policy security. Policy is talking the talk and then legislation is walking the walk. The member for Indooroopilly needs to draw that connection and realise that, regardless of how high or low the bar, to have the policy in legislation is certainly the starting point and the bar may be able to rise in the future.

I am supportive of the bill for various reasons. Over the past two or three decades we have seen the phenomenon of globalisation. I think more importantly, over time, as natural disasters occur throughout the world and different demands are made on governments, we will see a return to localisation. In this bill the government is pre-empting the importance of making sure that business is outsourced locally and providing that parameter to make sure that a starting point is encapsulated in legislation. That ensures that there is a mechanism in place to guarantee that a certain percentage of those industries will participate in the local industry policy.

It is great to see, since 1999, 3,145 contracts, totalling almost \$5 billion, with \$1.4 billion worth of contracts going to regional Queensland companies. I think still we need to work on striking and balance. I think we can improve on that. But it is good to know that this policy is on the radar and that the government has bothered to encapsulate it in legislation.

It probably comes as no surprise that various LNP members are against this ideology or philosophy. They certainly do not mind outsourcing beyond their 32 members. They do not believe in localisation when it comes to the leadership of the 32 members. They have to look outside the parliament. So it would be hypocritical if they supported this bill, when they could not actually do the same themselves. They need to look at their reflection in the mirror. They probably realise that they cannot support the bill because of their own actions.

Many weeks ago The Queensland Party wrote to the Premier regarding a buy 100 per cent Queensland campaign strategy. I am pleased that a couple of days ago the Premier responded. As the Premier mentioned in a ministerial statement this morning, the government has launched the buy

Queensland campaign. They did not put the '100 per cent' in the slogan, but that is okay. It is a good starting point. Maybe The Queensland Party can use it as its slogan. I am happy to say that the Premier has responded to me positively. I would like to table the response from the Premier, which was given to me on 17 March. I thank her for taking that suggestion on board and certainly working towards making sure that we are empowering local industry.

*Tabled paper:* Copy of a letter, dated 17 March 2011, from the Premier to the member for Beaudesert regarding the 'buy local' marketing campaign [\[4160\]](#).

There are concerns naturally because of all the natural disasters that have occurred in this state, particularly in Cairns. When I last visited Cairns I was aware that the people there certainly have a fear that a lot of those rebuilding contracts will be outsourced interstate and internationally. So I think this bill gives those people some solace that the policy is on the radar. As I said, whilst the policy may not be where it should be, it is a starting point that we can certainly work towards.

On a local level, I must thank the good minister for meeting with me in the last sitting in terms of a tourism strategy in the Scenic Rim area with the bed and breakfasts and the wineries. I thank the minister for her time and I look forward to working towards something on a local level. I think, if we start building on the concept that the government has brought to the parliament today, we are in for very good news in terms of supporting local industry and having a focus on localisation to make sure that communities are empowered to depend upon each other.

**Mrs CUNNINGHAM** (Gladstone—Ind) (12.45 pm): I rise to speak in support of the Queensland Industry Participating Policy Bill. I think the 'buy locally, shop locally' mantra has been around for a very long time, but that mantra must filter from the top—that is from the government. I concur and support the comments made by the member for Beaudesert that it is one thing to say; it is another thing to do. If there is any criticism, it would be that local shops and local business owners would love to see more and more of their services used wherever it is possible.

I do not think that it is a possibility to mandate to buy locally, because you then put yourself in a very uncompetitive situation. It is a bit like when the government wants to buy something on the open market. As soon as the vendor knows that it is the government that wants it, the price goes up. There has to be a competitive market but, certainly, buy locally is a very important principle.

This bill deals with the government and its purchasing policy. One could say that, because it has been a policy for 11 years, there may not be a great deal of change, but I think once the policy is articulated in legislation it is given great weight. I know that in the education field I have had complaints made to me anecdotally from P&C members that in the past they were obliged to get all their work done through QBuild when in certain circumstances a local contractor was able to provide a better price. Let me say that, if a government instrumentality can get the same level of service from a local supplier, it should be able to do that. That keeps the money in the local community.

The local industry policy objectives are to be commended—maximising employment and business growth in Queensland by expanding market opportunities for local industry. These are a macrocosm, as in Queensland-wide objectives, but I think they work for the microcosm as well, because each of our electorates would love to see businesses in electorates—small, medium and large—grow. If you step outside the government procurement process, in my electorate—and I am sure this occurs in other mining electorates—there is a real desire to see local employment. It is the same principle. Local people who will have to cope with any disadvantage or challenge related to development in their region should also gain at least an equal, if not better, advantage because of the changes that are occurring in their region. I think that promoting local industry and local procurement will enhance the obligation on the government in terms of training and funding for training, so that that full circle can be achieved—where you procure items and you buy IT, but you can also procure services and the procurement of those services locally will give greater opportunity for people to enhance their training, skills and qualifications.

I would love to talk more about buying locally in terms of the industry that is coming to my electorate. Much of that, though, is not government related and, therefore, will not be bound by this legislation. But there will be a flow-through effect in the sense that there will be demand placed by this industrial growth on all of our government services, whether that is housing, particularly affordable housing, the procurement of government services for social services, education, health—all of those things. I think this buy local policy, this procurement policy, will be an advantage to many business owners who have invested their money, their time and their soul in their local businesses. I commend the minister for the bill.

**Mr SCHWARTEN** (Rockhampton—ALP) (12.49 pm): In congratulating the minister on bringing this legislation before the parliament, I think it is important to realise where it came from. It started back in the disgraced National Party days. They did not have a procurement policy. Their procurement policy was based on brown paper bags. Everybody should remember that. One of the outcomes of the Fitzgerald inquiry was to recommend that government have a procurement policy. It is a relatively new thing in Queensland. When I took responsibility for procurement from my predecessors I asked to see what was then called the state purchasing policy and they wheeled it into my office on a trolley. It was

volumes and volumes and volumes that they had just continued to add pages to over the years. I had reason to caution a public servant and ask why it was that he had let a contract out of Queensland for \$150 more in a \$150,000 contract—it was about that figure anyway. He said that he would much rather face the wrath of the government than be taken down to the CJC, as it was then, and hauled over the coals for not taking the lowest priced contract. That was the fear we had. You could never be dragged before the CJC for taking the lowest priced contract. That was the level of fear that was generated over the years since the Fitzgerald inquiry. We did not get a quality product and a quality price out of that process. The cheapest price is not always the best quality. Everybody knows that that is the case. That is where it started.

As a result of that I rewrote the policy and it is what it pretty much is today, and that is that governments should be elected on what they are prepared to do. If the Liberal National Party believes that all of the roads in Queensland should be painted in gold and they get elected on that promise, they should do it and we should get out of the road and let them do it. Unfortunately, they might as well have a policy like that because they do not have any policies at all on which to have a basis for a procurement policy. We now have legislation that we support and we know where we stand on local industry; we know where we stand on procurement. One only has to go to the point of purchase today to get a competitive price. That is the way it is. Of course, there are a lot of levels in bureaucracy that do not understand that and do not do that, but the policy is there and it is up to the DGs and ministers to ensure that that can occur.

I heard the member for Gladstone make an interesting comment about the mighty QBuild. I think I have probably ended up with 200 or 300 complaints over the years that said that somebody else could do it cheaper than QBuild. It highlights what procurement is all about. When one compares apples with apples one invariably finds that QBuild is able to compete with the best of them. What most people do not understand is that QBuild outsources about 60 per cent of its work to prequalified local subcontractors. If QBuild was privatised, like the Tories want it to be, then 60 per cent of the outsource work that goes into regional Queensland would disappear overnight. When one is talking about local procurement, QBuild actually does that better than anybody. It does not matter whether one is in Cairns, the Torres Strait or Longreach one will find a whole host of subcontractors who are tied to QBuild in procurement plans.

It was a pitiful effort from the member for Indooroopilly. He lasted about three minutes. All he did was get up and dish dirt on this side and then off he went. He reminds me of one of those budgerigars that is always looking in the mirror and pecking at his own image. I think he spends a bit too much time interested in his own image in front of the mirror to get himself involved in any real policies.

**Mr Watt** interjected.

**Mr SCHWARTEN:** No, we will not go there. There is no evidence whatsoever that the thought processes over there are working. He gets up and talks about the Queensland ICT industry, ignoring the fact that the Queensland ICT industry sits around a table with government and talks about purchasing plans. He has no knowledge that Mincom, a Queensland owned company, provides the enterprise system for QBuild. I would strongly urge the member to better acquaint himself with that portfolio before he rushes off and makes those sorts of foolish statements. Certainly anybody who listens will be told by any industry in Queensland that they could do with more business in Queensland. Invariably that is correct. But just because a company is set up in Brisbane—and I am eager to see whether this is a policy of the LNP and just how far they want to go in terms of local—do those opposite believe that the Queensland taxpayer should pay two, three or four times what another competitor can do it for? Those opposite are supposed to be the champions of free enterprise. We have to get a value-for-money outcome for the people who pay the bills. The people who pay the bills are the people who work in the hot sun and pay their taxes out of their hard-earned cash. I am all for providing local opportunities. This legislation certainly does that. One of the things that we live with is that we must get a cost competitive and product competitive outcome. We do not get that by necessarily going for the lowest price. The shadow minister criticised me for taking a price that was not the lowest price in Far North Queensland.


The other point I would like to make about the member for Indooroopilly is that the outsourcing of the position of Leader of the Opposition is a classic example of a local industry policy that does not work. Those opposite are not satisfied to have their own shadow ministers appoint their leader, they get someone external to do it. I would hardly think that they are in a great position to criticise government in this regard. I do not know how that is going to work. I thought the 'Joh for PM' stuff was the living end of everything. It was the stupidest thing I have ever seen—until this came along. The thought of having an unaccountable member of the public, as it were, as the Leader of the Opposition, responsible for a Leader of the Opposition's budget, staff and all the rest of it, someone who would not even be able to find the men's lavatories here, is absolutely nauseating. He is going to come here and sit in the gallery. I cannot wait for him to do that. I cannot wait for him to sit up in the gallery so we can see the puppeteer's performance. Is he going to lean over and say, 'No, vote against that', or, 'Do this'? Is he going to throw the questions over the side like the Tories used to do back in Joh's time? They used to throw notes over the side. Is that what is going to happen? I think there are some very serious questions to be answered in this regard.

As for him being a soldier, he would do well to remember that good soldiers do not desert their posts. He is deserting the people of Brisbane because somebody has come along and offered him a better deal. The arrogance last night of seeing the would-be Leader of the Opposition, or the sham Leader of the Opposition, say to not worry about the fact that he is not a member of parliament because that is going to happen! What absolute tripe to suggest that it is some sort of play thing; that you give up being the mayor one day and you become the member for Ashgrove the next day. I have never seen the likes of it. But that is where the thinking is. The opposition in this place is so arrogant that they think they can go out there to the highways and the byways, recruit somebody who is popular amongst the masses, and suddenly make him the Leader of the Opposition. What does that say for every one of the members of parliament who sit in here? Not one of them is capable of putting their hand up. Poor old Fiona. What did she get—13 votes? I wonder whether they were told to vote that way. One thing I will say is that it is a great indication that an army is not successful if one of their ranks cannot be the leader. If you have to go outside the army and get a mercenary to come in and run the army it is a pretty shameful thing.

I will go back to the bill. To use the army analogy, you do not judge an army by the way they shine their boots and the way they march; you actually judge them on how well they can fight and how well they are trained. What have we seen here this morning in response to this very enterprising piece of legislation that has evolved over this government's time? This is a serious opportunity for the opposition to put its policy up and have it questioned. We saw the effort from the member for Indooroopilly who did three minutes of a ham-fisted speech with no understanding whatsoever of not only what he is the shadow for but also industry in Queensland and how this policy will work. He is not bothered to be here. None of them have bothered to be here. They are probably all on the phone talking to Santoro or whatever they are up to at the moment. You can guarantee that they are up to something, because at least 13 of them do not like yesterday's outcome. I do not think they will go quietly, so watch this space.

I commend the bill to the House. It is a sensible reform along the route of the evolution of an industry policy. We have an industry policy. The opposition does not have a policy on this matter, as it does not have a policy on most things. The bill recognises the diverse regional nature of our state and it tries to grapple with the issue of what is local. A Rockhampton builder is one of the biggest in this state. He likes to be called 'local', but he competes for work all over the state. He has long since departed from the view that we should stick to our own backyards. I commend the bill to the House.

Sitting suspended from 1.02 pm to 2.30 pm.

 **Mr WATT** (Everton—ALP) (2.30 pm): Several years ago, this government brought in a local industry policy that has been successful at giving local firms a level playing field in competing for work through government contracts. Since the introduction of the local industry policy, the state's manufacturers have won 3,145 competitive contracts totalling nearly \$5 billion, with \$1.4 billion of those contracts going to regional Queensland companies. Not only has the policy had those economic benefits for business; it has also led to the creation of thousands of jobs and allowed industry to develop in many regions of Queensland. I think it is a very good example of the difference between Labor governments and our LNP opponents: Labor governments support local industry and conservative governments tend to throw them to the wolves.


Since the policy's introduction these positive outcomes have been impressive, but the time has come for the government to make the policy stronger by enshrining it in legislation. I will not go into too much detail about the specifics of the legislation as other speakers have already done that. I do want to pay tribute to the minister, her predecessor and her department for bringing this legislation forward. I also pay tribute to the Australian Manufacturing Workers Union and the state secretary, Andrew Dettmer, who have worked very hard on this issue for a number of years. During my time in government they have regularly raised with me their desire to see an expansion of the local industry policy. It is really pleasing to see that finally come to fruition.

I mention the Australian Manufacturing Workers Union because when I was a lawyer I represented the union and its members. It is a great union with a proud record of representing working people. One of the things I most like about this union is its willingness to put forward ideas for policies that will help its members. Obviously it takes very seriously its role in representing the industrial interests of its members but it also has ideas about policies that will improve the state of Australian manufacturing, which is important to all those on this side of the House.

I do not think that passion for manufacturing is more evident than in the area of industry policy generally. Throughout the past couple of years the union has been an active player in industry policy debates and the debate on the restructuring of the car industry and Australian manufacturing in general. The union has been at the forefront of encouraging Australian manufacturers to invest in their equipment, to invest in their people and to compete on the basis of quality rather than price.

From time to time, people on the other side of politics tend to get stuck into unions for being backwards and wanting to go back to the days when we had tariff walls to protect Australian industry. Therefore, it is pleasing to see that this union and its members are not sticking their heads in the sand; they are really thinking about what will generate a positive reputation for Australian industry, rather than the reputation of a cripple that needs to be protected by tariff walls and the like.

Again I congratulate all those involved in the development of this bill. I am confident that it will result in the creation of thousands of jobs throughout Queensland and not just in Brisbane, which seems to be the only place that the LNP cares about these days.

 **Mr RYAN** (Morayfield—ALP) (2.33 pm): I rise to make a short contribution to the debate on the Queensland Industry Participation Policy Bill. In the Caboolture region, people will often hear me repeating the mantra of local jobs for local people. It is an important message and a concept that I am committed to. Local jobs for local people means just that: by supporting and investing in opportunities for our local businesses, we are in turn supporting and creating job opportunities for local people in our communities. Ultimately, strong communities are those communities that continually invest in employment opportunities and enhance economic activity for local people and local businesses.

This bill formalises and enhances the government's local industry policy. This bill enshrines in law a basis for securing the principles of local business and local worker involvement in Queensland government funded procurement processes. This is a worthy next step to the government's proud record of delivering benefits to Queensland businesses and workers through its local industry policy.


It is important not to underestimate the benefits that flow from a focus on and a commitment to a local industry policy. Not only are we supporting local businesses and local jobs; we are also investing in the capacity of local businesses to further innovate and enhance their competitiveness. We are helping our local industries to transform themselves into internationally competitive businesses. This is good news not only for local jobs and local people; it is good news also for the Queensland taxpayer. It means that the Queensland taxpayer gets greater value for money whilst, at the same time, supporting local businesses and local jobs.

This bill enshrines in law a local industry policy for Queensland businesses. Moreover, the bill creates a legal requirement for the responsible minister to report to parliament on local industry policy outcomes, thereby enhancing probity and accountability for Queensland taxpayers in respect of government procurement.

During this debate we have heard some opposition members criticise the need for the bill. We have heard members of the opposition say that the bill is not necessary. However, they miss the critical point: this bill is necessary because it enshrines in law a very important policy about government procurement and a very important policy about support for local industry, probity and accountability requirements for Queensland taxpayers. This bill is necessary because it says that we as a government are serious about local industry, probity and accountability requirements in respect of government procurement.

The bill means that future governments will be bound by this government's focus on support for local businesses, local jobs and local people. It is important to note that we as a government are serious about support for local businesses, local jobs and local people. If those opposite want to trivialise this matter and question the need for the bill, maybe they really need to look at what they are serious about and whether or not they are serious about supporting Queensland businesses. At the end of the day, the ALP is the party of jobs, innovation and opportunity. The ALP is the only political party that is committed to local jobs for local people and to local businesses. To that extent, we have to question the opposition's commitment to that principle and to local business.

This bill is important. It says that we are serious about local industry, probity and accountability requirements. Further, it says that we are serious about the principle of local jobs for local people. I take this opportunity to congratulate the minister, her staff and the department for bringing this bill before the parliament. I commend the bill to the House and ask all members to support it.

 **Mr FOLEY** (Maryborough—Ind) (2.38 pm): I rise to participate in the debate on the Queensland Industry Participation Policy Bill 2010. I congratulate the new minister, who certainly has attacked her portfolio with some degree of aplomb. To her I say well done.

This bill mandates the creation and implementation of a local industry participation policy by all current and future Queensland governments. Local industry participation is a critically important aspect of accountability on government expenditure, grants and projects. I think all of us in this place agree with the principle of free trade and that it ideally needs to begin at home to protect workers.

To that end, I want to put my hand up and say that, along with Andrew Dettmer, who previous speakers have spoken about, and two local chambers of commerce and business, we have fought very hard to ensure that rail contracts keep coming the way of our excellent facility of Downer EDI and Bombardier. Unfortunately, Downer EDI recently saw fit, for reasons best known to itself, to withdraw from that tender process. I think that was an utterly perplexing decision. However, it was a business decision and I will continue to work with the minister and the Treasurer to see if we can facilitate a way for Bombardier to be able to continue on with the tender as it is, simply without Downer EDI. Bombardier is the largest train manufacturer in the world with a very healthy balance sheet, so I urge the minister to do whatever she can to protect those jobs of Maryborough workers.

We worked very carefully with the minister's predecessor, and everyone put a lot of pressure on the government to make sure there was that local industry policy component of the tender project. That did come to fruition, but we were then perplexed when all of that hard work had been done by the unions, by me, by the chambers of commerce and by our whole community, but Downer EDI decided it did not want to come to the dance anymore.

Having said that, government expenditure needs to flow through because it has a big impact on the Queensland economy. There always needs to be an appropriate balance between complying with our international trade obligations, value for taxpayers' money and the direct support of local jobs and industries which in turn support our communities. I have spoken many times in this parliament about the ripple effect, the flow-on effect—that the dollars that are spent on contracts do not just relate to the jobs they create directly. Many small businesses in a city like Maryborough—such as those small specialist engineering firms—have employees who work full time just on creating bits and pieces for the trains that are built. People have spoken about the multiplier effect being somewhere between one and seven times. I do not really know because I am not an economist, but the multiplier effect of the loss of a contract is felt even more keenly. We are already struggling to maintain a workforce because it is constantly being poached by fly-in, fly-out mining contracts and so forth, so we are very keen to work with the minister to make sure that continues to roll on.


The bill also requires annual reports to parliament on the local industry policy's implementation and on government agencies and government owned corporations compliance with it. That is a good thing because obviously there is that degree of accountability. It makes it very hard for the opposition to criticise the government and say, 'This isn't needed,' when the whole situation is put out there for all to see with that openness and accountability. It also allows the whole parliament to scrutinise the process and make sure that those local industry components are being applied. The minister of the department of economic development has responsibility for the tabling and presentation of the policy and the compiling of the relevant information.

I have a number of concerns with the following excerpt from page 5 of the explanatory notes. It states—

While *clause 6(1)* is broad, it is the intention that the Minister of the day would exercise discretion on which activity might be captured by the local industry policy and what project value thresholds might apply to such activity in order to efficiently and effectively achieve the Bill's policy objectives to maximise economic, employment, industry development and social benefits of State Government-funded procurement under this clause.

On my cursory glance of this, and just turning my mind to it, this would give the minister the call on what projects and expenditure the policy and consequently the annual reports apply to. I am a little uncomfortable with that. I believe there should be more clear-cut boundaries as to the thresholds and the values of the projects and grants that the local industry policy applies to so the minister of the day, whoever that may be, whether it is the current minister or her successors, cannot just decide which ones they want in or out with no scrutiny whatsoever.

In conclusion, I would like to ask the minister whether the annual reports on the local industry participation policy will be categorised into region by region projects and expenditures. That would be very helpful in allowing local members, the media and other interested persons to easily identify the flow-on of government expenditure in the region to the local community. Sometimes we get feedback from people that you need to be a Philadelphia lawyer to go through the budget papers on the odd occasion. With those questions that I have put to the minister, I would happily support the bill.

 **Mr SORENSEN** (Hervey Bay—LNP) (2.45 pm): I rise to speak on the Queensland Industry Participation Policy Bill. This bill, by design, is to apply to all government owned organisations and all government agencies, including special purpose companies established to deliver large or unique infrastructure projects. This should enhance Queensland's employment tendering processes and support all Queensland businesses. In relation to the bill, apparently the bill requires that the local industry policy report must be put on DEEDI's website in November for the financial year and that the minister must report to the parliament annually on the local industry policy. The minister must table by November the report for the previous year. The bill goes on about the local industry policy, which is something we have had since 1999 anyway. The only thing this bill promotes is development of a report to contain information.


I would like to hear some answers to these questions I have to ask. With this bill, are we going to see a report as to why, out of the 102 new train car sets to be constructed in Maryborough, which was announced in the 2009-10 budget, 38 were quietly cancelled and instead rolled into the yet to be tendered train car contract? That is an explanation that I would like to see in the future reports. I would like to see the government put its money where its mouth is.

After what has happened on the Fraser Coast and the jobs that EDI will most probably lose without those 38 train car sets over the next few years, we are going to lose a number of jobs in our area. The member for Maryborough has spoken about that, but it does not only affect Maryborough; it affects the whole Fraser Coast area. This is a real concern because it is not just Downer EDI; it is all the other small businesses that rely on those small contracts which these train companies give out. It affects

a lot of other industries around our area, including the upholsterers that do the upholstery work in the trains. They rely on these contracts coming through all the time. It is not just the one big company that will be affected; the whole area will be affected. When you look at the fact that they can win contracts from Western Australia and some other areas, it begs the question as to why they cannot get a contract out of the Queensland government. We have to look at those issues.

At the end of the day, once we lose that expertise of building trains and other things like that, we will lose it forever. I have seen industries close down before in our area. Once they close down, they never come back. You lose all that expertise and the professional people move away and never, ever come back. We will face that real problem if we do not continue to give these tenders to local people up and down the coast. It is not just Maryborough; it is everywhere.

A few years ago when I was speaking to members of the rural fire brigade they were alarmed that their uniforms were made in China. Previously they were made in Australia. They queried me about the safety of the uniforms they were wearing. They are not as thick as the Australian made overalls. It is very important to make sure that we support our local industries and our local communities. The domino effect does not stop at the company; it goes right through the community, especially communities like those on the Fraser Coast.

 **Mr DICKSON** (Buderim—LNP) (2.50 pm): I rise to contribute to the debate on the Queensland Industry Participation Policy Bill. I rise to speak regarding that part of the bill that advocates seeing local Queensland suppliers of goods and services get a greater slice of the pie with respect to state government funded procurement.

If we go directly to the reasons for the bill we find that in the explanatory there is the following—

Participation by Queensland suppliers of goods and services in activity generated by the State Government-funded procurement contributes substantially to employment and business growth.

This local industry participation not only helps create and retain jobs; it drives technology transfer, research and development, innovation and improved productivity as suppliers pursue best practice.

It also provides access to Queensland Government project managers and contractors to the widest range of capable local industry, providing more options for achieving value for money.

Legislating to require the development of a local industry policy will ensure that the principles of securing economic, employment and social benefits through State Government-funded major project procurement are put into practice by successive Queensland Governments.

That sounds very good. However, the real need for this bill is obvious when we examine what has happened within the government over recent times. We only need to look at the Queensland Health payroll debacle. What a shambles. An overseas company, IBM, was contracted to deliver a new, improved payroll system. The original estimated cost was \$6 million. That quickly jumped to \$24 million. The new system went live in March last year. It has been a total mess ever since. Now it is estimated that to fix the problem and get the new system working it will cost about \$209 million. But the government has been quick to turn on its overseas contractor. On 29 July 2010 the Premier and the then Minister for Health, Paul Lucas, issued a joint media statement. The statement said in part—

Ms Bligh said the government will take decisive action including: Issue a Show Cause Notice to IBM and reserve its right to withhold final payment and seek damages.

The media statement continued—

The Auditor General's report clearly identifies failings on the part of contracted provider, IBM. We have sought Crown Law advice in relation to options for terminating the payroll contract with IBM and it's only fair that we seek to reserve our legal rights ... The Government has issued IBM a Show Cause Notice as to why the contract should not be terminated.

The Auditor-General's report stated—

IBM was the Prime contractor to CorpTech selected under a formal tender arrangement to direct, manage and control the project and to implement SAP HR and WorkBrain solution to replace LATTICE.

The Auditor-General wanted to know what went wrong. The Auditor-General concluded—

The project scope was not formally agreed to by Queensland Health, and negotiations over the scope occurred throughout the project, resulting in over 47 change requests.

In general, these change requests were required mainly due to the business requirements not being clearly articulated and agreed to at the outset of the project. As a result, the solution deployed for user acceptance testing continued to fail the test criteria, and there were delays in the project schedule, increasing the total IBM contract price from \$6.19 million to \$24 million.

The concept of a fixed price contract in order to deliver certainty over cost to government was severely compromised due to the absence of an agreed scope from all key stakeholders from the beginning of the project.

The Auditor-General clearly found that the Queensland Labor government, through CorpTech, Queensland Health and the contractor, IBM, did not clearly articulate and agree to the business requirements of that project.

We must ask the question: would it have been any different had the government used a local contractor to create and implement the new payroll system? It appears that there were too many egos in the room when the project negotiations were underway. Some industry players work very hard to support local industry participation for all the right reasons, as this bill puts forward. Local industry participation strategies of many projects, however, are driven by an arrangement that they have with the Commonwealth government that allows them to import their plant and equipment into Australia without paying the five per cent customs duty.


In general, this arrangement with the Commonwealth asks project participants to do everything possible to identify Australian manufacturers that can provide them with the goods they require. Unfortunately, if project participants work very hard to find an Australian supplier then they may not be able to get the duty exemption if they end up importing the item. No wonder some of these project participants have been bundling items into larger and larger contract packages until they get to a size where they can claim they have been unable to find an Australian manufacturer that can do the work in this state or in this country.

What they sometimes forget to mention is that there is no single source manufacturer in the world that can supply these goods. The Commonwealth calls these bundled up packages functional units and generally allows the items that make them up to be imported into Australia duty free. The project participants that make significant efforts to find and work with local industry can be punished via increased customs duties if for sound commercial reasons the goods end up being imported. The project participants that utilise every trick in the book to ensure they identify no Australian manufacturers get rewarded for their efforts, as long as they tick all the right bureaucratic boxes.

We on this side of the chamber want to see as much local participation as possible. We believe that it is important that we look after Queenslanders. The reasons for this bill are very clear. We want to deal with local industry. We want to keep jobs in Queensland. For that I commend this bill being put forward. But we need to look at what the government is doing to local business. Lately, the price of electricity has gone through the roof. The price of rego has gone through the roof. The price of food has gone up. Water costs have also increased. We have to look at the whole package. How is this affecting small business in the state of Queensland, let alone Australia?

Then we have another issue that is raising its head that will make it more and more difficult for people. How are we going to be competitive in the world when we have a carbon tax? What increase is that going to put on small business? How is that going to make us competitive? Our local businesses will look immediately to overseas companies to provide goods and services that are going to be cheaper.

When we think about bills like this—we believe in them and we put our heart and souls into talking about them—we have to look at the reality. What are we doing as a parliament to make it better for small business in this state and in this country? I think we are making it harder and harder and harder. If we are dead serious about this bill today we should look at the other implications. I think we are making it difficult for business to survive in this state. If anything, we are trying to kill business. If we want to do better, we should do better by stopping a carbon tax.

 **Mr MOORHEAD** (Waterford—ALP) (2.57 pm): It is with great pleasure that I rise to support the Queensland Industry Participation Policy Bill. I congratulate the Treasurer for introducing this important piece of legislation into this House. Throughout its 120-year history, the ALP has stuck strong to its commitment to the dignity of work and delivering to the people of Queensland and Australia the opportunity to have a job and the dignity and self-respect that comes with that.

This is a bill that ensures that government procurement is being used to deliver jobs and build a stronger industry here in Queensland. This is not a tariff and protection measure that we might have seen 100 years ago. This is a very clever and smart strategy that ensures that we can build world-competitive manufacturing in this state. At the same time, we can ensure that government procurement is being used to deliver every job that it can.

Where this bill is most important is in manufacturing and construction. It is particularly important in manufacturing because Queensland has a long history of exporting raw materials and primary produce. As a smaller economy, Queensland has always struggled to compete with major economies, whether they be in Asia, Europe or the US, in delivering elaborately transformed manufactures in a way that is cost competitive. Through the use of innovation, investment in technology and our high-skilled workforce, we have been able to provide a competitive manufacturing industry.

Unlike any other industry, manufacturing has a significantly higher rate of full-time employment. It has a higher rate of apprenticeship and traineeship training and it makes significant use of research and development to deliver innovation to a modern industry. As the member for Maryborough has said, manufacturing delivers those improvements not just to the individual plants where it is located but throughout the supply chain.

This is an industry that has suffered over recent times. Under the stewardship of John Howard, more than 100,000 manufacturing jobs disappeared from our country. On the other hand, Labor has always had a strong and interventionist industry policy. We saw the Button plans of the late eighties and early nineties. After the fall of the Howard government we saw Kevin Rudd, Kim Carr and now Julia Gillard delivering industry plans to ensure that industries like automotive manufacturing in this country are meeting the new requirements for technology and are at the forefront of innovation in terms of delivering a green and clean automotive sector that will continue to deliver jobs across the country for years to come.

This legislation is warmly welcomed by the union that I come from, the Australian Manufacturing Workers Union. The Australian Manufacturing Workers Union has campaigned for decades for strong manufacturing policy both in Australia and in Queensland. Through a long succession of state secretaries such as Austin Vaughan, Dave Harrison and now Andrew Dettmer, the AMWU has realised that procurement policy is a key way that we can drive a stronger, globally competitive manufacturing sector that delivers jobs for higher skilled and better paid employment opportunities for Queenslanders.

This bill is something on which the Australian Manufacturing Workers Union and its members have campaigned for a long time. It campaigned in the late 1990s to see the local industry policy put in place and now it has campaigned to have it given the legislative backing that it will receive today. I was at the meeting of Queensland AMWU members when the Treasurer informed them of this initiative. I know that it was very warmly welcomed by those workers who see that this is a government committed to the long-term future of manufacturing in Queensland. This legislative backing gives certainty to procurement in the state, it gives certainty to investment in innovation and it protects our procurement and Australian manufacturing from conservative governments that, over decades, have ripped the heart out of government procurement, whether it be in defence or a range of other industries, to see manufacturing jobs disappear.

The member for Currumbin mentioned the Economic Development Committee's report in 2009. If honourable members look at the evidence of the Australian Industry Group, which appeared at that hearing, they will see that the industry focus on local industry plans has been cyclical, to say the least. The Australian Industry Group said to that inquiry that in the period up until 2007, when the Queensland economy was going very well—and the mining sector in particular had created a large demand on manufacturing and mining services—the industry was not overly focused on the local industry plan. They knew where their next contracts were coming from. The challenge they faced was to ensure that they had the capacity to deliver on all the contracts that were coming through their store. Obviously with the onset of the global financial crisis that focus changed and that meant that those contractors and manufacturing suppliers were then looking to where their next contract may come from. The legislative backing, by way of this bill, would deliver a consistent and accountable approach to that policy.

I started my speech by describing this policy as a very clever one because it supports industry and supports competitive procurement but does not erect the barriers and tariffs. Australia and Queensland have a small economy in the scale of the world economy. We need to make sure that we can be globally competitive. We also need to make sure that government procurement policy does not mean that taxpayers subsidise inefficient industry. This policy says that GOCs and government agencies have to make sure that Queensland providers are given every chance to participate in government procurement. Then we take the next step. The government funds the Industry Capability Network to ensure that those suppliers are given the assistance and cooperation they need to participate in those tendering processes. Then, again, we go to QMI Solutions, a body that is set up to ensure that Queensland manufacturing can continue to innovate, both in terms of the use of technology and in competitive development of skills in this industry.

This government has a strong industry policy, which is the envy of many other states and the Commonwealth government. It takes me by no surprise that when the federal government made the Enterprise Connect announcements after the 2007 election it modelled its investment in Australian manufacturing and Australian jobs very much on what Queensland has done and has been doing successfully for a long time. Our industry policy is a clever policy and it is a smart policy about promoting jobs and promoting a stronger industry but not at the expense of the Queensland taxpayer.

Looking at the record of this policy, it has a great success rate. In 2008-09 there was \$1.88 billion worth of contestable work under this policy. Of this, \$1.11 billion was awarded to Queensland companies, a further \$0.46 billion was awarded to companies from other states in Australia and \$0.31 billion was imported from overseas. The other evidence that went to the Economic Development Committee inquiry in 2009 was that this policy actually saved the government money. This is a policy that promotes competition and small business participation in government procurement. When we promote participation by more and more businesses and reduce those barriers to participation, we get a much better, much more efficient procurement process and we save the government money. That is what this policy does. We have both supported Queensland industry and saved the taxpayer money. It is great to see this policy now set in stone, that it will be reported to this place and that it cannot be repealed by those opposite without them coming to this place and explaining to the manufacturing workers of Queensland why their jobs are being put at risk.

Often the process of tendering can put in place artificial barriers such as the contract bundling process. It does not necessarily add to government procurement to put the entire procurement process into one big bundle and put it out in a job lot. Often that means only a small number of contractors can participate in that procurement process. I know a number of departments, such as the Department of Transport and Main Roads, have had a significant degree of success with contract unbundling—making sure that local contractors that can undertake that part of the project can do so off their own bat and that other contractors who might be more suited to a different part of the project can tender for that part.

I do think this local participation policy has been very successful and that through the structure of government procurement we have been able to ensure that local businesses are participating in the government spend. When we have an infrastructure plan such as this government's, there are a lot of jobs out there. We have been spending \$17 billion a year on infrastructure. We are making sure that people are getting a slice of that.

The member for Maryborough mentioned the Downer EDI contracts. This proves to me that this policy is not of itself enough. The private sector needs to do its part. The private sector has to continue to invest in innovation and better manufacturing practices. The onus is on people like Downer EDI to invest in modern manufacturing processes. I went to that plant when I was a union official. I know that some of their manufacturing processes are not to the same standard as other rail manufacturing processes, both here in Queensland and overseas. We need to ensure that, with the certainty provided by this legislation, Queensland manufacturers are doing their part by investing in technology and innovation.

In her contribution the member for Currumbin described this bill as innocuous, and that shows a significant lack of understanding about what the procurement policy does. This legislation provides certainty for those people who deal with government. This legislation provides that for years to come there will be this process of allowing local contractors to engage with government procurement. This means that they have the opportunity to invest in that technology and innovation to ensure that we can continue to grow our industry. There is billions of dollars worth of government procurement each year and having this process reported to parliament is nothing to be sneezed at. It is an important way of promoting the accountability of the local industry policy in Queensland. I know that reporting to parliament is something that the LNP has been avoiding in recent days. Given it has outsourced its own jobs in representing its electorates, it may as well outsource all forms of accountability. We need to ensure that we are not outsourcing the responsibility in order to protect Queensland manufacturing jobs. That report will come to this place and it will be open to scrutiny. The allegation that the policy is not working—

**Mrs Stuckey:** Just like the Tugun desal? That was outsourced, wasn't it?

**Mr MOORHEAD:** I think the member for Currumbin misunderstands the way the local industry policy works. Desalination plants are not something you can buy from Bunnings. The greatest benefit in local industry policy does not come from the awarding of the principal contract. Most small businesses in this state are not capable of building a desalination plant or being a contractor. The benefit comes from the subcontractors. This is about making sure that the small businesses in my electorate and the small businesses in the member for Currumbin's electorate can tender for that part of the project for which they are qualified and for which they have the skills.

Desalination projects are big engineering projects. The tunnelling work on the desalination project alone is a significant job and has a very different contractual basis. There are often different contractors to perform the construction of the projects and the tunnelling. Local industry policy is most effective in ensuring that principal contractors are giving subcontractors and sub-subcontractors a chance to get those small parts of the job that contribute to these big projects. This policy has been effective and we have to realise that with many of these big projects there is simply not the capability in this state to do them. We need to ensure that, where smaller contractors do have the capability, they get a shot at getting the subcontracts. If there needs to be a principal contractor who has the expertise in building a power station or a desalination plant or whatever the case may be, we have to ensure that the jobs they have to offer have the chance to be given to a Queensland contractor.

I think the member for Glass House also misunderstood the debate. I do not think he even understood what QMI is. He described it as an industry. He does not realise that QMI is a half-government, half-university body designed to support manufacturing in this state. It has not only supported local industry policy; it is actually the basis of the Industry Capability Network that delivers the impetus for local contractors to be awarded contracts for government procurement. He also criticised this government for not delivering what the AMWU asked for. Manufacturing workers in this state will always want more, and I do not shy away from that. However, having a local industry policy that is strong and interventionist in delivering manufacturing jobs for this state backed up by this legislation is something that manufacturing workers have always wanted, and thankfully this Bligh Labor government is delivering it.

**Mr HOOLIHAN** (Keppel—ALP) (3.13 pm): In rising to speak to the Queensland Industry Participation Policy Bill, I also want to thank the current minister and the Treasurer for codifying what has previously only been a policy document. Since 1999 the local industry policy has been in effect and there is no level or no tide mark to be able to gauge exactly how it has worked. This bill codifies the

policy. There is nothing wrong with codification, except that the member for Currumbin and the member for Kawana and anyone else who wants to speak against it purely and simply would speak against it because sooner or later it might show up that they are just favouring their own mates and that is why they would have to worry about whether or not the policy is meeting its objectives. Codifying it—

**Mrs STUCKEY:** Mr Deputy Speaker, I rise to a point of order. I find the member's words offensive and I ask him to withdraw.

**Mr O'Brien:** Glass jaw! You can give it but you can't take it!

**Mr DEPUTY SPEAKER** (Mr Ryan): Order! Member for Cook, there is a point of order.

**Honourable members** interjected.

**Mr HOOLIHAN:** I withdraw.

**Mr DEPUTY SPEAKER:** We will wait for the House to come to order. I call the member for Keppel.

**Mr HOOLIHAN:** I withdraw. The facts speak for themselves.

**Mr DEPUTY SPEAKER:** Member for Keppel, an unconditional withdrawal please.

**Mr HOOLIHAN:** It is an unconditional withdrawal.

**Mr DEPUTY SPEAKER:** Thank you. The member for Keppel has the call.


**Mr HOOLIHAN:** If those opposite had bothered to read the actual bill, it does not say that the whole local industry policy is put into the bill. Rather, it imposes a requirement on the minister to have the policy—a requirement to set up and act in accordance with objectives which are set out in the bill, and that is local industry policy objectives. At the end of each year the minister is required to then lodge a report in relation to how the policy is working and its effectiveness and, if any changes are required to be made, the minister has to consult with agencies, GOCs, industry organisations, trade unions and other entities that the minister considers appropriate. With regard to saying that this legislation is a useless act because this has been around for 11 years but has not been codified, I do not wish to anticipate any debate but, if that argument was used, Queensland would not have a Criminal Code. In 1899 it codified 300 years of common law.

This bill gives transparency as to how local industry is being treated in terms of projects, developments, procurements and other initiatives. It does not set out the policy; that has to be developed. If one were cynical they would probably ask why any minister would want to increase their own requirement to do a hell of a lot of work to ensure that it is transparent, but that is the DNA of the Labor Party—to make sure that people know, to consult, to see the results, and hopefully this bill will in fact do that. The Treasurer in his second reading speech set it out very succinctly when he said—

... the responsible minister must have an industry participation policy ... It requires that the minister report annually to the parliament on the policy's performance and outcomes.

Those outcomes should show that local industry is being considered and local industry is being retained by, as the member for Waterford said, those larger contractors, many of whom do not even operate in Queensland and therefore we could not say that they are local industry. It is those small subcontractors or medium sized subcontractors who would subcontract to provide all of the necessary parts—all of the necessary expertise—and they are the ones who get the benefit of that local industry participation. All this does is increase the level of accessibility for stakeholders, and at any given time any of the stakeholders will be able to look at the report and say, 'It is working. This is the end result. Queensland industry is getting the benefit.' If Queensland industry gets that benefit, then Queensland industry is providing jobs for the people who live in this state.

The LNP does not care about jobs—or it does not care about jobs for anyone who has to work for them. All the LNP members care about are their own jobs, and that is really of concern. If that is the basis for any sort of opposition or any sort of criticism of this bill, then I think that they ought to hang their heads in shame. I commend the bill to the House.

 **Hon. JH JARRATT** (Whitsunday—ALP) (Minister for Tourism, Manufacturing and Small Business) (3.19 pm), in reply: I begin by thanking all members for their contributions and the general support that exists for this bill. As the new Minister for Manufacturing, I am very proud that this is my first bill before the House—one that will assist the Queensland manufacturing sector to continue to grow and to become more innovative in an environment that offers some level of security. The manufacturing industry is, of course, absolutely critical to the economic future of this state. It is a sector that has the largest number of full-time employees of any industry sector in Queensland. As many members have mentioned, that is a very valuable thing. The manufacturing sector is providing jobs for Queenslanders. People with jobs have money in their pockets to spend in our local businesses and so the economy grows. So it is with great pride that I stand here today to speak to my first bill.

The Queensland Industry Participation Policy Bill 2010 provides a legislative basis for the Queensland government to maximise the benefits for our local economy and our community from state government funded procurement. This legislation is about local industry getting a fair go for local jobs. In recognition of the economic and social benefits that flow from local participation, the bill seeks to ensure that the principles of local supplier involvement in Queensland government funded procurement are put into practice by governments of this state into the future. The bill also gives a clear signal to all affected by procurement policy of this parliament's intention to deliver improved compliance. The bill also makes it crystal clear that this parliament expects that agencies, GOCs and private sector project proponents subject to the local industry policy abide by the objectives of the bill to maximise the economic and employment outcomes for Queensland from government funded procurement.

I turn now to some of the criticism that has been levelled by the shadow minister. Firstly, I turn to her question about how successful local industry policy has been. I do not think that there is a depth of understanding of the process, but for the benefit of the shadow minister let me just say that under the Queensland government's existing local industry policy the local Industry Capability Network Queensland—ICN—is funded to provide fully subsidised services to match capable local industry to specific project opportunities and to help proponents prepare their local industry participation plans. The ICN is nationally and internationally recognised as Australia's foremost authority on Australian industry capability in the manufacturing and related services sectors. The ICN is staffed by qualified specialists who have a wide range of experience in engineering, technology and procurement. This enables the ICN to identify products, services and capabilities to assist project proponents and their contractors in the acquisition of goods and/or services to replace imports and to retain opportunities for local industry. This government funded assistance helps DEEDI to minimise the burden on project proponents in meeting their obligations under the existing local industry policy.

It has been mentioned before, but I think it warrants another mention for the benefit of the shadow minister, that the ICN has advised that, from the policy's inception in 1999 to 31 December last year, the ICN had assisted 610 projects valued at \$72.38 billion. The ICN identified 5,839 contestable work packages worth \$8.556 billion as a result of the local industry policy. These contestable work packages include multiple contracts that can be contested by Queensland companies and businesses against other Australian and overseas suppliers. The ICN does not work with contracts that Queensland suppliers are unable to contest or that would go to Queensland's suppliers in any case. That is an inefficient use of their time. The ICN is working to maximise local industry outcomes. It has been said before, but let me repeat it, that contracts worth \$8.206 billion overall have been awarded, of which \$6.833 billion have been awarded to suppliers in Australia, including 3,225 contracts worth \$5.211 billion in Queensland. That is about 62.8 per cent of those contracts to Queensland suppliers, including \$1.38 billion, or about 26.4 per cent, to suppliers based in regional Queensland. Only \$1.33 billion, or just over 17 per cent of all of those contracts, were sourced from overseas. I think the figures speak for themselves.

There has also been some other criticism by the shadow minister, and it has been repeated a couple of times by members on this side of the House, that she considers this to be an innocuous bill. Perhaps those opposite do not support a fair go for locals and for local jobs. The member for Currumbin spoke as though we do not need to legislate the reporting scheme, because local industry policy is something that all governments would do by instinct. That is an assumption, but why do we need to legislate? Let me give members a clear example of why we need to legislate to bring this policy into codification. Let us take that great protector of labour in Western Australia, Premier Colin Barnett. I refer to an article by Jessica Burke on 14 February this year that appeared in the magazine *Australian Mining*, which states—

New laws that ensure local firms gain work from major projects has been criticised by Western Australian Premier Colin Barnett.

In the article the Australian Steel Institute's state manager, James England, stated—

... work being sent offshore would be 'devastating' on the local engineering and manufacturing sectors.

People might be surprised to learn that, despite a large number of huge resources projects being under construction up north, most of our fabrication workshops are almost empty and some businesses are close to collapse,' England said.

'Many of the businesses under threat are family businesses that have been in WA for generations and they simply can't believe that they are being bypassed for this work.

'Our local fabrication businesses have the capacity and capability to do a lot of the work required, but they are not getting a fair opportunity.

'As a result, they can't create the skilled jobs and apprenticeships that should be flowing during this resources construction boom.'

I wonder if that situation might change if Western Australian Premier Colin Barnett had to report to parliament on the percentage of government work that was flowing through to local industry.

We also heard a lot of criticism that small businesses would be bypassed through our local industry policy. I will give members one example of a Queensland government project, the redevelopment of the Rockhampton Base Hospital. The ICN Queensland developed a local industry participation plan for JM Kelly, the contractor for that job, which assisted the company to comply with the state government's local industry policy. As a result, over \$30 million worth of contracts were awarded to

local Queensland suppliers. There is no doubt that that is a great outcome for local manufacturing and construction and other businesses in the Rockhampton area, and that is just one example of how small business is definitely being advantaged through our local industry policies that are developed on these government jobs.

Feedback from stakeholders about the policy has been very clear. The objectives of the policy and the legislation to ensure that local Queensland businesses and workers have access to government procurement was strongly supported. But that is not surprising because, since the introduction of the local industry policy, the state's manufacturers alone have won, as I have said before, more than 3,000 contestable contracts totalling almost \$5 billion. So the policy speaks for itself.

The government believes that participation by Queensland companies in supply activity generated by government funded procurement is a fundamental principle that should be recognised in legislation. It is the strongest effective commitment that this parliament can make to the principles of securing economic, employment and social benefits through government funded major project procurement and it will ensure that all governments have to put these policies into place.

These principles are reflected in the local industry policy objectives in clause 7. The requirement that the Queensland government develop, implement and report on the performance of their industry participation policy will also secure for the long term an approach balancing support for local industry with accountability and transparency.

Turning to some of the other contributions—unfortunately I cannot mention everybody—we have had some fantastic contributions today and I do thank members for those considered contributions. The member for Beaudesert was absolutely right when he said that this is not an innocuous piece of legislation. It is actually about taking a step to put a focus on raising the bar. Not all work that goes out through government procurement can be undertaken by local industry. Sometimes we just do not have the capacity or capability to do it. It is about putting the focus on the bar and ensuring that the bar is raised rather than lowered.

The member for Rockhampton provided a really valuable background to this policy and its implementation. He highlighted the very reason that we need this bill. It did not exist prior to the Labor government in 1999. How can we be sure that any future government would continue with the policy? Now we can. It is codified in law and if we were at some future time to get a Campbell Newman government—God forbid—he might not consider that local industry was worth supporting. I am pleased to say that, regardless of what might happen in the future, our manufacturing industry will have some security as a result of this bill going through today.

The member also addressed the reason we are not mandating a particular level of local industry participation. It is a balance between supporting local industry and governments getting value for money. That is an important concept. We are obliged to provide value for money for the taxpayers of this state while at the same time, of course, having a vested interest in seeing our local businesses, local manufacturing sector and construction industry grow from strength to strength. I think the reporting mechanism in this bill will be a great step in that direction and it is not one that can or should be mandated.

I would say to the members for Maryborough and Hervey Bay, who mentioned the situation in Maryborough, that it is very disappointing that the company there is not bidding for the QR rolling stock. I am pleased to say that I have spoken with some representatives from Bombardier. They are very enthusiastic and going full steam ahead to try to participate in that tender process. Let us not throw the baby out with the bathwater just yet. All is not lost. There will perhaps be more on that at a future time. I thank both members for their contributions. I know that they are very concerned about the future of jobs in their communities.

I thank the member for Waterford for what was an instructive contribution. He was the chair of the Economic Development Committee. This bill arose out of a recommendation from that committee. He is very knowledgeable about the manufacturing sector and why this legislation will be so welcomed by all in that sector. I thank him very much for his contribution. As I said, it was quite instructive.

In closing I want to advise the member for Gladstone that the local industry policy will ensure that local businesses get full, fair and reasonable opportunity to supply into the major energy projects that are proceeding in her electorate. This will occur through the government's LNG blueprint requirement that proponents prepare a local industry participation plan and submit it as part of the conditions and reporting requirements of the project's environmental impact statements. This is just another example of how the government is implementing the local industry policy. The passage of this bill will only strengthen that requirement. I again thank all members for their contributions and commend this bill to the House.

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


Motion agreed to.

Bill read a second time.

### Consideration in Detail

Clauses 1 to 5, as read, agreed to.

Clause 6—

 **Mrs STUCKEY** (3.34 pm): I would like to once again reiterate that the LNP supports the local industry policy and its objectives, as we just did vote with the government on this bill and we have said it several times now. So let us not twist this any further. Subclause 6(1) reads—

The Minister must develop and adopt a policy (the *local industry policy*) about the participation by local industry in projects, developments, procurements and other initiatives undertaken or funded, whether wholly or partially, by the State.

As I have already said, the bill states that the government will be adopting the existing policy, so I do question the point of this clause. Just like this bill, is it a case of having a clause when you are not having a clause? Is the minister aware that this is already existing policy? If that is the case, what is she going to do? Will she amend this clause to give it some meaning? Is she prepared to broaden it? Just how does the minister plan to develop this policy further, or is she content to merely see a policy that has been in existence since 1999 that, granted, has been reviewed several times, made into legislation without any commitment to improving the success rate for Queensland companies to win tenders that are offered by the government for projects greater than \$5 million in the major cities or greater than \$2.5 million in regional and rural areas? I notice that the minister mentioned a figure of 62.8 per cent. Is that a success rate in terms of all companies? It would be interesting to see whether that is, on an annual basis, going up or down. Most importantly, is this policy that already exists going to be improved upon in any way by the minister?

**Ms JARRATT:** This clause simply sets out, as the member says, the bodies to which the policy will apply. It is codifying that and making very clear the parameters within which this policy will operate.

**Mrs STUCKEY:** Subclause 6(1) does say that the minister 'must develop and adopt a policy'. The question I have been asking is: what is the point of having a clause when the policy is already developed? Subclause 6(2) states—

The policy may include guidelines about its application and procedures to be followed in complying with it.

We have some ambiguity again here. The fact that the statement says 'the policy may include' actually gives cause for concern. How can the minister sit in the House and present a bill so lacking in any content, a bill that mimics exactly an existing policy and has clauses that lack substance in any shape or form?

We did hear from the honourable member for Indooroopilly earlier in this debate about Queensland's poor investment in local ICT companies. I found this to be a common complaint from companies when I held the shadow portfolio for ICT. It was interesting to hear the warblings of the honourable member for Rockhampton before lunch. He obviously had his head in the sand and did not understand the ICT anxieties and issues they are facing. This bill is certainly one that they would be hoping has a little more teeth to be able to do that. I ask what the minister is going to achieve through the legislation that will improve the uptake of jobs and projects for the ICT industry here in Queensland. All this banter about 'buy Queensland' appears to be little more than spin without any enforcement provisions to give local companies a fairer go.

What will happen when the government panics, as it did when it ordered the Tugun desalination plant to be constructed in two years? Where was the LIPP then? Were the broad objectives of this procurement policy adapted or was this one of those 'may include' situations? The minister has heard the criticisms from our own parliament's Economic Development Committee, yet it appears that they have fallen on deaf ears. I ask the minister to instil a modicum of confidence that the bill offers some substance and is not merely turning existing policy into toothless legislation. In this clause the word 'may' allows the minister to dilute rather than strengthen policy guidelines. It allows the minister to alter a policy and, even then, have no recourse for not complying with it. How does the minister plan to address this?


**Ms JARRATT:** The member has raised a few points. Members will notice that elsewhere in the bill there is a requirement for consultation should changes be made under this legislation. That would be the guiding force that would ensure, I hope, that the guidelines would not be diluted to the detriment of industry. There may be some very practical reasons changes need to be made from time to time. For example, members might have noted that, on the government's website, at the moment no guidelines are posted. We have just renewed them and we have made some minor changes, such as a better layout, so they will be posted following the passage of this legislation. This gives the minister some ability, through consultation, to make changes from time to time. I think that is fairly self-explanatory.

The member keeps referring to the desalination plant. I put on the record that the Gold Coast Desalination Alliance reported that Queensland and Australian companies were awarded 460 contestable work packages worth a total of \$279 million, with 422 contracts worth \$244 million going to Queensland businesses. That is pretty local. Let us not hear any more questions asking why it did not apply to the desalination plant. It did have a local industry participation plan and it was very successful in providing work for local companies.

Clause 6, as read, agreed to.

Clauses 7 to 9, as read, agreed to.

Clause 10—

 **Mrs STUCKEY** (3.42 pm): I am very pleased to hear that there was a component of local work on the Tugun desalination plant. Clause 10 is about the consultation required when developing or reviewing the local industry policy. It states—

Before adopting the local industry policy, or reviewing the policy after its adoption, the Minister must consult with—

- (a) agencies; and
- (b) GOCs—

And so on.

While it is not mentioned in the bill itself, the most recent policy document that I have—and there may be a more recent one—is dated October 2010. It states—

The Government will also convene a Local Industry Committee to oversee effective whole-of-Government mechanisms to enhance the Policy's implementation. The Committee will be chaired by DEEDI and include representatives from the Department of Infrastructure and Planning, other key Government agencies with significant procurement programs, GOCs and the Industry Capability Network (Queensland).

The minister spoke before of that body, as did I in my speech. I ask the minister why there is no reference to this required committee in the bill. Would she please update the House on the current status of the committee?

**Ms JARRATT:** I have the latest policy, which is from October last year.

**Mrs Stuckey:** That is the one that I referred to.

**Ms JARRATT:** Can I ask the member to repeat the question about the committee?

**Mrs STUCKEY:** We are talking about the local industry committee, which for several years has been mentioned in every edition of this policy. I do not have the section marked, but I am sure we can find it. I am asking about the fact that the government says that it will convene this local industry committee to oversee the whole-of-government mechanisms to enhance the policy's implementation, but there is no reference to the committee in the bill.

**Ms JARRATT:** I am advised that the committee meets twice a year. It is not included in the bill itself because it is not a statutory committee.


**Mrs STUCKEY:** It states that it oversees the mechanisms to enhance the policy's implementation. It seems very odd that it is not given a little bit more weight.

**Ms JARRATT:** Clause 10(1)(d) states, 'any other entities the Minister considers appropriate.' That committee may not exist into perpetuity under future governments. The committee exists at the moment and it considers broad policy. It is not excluded, but certainly we do not want to ensure that it has to exist for all time.

Clause 10, as read, agreed to.

Clauses 11 and 12, as read, agreed to.

Clause 13—

 **Mrs STUCKEY** (3.46 pm): This clause refers to the minister reporting on the implementation of the local industry policy. It states—

- (1) The Minister must prepare a report for Parliament for each financial year on the implementation of the local industry policy during that financial year.
- (2) The report is to be in the form, and contain the information, decided by the Minister.
- (3) The Minister must table a copy of the report ... in the Legislative Assembly on or before 30 November in the following financial year.

The LNP is concerned that the form of the report and the nature of the information are matters for the minister alone. Leaving it up to a minister to judge his or her own department's performance is a dangerous practice. It is a little bit like Caesar judging Caesar. I feel it is the duty of the opposition to make a point of this and to ask why the government did not consider it necessary to specify what information should be reported as a minimum? I ask the minister to inform the House what information should be tabled as a minimum? For example, is it the number of contestable work packages that are won by Queensland firms, the number that were unsuccessfully applied for, who was consulted in developing the policy, the compliance performance mechanisms and so forth?

On this side of the House, we believe in KPIs and other recognised performance measuring tools. Together with other Queenslanders, we would be keen to know that those are to be included in the reporting system that is to be under the control of the minister. I ask what the minister has in mind here because this clause is written in such a way that it leaves no consistency. Indeed, in the 2003 Victorian debate, it was labelled a 'trust-me policy'.

**Ms JARRATT:** These reports will be tabled in the parliament. I am sure that if there is inadequate information in any report to reflect the level of participation by local industry the parliament would debate and reflect upon that.

One of the other reasons it has to be a little open-ended is that technology is changing very rapidly. For example, a member requested earlier that this report be broken up into a region by region approach, and that is not a bad idea. It may not be entirely possible, given the presentation of data today, but it is possible that with some work a format could be devised that would allow us to report on a regional basis rather than a whole of state basis. It does need to have some inbuilt flexibility, so mandating the form may in fact be detrimental to the quality of that report.

The member talked about KPIs and I addressed that in my closing remarks. This is really a balance between value for money and support for local industry. It is not at all possible to predict the types of tenders that might be available in any given 12-month period. There will be some fluctuation naturally, depending on the capability and capacity of local industry to participate in particular projects at particular times.

I am hesitant to go down the path of mandating everything. This really needs to have that flexibility built into it. It will be reviewed by the parliament, so if the parliament is of the view that the information in the report is not adequate then it can certainly make that known and we will be open to changes the following year.

**Mrs STUCKEY:** I thank the minister. I can understand in part where she is coming from, but it does seem a little odd that this policy has been going for such a long time and the Treasurer alluded to the fact that it had had a massive success rate and achieved very impressive figures, yet here I am asking whether, after all this time, there is some minimum assessment that you were considering for your report. You seem reluctant to commit to that in any way, shape or form—something very basic that might give a bit more confidence and add a bit more to this bill than we simply have, which is a mere 10 or so pages that simply reiterates an existing policy.

Would the minister ever consider putting into that report an assessment and statement that included how the government tenders are going to be sourced from local manufacturers and then whether they are actually followed up? It is all very well to say that you need to do this and that, but where is a mechanism that checks whether they are being followed up?

**Ms JARRATT:** I am certainly not going to dictate today specific inclusions for this report, except to say that clearly this is about reporting on the implementation of the local industry policy. A lot of the detail is contained in the policy and would be reported upon. I do not have anything that I can add to that.


**Mrs STUCKEY:** So what the minister is really saying is that she has not actually thought at all about putting a basic minimum into this report. That really does leave it open for people to be suspicious about this, because the minister has actually got no idea of what she will put into this.

**Ms JARRATT:** I do find that offensive. I did not at any time say that I have given no thought to what might be in this. I am simply saying I am not going to dictate it via this legislation today.

Clause 13, as read, agreed to.

Clauses 14 and 15, as read, agreed to.

Clause 16—

 **Mrs STUCKEY** (3.53 pm): This clause relates to the saving of existing local industry policy. It states—

The document titled 'Local industry policy—fair go for local industry' published on the department's website and in force immediately before the commencement of this section is taken to be the local industry policy for this Act.

In his second reading speech, the Treasurer, who introduced this bill, said—

It codifies—

and that word has been used by a number of speakers here today—

an increased level of accessibility for all stakeholders about how the local industry policy is applied.

If we look up the definition of 'codify', and I understand the member for Keppel had a bit of an attempt at this, the definition is 'to arrange laws systematically, to sort something into an organised system or code, that is, laws, rules, principles'. What is the real benefit here above and beyond the current policy? What extra does this legislation add?

It has been admitted by all that the policy is already in an organised system. Page 8 of the explanatory notes states—

Clause 16 provides for the Queensland Government's existing *Local Industry Policy—a fair go for local industry* to be taken as the local industry policy for the purposes of clause 6 on commencement of the Act.

That is exactly the argument I placed before about clause 6 just being innocuous.

The member for Rockhampton—who has now returned to the House—today falsely intimated that the LNP would go for the cheapest price, but he then backflipped and said that we would want to pave projects with gold. Neither of these premises are true, and a local industry policy, which the LNP supports in principle, would go a long way to ensuring that neither of these scenarios could happen. By codifying, we are simply putting in place what is already in this existing policy, yet we are told that the minister can develop a report herself.

**Mr Schwarten:** You could develop a bit of policy yourself.

**Mrs STUCKEY:** It would be nice to codify the member for Rockhampton. I would ask the minister to inform the House specifically how this bill codifies an increased level of accessibility for all stakeholders as is purported.

**Ms JARRATT:** Thank you very much. I am really perplexed as to why the member is having such an issue with this particular clause. Let me go over a few things again. The purpose of this legislation is to do a couple of things with an existing policy. Firstly, by putting it on the website—that is, clause 16 says that it will be transparently available to everybody—it will not be put in the top drawer and hidden away; it is going to be out there. Our commitment and any future government's commitment to local industry policy will be on display for the world to see.

The second thing about bringing this into legislation is that it actually ensures that there is a level of compliance that is transparent and that is brought to the parliament, if necessary, for debate. So we have commitment, we have compliance and, finally, we have that reporting. The bill necessitates the reporting around what compliance is achieved. It is not the world's greatest new package; it really is taking something that is working quite well but ensuring that it does not slip off the burner. It is ensuring that the bar is raised rather than lowered as we go forward. It is ensuring that the eye is not taken off the ball in relation to this should we return to boom times and everyone forgets about how important it is to support local industry.

**Mrs STUCKEY:** I think it is the minister who is having difficulty understanding the simplicity of my concerns. It is quite incredible that the minister has just got up and said that this little bill, which is policy already, shows the commitment of the government. Does that mean that for the last 10, 11 or 12 years there was no commitment to this policy, that this policy really did not mean anything and was not successful and did not have Queensland's projects and businesses at heart for local people?

The minister also mentioned compliance. There are no checks and balances for compliance with this. We are relying very much on the annual report that she has yet to develop to actually give us some confidence that there will be some sort of compliance. It really is amazing that it has taken so long for this to be brought before the House if it is so important. How does the bill improve the ability of stakeholders, as stated in the Treasurer's second reading speech, to monitor the operation or confirm it is being applied?

**Ms JARRATT:** I cannot see the relationship between that question and clause 16, I am sorry.


**Mrs STUCKEY:** The relationship is all about the definition of codifying, arranging laws systematically and sorting things into organised systems. Therefore, what is the benefit of codifying something if it does not go beyond the current policy in the legislation?

**Ms JARRATT:** Clause 16 is simply about putting a policy on a website so everybody knows it is there. I am sorry but the member is reading far too much into clause 16.

Clause 16, as read, agreed to.

Schedule, as read, agreed to.

### Third Reading

 **Hon. JH JARRATT** (Whitsunday—ALP) (Minister for Tourism, Manufacturing and Small Business) (4.01 pm): I move—


That the bill be now read a third time.

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

Motion agreed to.

Bill read a third time.

### Long Title

 **Hon. JH JARRATT** (Whitsunday—ALP) (Minister for Tourism, Manufacturing and Small Business) (4.01 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 CODE AND OTHER LEGISLATION AMENDMENT BILL

### Second Reading

Resumed from 24 November 2010 (see p. 4254), on motion of Mr Dick—

That the bill be now read a second time.

 **Mr BLEIJIE** (Kawana—LNP) (4.02 pm): I rise to speak to the Criminal Code and Other Legislation Amendment Bill 2010 presented in this House by the former Attorney-General on 25 November 2010. May I first acknowledge and thank the departmental staff of the former Attorney-General for the briefing that they gave me and my adviser.

The proposed amendments in the bill follow the Queensland Law Reform Commission's final report entitled *A review of the excuse of accident and the defence of provocation*, tabled in the House in October 2008. Some 2½ years later we finally get to debate in this parliament the amendments proposed in this report relating to accident and provocation provisions within the Criminal Code and various other legislative amendments. I take this opportunity to commend the Queensland Law Reform Commission for the role it has played in providing assistance to the Attorney-General of the day in reviewing areas of law in need of reform in Queensland.

In the report tabled by the Law Reform Commission several recommendations were made with reference to section 23 of the Criminal Code—specifically homicide provisions relating to the excuse of accident, the partial defence of provocation and the complete defence of provocation to assault. Recommendation 10-1 states—

Section 23(1)(b) of the Criminal Code (Qld) should continue to excuse a person from criminal responsibility for an event that occurs by accident.

The purpose of this bill before the House is to omit the term 'accident' and substitute it with a phrase that better reflects the 'reasonably foreseeable consequence' test, a change canvassed by the Law Reform Commission.

The LNP is committed to a justice system that ensures the rights of victims of crime are foremost ahead of those of the criminals. The Bligh Labor government has a strong history of merely tinkering around the edges of our justice system, without any real change that restores any deficits. Any ideas which are often enacted, such as the Sentencing Advisory Council, come from LNP original policy as this long-term government does not have the will or the fortitude to enact real reform to the Queensland justice system.

As shadow minister I have noticed the government's legacy in neglecting to appropriately consult with relevant stakeholders and industry experts that deal with the practical elements of the laws passed in this House. The Bligh government has been caught out playing catch-up with yet another legislative amendment in this parliament.

In 2007 the opposition moved to introduce a new offence of assault causing death after several high-profile cases where the offender was able to use the accident defence definition to escape prosecution. The bill was debated and rejected by the Bligh Labor government in 2008. Instead, the issue was referred to the Law Reform Commission in another example of buck-passing and delay by a long-term Labor government that has run out of ideas, is low on talent and is very low of competence.

**Government members** interjected.

**Madam DEPUTY SPEAKER** (Ms van Litsenburg): Order! Members on my right!

**Mr BLEIJIE**: I did say it had some talent. If the unions and Mr Ludwig had their way we would have the member for Everton on the front bench and the member for Brisbane Central on the front bench, but we all know what happened there. Let us not talk about this 'can't-do' Labor government and talk about a 'can-do' LNP team.

Over three years since the referral, the government has finally introduced and we are debating a bill that the people of Queensland have been calling for since 2007, when we originally talked about it. There were three widely publicised cases of the tragic deaths of two young men, David Stevens and

Nigel Lee, and a young woman, Taryn Hunt, who tragically died in separate incidents. Damien Karl Sebo was acquitted of the murder of Taryn Hunt and sentenced to 10 years for manslaughter. In this case the defendant, who was the boyfriend of the victim, claimed that he was provoked during an argument. I am dealing with the elements of the provocation amendments in the bill.

There were also two other high-profile cases that were widely reported in the media. Jonathon Little was acquitted of the charges of murder and manslaughter of David Stevens. Ryan Moody was also acquitted of the murder and manslaughter of Nigel Lee. In both these cases, section 23 of the Criminal Code—the accident defence—was relied upon for Little and Moody, who both claimed that they should not have been held criminally responsible for the accidental deaths. Without referring to the specific details of these cases, the definition of the term ‘accident’ needed to be clarified under the provisions in Queensland’s Criminal Code.

In debating the legislation that is before the House today, it is always important to consider historical context. The judicial interpretation of the current Criminal Code needs amending for clarity and, in a sense, to reinforce messages like ‘One Punch Can Kill’—a campaign led by the Queensland Homicide Victims Support Group.

Section 304 of the Criminal Code refers to the issue of a partial defence and the prosecutorial burden required to negate this defence beyond reasonable doubt. This partial defence applies when someone commits the act which causes death in the heat of passion caused by sudden provocation and before there is time for the person’s anger to subdue. The chairman of the Queensland Law Society criminal law section stated—

We do have some concern about the approach of changing long-established laws on the basis of public disquiet about a couple of cases.

I understand the concerns as stated by the Law Society on these amendments, but ultimately it is important that balance on the requirements of the onus of proof in these matters is struck.

Chapter 12 of the Queensland Law Reform Commission’s report refers to data on intimate partner homicide. Section 12.2 of the report refers to anecdotal evidence from studies that consistently demonstrated that men and women kill under different circumstances. Section 12.2 of the report states in part—

Speaking generally, in the context of intimate partner homicides, men who kill their intimate partners (or their love rivals) are more likely to kill out of jealousy, to maintain control, in response to losing control of another person or to defend their ‘honour’. Women are more likely to kill in fear or despair—to protect themselves or their children against a violent partner.

Section 12.3 of the report states—

It is not uncommon for men who kill their intimate partners to raise the defence of provocation on the basis that they were provoked to kill by their partner’s infidelity, insults or threats to leave the relationship.

Recommendation 21.1 to 21.5 of the Law Reform Commission report suggests that the partial defence of provocation be recast to address the current bias and flaws. This is instigated by limiting provocation to serious wrongs, defining ‘provocation’ and, as discussed in section 21.163 of the report, reversing the onus of proof—which strikes the right balance between the rights of the individual and the wider interests of the community. The commission recommended that section 304 of the Criminal Code be amended by adding a provision to the effect that the defendant bears the onus of proof of the partial defence of provocation on the balance of probabilities.

The Queensland Law Society did express some concerns over these legislative amendments, stating that the proposed changes would lead to less autonomy for juries. I agree with the recommendations as proposed in the bill and submit to the House that the onus of proof needs to be reversed as stated in the following reasons provided in the explanatory notes. It states—

- the prosecution is often not in a position to contest the defendant’s claims because the only other ‘witness’ is the deceased;
- it will lead to more clearly articulated claims of provocation, which is fairer to all concerned including the jury;
- it enhances the capacity of the trial judge to prevent unmeritorious claims being raised; and
- an analogy with diminished responsibility, which also reduces murder to manslaughter, and where the defendant bears the onus.

A loophole that has been used by defendants in the past has been a verbal confirmation by the defendant of an encounter with the victim, which obviously cannot be verified if the victim has been murdered. I am pleased to see that this loophole will be tightened and the scope narrowed for a partial defence of provocation.

I would like to publicly acknowledge the Queensland Homicide Victims Support Group for the role they play in standing up for the rights of the victims. The group was founded in 1995 in northern Queensland when five families united to address the desperate lack of assistance and support for all families who have experienced the loss of a loved one through murder. They provide confidential peer support, assistance and understanding to victims of homicide and create awareness of the needs of homicide victims whilst promoting education and reform. I encourage all members to support the upcoming Homicide Awareness Day, which will be held in King George Square on Thursday, 5 May.

Section 469 of the Criminal Code refers to the offence of wilful damage whereby any person who wilfully and unlawfully destroys or damages property. There have been previous evidentiary difficulties that have arisen from wilful damage prosecutions where the owner of that relevant property is not readily identifiable—for example, as we discussed in the debate today, in the case of gravestones and certain public property.

In April 2010 the former shadow Attorney-General, the member for Southern Downs, backed calls from the Queensland police for changes to the current laws that allowed four satanic worshippers to walk free from court on charges relating to the smashing of graves at the Toowong Cemetery after the case was originally dismissed. The disrespect that was shown for this property was disgraceful. Respect for others and respect for property are two fundamental principles of society that are paramount. We as legislators need to ensure that the property, particularly any property in a cemetery, is protected and address any evidentiary difficulties that may arise in wilful damage prosecutions.

The issue at the Toowong Cemetery involved the fact that the prosecution did not tender into evidence that the accused did not have permission to destroy the graves in question. The age of the graves and the headstones were such that this was impossible and it created a loophole for the accused to have all charges dismissed. Needless to say that the Friends of Toowong Cemetery President, Hilda Maclean, has welcomed the legislative amendment.

There were also further issues raised about this case that exposed a lack of resourcing in the Office of the Director of Public Prosecutions. Some serious questions are raised as a consequence of this case about the workload of our struggling prosecutorial services. We know for a fact that caseloads per prosecutor in the DPP are significantly higher than in other states. Time and time again we hear about the lack of preparation time for prosecutors in the DPP office. In relation to this case we should be asking: why was this particular deficiency not picked up before the matter went to committal? This case has opened up ongoing problems with the director's office.

Changes to the Summary Offences Act insert a new section 26A to create the offence of interference with a grave. This new offence will apply to interference with a grave, vault, memorial in a cemetery or crematorium; a war memorial; or a thing fixed at a place of religious worship. For this particular offence, the definition of 'interfere' is stated to include dealing with the thing in a way that is likely to cause offence to a reasonable person. This new offence will extend to acts such as urinating on a war memorial or conducting a satanic ritual on or near a grave site. It talks about the reasonable person in the community in terms of expectations and so forth.

The bill before the House amends the Appeal Costs Fund Act 1973 to allow a person to access the appeal fund in an appeal of a guideline judgement. The Penalties and Sentences (Sentencing Advisory Council) Amendment Act 2010 provides the Court of Appeal with the power to give and review guideline judgements to be taken into consideration by courts in sentencing offenders. The bill before the House will allow the recovery from the appeal fund of any additional costs outlaid from an appeal of a sentence that is dealt with or is part of a guideline judgement.

The bill before the House also amends the Retail Shop Leases Act 1994 to ensure that rent reviews are not avoided under 'ratchet' clauses, preventing decreases in rent and to entitle assignees from lessees to claim compensation under section 43 of the act. Under the Retail Shop Leases Act 1994 there is only one method in which rent is able to be reviewed at any given time. There has been great debate about a clause that states that the lease contains a provision stating that the rent is reviewed to market but also contains a ratchet clause stating that the rent will not be less than the rent payable in the previous year because the latter may not be considered as a method of review.

This point has been topical in the legal community, but the general consensus amongst various stakeholders in the legal community was that such clauses were not allowed. However, as we know—and of course the Attorney would know—lawyers look for loopholes in many pieces of legislation and cases and so forth. There was always room for lawyers to get around certain things with respect to that act. This clause does not apply to commercial or industrial leases, only to retail. Because it is the standard practice that is accepted by most of the legal community over the past decade, this amendment will prevent those ratchet clauses, making them totally void and not a method of review, as was pointed out in the case.

The provisions in the bill which relate to these ratchet clauses will allow the market to regulate the rent if it decreases. It is important to protect the smaller operators in the marketplace, who would otherwise be forced out by larger developers or landlords in maintaining rental prices through the basic premise of supply and demand. A summary of a specific case example involves a retail shop lease of premises at Cleveland, known as 'Connor's case'. The lease contained annual CPI rent reviews and a market review at the beginning of the option term. The lease stipulated that the new rent could in no circumstances be less than the rent payable for the previous year—the ratchet clause. The issue was whether the ratchet clause was void under sections 27 and 36 of the act.

The issue was previously addressed in 2002 in the District Court in *Oz Sushi Pty Ltd v Lloyd Bennett & Associates Pty Ltd* [2002]. In that case the court confirmed the widely held view that ratchet clauses of the type considered in Connor's case did offend sections 27 and 36 of the act and were void. The practice of most lessors was not to include ratchet provisions in retail leases because they were unlawful. However, Connor's case did provide a level of uncertainty and upheaval amongst the legal fraternity as the legality of such ratchet clauses was called into question.

Section 27 of the act requires that a rent review must be made using a single basis for review. The court rejected the lessee's submission that the clauses determining the rent at the commencement of the option term provided for a review of rent on two bases including, firstly, a market rent review and, secondly, the ratchet clauses stating that the rent will not be less than the rent payable in the previous year.

The court rejected the lessee's submission that the clauses providing for the annual CPI rent review was a review of rent on two bases; namely, a CPI increase and, secondly, the ratchet clause stating that the rent would not be less than in the previous year. The court held that the ratchet clauses did not amount to a basis for reviewing the rent in the sense of adjusting or revising it. In neither form nor substance did the ratchet clauses effect any change in the rent. The court held that because the review clauses did not provide for two bases for reviewing the rent, section 27 was, in fact, not breached.

Section 36(e) of the act renders void a rent review which adopts the highest rent of two or more methods—for example, the higher of the CPI or a market review. The majority view that was held was that the ratchet clauses did not operate to adopt the higher of two or more methods of calculating the rent. This is because they operate only to limit the application of the stated method of calculating rent—the CPI or the market. The effect of the ratchet clauses was to provide that, if the CPI or market review did not result in an increase to the rent, there was to be no review to the rent.


In conclusion, I reiterate some of the concerns that I raised in terms of the length of time it has taken for this bill to come before the House for debate. However, I will always give credit where credit is due and the fact that we are debating it today is a good start. I am pleased that small business operators will be protected with the proposed amendments to the Retail Shop Leases Act under a long-term 'can't-do' Labor government that has made doing business in Queensland expensive and difficult and tough. It is the LNP that has always stood up for Queensland's small business sector—simply put, the mum and dad businesses that increase competition in the marketplace, employ local residents and support local products.

It is important to address the loopholes that have been shown to exist in our justice system. I feel great sorrow for the families of the three victims I mentioned earlier. Great community outrage was expressed following the sentences handed down to those charged with manslaughter in the abovementioned cases. When we talk about the term of 'accident' being redefined, it is important to note to members of the House that it will not change the law in Queensland. The term 'accident' has been defined in court cases and in fact does not change the law in Queensland. It simply puts a proper definition in terms of the reasonably foreseeable consequence test into legislation. I hope that it will be available to lawyers to more accurately advise clients and not be so reliant on precedent in cases where the legislation should provide the answers.

I also support the comments in relation to provocation. There have been situations in Queensland where people—some of these cases were men—felt threatened by their partners because the partner questioned the relationship or questioned whether or not one person was having affairs which led that person to be provoked and then murder the partner. That is just unacceptable. We should not let people get away with the fact that they get in a total fit of rage when someone turns them down for various situations in a relationship or whatever other matter. The clauses which recast the position of provocation as a defence in Queensland will provide more stability to the families of the victims in particular and will not allow people to get away with murder because they do not like what someone is saying. In reality, in most of the cases in Queensland it is clearly just murder.

As I have just stated with regard to the Retail Shop Leases Act, industry accepted the view that ratchet clauses were generally not accepted. However, the ingenious lawyer would always try to get away with it. I recall reading leases where the landlords would always have a shot at the tenants in that they say, 'In three years time we'll review your rent. It'll be a market review rent for instance. But if in the event the market review rent is less than what you're paying now, then the rent that you pay now will continue to apply.' The reality is that you cannot call it a market review rent if it does not in fact go down. The whole point of a market review rent is market review in terms of the economic times. Including this in the legislation should provide some certainty to not only the profession but also both small business operators and tenants in the retail industry.

Just to finish, I again refer to the three victims that I mentioned earlier. I say to the families of those people that a change in the law will do nothing to bring your children back, but their legacy will always be directly related to bringing about a much needed change with the initial review and then subsequent amendment of the accident and provocation provisions within the Criminal Code of Queensland.

 **Mr DOWLING** (Redlands—LNP) (4.23 pm): Today I rise to contribute to debate on the Criminal Code and Other Legislation Amendment Bill 2010. I will limit my comments to the issue of vandalism in graveyards, cemeteries, memorials and the like, and the reason I do that is twofold. Having spent nine years on local government, this was one of those focal points in the community. It was one of those issues that invoked significant debate in the community. Whenever there was an issue around memorials, some form of shrine redevelopment or works within a graveyard or cemetery, those issues drew significant concern normally from family and friends of loved ones who were buried there. I recognise and acknowledge that the previous Attorney-General mentioned in his second reading speech that the amendments in the Criminal Code were to overcome those difficulties in prosecution where the relevant owners of property were not readily identifiable, and the examples given were gravestones and public property. Interference with graves is abhorrent. Whenever it occurs—and tragically it does—it is one of those issues that invokes media attention because it is so critically important to those who have loved ones buried there.

When I started to contemplate this issue and looked around my electorate, I realised very quickly how widespread and how significant a location graveyards and cemeteries are within the community. There are four cemeteries alone in my electorate, and they include the Redland Bay Cemetery, the Carbrook cemetery and a small and significant historic cemetery in the Serpentine Creek Road Cemetery that is being managed by local historian Kath Hughes. She has identified its significance and worked there. It is one of those rare gems one finds within a community, and it has also been the victim of significant neglect, vandalism and abuse. Therefore, the protections afforded in this bill will obviously go some way to ensure that it remains there well into the future. The other cemetery in my electorate is the Great Southern Garden of Remembrance. Unfortunately, I am sure that members on both sides of this House have had all too many trips to those places to remember the passing of significant people within their lives and communities.

Cemeteries are places of reverence and reflection. A number of service clubs in my electorate adopt these places, and quite appropriately. The Lions Club of Redland Bay-Victoria Point adopted the Redland Bay Cemetery. It holds working bees where its members get on top of the weeds and re-do the road edges and garden beds. I have had the great privilege to support it as a Lion and to work there on occasion, and it is really poignant. People roll up in their cars, set out a chair, sit there and pour out a coffee. Often there will be two cups of tea or two cups of coffee, and they will sit there for hours just chatting as if the person is actually listening—and I am sure on some level they probably are. When working in the cemetery from time to time you see that mates have been there because there are a couple of stubbies sitting there—a couple of empties and a couple of full ones. That demonstrates the reverence and the importance that these places have within our community.


I note the maximum penalty of 12 months within this legislation. It is a tremendous start that there is now a sentence and that this offence is recognised, but I wonder whether that is enough for significant offences such as ritualistic and wanton destruction of graveyards. There are many areas around Redlands that I hope will be protected by this legislation—areas such as the cenotaph at Redland Bay. There are a number of other cenotaphs in my electorate and one each on Macleay and Russell islands. I have had the privilege of attending dawn services for Anzac Day in which those cenotaphs play a pivotal role in the commemoration of the Anzac Day ceremonies. This year I hope to make it to the dawn service on Macleay Island. It is a picturesque location right on the waterfront. There is also the cenotaph on Coochiemudlo. The RSL is a very important group in our community. The Redlands has an ageing community and it is a key player in the management and the services held on those respective island communities, as it is on the mainland. There are also a number of columbaria. Most churches would have some form of commemorative wall or columbarium, and it is good to see those included in the legislation as well.

The minister's predecessor, the previous Attorney-General, the member for Greenslopes, in his second reading speech stated—

The bill addresses the issue by amending the offence of wilful damage of property fixed in a cemetery, crematorium, public street or square by reversing the onus of proof.

On reading through the bill, there does not appear to be provision for a public street or square. One of the other points that is not picked up—and, again, it is one of those vexed issues and as a councillor I certainly confronted it numerous times—is where people create a shrine or a memorial where they ought not. It is a vexed issue, it is fraught with danger and I am treading very cautiously, because I do understand the significance of where I am heading. I am referring to those shrines—those roadside bunches of flowers, those roadside memorials where people leave some mark in order to show

where someone has passed away. This bill refers very specifically to somewhere that marks where someone has died. Maybe we need to be mindful of that issue. With those few words, I thank the House for being able to contribute to this debate.

 **Mrs CUNNINGHAM** (Gladstone—Ind) (4.31 pm): I rise to speak to the Criminal Code and Other Legislation Amendment Bill, which deals with a number of very sensitive issues that I think are topics of concern in the community. In great measure this legislation attempts to deal with those concerns and I commend the previous Attorney-General and the current Attorney-General for it. One of the issues relates to the death particularly of a partner or a spouse where the defence of provocation is claimed. In the recent past several members of my community have been lost through domestic violence. That domestic violence has become extreme and the partner has been murdered. That is incredibly tragic for the family. In one instance there were children and the mother was killed. I know that those children will live with the results of that action by her partner for the rest of their lives and it is not something that they will ever get over.

I wanted to clarify with the minister that these amendments deal only with what is commonly called domestic violence, not other assault provisions—that it is just violence against a spouse in a relationship where provocation is claimed.

**Mr Lucas:** There are two sets of provocation defences in the Criminal Code and this deals with provocation as a partial defence to a charge of murder. If you successfully raise it, it is converted to manslaughter. You can't be acquitted on that basis.

**Mrs CUNNINGHAM:** I thank the minister. I read with some interest excerpts from the Queensland Law Reform Commission's commentary on these matters. I think it encapsulates very well the feelings of the community. The Queensland Law Reform Commission recommended that the defence be recast to include a provision to the effect that, other than in circumstances of an extreme and exceptional character, the defence cannot be based on words alone. That is a concern that a lot of people have expressed where perhaps the result of a prosecution has been no incarceration. People have felt that the result for the perpetrator has been more kind than they deserve, predominantly where the harm has been done as a result of a verbal altercation.

The Queensland Law Reform Commission referred to circumstances of an extreme and exceptional character. I would be interested if in his reply the minister could give an example of what those extreme and exceptional matters might be. Domestic violence is something that we all abhor. Violence against a person, usually against the weaker in the partnership, is unacceptable in any circumstance. I think it is important that we send the message not only to the judiciary but also to the community that we will not accept violence in a relationship in any way, shape or form.


The amendments to provisions relating to damage to graveyards or to other memorials are welcome. I note that these amendments include where a person is caught urinating on a gravestone or a memorial. Whilst some—and it would be a very small number of people—would say, 'It won't hurt anything,' the fact is that such action hurts deeply when places of such sacred trust are harmed. I would be like everybody in this chamber: I do not understand why somebody goes into a graveyard and desecrates the gravestones. There is no rhyme or reason to it. It is usually the gravestones of people they do not know. Often the gravestones are old. Cemeteries like some in Brisbane—Toowong, for example—have some great history.

**Mr Lucas:** They have incredible cultural and historical significance in addition to their religious significance.

**Mrs CUNNINGHAM:** Exactly. I thank the minister. But such cemeteries also have newer, more modern gravesites where a person has been recently interred. Those gravesites have significant emotional importance as well. I think it is good that we are saying to those in the community who might be perpetrators that it is not acceptable. To those who have loved ones interred we are saying, 'Your memories are valuable. We respect the importance of those gravesites to you and to your family.' To anyone who might be even remotely tempted to do something inappropriate in a cemetery, at a crematorium, in a square, in a public place—and I even take what the previous speaker, the member for Redlands, said in terms of those small memorials on the side of the road—I say that they mean a great deal to the families who have lost loved ones. We need to be able to give some protection to families who have been so tragically affected.

Although it is always a concern when the reverse onus of proof is included in legislation, in this instance I think it is important. A perpetrator would be hard pressed to get approval from a family member of the person who has passed away. If a person wants to do the wrong thing in relation to the sanctity of that site then so be it. That person can prove that they had approval and permission to do that.

The bill also deals with ratcheting up mortgages. I do not pretend to have a lot of background in that activity at all. I know that in the big shopping centres the rents can increase exponentially based on turnover, not on profit. Certainly I know that my electorate has lost a number of small businesses because of the major shopping centre increasing the price of its rentals. If that issue is covered and it in some way gives protection to those who rent under the Retail Shop Leases Act, this amendment will certainly be welcome. Overall, I commend the Attorney-General for these amendments and I look forward to the conclusion of the debate.

 **Mr HOOLIHAN** (Keppel—ALP) (4.38 pm): In speaking to the Criminal Code and Other Legislation Amendment Bill, I think it is notable that we take into account the fact that the criminal law in Queensland was codified some 112 years ago. The present government has a continuing commitment to monitor Queensland's criminal laws to make sure that they reflect modern community standards and values.


We have heard from a number of speakers that there was some community concern about people being released because they relied on the law as it then stood or as the courts interpreted it. Basically, the amendments deal with the excuse of accident and recast the partial defence of provocation. As the Attorney mentioned earlier, there are two areas of provocation. This only deals with the partial defence that allows people to rely on some questioning of their reasoning for acting in relation to a relationship. It is usually a power imbalance. It does not change the fact that there will still be some ability to rely on that, but what it does is put the onus on the defendant. That really is something that is of concern because usually when allegations of this type are raised in a court the only person who could give any evidence as to what actually occurred was the person who has subsequently died as a result of the actions that have been taken.

The amendment of the excuse of accident does not actually remove the ability to rely on that, but it, in fact, replaces the term 'accident' with 'reasonably foreseeable consequence'. For those people who have some knowledge of the law, the term 'reasonably foreseeable consequence' has been in the law of tort for many years. It is not a very hard jump of commonsense to realise that anyone with an ounce of knowledge should be able to see that the consequences of their action may very well result in an injury or death to somebody. They should not be able to rely on the fact that the ultimate injury that is suffered was an accident. Amending the section to reflect reasonably foreseeable consequences I believe gives greater certainty and will assist to modernise and reflect present community standards and values.

Previous speakers have commented in relation to interference with graves or gravestones, which are the other areas of the law that are being amended in this bill. One of the big cemeteries in Rockhampton, which is outside my electorate, has suffered a spate of damage to graves and headstones. Some of them are very old and very historic. They may well not be gravestones or headstones that relate to current families, but they certainly are historic and there are descendants who are very badly affected by seeing that sort of damage done. It is necessary to make sure that the prosecution of those sorts of offences is able to prove that there was no consent given. The bill sets out how that will be achieved.

I do not wish to deal at length with the Retail Shop Leases Act. Ratchet clauses have been a real problem for commercial lessees for many years. It has always been necessary to clarify that. There is always some smart lessor who will endeavour to get around that. The other amendment in the bill deals with the Appeal Costs Fund Act which allows recovery of funds if it is an appeal against sentence and it is a guideline judgement. They are necessary upgrades of those areas of the law.

I would like to thank the previous Attorney-General and the current Attorney-General and his staff for bringing this bill to the House. I did hear one comment from the member for Kawana about a previous bill that was brought in in 2007. It is pretty hard to pre-empt the findings of the Law Reform Commission which did not come out until 2008. Some of the argument in that regard is fatuous nonsense. One of these days he might learn that the law is not quite as simple as standing up and having all those comments to make about the Labor Party. He should gain some decent knowledge of the law. I commend the bill to the House.

 **Ms NELSON-CARR** (Mundingburra—ALP) (4.44 pm): The Criminal Code and Other Legislation Amendment Bill 2010 is a very important step towards ensuring that the people of Queensland have a fair and clear Criminal Code to protect them. I am interested in the objective to criminalise the unlawful interference of graves and like property, such as memorials. This amendment will ensure that property where the identity of the owner of the property is not clear, like in historical graves or war memorials, is protected under the offence of wilful damage. Currently the offence of wilful damage provided in section 469 of the Criminal Code applies to any person who wilfully and unlawfully destroys or damages property. Section 458 states that an act which caused injury to the property of another and which is done without the owner's consent is unlawful unless it is authorised, justified or excused by law. There is obviously an issue here where there is wilful damage to graves and memorials. The graves belong to those who lay in them and the ownership of the memorials is an ambiguous issue. Clearly there is no available owner of either to give consent. To address this issue section 566(11) avoids the necessity of


pleading an owner where the property is fixed in a square or a street but this does not deal with the issue of unlawfulness. To address this, the responsibility falls on the Crown to prove from the circumstances alone that the damage occurred without the owner's consent. What an unacceptable set of circumstances.

Gravestones and memorial sites are deeply personal objects. They are physical memories of the past, of people, of events, of lives, and desecration is broadly condemned by all communities throughout the world. Investigations in Australia are usually prompt to prevent recurrence of such indecent acts, but, as happens in Townsville with some regular monotony, some monuments become ruins before their time, and if not repaired, essential parts of our cultural heritage are lost. Respect for the past is part of our culture, so catching perpetrators and bringing them before justice is vital if we are to take this act of vandalism seriously. For many, cemeteries are on sacred ground and desecration means not just a loss of part of our history but I would go so far as to say that it seriously diminishes our humanity. We should be preserving, protecting and promoting these historical resting places. What kind of moral fibre does a person have to tear up the last resting place of a deceased person? Cemeteries are actually for the living, a place to go to remember our loved ones, and I am sure that those stupid enough to perform this act would have a fit if someone destroyed the final resting place of their own loved ones. Graves should be protected in the law from abhorrent desecration.


The bill seeks to extend section 566(11) to property fixed in a cemetery, avoiding the necessity of pleading the owner of the gravestone. Additionally, the bill amends section 469 to provide for an increased maximum penalty for certain circumstances and inserts a new offence in the Summary Offences Act to apply to a person who unlawfully interferes with such property.

Estella Bradburn Fisher said as long ago as 1930 during an address—and in supporting this bill I would like to finish with her few wise words—

There is no historic spot that grips our hearts and stirs our sympathies as does a burial ground. It is not only because it is in itself a landmark, set apart with established boundaries for a fixed purpose, but that it is the tie that links us to those who have gone before us, and a symbol of the immortality that is our hope.

 **Mr MOORHEAD** (Waterford—ALP) (4.48 pm): I rise to make a brief contribution in support of the Criminal Code and Other Legislation Amendment Bill 2010. I want to focus on the provisions contained in the bill that relate to the protection of cemeteries and graveyards. In my electorate, there are two cemeteries or graveyards, both of which come under the control of the Bethania Lutheran Church Council. As many members will know, the area that I represent has a very proud German history, dating back to Lutheran settlements in the 1860s and 1870s. The 1860s church based at Bethania was one of the first buildings in the state to be recognised on the Queensland Cultural Heritage Register when cultural heritage registers began in the 1980s. The church also looks after the Logan Reserve graveyard, which is protected by the Logan City Council town planning scheme as a place of local cultural significance. When this bill was proposed, I sent a copy of the explanatory notes, the bill and some accompanying material to the church council and, particularly, its chair, Zel Lowein. They were very pleased that the bill proposed to provide them with extra protection.

This bill ensures that, if there is a very tragic and upsetting incident where gravestones and cemeteries are attacked, a prosecution can be progressed without having to trace who lay the foundation for the cemetery gravestone, who paid for it or who the owner may be. This bill puts the onus upon the person who has undertaken the damage to prove that they had some lawful reason for doing so, which might be the consent of the owner or other reason. I very much doubt that they would be able to show that. This is a simple change that protects the people who take on the responsibility of managing graveyards and cemeteries. They are the custodians of places of important cultural significance. Particularly in my part of the world, the graveyards and cemeteries connect us with those 19th century settlements and show how Bethania, Logan Reserve and neighbouring areas came to be the community that they are. The proof of that is found in the graveyards. I am glad that we can protect them through this legislation.

 **Mr DICKSON** (Buderim—LNP) (4.51 pm): I rise to speak in relation to a number of amendments within this bill, having regard to the recommendations of the Queensland Law Reform Commission's final report, titled *A review of the excuse of accident and the defence of provocation*, which was tabled in this parliament on 1 October 2008. In part, the commission had been required to review three of the excuses and defences to offences provided by the Queensland Criminal Code: firstly, the excuse of accident under section 23(1)(b) which, subject to limited exceptions, applied to all offences; secondly, the partial defence of provocation under section 304, which reduces murder to manslaughter; and, thirdly, the complete defence of provocation to assault under sections 268 and 269.

In line with the report, I note that the bill seeks to amend only two of those three excuses for defence; namely, the excuse of accident under section 23(1)(b) and the partial defence of provocation under section 304. The report found that the complete defence of provocation to an assault under sections 268 and 269 should remain. Provocation under sections 268 and 269 is different from provocation under section 304. The definition of 'provocation' in section 304 is drawn from the common

law, not the Criminal Code, and applies only to murder. The other provocation is defined by section 268 of the Criminal Code and applies to offences that contain assault as an element—for example, assault and assault occasioning bodily harm.

The Law Reform Commission decided that the Criminal Code should continue to contain the excuse of accident under section 23(1)(b) and embraced the current reasonably foreseeable consequences test as the appropriate test to determine whether an event occurred by accident. Additionally, although it did not result in recommendations arising from the report, the Law Reform Commission looked at the term ‘accident’ and how it creates misunderstandings within the community. As stated in the report, the word ‘accident’ may be thought to convey an occurrence that happens without fault, perhaps something tragic brought about by a random unforeseen act. However, under section 23(1)(b) the term has a different meaning: an unintended, unforeseen and unforeseeable event. Where a death occurs as the result of an assault, it is difficult for a member of the public to understand how an accused could be acquitted on the basis that the death was by accident. The bill amends section 23(1)(b) to omit the term ‘accident’. The legislation enshrines the reasonable foreseeable consequences test.

Under section 304 of the code, a person who is guilty of murder may instead be convicted of a crime of manslaughter if the jury decides that the murder was committed while the accused was provoked. It is not uncommon for a man who has killed their intimate partner to raise the defence of provocation on the basis that they were provoked to kill by the partner’s infidelity, insults or threats to leave the relationship. The amendments will remove insults and statements about relationships from the scope of the defence, recognise the person’s right to assert their personal or sexual autonomy and reduce the scope of the defence available for those who kill out of sexual possessiveness or jealousy.

I would now like to speak briefly about graveyard vandalism and similar conduct. Those are not acts of mischief; they are very serious and abhorrent crimes. Grave vandalism is a crime that invokes absolute outrage in our community. In Queensland we have seen instances where people commit those crimes, are caught and charged by the police, only to walk free from the courts on a technicality. Last year a disgraceful situation arose when a Brisbane magistrate had no alternative but to dismiss charges against four people accused of vandalising graves in the Toowong Cemetery in 2009. In part, that was due to the fact that it could not be proven that the group did not have permission to do so. The four people had been charged with the wilful damage of 82 graves at the historic Toowong Cemetery in August 2009. Legal representation told the court that unlawfulness could not be proved by the Crown because no-one could be certain that the defendants did not have permission to damage headstones. After the charges were dismissed, the group of young vandals left the court smiling, laughing and thanking their lawyer. It is just not good enough.

Section 566(11) of the Criminal Code states—

In an indictment for an offence relating to anything fixed in a square or street, or in a place dedicated to public use or ornament, or to anything in or taken from a public office, it is not necessary to allege that the thing in respect of which the offence is committed is the property of any person.

In other words, the prosecution does not need to prove ownership. However, section 566(11) does not deal with related questions of unlawfulness. Where the owner is unable to be identified or is an entity that does not have a representative who can tell the court that there is no consent, the Crown has to prove, from the circumstances alone, that the damage occurred without the owner’s consent. As we have seen in the past, that is easier said than done. The bill extends subsection (11) to property in a cemetery. This will avoid the prosecution having to provide to the court evidence from the owner of the gravestone.

The bill amends section 469 to require the defendant to prove that they acted with the consent of the owner of the property, where the property damaged or destroyed is property of type 1 as previously mentioned. Further, I am very curious as to the validity of the next part of the amendment. The bill amends section 469 to recognise that, in relation to property fixed in a cemetery or at a crematorium, a defendant may have acted without the consent of the administering authority. I think the minister needs to look at that. I would be very keen to hear the Attorney-General outline circumstances where the administering authority of the crematorium or a cemetery would consent to an act of vandalism.

**Mr Lucas:** Prima facie, interfering with something; you cannot interfere with someone else’s property unless it is lawful. Anyway, we will get to that.


**Mr DICKSON:** I will talk to the minister after this. Is this part of the amendment referring to circumstances where a relative or friend may remove part or alter the appearance of a shrine? In those circumstances, I cannot imagine why someone would ever be charged. In recognition of the community’s outrage at the abhorrent conduct of damaging or destroying gravestones and other property such as war memorials, this bill amends section 469 to provide for an increased maximum penalty in certain circumstances. The penalty as provided by these amendments is seven years imprisonment. I am sure that the entire community will be watching the courts to see exactly the extent of the sentences that will be handed out in future to offenders who commit such crimes.

The new section 26A of the Summary Offences Act relates to the new offence of interfering with graves and the like. It states—

A person must not interfere with—

- (a) a grave, vault, niche or memorial in a cemetery or at a crematorium; or
- (b) a war memorial; or
- (c) a thing fixed at a place of religious worship.

A person will be deemed to interfere if they deal with the thing 'in a way that is likely to cause offence to a reasonable person'. Therefore, the offence will apply to an act such as urinating on a war memorial or conducting satanic rituals on or near a grave. I say, 'Hear, hear,' because this is a step in the right direction. Criminals will be treated like criminals for a change. I hope the legal system takes a bit of notice of what has been said in this House today.

 **Ms GRACE** (Brisbane Central—ALP) (5.00 pm): I rise to support the Criminal Code and Other Legislation Amendment Bill. There are a number of amendments in this bill that I support. This bill demonstrates the Bligh government's commitment to continuing to monitor the Criminal Code in this state and ensuring that the Criminal Code reflects the modern community values and attitudes about how it is used.

There are three primary objectives of the bill that I would like to talk to today. The first is to amend the excuse of 'accident' which was found in section 23(1)(b). This comes out of some recommendations that were tabled earlier, which I will refer to. The second is to recast the partial defence of provocation, which I fully support as well. The third is to amend the law such that we will criminalise the unlawful interference with graves, war memorials and other types of cultural relics where such interference may not fall within the meaning of damage. I think the community at large will welcome such changes, particularly if action was taken against a gravestone of their family member or a war memorial which they were a part of.

In the final report of the Queensland Law Reform Commission that was tabled in parliament on 1 October, in relation to the excuse of accident it endorsed the current reasonably foreseeable consequence test. I think that is a more appropriate way of describing an accident. There is sometimes a misunderstanding in the community about how a court interprets an accident. I believe the minister's amendment to the bill which talks about the reasonably foreseeable consequence is far more appropriate than just the word 'accident'. So omitting that and putting in the two new sections—where it states that 'the person does not intend or foresee as a possible consequence and that an ordinary person would not reasonably foresee as a possible consequence'—makes it much more understandable and it explains that something may happen but then questions whether it was a reasonably foreseeable outcome. I think that is a better way of describing it. I fully support the removal of the word 'accident' and those words being put into the legislation. We will in a way enshrine the reasonably foreseeable consequence test, which I support.

The second objective relates to using the defence of provocation, and I want to talk about how that has been used in the past in the area of domestic violence. I think we would all take offence at somebody using the way the Criminal Code was written to justify a death, an attack or something like that in relation to a partner's infidelity, insults or threats to leave a relationship. I cannot applaud more the changes that have been put into the Criminal Code which protect the area of domestic violence where there is a history of that occurring. It looks at that whole situation in relation to 'circumstances of a most extreme and exceptional character', so it does not remove totally the ability to use a defence of provocation. It puts down the area under which it can be used, because I actually do not support the total removal of the defence of provocation.

I think we have found the right balance in relation to this Criminal Code. It takes away the defence being used in what I might term a frivolous defence—for example, 'She said she was going to leave me so all of a sudden I bashed her over the head and killed her.' I believe that was one case which in a way sparked these changes. I applaud the fact that that type of defence has now been taken away. I can also think of other areas where this defence of provocation will not be so easily used. I welcome the change so that this section does not apply if the sudden provocation is based on words alone 'other than in circumstances of a most extreme and exceptional character'. I think that has been very well defined in the legislation.


In relation to that not being used in the defence of words alone, I draw the House's attention to the launch last year at Parliament House of a book called *Speaking Out*, by Alan Berman and Shirleene Robinson. One of the first recommendations in that book was that we should review the Criminal Code in relation to the LGBT community, which often uses the section of provocation to non-violent homosexual advances. It has been used as a defence in the past. I would say now that the LGBT community will probably find that, in circumstances where there is a non-violent sexual advance, if it is only words that are used this changes the ability for someone to say, 'They approached me and I bashed them to death and I therefore take that defence of provocation.' I think that is a step in the right

direction. It actually meets the brief of that book and that recommendation—that is, if words alone are used and it is not violent in character. You can use that across a number of scenarios, such as people on a night out saying, ‘They provoked me by insults and swearing,’ or whatever it is. I guess it applies that old saying ‘sticks and stones may break my bones but words will never hurt me’.

The legislation now says that, if it is only words and there is not this exceptional character that is described in the legislation and you kill somebody, you cannot say, ‘They used these words and I’m going to use that particular section to make the death go into manslaughter.’ Clearly, there are other parts of the Criminal Code that could be used in relation to that situation, and the courts have the freedom to judge according to the defence that is brought by that person. I think we are addressing the No. 1 recommendation of the book *Speaking Out* in relation to the LGBT community and non-violent homosexual advances. I really applaud the step that this government has taken in this area, particularly as I am a member who represents a very large LGBTIQ community. I think this is a step in the right direction. It is one that I applaud and I thank the minister for bringing it to the House.

The third and last area I want to quickly refer to is when somebody destroys a gravestone, a war memorial et cetera. It is crazy that someone in the community thinks they can get away with that. These amendments are definitely a step in the right direction. They are removing that difficulty that exists in relation to evidentiary proof, and it is much easier to prosecute these people under the Criminal Code. I think everybody in the public will welcome these changes. Some of these war memorials, gravestones and cultural monuments around Brisbane have great cultural and historical value, and we would hate it if somebody could go in and destroy them and get away with it because of the evidentiary difficulties with the Criminal Code. I think the majority of the general community would welcome those changes. I welcome those changes.

With those few words, I congratulate the previous Attorney-General and the current Attorney-General for bringing these amendments before the House. I commend the bill to the House.

 **Mr SHINE** (Toowoomba North—ALP) (5.09 pm): I also join with the honourable member for Brisbane Central in all that she said and all the topics she covered and I commend the Attorney for bringing this legislation before the House.

I will briefly mention the issue of damage to graves and cemeteries in Toowoomba. Unfortunately, at the Drayton and Toowoomba Cemetery in September and October last year 45 graves were desecrated to the tune of about \$100,000 worth of damage. This series of occurrences caused a great deal of distress in the Toowoomba community. Therefore, I am very pleased that the government is bringing in this legislation. It has the effect of stiffening the penalties under the code from a maximum of five years to seven years and brings in a new offence under the Summary Offences Act to get over the difficulties as have been explained by previous speakers.

I will concentrate on the issue of accident and provocation, with which I have had some contact in the past. The legislation before the House makes a significant contribution to the development of the criminal law in Queensland. It has its genius in an audit that I requested the Department of Justice and Attorney-General undertake shortly after I became Attorney.

By way of background, in 2007 there were a number of cases where the defence of accident was relied on in a ‘one punch can kill’ situation. Similarly, the case of Sebo came before the courts, where the defendant successfully relied upon the partial defence of provocation to reduce his conviction from murder to manslaughter. I successfully appealed his sentence in that case, but thought the whole question of the use of the partial defence of provocation should be further investigated. The department conducted an audit of cases to ascertain whether the two defences were operating effectively and then issued a discussion paper to ascertain the community’s views. Following that process, the government referred the matter to the Queensland Law Reform Commission for a thorough investigation. This legislation arises from that review.

The QLRC determined that there should be no change to the defence of accident as it operates in Queensland. It has often been said that hard cases make bad law, meaning that caution should always be exercised in making changes to the law based on an apparently unacceptable outcome occurring in a particular case. An amendment to the law designed to remedy an injustice in one case may result in serious injustice in other cases.

Section 23 of the Criminal Code, relating to accident, has been the subject of close scrutiny by courts, including the Queensland Court of Appeal and the High Court, over many years. The discussion paper prepared by the department fully canvasses the relevant important cases on this issue. The report of the commission titled *A review of the excuse of accident and the defence of provocation* determined that section 23(1)(b) of the Criminal Code should continue to excuse a person from criminal responsibility for an event that occurs by accident.

The opposition introduced its own private member’s bill titled Criminal Code (Assault Causing Death) Amendment Bill 2007, which purported to create a new offence of assault causing death. This was defeated in the House on 13 February 2008. The commission addressed the issue of whether such an offence should be created and it determined that the Criminal Code should not be amended to

include a new offence of unlawful assault occasioning death. There is, however, some lingering confusion as to the meaning of the term 'accident' as it relates to the criminal law in Queensland. To ordinary Queenslanders it is difficult to see how a willed act, such as a deliberate punch, could ever be considered an accident. The legal meaning of accident has, however, come to mean that the event is not a reasonably foreseeable consequence of the deliberate willed act.

In order to remove the confusion caused by using the same term for very different meanings, this bill seeks to address this issue by amending section 23(1)(b) to omit the term 'accident' and to legislatively enshrine the 'reasonable foreseeable consequence' test. This will not alter the law, as the terminology has already been judicially interpreted in the case of *R v Taiters* in the Queensland Court of Appeal.

The reviews I mentioned previously also considered the question of the partial defence of provocation and its application in Queensland. As was outlined in the commission report, it is not uncommon for men to rely on this defence when they kill their partner as a result of infidelity, taunts or threatening to or actually leaving a relationship. Such was the case in *Sebo*.

What the commission found is that the defence operates in favour of those in positions of strength at the expense of the weaker. The application of the defence has produced different outcomes in cases that involve comparable circumstances. In accordance with authority, trial judges played their role as gatekeeper with caution. It is at least arguable that the defence has been left to the jury, contrary to authority, in those cases in which the provocative conduct consisted only of words.

These amendments seek to address this perceived flaw in the legislation and to ensure that, except in extreme or exceptional circumstances, the defence cannot be relied upon by somebody who kills in response to conduct which amounts to words alone or consists substantially of words. Additionally, again, except in extreme or exceptional circumstances, the defence cannot be based on a person's choice about a relationship.

Any defendant who wishes to rely on the partial defence of provocation will bear the onus of proof. This is because often the only other potential witness to the incident is now deceased, making it difficult for the prosecution to refute claims by a defendant. This is the same situation that exists where a person seeks to rely on the defence of diminished responsibility. They also bear the onus of proof.

The effect of these amendments is to remove insults and statements about relationships from the scope of the defence, recognise a person's right to assert their personal or sexual autonomy and reduce the scope of the defence being available to those who kill out of sexual possessiveness or jealousy. These amendments were all recommended by the QLRC in its report.

The bill contains amendments to several other pieces of legislation, but I confine my remarks to those matters to which I have spoken. I commend the current Attorney and the previous Attorney for their continued work on these measures. I commend the bill to the House.



**Ms DAVIS** (Aspley—LNP) (5.16 pm): I rise to contribute to the debate on the Criminal Code and Other Legislation Amendment Bill 2010. The objectives of the bill are to address the biases in the existing definition of 'provocation' under section 304 of the Criminal Code; amend provisions in the code that hinder the prosecution of wilful damage where the owner of the damaged property cannot be readily identified; and insert a new offence into the Summary Offences Act 2005 which will render interference with graves, memorial sites and properties fixed at places of religious worship punishable, even where wilful damage does not exist. The bill further proposes amendments to the Appeal Costs Fund Act 1973 and the Retail Shop Leases Act 1994.

I will make the distinction that provocation under section 304 of the Criminal Code applies only to murder, whereas section 268 applies to offences that contain assault as an element. Section 304 defines killing on provocation as 'the act which causes death in the heat of passion caused by sudden provocation, and before there is time for the person's passion to cool, the person is guilty of manslaughter only.'

The use of the defence of provocation under section 304 in three murder trials in 2007 prompted these amendments. The Queensland Law Reform Commission's report titled *A review of the excuse of accident and the defence of provocation*, which was tabled in parliament on 1 October 2008, rightly identifies that sexual hegemony and ambiguity are entrenched in this defence, particularly in instances where it consists only of words.

It states that the provocation defence operates in favour of those in positions of strength at the expense of the weaker. The application of the defence has produced different outcomes in cases that involve comparable circumstances. I would note, however, that the Queensland Law Reform Commission's report also discusses at some length cases in which battered women have murdered their abusers where their reliance on the defence has been permitted.

Chapter 7 of the report discusses the case of Robyn Bella Kina, who, in September 1988, was convicted of murdering her husband. In the heat of passion, after loud bumping and screaming was heard in the bedroom, Kina retreated to the kitchen and returned stabbing her husband in the stomach. It was later revealed that her life was filled with abuse, trauma and hardship, which, combined with her Aboriginality, led to difficulty communicating what should have enabled a fair and just defence of provocation. Although the conviction of murder was eventually quashed by the Court of Appeal in 1993, the then Attorney-General announced there would be no retrial. The courts also allow women who kill after a long period of being subjected to abuse and violence to utilise the provocation defence.

The proposed amendments will facilitate a diminished scope for provocation claims stemming from jealousy and also recognise an individual's right to express their sexual autonomy. I feel it is important to recognise that subjugation and violence in relationships is never desirable in our modern social landscape, and this ought to be reflected in legislation.

With regard to section 469 of the Criminal Code concerning wilful damage, the bill outlines the evidentiary problems which may arise where the owner of the damaged property cannot be readily identified. Section 566(11) states—


In an indictment for an offence relating to anything fixed in a square or street, or in a place dedicated to public use or ornament, or to anything in or taken from a public office, it is not necessary to allege that the thing in respect of which the offence is committed is the property of any person.

This has now been expanded to include property within cemeteries. Furthermore, the maximum penalty for such an offence has been increased under section 469.

Four young adults faced the Brisbane Magistrates Court in April last year charged with the desecration of 82 graves at Toowong Cemetery in August 2009 in an act of satanic vandalism. The fact that the foursome walked free without facing a jury, with the prosecution unable to prove that the defendants did not have permission to damage headstones, is simply deplorable. These amendments will ensure that the onus is placed on the defendant to prove that they acted with the consent of the owner of the property or administering authority. This despicable behaviour shows nothing but contempt for a valuable historic landmark that is greatly treasured by Brisbane residents. The desecration of 82 graves, fuelled by little more than drunkenness and idiocy, is both tragic and embarrassing. I support the initiative to increase penalties for wilful damage to such property.

The insertion into the Summary Offences Act 2005 recognises 'interference' as opposed to 'wilful damage' as a punishable offence. Interference is defined as 'dealing with the property in a way likely to cause offence to a reasonable adult' and can thus be extended to include actions such as urinating on a war memorial.

I recognise the importance of many of these reforms, particularly having quite a beautiful facility such as the Albany Creek Memorial Park in Bridgeman Downs in the Aspley electorate. This venue has absolutely beautiful landscaping, with staff working tirelessly to ensure that it is a peaceful, private and comforting place for visitors. Along with the Pinnaroo Lawn Cemetery, these are examples of impeccably maintained memorial sites on Brisbane's north side. My local community, as well as that of the member for Everton, attaches great significance to these venues as a resting place for their loved ones and for those who have paid the ultimate price for our country. As such, I believe that the beauty, integrity and historical value of memorial sites must be upheld and that measures ought to be in place to discourage senseless vandalism of the property within them. In conclusion, I reinforce the comments made by the shadow minister and welcome these amendments.

 **Ms FARMER** (Bulimba—ALP) (5.22 pm): I rise to speak briefly to the Criminal Code and Other Legislation Amendment Bill 2010. In particular I wish to speak to the amendment which deals with the criminalising of the unlawful interference of graves and like property such as war memorials where such interference may not fall within the meaning of 'damage', to allow for a prosecution of wilful damage.

In speaking to this amendment, I would like to acknowledge the role of the Friends of Balmoral Cemetery in bringing the need for this amendment to the government's attention. The Friends of Balmoral Cemetery is a wonderful and diligent local organisation in the electorate of Bulimba whose charter it is to protect and maintain this precious historical icon of our local area. I am a proud member of the organisation and my daughter has been a member since she was seven years old.

Walking through Balmoral Cemetery is like walking through the streets of Bulimba, Hawthorne and Balmoral because our local streets are named after the early families who settled in the community. Their fourth, fifth and sixth generations are still living in our community today. The names of these families feature across whole sections of the cemetery. In that cemetery we see the names of some of the most prominent Queenslanders. We have politicians, people from the judiciary, lawyers and so many war veterans whose names we respect and whose families still live in that community.


Honourable members can talk to any member of the Friends of Balmoral Cemetery and they will find they are like a walking encyclopaedia of the history of those families. They are dedicated to keeping the cemetery as a celebration of our local history and have such respect for the role that those people played in our community. They are a small group. They spend day after day, week after week, month after month working there, telling the stories, seeking grants and making sure that it is a living history for us and for the local area. Damaging a gravestone in Balmoral Cemetery would be like stabbing at the heart of our local community.

The Friends of Balmoral Cemetery is very serious about its role as protector of the cemetery and of our local history. Since I first became a member of parliament they have been lobbying for a range of reforms, mostly local government reforms, to protect and maintain cemeteries. They have been talking to me constantly about the need for a stronger message to be sent to the community that wilful damage of gravestones is simply not acceptable. I remember the day I brought them in to see the former Attorney-General. In particular I commend Betty Sinden and Kelvin Johnston from the Friends of Balmoral Cemetery who fought so hard on this issue. I thank the former Attorney-General for his attention and understanding of the case that they were putting to him. It just so happened that that very day the finding was brought down about the damage committed at Toowong Cemetery allegedly by the four people who had their charges dismissed because of the question of whether the damage had been caused with the owner's consent.

I was very pleased for the Friends of Balmoral Cemetery to have planted that issue with the former Attorney-General. The outrage that the community expressed about that finding that day only cemented the strong case that they had already put forward. The amendments in this bill reflect the government's really strong commitment to protect important places of remembrance such as graveyards. It has been wonderful that every single member in this House who has spoken on this bill has chosen this part of the bill to acknowledge and support.

This legislation reflects community expectation concerning how places of remembrance should be respected and why those people who commit serious acts of vandalism should be punished. An element of the offence of wilful damage which must be proven by the prosecution is the absence of the owner's consent. Proving this element can be problematic where the owner of the property is not readily identifiable, and this was obviously the issue at Toowong Cemetery. This bill addresses the issue by amending the offence of wilful damage to property to include anything fixed in a cemetery, crematorium, public street or square.

There is much more that I would like to say on this bill. I would like to acknowledge the support of the present and previous Attorneys-General and thank the Friends of Balmoral Cemetery. I commend this bill to the House.

 **Hon. PT LUCAS** (Lytton—ALP) (Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State) (5.27 pm), in reply: At the outset, I would like to thank all honourable members on both sides of the House for their contribution to the debate on this bill. This bill is a clear illustration of the government's commitment to continually monitor and, where necessary, amend Queensland's criminal laws in line with community views and expectations.

The amendments made in this bill represent a modernisation of the justice system that will positively contribute to the maintenance of a safe community for all Queenslanders. The bill makes amendments to the excuse of accident to omit the term 'accident' and substitute the term with a phrase that better reflects the reasonably foreseeable consequence test. The test was recently reviewed and endorsed by the Queensland Law Reform Commission in its report *A review of the excuse of accident and the defence of provocation*.

Amendments are also made to the Criminal Code to remove the availability of the partial defence of provocation for those who kill out of sexual possessiveness or jealousy. The bill amends section 304 to remove insults and statements about relationships from the scope of the defence and to ensure that regard may be had to any history of violence that is relevant in the circumstances. The onus of proof is also reversed, requiring a defendant to prove that due to provocation they were only liable to be convicted of manslaughter.

The bill also makes important amendments to the Criminal Code and Summary Offences Act 2005 to reflect the government's commitment to protecting important places of remembrance from vandalism and inappropriate interference. The offence of wilful damage in section 469 of the code is amended to reverse the onus of proof in relation to property wilfully damaged in a cemetery, crematorium or public street or square. The maximum penalty is increased where the damage or destruction is caused to a cemetery, gravestone, place of worship or war memorial.

Furthermore, a new offence of interfering with a grave and like property is inserted in the Summary Offences Act 2005 to address the issue of persons inappropriately interfering with graves and like property where the conduct does not in law amount to damage.

Other amendments in the bill include an amendment to section 568 of the Criminal Code to modernise the provision by allowing multiple offences of identity theft to be incorporated into a single count. Additionally, amendments are made to the Appeal Costs Fund Act 1973 to allow a privately funded convicted person or Legal Aid Queensland to seek reimbursement from the Appeal Costs Fund for any additional expenses incurred as a result of an appeal against the convicted person's sentence or in responding to an appeal against their sentence where the appeal is relevant to the giving or reviewing of a guideline judgement. Lastly, the bill makes amendments to the Retail Shop Leases Act 1994 to clarify that the use of ratchet clauses is prohibited and provides an assignee and a lessee with the right to compensation under section 43.

I will now address some of the matters raised by honourable members during the course of this debate. The member for Kawana suggested that the Bligh government only tinkers with the justice system. I thoroughly dispute that. It was this government that brought in our nation-leading Dangerous Prisoners (Sexual Offenders) Act, the recent Criminal Organisation Act, the new offence of unlawful drink spiking, new offences of identity theft and fraud, and expansion of the application of indefinite sentences under the Penalties and Sentences Act, to name just a few.

I also note the member's comments about the opposition private member's bill of 2007 seeking to introduce an offence of assault causing death. According to the explanatory notes to that bill, the purpose of the new offence was to provide an alternative to murder and manslaughter charges in cases where an unlawful assault causes the death of the other person. The government opposed this private member's bill for good reason. Such an offence would add nothing to the existing range of offences to which significant penalties already apply which are able to be charged as alternatives to murder and manslaughter. The prosecution is able to charge a lesser offence in the alternative to a more serious charge, leaving the jury with the option of convicting on either charge. For example, there is nothing preventing the prosecution from indicting lesser offences as alternatives for murder and manslaughter.

On the issue raised today regarding the resources of the Director of Public Prosecutions, I acknowledge that our ODPP staff work hard. That is why the most recent budget included an additional \$460,000 a year for the ODPP to create five new positions—an extra crown prosecutor and legal officer in Ipswich and legal officers in Brisbane, Beenleigh and Cairns. This is on top of its budget of more than \$4 million in 2009.

Some members have questioned the threshold for memorials to be protected under the legislation. This bill provides for the offence to apply to memorials and cemeteries and crematoriums as well as formal war memorials. Other memorials will of course still be covered by the existing provisions of wilful damage.

I want to briefly mention the importance of flexibility in the Criminal Code. Murder carries a mandatory penalty of life imprisonment. That is why we have a partial defence of provocation: to allow deserving cases to have a manslaughter verdict returned. Manslaughter carries a maximum penalty of life imprisonment but there may be spouse abuse cases that result in a penalty that is very modest, bearing in mind that a woman has had years and years and years of domestic violence abuse. That is an important aspect of that. Those jurisdictions that have repealed the partial defence do not have mandatory life imprisonment as a penalty for murder.

Finally, I want to say a couple of things in summing-up. With regard to the lesbian, gay, bisexual and transgender provisions that the member for Brisbane Central mentioned, thought had been given as to whether you might tighten that defence to more than words. However, that then might allow those scoundrels who use that as a defence in relation to domestic violence situations to broaden the defence to them, so it was thought that it would be better left to a jury on the basis of the judge's discretion.

I want to mention the Victims of Crime Association and also Paul Stanley from the Matthew Stanley Foundation. One of the things that really stands out to me in all of this legislation is this: you look at some of the cases—fights on Christmas eve, fights in cab queues, fights in nightclubs, fights in pubs. Some of these instances involve people who are thugs and stupid and bad people, and others involve people who are stupid once and for whom one stupid, silly act of violence ruins the life or causes the death of their victim and ruins the life of the perpetrator and their family forever. That is the sad thing that we are dealing with here. We are dealing with terrible, stupid, foolish, unnecessary things. It is so regrettable that the law has to deal with it, but deal with it it will.

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

Motion agreed to.

Bill read a second time.

Debate, on motion of Mr Lucas, adjourned.

## MOTION

### Water Entities



**Mr BLEIJIE** (Kawana—LNP) (5.34 pm): I move—

That this House notes the anger and concern in the South-East Queensland community that has been caused by the operation of AllConnex, Queensland Urban Utilities and Unitywater and calls on the Bligh Labor government to take urgent action to address the genuine concerns of Queensland householders about the operations of these retail water entities.

The issue of water costs as a cost-of-living expense has significantly affected the budget of families across the South-East Queensland region, and there is no excuse for it. There are few certainties in life, but there is one certain thing about this 'can't-do' Bligh Labor government—that is, we would expect it to play the blame game. It balloons a bureaucracy. Anything it touches turns into a toxic

balloon of bureaucracy. No matter who this minister tries to blame, Queenslanders know that the blame lays solely at the feet of this 'can't-do' minister and this 'can't-do' toxic long-term Labor government. On many occasions in this parliament this minister has said that he is not to blame and that this Labor government is not to blame. Who does he blame? He blames the poor little councils.

**Government members** interjected.

**Mr BLEIJIE:** For those interjecting members, particularly the member for Broadwater, let me again put on the record of this House and remind those opposite what is already on the record of the House from 2007. In a freedom of information request I put on the Sunshine Coast Regional Council, I have obtained the ministerial statement that was made by the Premier at the time and delivered by facsimile to the Lord Mayor's office on 13 March 2007. That facsimile and the ministerial statement that the then Labor Premier made in this House states—

That is why my government is prepared to take full responsibility for water.

He said 'full responsibility for water', yet we have this toxic current minister saying that he is not responsible and has nothing to do with it—so much so that he is now the Minister for Water Utilities! The ministerial statement by the then Premier went on—

It has to stop.

Today I am announcing that my government will shake up this cranking, rusty old system operated by the councils and we will drag it into the 21st century.

If this is what it is—if this is the rusty old system that is dragged into the 21st century that costs ratepayers and hits the hip pockets of Queenslanders—then Queenslanders should be very worried about any reform from the Labor Party, because we have seen time and time again in Queensland that whatever it touches—whatever it touches, despite its machinations about working for the working class and the average Queenslanders—ends up costing Queenslanders more and more money, yet it continues to say that it is not to blame.

For the past two decades Labor governments neglected the issue of water security across the broader region, particularly in South-East Queensland. We on this side of the House know the history of the great water swindle whereby council water assets were taken or effectively stolen by the state Labor government as part of a bungled, rushed job to address the urgent water security needs of Brisbane. But nothing has changed: the government had a plan. Nothing has changed: it was reactionary. For any issue that arises in Queensland the government has a reactionary approach because it has no competence for working out future plans. The 'can't-do' Bligh Labor government introduced three water retail outlets: Allconnex, which services the Gold Coast, Logan and Redlands; Queensland Urban Utilities, which services Brisbane, Ipswich, the Scenic Rim, Somerset and the Lockyer Valley; and Unitywater, which services the Moreton Bay and Sunshine Coast regional council areas.

Since that time members opposite have had the audacity to blame all of the water pricing increases and all of the implementation on the councils, and I have said it before: the former Premier said in this place in 2007 that he and the Labor government would take full responsibility. But when things go wrong, when things cost money, they do not take any responsibility. They took the water assets. At the last parliamentary sitting in this place the member for Pumicestone—in that great speech she made that I am sure members remember—said that the Labor Party invented the word 'consultation'. At the time I said—and my colleagues will remember this quite well; it is one of those jokes that you never get out of your mind—to the member for Pumicestone that that was the classiest and funniest joke I had ever heard. When we look back at the history of water utilities and water infrastructure across Queensland, when we look at what happened with the Labor Party taking the assets from the councils—and I hope the member for Pumicestone is speaking in this debate—I ask the member for Pumicestone: what consultation took place? To use the term invented by the Labor Party, so the member says, what consultation with councils took place? What did they say? They sent a fax. They sent a ministerial statement that said, 'We are dragging this into the 21st century and it is going to cost Queenslanders more money'—and they are proud of it.

The members on this side who represent the Sunshine Coast, which is covered by Unitywater, would know. Since the bills first went out in July last year, we have been bombarded with complaints from constituents about increased water prices.

**Mr Elmes:** Four hundred in my office.

**Mr BLEIJIE:** Four hundred to the office of the member for Noosa. The member for Noosa and I held forums across the coast. Four hundred and fifty people showed up, and they showed up with their water bills. The pensioners, the seniors asked questions about what they could not work out. Last week at my mobile office they came and asked, 'Jarrod, I have a water bill here. I have used \$30 in water consumption. Why is my bill \$600 to \$700?' When you look at the bill you see that they are charging for water access and sewerage access.

**Ms Grace** interjected.

**Mr BLEIJIE:** It is an absolute condemnation of this Labor Party state government when seniors in the electorate of the member for Brisbane Central—her seniors—come to electorate offices with \$30 to \$50 in charges for water consumption, yet their bills are being ballooned by these charges that have been established by the Labor Party government. Member for Brisbane Central, you may say that they are not your charges, or the government's charges—

**Mr SPEAKER:** Direct your comments through the chair.


**Mr BLEIJIE:** Absolutely. I get a tad carried away with this, because I am passionate about it. I am passionate about making sure that we bring into this House the issues that are impacting on water bills across South-East Queensland, particularly in the electorate of the member for Brisbane Central. People are struggling with the family budget. There have been recent surveys undertaken, particularly in Brisbane, where people have been asked how their cost of living pressures are going. Seventy-six per cent of respondents to those surveys have said that they are struggling. Why are they struggling? Because of a 'can't-do' Labor hypocritical, incompetent government that just cannot plan for the future.

Last year the member for Callide said in this place that this is going to hurt consumers. He was right, because consumers all around Queensland are being hurt—so much so that, despite a glossy front page on the *Women's Weekly*, recently on the Gold Coast the Premier was lambasted, booed and jeered.

**Mr Watt** interjected.

**Mr BLEIJIE:** What were the people there protesting about? I ask the member for Everton: what were they protesting about? They were protesting about water bills and no glossy brochure from any of these retail water outlets, no glossy brochure from the government, will save this government from Queenslanders blaming them. They will blame this minister and we would encourage them to blame this minister, because Queenslanders know that the only way they can have a reprieve on their water bills, the only way that they can properly plan for the future, is to have a can-do LNP state team with a plan to get Queensland back on track. I say to Queenslanders: bring your water bills to the ballot box and show this toxic 'can't-do' Labor government that it is unacceptable and that we will fight back.

*(Time expired)*

 **Ms SIMPSON** (Maroochydore—LNP) (5.44 pm): I second the motion and I thank the member for Kawana for this motion. Queensland, beautiful one day, overtaxed the next under this 'can't-do' Labor government. Premier Anna Bligh and Labor cannot plan, they cannot manage money and they cannot fix what they break.

**Government members** interjected.


**Ms SIMPSON:** People are hurting and the Labor members are laughing in this parliament. They think it is funny that we are being contacted by constituents who cannot pay their bills. It is criminal that a major reason they cannot pay their bills is this government. The members opposite are laughing and scoffing about the fact that people are burdened by the highest cost of living increases that we have seen in decades. In fact, Queensland has gone from being one of the most cost-effective places to live in Australia to one of the most costly. People are hurting and their anger is mounting. Yet we hear Labor members in this parliament laughing about the cost of living. That is why they have no ability to address the issues, because they do not care about the damage that they have created.

The issue of cost of living hikes, particularly hikes for utility charges, is one of the hottest issues that constituents are talking about. They have a clear message to us when they say that this government has put a burden on them that they do not deserve. They want the government not just to listen, they want the government to act—but to act in their interests, not in the government's interests and not have all the spin and palaver, where Labor members sit in this parliament and laugh it off and scoff as if somehow it is not an issue. These constituents want action from a government that helps them, not ones that hurt them and everything that this Labor government has done with water has hurt Queenslanders in the way it has failed to plan. Unfortunately, the cost blow-outs on a \$9 billion water grid, a complicated and costly water bureaucracy and buck-passing by this government have added to the burden of Queenslanders. I think is an excellent suggestion by the member for Kawana for people to take their water bills and to use them as a how-to-vote card at the next election.

We hear about 'Barbara from bank world' who has this phrase, 'Not my problem.' Does that have a ring of familiarity to it when we look at this government and it says, 'Not my problem' when people say that their water bills have gone up, say, \$200 a year? Members of parliament in this place can afford to pay these bills. But the average Queenslanders cannot and I suspect that the members opposite have lost touch with those average Queenslanders who are really in pain. According to the Mortgage Choice annual Consumer Sentiment Survey, 27 per cent of respondents are worried about the cost of living compared to 17 per cent a year earlier. But with regard to the Queensland constituency, we have seen surveys that show that more than 70 per cent of people are struggling with the high cost of living. But like 'Barbara from bank world', we have Anna from 'pollie world' and she has no care. All she can say is, 'Not my problem.'

According to the *Courier-Mail*, last year Queenslanders spent \$43 million more on electricity and fuel bills compared to the previous year—up by eight per cent—and \$48 million on transport, a 10 per cent jump. Those increases come in addition to the water prices, which is the subject of tonight's motion, but, unfortunately, it is a subject of mirth for this government, which does not care and which has lost touch. The state government's bulk water charge, which makes up a third of the cost of our water bills, has already gone up by more than 20 per cent since July 2010, with plans for further hikes over the next few years. My constituents and others throughout South-East Queensland are working hard to cut their water usage, but whatever they do they are still slugged because of the incompetence of this government.

In many cases they are slugged with a \$200-a-year increase in their water bills that they cannot afford. They want the government to listen. They want to see action. They do not want the mirth and the scoffing of this Labor government that has been there too long. I call on the state government to act now to fix the water pricing problems which have resulted in these huge hikes in water bills. More needs to be done to stop this price escalation that is way above CPI.

 **Hon. S ROBERTSON** (Stretton—ALP) (Minister for Energy and Water Utilities) (5.49 pm): I move—

That the words 'the Bligh Labor government' be omitted and the following words inserted in their place: 'their owners, the councils of South-East Queensland.'

What we have seen here tonight is a rewriting once again of the history of water reform in South-East Queensland. The member for—what is your seat?

**Mr Bleijie:** Work it out.

**Mr ROBERTSON:** The irrelevant member opposite talked a lot about consultation—how the councils had not been consulted in terms of South-East Queensland water reform. I note that the member has been here for only five minutes, but even some basic research would have come up with the historical record, including the memorandum of understanding between the councils of South-East Queensland on the institutional reforms to water and sewerage businesses, which I table for the information of the member for Kawana.

*Tabled paper:* Memorandum of Understanding between the Councils of South-East Queensland on the institutional reforms to water and sewerage businesses [4161].

I would also quote from an interesting letter that I received, as did the Treasurer, on 29 May 2009 from a certain Campbell Newman, Chairman, South-East Queensland Council of Mayors. Those opposite should actually listen to this because it is going to be pretty important that they and Campbell actually speak the same language. Campbell Newman said—

Councils strongly support water businesses as separate legal entities, commercial in focus, and subject to appropriate asset and economic regulatory frameworks. We also support the development of a more rigorous service standard and customer protection framework to accompany the shift in accountabilities from councils to the new entities.

In terms of supporting the institutional framework that the Queensland government put in place he went on to say—

Key elements of the proposal are:

1.3 vertically integrated commercially orientated water businesses as separate legal entities with boards nominated by council owners comprising a majority of independent directors but allowing a minority of elected councillors/local government officials;

...

2. Pricing for a transitional period to be the responsibility of the businesses, with the Queensland Competition Authority having a prices oversight role.

He went on to say—

This model has been endorsed by nine of the ten Mayors representing 95% of residents in South East Queensland.

That is right: the new leader of the Liberal National Party, when push came to shove, put up his hand and strongly endorsed the institutional reform that has been put in place. He went on to say—

We believe that the model can deliver the broad objectives of the State's reform model but at lower cost to ratepayers.

Ipswich City Council has some problems. He went on—

A key advantage of the 3 groupings we propose is built on existing business arrangements between Councils ... In adopting this approach, transition costs are minimised and the entities will be more closely aligned to the councils and their sub-regions.

The letter concludes with—

Yours sincerely

Campbell Newman

There we have the leader of the Liberal National Party, the person being promoted as the next Premier of Queensland, endorsing what this government did in terms of the reform of South-East Queensland water. They are the facts. That is the history. You should get used to it because let me tell you what I am going to be doing over the next period of time: going back in terms of all of your statements and pointing out how you—

**Mr SPEAKER:** Minister, direct your comments through the chair.

**Mr ROBERTSON:**—how members opposite and Campbell Newman are at opposites in terms of policies on water reform in this place. It is highlighted by the Lord Mayor's own signature on that letter, as chair of the Council of Mayors of South-East Queensland, endorsing this government's water reform agenda and building on the model with three distributor-retailers. That was endorsed by Newman himself.

I appreciate that 'Can-flip' Campbell will probably run away from that at a million miles an hour, but the simple fact is that, between now and election day, every day will provide us with the opportunity to say that, when push came to shove, Newman put up his hand and endorsed our model.

**Mr LAWLOR** (Southport—ALP) (5.54 pm): I second the amendment moved by the Minister for Energy and Water Utilities. Certainly the issue of water charges is a very sensitive issue on the Gold Coast. For months the Gold Coast City Council has been ducking and dodging, shirking its responsibility in an effort to avoid accountability on this matter. Residents are clearly fed up with the secrecy, buck-passing, inaction and incompetence of the Gold Coast City Council on the issue—and who can blame them? On 1 September last year Councillor Sarroff called for a water bill discount and revealed the projected \$2 billion windfall over 10 years from Allconnex dividends. That is \$800 million more than it anticipated. It anticipated a \$1.2 billion windfall; it will end up with \$2 billion.

I want to applaud the *Gold Coast Bulletin's* recent water war campaign. Without the accurate and informed coverage of the Gold Coast water bill issue, residents would continue to be treated like fools while the Gold Coast City Council lines its pockets with the massive profits it is making through council owned water retail company Allconnex. The Gold Coast City Council is set to receive \$98 million this year alone through council owned water utility retailer Allconnex. Its own figures project that this profit will grow to \$218 million in five years. For every dollar paid for water, 24c goes towards the state government's cost of production of bulk water and 76c goes to the Gold Coast City Council for water and sewerage charges. Residents deserve the truth about what they are paying Allconnex and the Gold Coast City Council through their water and sewerage bills. That is what the *Bulletin's* water war campaign is delivering. The campaign is finally forcing the council to come clean on the huge amounts of money it is making from water and sewerage charges.

The Gold Coast City Council's attempt to blame the state government on the issue has backfired because the truth has surfaced, and only the council can be blamed by not being upfront and honest with the residents about water charges. Residents have been forced to take the matter to the streets, protesting for answers—answers which they are still waiting for. We now have a situation being played out where councillors are being forced to sign a confidentiality agreement to attend meetings on the issue in a desperate attempt to gag them from speaking to the media. One has to ask the question: what are they hiding and why are they hiding it?

The paltry \$50 rebate that council proposed to some ratepayers for their water and sewerage bills is simply not enough, particularly in light of the news that it will be null and void after their rate bills rise by \$50. I, along with other Gold Coast Labor MPs, have called on the council to increase the rebate to at least \$100. If it agreed to a \$100 rebate to each house to help pay the water and sewerage bill the council would still have over \$70 million left over. There are just over 200,000 households on the Gold Coast. Instead, council intends to give a paltry \$50 rebate to only some residents, leaving the council to pocket more than \$90 million in just one year. Council charges make up 76 per cent of the average Gold Coaster's water and sewerage bill. The fact is—and I have been saying this all along—councils are making huge profits from water bills.

The state government sold water to South-East Queensland councils last year for a \$407 million loss. This was confirmed by the CEO of the LGAQ, Greg Hallam—not always a fan of the state government. Even he admitted that the state government was helping to keep the price of water lower by incurring that \$407 million loss from bulk water. That means the state is effectively providing a saving of nearly \$350 per water connection in South-East Queensland. While the state government subsidises water by \$407 million, the Gold Coast City Council makes \$98 million just this year. They are obviously embarrassed, as evidenced by the council's efforts to gag the councillors. Despite this, we announced in December a reduction of water price increases that will grow from \$5 to \$30 by 2017-18. The Bligh government also provides a \$100 water rebate for pensioners. That is up from \$40 several years ago.

We are doing what we can because we understand that Queenslanders are doing it tough and that every dollar counts. I ask the Gold Coast City Council to do the same and also to open council meetings to the public, stop gagging councillors and come clean on water charges. If Moreton Bay Regional Council can offer its residents a 50 per cent rebate on household water bills this year, I do not know why the Gold Coast City Council cannot do the same. An LNP plan to link water prices to the inflation rate would result in a \$17 billion debt in the same timeframe that it would take the government to pay off the debt.

(Time expired)

**Mr STEVENS** (Mermaid Beach—LNP) (5.59 pm): Labor financial mismanagement, Labor infrastructure planning failings, Labor media spin and Labor incompetence are the hallmarks of the expensive and wasteful South-East Queensland water grid that Gold Coast residents are now paying for through the massive and home budget crippling water charges that are passed on to Gold Coast

ratepayers by Allconnex. Many pensioners have contacted my office complaining of their inability to pay those excessive water charges without sacrificing food on the table. It is to the eternal shame of the Beattie and Bligh Labor governments that the people who can least afford the excessive increases in water, energy, fuel and basic living costs are being targeted by this sneaky and deceptive long-term Bligh Labor government, which is treating them as milking cows for its financial mismanagement.


Members should make no mistake: local councils should have been aware that the cost of bulk water to them by the Bligh government was going to soar and, as the retailer of the product to the consumer, they were always going to cop the blame for the humungous leap in water bills. Just as councils cop the blame for pool fencing, which is another state government impost, they should have been scared of their capacity to place a further profit margin on the retail price of water on top of the exorbitant bulk water price. It is not rocket science.

An ailing \$1.2 billion desalination plant at Currumbin, an unused \$2.7 billion recycled water pipeline in Brisbane and a half a billion dollar failed Traveston Dam fiasco underline the incompetent, reactive, bumbling Bligh blueprint for water price escalation that the Premier has forced onto Queenslanders, with the hope and expectation that the whole mess will be blamed on the local council. I cannot believe that the previously Gold Coast resident owned Hinze Dam, which was in effect bought by the Bligh state government, is being paid for again by the residents of the Gold Coast through the dam's inclusion in the bulk water charge inflicted by the Bligh government and is being passed on by Allconnex. If that is not insanity, I do not know what is.

The water utilities are a failed attempt to buck-pass blame away from councils, and in my backyard of the Gold Coast it has not worked. Allconnex has been charged by councils with extracting as much money as possible from ratepayers through water charges. In this economic climate, it is killing home and business operators. At the same time, \$4 million office fitouts, millions of dollars in inflated Allconnex executive salaries and a private company giving stakeholders—in the form of Gold Coast residents—no opportunity for complaint or recourse makes a mockery of governments acting in the best interests of their constituents. Ratepayers feel they have been flushed down the toilet by the Gold Coast City Council when it is the Bligh government that is at fault. They do not seem to hear the tidal wave in the form of a tsunami that is coming to the Gold Coast at next March's quadrennial elections. If any councillors get booted out, they have only the Bligh government to blame.

These exorbitant water charges have seen household budgets dissolve in people's hands, with these charges being the last straw in a long line of increases in essential services. Successive Beattie and Bligh Labor governments have proven that they are incompetent in delivering services such as health, electricity, petrol, water and the entire infrastructure that is vitally needed to support those essential services. The people of the Gold Coast and Queensland are sick of this and deserve a government that will not waste their hard-earned taxpayers' money but deliver on what it promised and was elected to do. They are reminded that the responsibilities of governing should not be ignored, as eventually they will have to answer to the people of Queensland at the up-coming state election, which the Premier indicated could be upon us any time soon.

In some cases water charges have increased over 100 per cent and it is virtually impossible for pensioners, low-income earners and the average Queenslanders to pay when their wages and incomes do not jump like we have seen extreme water charges jump. This mess has confirmed that the Bligh government is failing the people of the Gold Coast and Queensland with taxpayers paying for the South-East Queensland water grid infrastructure over and over again. I assure the House that this will wear them down. The people will show this to be true at the ballot box. The Bligh Labor government might think it can squeeze every last cent out of Queenslanders' household budgets, but across Queensland the people will revolt. At the first opportunity, they will send a very clear message at the ballot box. Can-do Campbell can fix the water debacle in South-East Queensland and Can-do will.

 **Mrs SULLIVAN** (Pumicestone—ALP) (6.04 pm): Thank you for that acknowledgement. For many years water has been an issue at the forefront of our minds as we have come through the worst drought on record, lasting almost 10 years, followed by severe and widespread floods. We all know that water is fundamental to everyday life and it is something that impacts on every single human being. However, ensuring long-term water security and the delivery of high-quality water to households and businesses does come at a cost.

In 2006 councils were responsible for bulk water supply. Every time anyone turned on a tap, it was liquid gold for councils. However, they had no plan when South-East Queensland faced the worst drought on record. Water infrastructure was completely neglected. I recall—and this is something that the members opposite have failed to mention—that the state government subsidised Brisbane City Council to the tune of \$34 million to fix its leaky pipes. The council received all the water profits but spent the profits elsewhere. They did not build any new water storage facilities such as dams. In the past 10 years, this has been the only government at any level to build a dam of any kind, the Paradise Dam at Bundaberg.

The state government stepped in as dam levels fell and built the SEQ water grid, establishing a 50-year water strategy, and paid the councils \$1.9 billion for their bulk water assets. The South-East Queensland water grid, which has been operational since July 2008, provides a network of pipelines connecting major bulk water sources in the region. It allows water to be shared across the region and moved to where it is needed the most. In 2007 dam levels fell from 60 per cent to 17 per cent. If the water grid had been in place sooner, the dam levels would not have fallen below 40 per cent.

I remind the House of the significant achievements of South-East Queenslanders. With the support of households and businesses in SEQ, we delivered one of the world's best demand management campaigns in Target 140. Even now, with permanent water conservation measures and the voluntary Target 200, households are using more than 100 litres per person per day, less than the 300 litres per person per day in 2004-05. The state government also provided rebates, at considerable cost, for rainwater tanks and water efficient devices to one-quarter of SEQ households. The community's continued WaterWise behaviour, together with the SEQ water grid, which enables water to be moved to where it is most needed, has deferred the new bulk infrastructure until about 2027.

I have no hesitation in saying that we are all paying bulk water prices and that they contribute to funding the operation of the SEQ water grid and the \$6.9 billion investments to ensure water security for the future. The Queensland government has been upfront and transparent about its bulk water prices and any expected increases since 2008. We have not forgotten the SEQ community. We put in place measures to reduce the impact of price increases on customers, including recovering only the cost of debt on investment in the South-East Queensland water grid and forgoing \$1.7 billion in revenue; establishing a 10-year price path to smooth the impact of bulk water price increases on consumers; incurring a loss, until 2017-18, on the bulk water price; and providing an SEQ pensioner subsidy of up to \$100. In addition, on 5 December 2010 the government announced a \$5 saving off the bulk water price increase for next year. Additional savings will continue for every year and will grow to more than \$30 per household by 2017.

Despite this large investment, the state's component of water and waste water bills is relatively small, making up only 25 per cent of the average water and sewerage household bill. The remaining 75 per cent is the responsibility of the council owned water businesses.

I do, however, acknowledge the Moreton Bay Regional Council, which as an owner of Unitywater receives a financial return or profit. But it has provided a subsidy to its residents to give some relief to the increased prices. I do not know what the profit is to the council, but for the council to offer a relief package it must be at least reasonable. The state does not make a profit. As the member for Southport said, other councils are able to do the same.

I know that it has been hard for customers of Unitywater—and I would also have to question the high increases, but more from a council perspective. It seems that much of the price increases were to respond to underinvestment in the networks and the urgent need to meet a strongly growing population.


**Opposition members** interjected.

**Mrs SULLIVAN:** I can hear the dribble from the members opposite. But there is work to be done, and I note Unitywater has announced—

**Opposition members** interjected.

**Mrs SULLIVAN:** They have more water on the brain.

*(Time expired)*

 **Mr RICKUSS** (Lockyer—LNP) (6.10 pm): I rise to support the member for Kawana's motion on water entities. Unfortunately, this Labor government had a plan. It had a plan that has cost the state and South-East Queensland billions of dollars. Some \$9 billion was spent on a water grid: 'Here is a map. Here is a plan.' None of it works. Not one bit of it works.

**Mr Choi:** What's your plan?

**Mr RICKUSS:** You would charge goannas for carrying waterbags. That is the extent of your monetary process—charge for everything. As an example, a developer rang me today. Hans Nans is a small developer up my way. He spent \$360,000 to extend the main trunk line to a new estate he was developing. He spent the money to deliver water to that estate. He is now being charged \$4,950 in back fees for putting in that water infrastructure.

**Mr Lawlor:** So the council did do it.

**Mr RICKUSS:** No. He paid for the headworks. The works were not there; he paid for them. He is now being charged \$95.50 per block—there are still no houses on the estate at all—for water infrastructure that he supplied. That is going to cost him over \$10,314 a year. No wonder the cost of land is exorbitant under this overpriced Labor government. They cannot resist charging for everything that

moves. Like I said, they would charge goannas for carrying waterbags. They just want to keep charging. How can a developer not put up the price of house-and-land packages when he is being charged \$10,000 a year for water infrastructure that he paid for on vacant blocks of land? That is the stupidity of the whole process, and it all comes back to this government.

We have a recycled water project. The minister sitting opposite understands the failure of that recycled water project. It should be servicing the agricultural areas of the Lockyer Valley and the Fassifern Valley. What is it doing? Not a thing! What a waste—\$1.2 billion totally wasted!

**Mr Stevens** interjected.

**Mr RICKUSS:** That is right. You just cannot believe it. Then we have the unfortunate situation that all of the sewerage infrastructure needs updating. That will mean millions. This government is dragging money out of Urban Utilities when it will need to spend millions and millions of dollars upgrading sewage treatment plants and those sorts of facilities. But, with the government's bulk water charges going up to such an extent, it is virtually bankrupting these facilities. Unfortunately, the facilities being supplied to the smaller villages and towns in my area are just terrible. In Burnham Street in Forest Hill we have sewage overflows every time there is a rainfall event. They have looked at it and it will cost thousands of dollars to address.

**Mrs Sullivan:** That's a council thing.

**Mr RICKUSS:** It is not a council thing; it is Urban Utilities. That is the problem.

**Mr Lawlor** interjected.

**Mr RICKUSS:** But they are bereft of money because of the exorbitant charges that the government has been dragging out of them. The government took full responsibility for water in 2007. The then Premier said, 'I will take full responsibility for water.' Then Premier Beattie said, 'My government will take full responsibility for water.'

**Mr Bleijie:** He doesn't claim responsibility now.

**Mr RICKUSS:** He has washed his hands of it now. He is the Pontius Pilate of the parliament: he has washed his hands of it. He has to take full responsibility for water. Beattie took over responsibility for water in 2007. He had a plan but the plan has failed. It is a total failure. This is a 'can't-do' government. It cannot supply water at a reasonable price. It cannot do it right. The water grid was a failure. The plan was a failure. Recycled water is a failure. It just goes on and on. We are now paying off Wivenhoe Dam and Somerset Dam again. Somerset Dam was completed about 50 years ago and we are still paying it off. It goes on and on and on.

**Mr Shine:** Why aren't you on the front bench?

**Mr RICKUSS:** As the member for Toowoomba North well knows with his farm below Somerset Dam, we are still paying it off. This mob just cannot do it.

**Mr CHOI** (Capalaba—ALP) (6.15 pm): The issue of water charges is attracting significant community concern across South-East Queensland—and rightly so—and the Redlands is no different. The ensuing so-called water war between the state government and some local governments has left many constituents in my part of the world wondering exactly what is fact and what is fiction. I would like to lay some facts before the House.

Fact No. 1: a few short years ago we were running out of water, with the combined dam capacity below 17 per cent, and we were scraping the bottom of the proverbial water barrel. The Bligh government delivered on its promise to drought-proof the region. That is exactly what we have done. We built the South-East Queensland water grid to connect water resources so that they could be shared and, more importantly, deliver life-sustaining water to where it is needed. With our desalination plant at Tugun, the government has built Australia's largest water supply network, and South-East Queensland is now regarded as the most water secure region in the whole country. We will always have clean drinking water from now on, thanks to members on this side of the House.

What is the contribution of the LNP to water security for our children in recent times? Nothing. Not only do they have no workable policy on water; they objected to the water grid. They complain and they whinge. They have provided absolutely no solution, while this government continues to make the hard decisions for the betterment of the future of this state. They said no dams, no water grid, no desal plants, no solution, no policy and hope for the best—that is the policy of the LNP.

Fact No. 2: the Bligh government is responsible and accountable for the water grid. We have always been open and transparent about the costs associated with securing our water supply. That is why we published a 10-year price path for all to see. We have nothing to hide. This is in stark contrast to what we have seen recently on the Gold Coast, where secret, in-camera meetings and confidentiality agreements are a common occurrence. No-one likes price increases, but I can stand before my constituents and point out to them infrastructure this government has built in the last few years to drought-proof South-East Queensland.


Again, what is the LNP contribution to being accountable and responsible? The immediate past deputy leader of the opposition told the people of the Redlands a few days ago at the shadow community cabinet that the LNP will cap water prices. But, at the same time the current 'interim' Leader of the Opposition, who I believe is far more sensible in this regard, was reported to have indicated that he disagreed with him at the table where he was sitting. So what is the LNP policy? Again, it depends on who you are, who asked the question and who answered it. The LNP could not be trusted with policy development. Maybe it has to call City Hall to get its marching orders.

Fact No. 3: the state is selling water to councils at a loss. It is a fact that the state government is selling water to South-East Queensland councils at a loss of at least \$407 million this year. This equates to a subsidy of around \$350 for every single household or every single non-residential water connection in South-East Queensland. Some councils, particularly the Gold Coast, are making a huge profit from water, and I call on them to give a rebate to ratepayers to ease the burden, to share some pain, just like the state has done.

It is a common misconception that the ratepayers of the Redlands have paid for their water infrastructure in the last 25 years. The fact is that the council borrowed money to pay for the infrastructure, and it has been collecting increased rates but has not retired the debt. It is fair to say that the current council administration is not responsible for this, but the ratepayers of the Redlands are entitled to ask: where have the rates they have paid gone and what happened to the \$81.7 million the state paid to the Redland City Council for its bulk water assets?

The only thing that frightens me more than what Allconnex boss Kim Woods has admitted—that is, that the council has the power to order the water retailers to reduce prices—is what could happen under the LNP water policy. The LNP's plan to link water prices to the inflation rate indefinitely would result in a \$17 billion debt. Under the LNP's policy debt would grow by more than \$1.3 billion a year. If that is the policy of those opposite and they win government what part of the reconstruction program will they cut? Will projects like new schools and police stations have to go? Will they reduce beds at the Redlands Hospital?

I want to ask the real Leader of the Opposition. I want to be informed by the real Leader of the Opposition. I want to be able to debate the real Leader of the Opposition. But I cannot because he is not even here. Maybe I should give City Hall a call.

 **Dr DOUGLAS** (Gaven—LNP) (6.20 pm): How can we trust a government that has members who believe that water just comes out of a tap? The cost of storing, treating, transporting, metering and delivering water has a cost and most agree it has to be charged for. Yet here we have a system proposed by Labor where not only is water not free but it has become almost unaffordable. Recently, Kirsty Strowger, head of Disconex Allconnex, a community group on the Gold Coast, said 'Water is a right to life, it's not a right to profit,' and I agree.

The water grid planned by Beattie and built by Bligh is an illusion and it is a failure. Their plan was not about water security; their plan was all about winning elections and not about sustainable outcomes in terms of water security. The SEQ urban water utilities are expensive, bureaucratic creatures with unnecessary high costs. They are locked in agreements with unions about staffing that prevent cost savings through rationalisation. The state government can veto what the councils direct them to do. Competition guidelines restrict their ability to provide services at affordable prices.

Councils across South-East Queensland never asked for water utilities. They knew they were too expensive and were unaffordable. Yet here we have them because the Labor government demanded them. There are three in all and the public hates them. On the Gold Coast, the water utility Allconnex, supplying the Gold Coast, Logan and Redlands—

**Mr Robertson:** Disagreeing with your leader already.

**Dr DOUGLAS:** Minister, you have had your chance.

**Mr Robertson:** Disagreeing with your leader already.

**Dr DOUGLAS:** You have had your chance. I think they will succeed. I asked my constituents for their response to Allconnex and the government's water pricing. I quote from their responses. They stated—

It seems that the State Government have now legalised extortion and blackmail.

We have nowhere else to go to get what is not a commodity for trading, but an essential natural element for human life.

The issue is far more than the increased prices—the State Government legislated that the entities have an independent power to set their own prices until 2013 and 'there is no evidence of an exercise of monopoly power.'

That is sourced from the Queensland Competition Authority report *Draft report—SEQ interim monitoring*, dated February 2011. The quotes continue—

The Queensland Competition Authority is a Queensland Government Statutory Authority overseeing monopoly prices—how independent is that????

Water should not be used as a taxable commodity for profiteering fatcats demanding huge salaries.

**Mr Robertson:** Tell that to Ron Clarke.

**Dr DOUGLAS:** I will get to your point in a minute, Minister. I will go through your facts carefully.

Honourable members, there is a saying that you cannot get blood out of a stone. Bulk water charges under the Labor government have doubled since 2007 and will double again by 2017. That increase in three years alone has led to a 60 per cent increase in water charges by the state government.

A recent article by Daniel Meers in the *Gold Coast Bulletin* compared water prices across the globe. Water on the Gold Coast now costs \$2.68 per kilolitre, whereas it is \$1.89 in London, \$1.17 in Hong Kong, 90c in Vancouver and 86c in New York. Your government charges you \$2.68 per kilolitre. Let us go through these figures, Minister. I will include the bits you left out.


**Mr SPEAKER:** The member for Gaven will direct his comments through the chair.

**Dr DOUGLAS:** In 2010-11 for an average 178 kilolitres per annum the cost is \$192. By 2015-16 the bulk charge alone will be \$385. That is a 100 per cent increase. The government is going to give people 30 miserable dollars back. The wastewater sewerage charges have not been defined. For 2010-11 on the Gold Coast the Allconnex charge is \$656.40. If we base this on the comparable price from 2005 to 2006 of \$430, that is a 30 per cent increase. We are only going to see a 30 per cent increase in wastewater charges.

Wait for it: what is the council going to give people back? The council is going to give them back \$10 million a year. It is going to give them \$50 per person. What is the government going to give them? Five dollars. Do members know what it is getting for its whole system? It is getting \$500 million for its whole system.

Let us go through some of the amazing figures that were given by the member for Southport. He basically said that the council is making \$91 million. As you know, \$91 million does not go to the council because it is with Allconnex. It has to get a five per cent return on it. It goes into their operating profits for infrastructure. I am telling members that householders want an end to these urban utilities. Another constituent asked, 'Do we need a Middle East style revolution to axe an incompetent bureaucracy?' I agree with the sentiments. The anger is legitimate.

*(Time expired)*

 **Hon. AP FRASER** (Mount Coot-tha—ALP) (Treasurer and Minister for State Development and Trade) (6.25 pm): I am pleased to speak to the amendment moved by the Minister for Water Utilities tonight. Tonight's motion provides a great insight into the LNP and the way it is going to treat its new-found creation of parliamentary democracy in this place. It provides the insight because now tonight those opposite have finally been reduced to just being the mouthpiece of their candidate for Ashgrove, the current, refusing-to-resign Lord Mayor of the City of Brisbane, the little emperor of City Hall. They have come in here to repeat his deceptions to the people of Queensland. What we can see tonight is the little emperor's same old slippery politics. Because when it comes to water his defence is basically the Bart Simpson defence—'It wasn't me'—and, frankly, it is just as compelling.

What needs to be applied here tonight is the truth serum. The truth serum needs to be applied to this situation—to a Lord Mayor, to a would-be candidate, to a wannabe Premier who does not like being asked questions and does not like telling the truth. The people of Queensland need to know the truth about this. For instance, we would not think that it was the Lord Mayor who was on the board of Seqwater when it was owned by the South-East Queensland councils and it failed to plan for a dam in this state and put us at risk during the worst drought in 100 years. We would not know that that was Campbell Newman.

We would never guess that it was Campbell Newman who, as the Lord Mayor of the City of Brisbane, received over \$1 billion in compensation for the water assets. The people of Brisbane and indeed the people of Queensland are entitled to ask where the \$1 billion went. The ratepayers who have been slugged time and time again by the mayor of Brisbane with increasing rates are entitled to ask: where did the \$1 billion go? Of course, does the Lord Mayor want to answer that question? No, he does not.

It is not the Lord Mayor who is out there admitting that he is receiving \$197 million in returns from Queensland Urban Utilities this financial year. How do we know that? Because the town clerk of the Brisbane City Council has provided this information on the public record, which I am going to table for the benefit of this House, for the benefit of those opposite and for the benefit of the people of Queensland. Some \$197 million is what he is making from Queensland Urban Utilities—an entity that he owns. I table that for the benefit of truth in this parliament.

*Tabled paper:* Document indicating expected dividends and interest payments from QUU to the Brisbane City Council in 2010-11 [\[4162\]](#).

The other truth in all of this is that these entities are 100 per cent owned by local government. They can 100 per cent direct them under section 49 of the existing act. They can direct them to put in place a price path right now. They can direct them to return money back to ratepayers. They can direct them right now. What does the Lord Mayor of Brisbane say? He says, 'No, they can't.' The truth is that they can.

It needs to be the Lord Mayor who finally comes clean. My colleague the Minister for Water Utilities extensively quoted him. Who was it who said this to the government—

Councils strongly support water businesses as separate legal entities, commercial in focus ...

Who was it who said that the model proposed had been endorsed by nine out of the 10 mayors, himself included, representing 95 per cent of the residents of the south-east corner? Who might have said that? Of course it was the Lord Mayor of Brisbane, who is going to deny it every day of the week.

The 'little emperor' needs to show a bit of leadership amongst his colleagues. If he had some leadership he would direct his colleagues in the councils across the south-east corner to return money to the ratepayers across this state. He should come clean about the returns he is receiving. If it is good enough for poor old Ron Clarke to come clean about what he is going to get for the next 10 years then surely it is good enough for Campbell Newman.

Of course, this is a Lord Mayor who does not like being asked questions. He does not like being held to account. He does not like being transparent. We have seen that reflected in the questions he has received over the past two days. If he wants to play in the big sandpit he will have to be prepared to answer some of the questions. The truth is that when the questions are asked the answers are all bad for the Lord Mayor of Brisbane. The one truth from which he cannot escape is that he is making a fortune out of water, has made a fortune out of water and wants to go on making a fortune out of water.

**Dr Douglas** interjected.

**Mr SPEAKER:** Member for Gaven, go back to your seat if you want to interject.

Division: Question put—That the amendment be agreed to.

**AYES, 52—**Attwood, Bligh, Boyle, Choi, Croft, Cunningham, Darling, Farmer, Finn, Foley, Fraser, Grace, Hoolihan, Jarratt, Johnstone, Jones, Kiernan, Kilburn, Lawlor, Lucas, Miller, Moorhead, Mulherin, Nelson-Carr, Nolan, O'Brien, O'Neill, Palaszczuk, Pitt, Pratt, Reeves, Roberts, Robertson, Ryan, Schwarten, Scott, Shine, Smith, Spence, Stone, Struthers, Sullivan, van Litsenburg, Wallace, Watt, Wells, Wendt, Wettenhall, Wilson. Tellers: Keech, Male

**NOES, 34—**Bates, Bleijie, Crandon, Cripps, Davis, Dempsey, Dickson, Douglas, Dowling, Elmes, Emerson, Gibson, Hobbs, Hopper, Johnson, Knuth, Langbroek, McArdle, McLindon, Malone, Menkens, Messenger, Nicholls, Powell, Rickuss, Robinson, Seene, Simpson, Springborg, Stevens, Stuckey, Wellington. Tellers: Horan, Sorensen

Resolved in the affirmative.

Division: Question put—That the motion, as amended, be agreed to.

**Mr SPEAKER:** Under standing order 103(4), ring the bells for one minute.

**AYES, 52—**Attwood, Bligh, Boyle, Choi, Croft, Cunningham, Darling, Dick, Farmer, Finn, Foley, Fraser, Grace, Hoolihan, Jarratt, Johnstone, Jones, Kiernan, Kilburn, Lawlor, Lucas, Miller, Moorhead, Mulherin, Nelson-Carr, Nolan, O'Brien, O'Neill, Palaszczuk, Pitt, Pratt, Reeves, Roberts, Robertson, Ryan, Schwarten, Scott, Shine, Smith, Spence, Stone, Struthers, Sullivan, van Litsenburg, Wallace, Watt, Wells, Wendt, Wettenhall, Wilson. Tellers: Keech, Male

**NOES, 34—**Bates, Bleijie, Crandon, Cripps, Davis, Dempsey, Dickson, Douglas, Dowling, Elmes, Emerson, Gibson, Hobbs, Hopper, Johnson, Knuth, Langbroek, McArdle, McLindon, Malone, Menkens, Messenger, Nicholls, Powell, Rickuss, Robinson, Seene, Simpson, Springborg, Stevens, Stuckey, Wellington. Tellers: Horan, Sorensen

Resolved in the affirmative.

Motion, as agreed—

That this House notes the anger and concern in the South-East Queensland community that has been caused by the operation of AllConnex, Queensland Urban Utilities and Unitywater and calls on their owners, the councils of South-East Queensland, to take urgent action to address the genuine concerns of Queensland householders about the operations of these retail water entities.

Sitting suspended from 6.39 pm to 7.40 pm.

## MOTION

### Order of Business



**Hon. NS ROBERTS** (Nudgee—ALP) (Acting Leader of the House) (7.41 pm): I move—

That general business orders of the day Nos 1 to 4 and government business order of the day No. 2 be postponed.

Question put—That the motion be agreed to.

Motion agreed to.


## CHILD PROTECTION (OFFENDER REPORTING) AND OTHER LEGISLATION AMENDMENT BILL

### CHILD PROTECTION (MORE STRINGENT OFFENDER REPORTING) AMENDMENT BILL

#### Second Reading (Cognate Debate)

Child Protection (Offender Reporting) and Other Legislation Amendment Bill resumed from 9 March (see p. 509), on motion of Mr Roberts, and the Child Protection (More Stringent Offender Reporting) Amendment Bill resumed from 9 March (see p. 509), on motion of Mr Johnson—

That the bills be now read a second time.

 **Mr JOHNSON** (Gregory—LNP) (7.41 pm): I rise to speak to the Child Protection (Offender Reporting) and Other Legislation Amendment Bill and the Child Protection (More Stringent Offender Reporting) Amendment Bill cognate debate. The Child Protection (More Stringent Offender Reporting) Amendment Bill, which I introduced when I was shadow minister, is now being very ably carried on by my colleague the member for Noosa, Glen Elmes. The Child Protection (Offender Reporting) and Other Legislation Amendment Bill was introduced by the minister. These are very important pieces of legislation because they deal with the most important natural resource in our state—that is, our children more than anything and our citizens as a whole. After a period of nearly five months the government decided that it would introduce its own legislation into the House in relation to the private member's bill that the opposition introduced, and I believe that the minister has put a fair amount of water into the government legislation to make it softer than the opposition's legislation. However, any legislation that comes down hard on child molesters or people who want to violate the rights of people in this state will certainly have my support.

The legislation gives the courts a wider discretion to make an offender reporting order from specified acts when the court considers the order appropriate, and the actual impact of this change is likely to lower the incidence of offender reporting orders being used. Recent examples have shown that judicial sentencing continues to err on the side of laxness in comparison with community expectations on this issue. Queensland has some 3,000-odd paedophiles who are known to police, and some of those are still in jail. The sad fact is that some 685 of these sex offenders have breached their supervision orders in the last couple of years and some 30-odd of those breaches are of an abhorrent sexual nature, and this again brings me to the importance of protecting our children.

I recently spoke with one of Queensland's leading legal people and that person told me about the DNA taken from people under surveillance or under suspicion of breaching their orders. Some 80 per cent of those people ultimately do come before the courts and are charged with paedophilia or some other crime that is violent to our society and against what we in this state stand for in principle. It saddens me to think that we will see these samples destroyed when they should be kept for a longer period to ensure that these people are given the chance to correct themselves and to rehabilitate themselves if they have done the wrong thing. Police resources are stretched beyond all comprehension in relation to monitoring these people and knowing where they are 24 hours a day, seven days a week for the duration of the year.

Whilst these two pieces of legislation might have the same meaning, it is the opposition bill that has the strength to monitor and observe these people in an easier manner by the police. The opposition's request is that these people report every three months instead of the annual reporting that the government has in its legislation. This is a very important factor, but more importantly if these people breach their order they have to report monthly and on breaching again they are automatically given a five-year prison term. I think that is probably lenient in some ways when they have been trusted twice before and they have breached and then find themselves in prison. We do not need more Daniel Morcombes. There are probably thousands of little kids out there who are preyed on by some 3,000 of these scums every day of the week and every hour of the night wondering who is going to be their next victim. I have said it in this House before: our children are not negotiable and they are sacred. They should be allowed to grow from innocent children into adolescents and from adolescents into adults and go through life where they are not molested by the creeps and scum of society.

This is the type of legislation where I believe every member of this parliament should say enough is enough, but the opposition is trying to enforce a stronger set of laws so that we can ensure that these people are brought to justice and put into a place where they can stay until such time as they do their rehabilitation before they are released. I like the line taken by Hetty Johnson from Bravehearts—two strikes and you are out. I think it should be one strike and you are out with child predators, because the

rules in this land are sometimes too lenient when it comes to children. There are now powers in this state for telephone interception, and we know of the great work that CrimTrac and the Australian National Child Offender Register, ANCOR, are doing. As I said, in the last couple of years the government has introduced telephone interception powers—that is, if the budget allows it to implement the program in order to check these people out.

The Police Union itself is crying out for more support because, as I say, police resources are stretched in terms of the surveillance of these people. The police are trying to uphold the law and make that element of society who do not want to uphold the law to do so in order to create a safe environment for the people of Queensland who do uphold the law and who want to live in an environment where our kids, families and communities are safe so we can go about the business of doing the right thing.


I just had the fortune of spending 10 days in China and when I was there I had a taxidriver who could speak English. He gave me a tour of Beijing and we spoke about different elements of society in that city and about the criminal element within the city of Beijing and China in general.

He said, 'Vaughan, we don't have a problem here with them, because we shoot them.' I thought to myself, 'That is a pretty good rule when it comes to the predators of children,' because one bullet and they are out. We give them three, four, five and six strikes here before they are out and then we give them a slap on the wrist and say, 'Don't do it again.'

We face a very serious situation. I know that the minister is concerned about it, too, because I have spoken to him about it, just as I spoke to his predecessor, former minister Judy Spence. I have also spoken with senior police and corrective services people about it. I always like to quote what Tony McGrady said when he was the minister. He said, 'These people think it is their God given right to interfere with children and go about their business and they think they have not done anything wrong.' That is a sad fact of life. It is not their God given right to interfere with children and if they do interfere with children then they have no right to be free.

It is paramount that we enforce the law to its full effect to make certain these people stay in jail. If they have not undergone rehabilitation, they face a corrective services order to ensure they do the right thing by the community. More importantly, those people are nonevents in the community of Queensland—and in the community of Australia for that matter. There are many thousands of them across our nation and across our state. They are the non-productive sector—the worst sector that we have in our state.

I know that many members of this House have young children and that many other members have grandchildren, as I do. I worry about those little kids every day. Today, one in five kids is molested by some predator in some way or another. That is an unfortunate situation in a beautiful place like Queensland and in a beautiful country like Australia in 2011. I say to the minister that, in the case of events getting further out of hand and us seeing more of these people violating and breaching their court orders, I think we should revisit the legislation and make it even tougher so that these people face the rest of their lives in prison, where they should rightfully be. Again, it might sound harsh but there is no room in this society for people who want to violate children, for people who want to violate women, or for people who want to violate any other member of the community, for that matter—even those gutless curs out there who want to attack elderly people in their own homes or in the street. We have to make Queensland the safest place in the Commonwealth. We have to make it a place where people want to live and can be safe in the communities in which they reside.

 **Dr DOUGLAS** (Gaven—LNP) (7.52 pm): Sometimes doing something that is far less than what is required to solve a problem is to do more harm than doing nothing at all. And so it may be with this piece of legislation. This bill is really quite shameless, as it is a diluted version of the LNP's private member's bill, the Child Protection (More Stringent Offender Reporting) Amendment Bill, introduced in April last year by the member for Gregory. We are debating it cognately with the Child Protection (Offender Reporting) and Other Legislation Amendment Bill. The reality is that the bill introduced by the member for Gregory had its genesis in the 2009-10 estimates hearing, which led to the formative step of offender reporting. Subsequently Labor developed this bill, but, whether it wants to believe it or not, it has delivered a weakened version of that which the member for Gregory intended.

In all fairness to some of the members who have spoken, the member for Brisbane Central highlighted two additions that might assist Labor's approach and that are to be applauded, but it is the quantum of the approach that is insufficient to address the problem. I intend to explain why that is the case. I have had some 20 years experience in corrective services, specifically in dealing with some of these people.

As has been stated over and over, the Bligh Labor government's legislation will potentially decrease the number of offenders required to report by making the order discretionary—not mandatory—and it remains illegal for police to publish details of sex offenders on the register who cannot be located. We really need to know about the people themselves. Reported sexual assaults

have increased by 63 per cent since 1995, with an annual uplift factor of four per cent growth. That rate has not slowed in that time; it is an upward trend. In 2007 there were 19,781 recorded sexual assaults in Australia—that is just under 20,000—with 94 victims per 100,000 in the Australian population. Whilst Queensland recorded a decrease of 21 per cent in 2007-08 to 2008-09, the curve continues upwards over 20 years.

In Queensland the statistics are very telling. In 2008-09, in the sex offenders grouping of rapists, attempted rapists and other sex offenders, of zero- to 14-year-olds there were 442 offences against boys and 1,736 offences against girls. There were 1,100 offences against 15- to 19-year-olds, with only 100 of those being against males. With 1,200 offences occurring against those aged 20 to 55 plus, 55 per cent of all offences are occurring against zero- to 14-year-olds, with 80 per cent of these sex offences being committed on little girls. This is a very telling statistic.

Queensland has 25 per cent of the nation's sex offenders. Proportionately, our offence patterns match that number. But the problem is that we do not have 25 per cent of the population; we have less than half of that, at 12.5 per cent. So is anyone really reading the tea-leaves here? We have a serious problem with people from all walks of life—from parents, relatives and friends to dangerous paedophiles—who, for some impossible reason, want to commit offences against children. If members do not believe me, I will quote some other terrifying statistics.

As I say, the growth in offences against children is 2.5 per cent annually and it is primarily against zero- to 14-year-olds. The growth has continued since 1998 in that pattern. Females aged 15 to 19 made up 40 per cent of all sexual assaults. I repeat: these girls are 15, 16, 17, 18 and 19 years of age. There are very low rates of conviction, even though sexual abuse is rarely an isolated incident. There is a lot of delay and people do not report abuse. Seventy-five per cent of victims wait for over a year for their cases to be heard, and that includes the extrafamilial child molesters, who have a higher rate of reoffending. This is a discussion about needing to increase the ability of our system to manage those offenders about whom we know. The evidence so far shows that the majority of offenders have what is described as some form in this area and we must utilise every aspect of that information-gathering process to stop both recidivist behaviour and actual offences against children.

In the most recent studies it has been found that adult rapists are twice as likely to reoffend as child sex offenders. That is an interesting statistic and one that we need to watch. A very detailed study of Queensland sex offenders reported by Smallbone and Wortley was most interesting. It may be jaundiced by virtue of its small size—there were only 182—and it was a 386-item self-reporting questionnaire. The conclusions are very interesting. They confirm what we know about recidivism in general and who is most likely to reoffend. What was interesting to note was that child sex offenders are not specialist offenders. They appear to be very versatile in their criminal careers. They are not a homogenous group of sex offenders, but they are really a group similar to general criminal offenders.

Sex offenders must not be seen always as sexual deviants but as opportunity takers. That means that they must be dealt with by the system with exactly the same tools that are used to manage other serious career criminals. They must not be treated with kid gloves. They must complete early intervention programs and not be granted protective custody inappropriately. Whilst their recidivism rates are 50 per cent of those for property offenders—in other words, someone who steals—what is significant is that the highest rates are for extrafamilial child molesters whose victims were young boys compared with incest offenders.

**Mr DEPUTY SPEAKER** (Mr O'Brien): Order! I am sorry to interrupt, member for Gaven, but I would just like to acknowledge in the public gallery members of the Valley Chamber of Commerce who are guests here tonight of the member for Brisbane Central. I understand that the member for Capalaba is also a former president of that association. Welcome to the parliament tonight.

**Dr DOUGLAS:** In a 12-year-old landmark study by Hanson and Bussiere in 1998 of 28,972 sex offenders, these facts were shown to be strongly supportive of recidivism like drug offences, petty thievery and minor fraud. We are talking about insidious, dangerous criminals who, even in prison slang, are described in graphic terms. 'Rock spiders' is the lesser term they are currently known as. These people always have to be managed in protective custody, and for very good reason. They are not only in harm's way; they are in lethal territory. They live in a world of no rules other than that to interfere with children is a death sentence. In legislation, we as a country have long abandoned capital punishment, which was mentioned here tonight in terms of what is going on in China. But there are those in prisons who still believe that they have that right. They have nothing to lose and believe that, as a community, we have much to gain by removing such people from their hierarchy.

We need to be not naive and have our hands tied behind our backs or, worse still, have no idea what a potential offender may often do after being released because the police cannot utilise common means to find the offender who cannot be located on the register. This idea is a nonsense. This is certainly not an argument that we wish to support and I have raised the reasons of the nature of these types of people.

I often note the response of various government members who seem to believe that they have both a higher knowledge of these things and believe that this is only a small minority so a softer law is often more than appropriate in dealing with these serious offenders, particularly the sexual ones—in this case those offending against children. What leaves me aghast is their complete lack of real knowledge about the practical implication of their blindness. These offences are really sick. They traverse very low depths of human behaviour. They are not just random senseless acts driven by either opportunity—that is, chance—or a mistake, most are premeditated, but it is very difficult within a court mechanism to demonstrate that, despite good evidence from the police. Much evidence is often not acceptable in a court and so often it is the case in these matters with these types of offenders. Premeditated offences against children who are innocent, often unknown to the offender and done in a very calculating secretive way to disguise both the intent and nature of the offence are the problem here, and that is what we really have to address within this bill. The police minister's response is—

The amendments are balanced and justified with regard to respecting the rights of individuals but also ensuring the highest possible levels of protection for children as the most vulnerable members of our community.

The bill today follows the lead of the April 2010 LNP bill in making a failure to report or update details an offence. This is good. But by giving the courts the discretionary power to make an offender reporting order it completely renders the law close to neutered or toothless for it is the gaps that lead to the problems with these types of offenders that the legislation is meant to deal with.

Before the minister leans back and talks about what formerly the coalition and now the LNP did not do when in government, I would like to give him a heads up here as to what really happens at the coalface. As I say, I have looked after these people for a long time. In fact, the Goss government certainly made a terrible mess of what was going on and we had to try to deal with it within the laws of the time. The coalition never shirked its responsibility. Prisoners knew what they were in for, sex offenders were not treated with kid gloves and serious offences against children were dealt with very severely in proportionate terms even accounting for the growth at the time.

Offences against children were declining from 1980 to 1990 and only started to fall again after Premier Borbidge's coalition government in 1996 to 1998. They increased 30 per cent in the first five years of the Beattie government. So what went wrong? I am not blaming the minister. I am certainly not blaming anyone. I think blaming is a ridiculous thing. But they spent far too much time stacking the system to supervise people with too many incompetent would-bes if they could be. They were chasing ideology over outcome and giving prisoners all the wrong messages. We are dealing with a very base group here.

What do those opposite think happened? All the good staff retired, they jumped ship, they went to other states or they changed professions. Labor people do not like those words 'professions' and 'corrections'. These silly decisions, like breaking down the structure of the rankings of custodial services officers, were just about as dumb an official head office decision as could be made. Prisons and prisoners are very hard to change—read 'adapt'—than any other group, including 90-plus-year-old women. Generally we are dealing with a group who believe adaptation is akin to war. War is a policy by another means. So they fight it. They do not get angry, they fight it. What do members think happened when prison officer 'screws' no longer had rank? Prisoners did not know which one did what. Prisoners were confused. Confused prisoners get angry and angry prisoners take revenge. Certainly there are crises that follow. These types of people can prosper in a crisis.

I continually hear the minister carry on about how little was done by the coalition with regard to the issue of Brendan Abbott. Brendan Abbott's behaviour is a direct product of the government, the philosophy of the Labor Party and the change to the corrective services system. I will say it again and again every time this happens. I worked in the system and I am sorry to say I know how dreadfully Labor manages it. Today in this bill we are only edging a little way along the path of national consistency on offender reporting. The minister has very elegantly in his second reading speech detailed the reduction of time limits for reporting, time limits on reporting names, ages of any children living where the offender generally resides and with whom they have regular supervised contact. These are very desirable outcomes, but they are not mandatory for all offenders.

We must measure the impact of the legislation by measuring how many offences are committed, what type of offences are perpetrated and what pattern of offences are committed by those who are chosen to be forced to report as compared to those who are compelled by the court to report. In other words, we have to measure it and we need to do it annually. And I think we should publish it. I presume that if the proportions, or even the absolute numbers, are out of kilter then that is what we need to do. We need to make amendments with what we are doing. We could be back here again in 12 months.

Unfortunately, the logic of this bill does not flow because we are not forced currently to come back and do so. So those who cannot be located for the register will be harder to locate, identify, deal with and prosecute if need be. That is the advantage of everyone being opted in, if you like, as a form of legislative step as opposed to being opted out.

I have clearly explained the compounding growth of offences against children here in Queensland at 2.5 per cent and the acceleration in offending behaviour when Labor regained power in 1988. Labor must confront this compelling statistic.

**Mr O'Brien:** '89. Get your facts right.

**Dr DOUGLAS:** Okay. Even though reporting of the offences against children is hard but may have considerably improved, the potential recidivist is equally more difficult to apprehend, investigate and convict. Convictions require a more detailed test of the veracity of evidence. Those more serious offenders are well studied and all those fewer in number appear to be massively increasing their offending rates proportionately, their range of activities, their networks and determination—in fact, we saw this recently with those who were involved in offences out of Holland.

Any sexual offence against a child zero to 14 or even up to the age of 19 is a very serious offence and every and all attempts must be made to prevent and deal with these offenders. If serious offenders cannot be permanently contained then we as a society must at all times know exactly where these offenders are and who is with them. This bill fails to achieve this and merely extends the presently failed strategy as the basis of what we are seeing.

**Ms NELSON-CARR** (Mundingburra—ALP) (8.08 pm): Queensland has some of the toughest sex offender laws in the nation. The contributions of the last two speakers beggar belief. We are at the forefront of the national register scheme to monitor the whereabouts and the activities of convicted sex offenders. The only thing that I can say is that the opposition lacks any kind of credibility, not only when it comes to policy in general but also when it comes to sex offender laws. When last in government, the National Party—

**An opposition member:** Last century.

**Ms NELSON-CARR:**—let sex offenders walk free from prison with no monitoring and no supervision. Whose fault is it that it was last century? It took this Labor government to introduce tough legislation in the Child Protection (Offender Reporting) Act 2004 and in the Dangerous Prisoners (Sexual Offenders) Act 2003. The first act requires sex offenders to regularly report personal details such as address, vehicle and place of appointment. The other act enables the court to keep dangerous offenders in jail past their release dates or release them under strict supervision orders. The Labor government also introduced the Child Protection (Offender Prohibition Order) Act 2008, which enables the police to apply to a court to restrict where sex offenders can live, the places they can visit, their club memberships and the circumstances of their employment. Those new laws were enacted in July 2008.

To further strengthen those already tough laws, last year the government introduced the Child Protection (Offender Reporting) and Other Legislation Amendment Bill, which is being debated in a cognate debate with a private member's bill. However, the opposition private member's bill is a piecemeal proposal that falls short of the comprehensive overhaul of reporting obligations outlined in the government's bill. The government's bill increases the penalties and the reporting obligations of offenders. Our bill includes measures to increase penalties for failure to report and the giving of false information from a maximum of two years imprisonment and 150 penalty units to a maximum of five years imprisonment and 300 penalty units. It also expands the matters to be reported by offenders. It tightens the reporting time frames relating to completing initial reports in circumstances where an offender genuinely resides and/or has unsupervised contact with a child. It also requires offenders to provide DNA samples. It expands the range of offences that will require reporting and introduces provisions to protect special needs offenders.

The bill provides authorised police officers the power to take DNA samples from reportable offenders. However, this power is limited to obtaining DNA at initial reports or annual reports and is subject to two conditions or safeguards. Firstly, the DNA will only be taken where a DNA record for the reportable offender does not already exist. Secondly, for corresponding reportable offenders, DNA will only be taken if, had the offender remained in the foreign jurisdiction, the offender would be required in that jurisdiction to allow a DNA sample to be taken. The DNA records for reportable offenders are considered crucial in protecting children because of the risk of recidivism by offenders. Whilst the government acknowledges that recidivism risk varies across sex offenders, the abhorrent nature of serious sexual offences warrants the taking of DNA samples to protect children from those serious crimes. DNA samples taken under this bill will be able to be used to investigate and prosecute future nonsexual offences should the use of such a sample assist in the investigation and prosecution of another offence and, therefore, extends the potential deterrent effect of the bill to other types of offending behaviour.

The government also recognises that adequate safeguards must be in place to protect the rights of reportable offenders. In this regard, the bill will require a DNA sample taken from a reportable offender and the results of the DNA analysis of the same to be destroyed within a reasonably practicable time after the person is no longer a reportable offender.

**Mrs ATTWOOD** (Mount Ommaney—ALP) (8.12 pm): I totally agree with the member for Mundingburra that this government has made the most stringent laws in relation to sex offenders. I rise to support the Child Protection (Offender Reporting) and Other Legislation Amendment Bill 2010. This bill will deliver national consistency in compliance management and monitoring of reportable offenders


throughout Australia to ensure that children are protected to the highest possible level. The Child Protection (Offender Reporting) Act 2004 requires that offenders who commit sexual or particular other serious offences against children ensure that police are kept informed of their whereabouts and that other personal details are maintained for inclusion in the Queensland Child Protection Register. These amendments will effectively enhance the ability of police to monitor reportable offenders in the community and enable authorities to intervene at a much earlier stage in situations where children may be exposed to risk.

The Labor government was the first in Australia to introduce legislation to detain and supervise dangerous sex offenders through the Dangerous Prisoners (Sexual Offenders) Act 2003, the DPSOA. Those laws mean dangerous sex offenders can be detained in custody beyond their sentence if the Supreme Court considers them to be an unacceptable risk to the community. DPSOA offenders are subject to strict supervision order conditions: accommodation and works places must be approved by the Queensland Corrective Services; regular, random and ongoing surveillance; curfews and restrictions on movements, for example, they must not go near schools; and regular drug and alcohol tests. Since the DPSOA was introduced in 2003, 115 offenders have been managed under the legislation. Up to 100 offenders have been supervised in the community. Those managed in the community have been subjected to more than 11,000 drug and alcohol tests; to more than 19,950 office and home visits; to more than 16,400 collateral checks to confirm that offenders comply with order conditions and engage in intervention and approved activities as authorised by the Queensland Corrective Services; and to more than 8,500 telephone checks.

The ability to accommodate DPSOA offenders in the community is always and continues to be a very difficult issue. Queensland Corrective Services makes a detailed assessment of the appropriateness of all accommodation for sexual offenders. For example, at Wacol, in the electorate of Inala, within the prison precinct there are nine houses with a maximum of 27 offenders as they transition back into the community after they have served their sentences and undergone intensive rehabilitation. DPSOA housing has security and surveillance features such as fences, CCTV, regular dog squad patrols, drug and alcohol testing, random visits, intelligence gathering, curfews and electronic monitoring.

Under the existing legislation, the Child Protection (Offender Reporting) Act 2004, reportable offenders are required to make an initial report to police within 28 days. This bill will require reportable offenders to now make their initial report to police within seven days in all cases. The bill enhances the ability of police to monitor reportable offenders in the community and identify at a much earlier stage where children may be exposed to risk. This change will align Queensland with similar requirements in New South Wales, Western Australia, the Northern Territory, Tasmania and the Australian Capital Territory, contributing to national consistency in the way that reportable offenders are monitored and managed. The bill reduces the time that a reportable offender must report unsupervised contact with a child from 28 days to four days. Again, this change is consistent with legislation in other jurisdictions and contributes further to national consistency in the way that reportable offenders are monitored and managed. The bill also reduces the number of days that a reportable offender has to report when residing at a place where a child generally resides from 28 days to four days. In both cases, the reportable offender is obliged to report the names and ages of any children with whom they generally reside or have regular unsupervised contact.

These amendments support the protection of children from being exposed to risk at a much earlier stage and assist reportable offenders to self manage through simplified time frames. The sexual or particular other serious offences committed by reportable offenders and the high risk posed to children by those offenders requires that reportable offenders are rigorously monitored in the community. I commend the minister and these stringent child protection measures to the House.

 **Mr McARDLE** (Caloundra—LNP) (8.18 pm): I rise to make a contribution to the bills before the House. I start my comments by congratulating both the opposition and the government with respect to their bills, as there is no greater necessity in our society than to protect our children. I quote Albert Camus, who wrote—

Perhaps we cannot prevent this world from being a world in which children are tortured. But we can reduce the number of tortured children. And if believers don't help us who in the world can help us do this?

Without doubt, child sexual abuse is a form of torture to children. The saying that I have just quoted is as true today as the day it was written. Children continue to suffer every day as a consequence of sexual abuse in all its forms.

I congratulate the member for Gregory, Mr Vaughan Johnson, who prepared the bill on behalf of the opposition, and Mr Glen Elmes on his contribution to the second reading debate. The opposition bill derives from the revelation that for a period of almost two years a sex offender committed each week a further sexual offence. In addition, more than a third of 685 sex offenders monitored have breached their orders for supervision, with 30 facing at one point in time charges of a sexual nature. The government's own statistics revealed that, in 2005, 18 convicted sex offenders had breached their reporting conditions. That figure had increased to 545 by the end of December 2009 and, as at 30 June 2010, there were 3,433 convicted serious child sex offenders on the register.

We often talk of sexual abuse and it is important to define what it means. The Department of Community Safety states that sexual abuse can be physical, verbal or emotional and covers a range of matters, including speaking to children about sexual matters, making obscene phone calls or remarks to a child, child prostitution, rape or incest. The signs of sexual abuse are often detected by what children say and do or by exhibiting certain physical signs. The indicators can include displaying greater sexual knowledge than normally expected for their age; playing sex games and being more preoccupied by sex talk and sex games than other children; drawing the sexual part of bodies; being afraid or upset when people talk about their bodies or sex; hurting or mutilating animals; and having torn, stained or bloody clothing, especially underwear, to name a few.

There are a number of issues that I do wish to canvass. Firstly, what are the signs of a child being harmed or at risk of harm? In essence, they may show behavioural, emotional or physical signs. Some children may not show any signs at all. General indicators can include showing wariness and distrust of adults; excessive rocking, sucking and biting; inconsistent explanation for injuries; difficulty relating to adults and peers; bed wetting or soiling; being withdrawn or overly obedient; and creating stories, poems or artwork about sexual abuse.

Attitudes vary across different communities and those can inadvertently support abuse. These can include acceptance of the use of violence and force, acceptance of parents ownership of children and young people and their right to treat children as they see fit, racism, inequality between men and women, and lack of community understanding about the consequences of harm experienced in childhood. It is of course not the case that the presence of one or more of these factors proves a child is being harmed or at risk of harm, but it can alert to the possibility that a child may well be at risk.


Secondly, what are the effects of such harm? What is the impact upon children and young people when they have been sexually abused? There may be long-term effects even when short-term effects are not apparent, and children and young people may experience a range of emotional, psychological and physical problems as a result of being harmed. These include low self-esteem, increased fear, guilt and self-blame, distrust of adults, depression, suicidal thoughts and self-harm, anxiety disorders, attachment disorders, post-traumatic stress disorder, learning disorders, drug and alcohol abuse and high-risk sexual behaviour.

The serious effects of child sexual abuse will of course escalate if no action is taken to stop the harm and protect the child or young person but, with early identification and appropriate response and support, children and young people may recover from being harmed. A young child or young person's support network and bonds with those who believe in them and protect them will help them to cope. Without effective support, harm experienced in childhood can have long-term effects on individuals and communities. It is, however, only in the last two decades that childhood sexual abuse has been seen in the field of mental health, psychiatry and social work as an important social problem, with effects linked to this trauma. Although there has been a lot of discussion about how it correlates with a variety of illnesses and psychiatric diagnosis, there has been little discussion of how childhood sexual abuse actually affects interpersonal relationships directly.

Thirdly, there are significant mental or psychiatric issues that correlate with child sexual abuse trauma including depression, schizophrenia, paranoia, chronic trauma disorder, obsessive compulsive behaviour, amnesia and eating disorders, to name but a few.

Fourthly, it has also been found that severe sexual trauma in childhood is connected to major reductions in vocational, emotional and physical functioning in adults. Studies show that the stronger the strength of the child maltreatment, the higher the rates of health problems reported in adulthood. Women who report child abuse histories report twice the number of health problems as non-abused women. These include depression and other possible somatic complaints. Chronic pain is also reported as a problem of survivors with a history of physical and/or sexual abuse. Abused girls are also many times more likely to report that they have a history of bingeing and purging behaviour. Further, those sexually abused were found to be more likely to engage in risky sexual behaviour than peers.

As I have said, both the government and the opposition prepared bills touching upon this horrendous issue that our society is dealing with not for the first time but perhaps for the first time with the knowledge of its breadth and the impact upon children. The bill prepared by the LNP provides a tighter and therefore safer system, whereby convicted sex offenders are required to report every three months. The government has before the House a bill that requires reporting to occur only once every 12 months. There is inherent danger in relation to sexual abuse in that unless offenders, particularly of this nature, are monitored there is a propensity, given the government's own figures, for reoffending to occur. Given the significant and, may I say, debilitating impact of sexual abuse on children, it is important that the controls to protect children are as strong and as strident as possible.

 **Mr POWELL** (Glass House—LNP) (8.27 pm): I, too, rise to speak on these important but competing child protection offender reporting bills: the LNP's Child Protection (More Stringent Offender Reporting) Amendment Bill introduced into this House in April last year and the government's half-hearted response, the Child Protection (Offender Reporting) and Other Legislation Amendment Bill, introduced some four months later in August 2010. Child protection is a fundamental concern to our

society, and rightly so. The destructive impact that abuse has on a child's mental and physical health and wellbeing has the ability to, and literally has, ruined lives. Child abuse is insidious and evil and exacts a terrifying toll on the victim and the community as a whole.

A number of members have already very emotively presented the compelling case to take action—perhaps none more so than what we have just heard from the member for Caloundra. I would like to take a slightly different approach. A research paper conducted by the Australian Childhood Foundation, Child Abuse Prevention Research Australia at Monash University and Access Economics titled *The Cost of Child Abuse in Australia* outlines the cost of child abuse, and this is something the government might want to take into account. The prevalence of child abuse in Australia in 2007 was conservatively estimated as impacting the lives of 177,000 children under the age of 18 and suggested that these numbers may reach as high as 666,000 children. Of these, between 130,000 and 490,000 children were abused for the first time in that year across Australia.

If we apply an accepted proportionality for the frequency of sexual abuse as opposed to physical abuse, emotional abuse or neglect of 6½ per cent then, conservatively, 11,500 children were sexually abused in 2007 across Australia, 8,500 of them for the first time. The human cost of child abuse in Australia is simply unacceptable. The report outlines that in 2007 there were an estimated 240 deaths attributable to child abuse—114 males and 126 females—including 27 deaths of children aged zero to 14 years. Most deaths were from suicide and self-inflicted injuries, others from alcohol abuse and anxiety and depression. This is a nationwide tragedy greater than any natural disaster and it occurs not once in a lifetime but each and every year.

If we set aside this personal loss, which I know seems callous and cold, the economic cost incurred by the Australian community in 2007 was approximately \$10.7 billion. The cost of prosecuting offenders was in the order of \$589.3 million. But the costs do not stop there. Ongoing care and treatment throughout the lifetime of the abused is estimated to be \$13.7 billion and could reach as high as \$38.7 billion.

If not for the personal tragedy, which is more than compelling in its own right, then for the economic rationale, government must be on the offensive when it comes to dealing with child sex offenders. At a minimum, government must establish more rigorous and immediate reporting methods and standards. This must involve working with the police to have them carry out their duties more effectively, particularly in relation to the monitoring, management and control of child sex offenders.

The first step in achieving this goal is to reverse the onus of reporting onto the offender—place the burden of responsibility to report on them and not on the police. These offenders have been given a great privilege by being let out into the community, given their status and the offences they have committed. Surely it is a lenient community that asks them to meet them halfway. The 'honour system' offender reporting regime currently instituted by the government by definition cannot work. We must acknowledge the fact that there is a high risk for recidivism with these offenders and the consequences of such are too great to keep this relaxed approach. An honour system will not work on those who have no sense of the meaning of the word. This is why I support the LNP's bill that would see child sex offenders reporting to police every three months, not the current 12 months.


In relation to the destruction of DNA, as outlined in clause 31, I propose to the government that DNA sequestration should apply—that is, DNA is kept and not destroyed—to those mentioned in section 5(2)(a) and (b) of the Child Protection (Offender Reporting) Act 2004. We cannot allow opportunities for offenders of this class to escape the grasp of the police. Any offence against a child is a serious one and therefore any evidence supporting such should be kept.

The LNP has also identified that it is still illegal for the police to disseminate information regarding missing offenders. This needs to change. If we are serious about protecting children first and foremost and not the offender then this point cannot be stressed enough. The sharing of information with the community in this regard will increase awareness and will allow communities to better protect themselves and their children.

This is one instance where knowledge is indeed power. Once the police and community acquire knowledge of the offender, his whereabouts and his details, the more power they have over the significant risk the offender poses to the community. What the LNP proposes is to increase the amount and quality of knowledge to be made available and to be collected by the police, thus enhancing the locus of control to be exercised by the police over these offenders. This in turn will lead to a reduction in the number of registered offenders wantonly disobeying reporting requirements, which we have heard is up to one-third, and prevent offenders disappearing into the community, disregarding the privilege given to them and increasing the likelihood of reoffending.

In conclusion, I, too, would like to draw the minister's attention to the lack of community involvement in the resolution of this problem. The government, in its version of the bill, has not consulted the wider community—a serious misstep if the government in its role and function intends to represent

voters. The importance of community consultation cannot be underestimated, especially given the impact and costs of child abuse that I have previously mentioned. The fact of the matter is that this problem concerns everyone—the victim, the victim's family, the offender, the criminal justice system, the government and the broader Queensland population. After all, as the government has said itself, child protection is everyone's responsibility.

 **Mrs CUNNINGHAM** (Gladstone—Ind) (8.34 pm): I rise to speak to the private member's bill—the Child Protection (More Stringent Offender Reporting) Amendment Bill 2010—that was introduced into this House by the honourable Vaughan Johnson, the then shadow minister for police and corrective services, and the Child Protection (Offender Reporting) and Other Legislation Amendment Bill 2010 that was introduced by the Hon. Neil Roberts, the Minister for Police, Corrective Services and Emergency Services.

In all the conversations I have had about this in my community I have never heard anybody say that reporting requirements for sex offenders, particularly child sex offenders, should be lenient. It is quite the opposite. The people in my electorate are happy for us to be as hard on them as possible. It is my view that people who harm children are oxygen thieves. They are the lowest of the low.

In the then shadow minister's second reading speech he stated that at the estimates hearings in 2009-10 it was outlined that there were eight sex offenders missing from the sex offender register. He also said that almost every week for the past two years a sex offender known to the system had committed further sex offences. He said that 99 dangerous sex offenders on the Child Protection Offender Reporting Register have committed further sex crimes since being released back into the community.

It is those statistics and other statistics like it that are put out into the community that have every parent fearful for their children—every parent trying to say that their kids cannot go out to the park to play on their own because they need constant attention. That is even the case for children of a more mature age. There is a great fear in the community that children will be abused. Once that abuse has occurred there is no rolling back the clock. The damage is done. Whilst the previous speaker made the point that a victim can have counselling and support for many years to come, the best defence is for the abuse not to have happened. I do not have a problem with strict reporting obligations for child sex offenders.

Equally, I believe that the minister's bill also has a great deal of merit. Offenders who commit sexual acts, particularly serious offences against children, should be required to keep police informed of their whereabouts. Quite contrary to what is contained in the bill—and I am not intending to vote against this part of the bill—I would be quite happy for child sex offenders never to be able to change their name. I cannot think of a valid reason why they should. I say this with some caution, but unless there are extenuating circumstances in relation to the offence then I cannot see any reason the perpetrator should be given any protection whatsoever.

There is a point of frustration in my community in relation to the protection of offenders' identities. I know that the great argument for not identifying an offender is to protect the victim. I think people in my community believe that that has gone too far. Offenders are given a greater measure of protection than they deserve. Where there is a tenuous link between the offender and the victim, the name of that offender should be made public.

Certainly the people I have spoken to support the reduction in the reporting period from 28 days to seven days and in reporting contact with a child from 28 days to four days. The obligation to report within 24 hours three days contact with a child in any one year, whether that is consecutive or not, is again supported.

The requirement for offenders to give police all information about their internet service provider email addresses and/or other electronic identifiers is welcome. How will those who will oversee this obligation be certain that all of that information is actually provided by these offenders? The ones who are most likely to re-offend are the ones most likely not to give accurate information. I would be interested in the methodology that the police will use to ensure that the offender does actually give all the information to the agency to whom they have to report.

**Mr Roberts:** The bill has a five-year penalty for false and misleading information. That's a pretty strong incentive.

**Mrs CUNNINGHAM:** The minister has just advised that the bill has a five-year penalty for providing false or misleading information. I respect that. I am just saying that the ones who are most likely to push the boundary, the ones who are most likely to re-offend are the ones who are most likely to cover themselves very effectively and not give the information. With our internet and electronic services, it is very easy to set up sites, email addresses with Hotmail et cetera. There are other ways of accessing the net and of setting up an account. I am not sure that self-regulation is the way to go in relation to these people. I am not saying to the minister that I have the answer. I am just saying that telling them, 'You must tell us all this information or you could go back to jail,' will not be a sufficient deterrent.

I commend the officers of the CMC who do the paedophile tracking, who work in terrible circumstances pretending to be young people in order to catch those mongrels who would endeavour to harm children. They do that tracking very effectively. However, they do not have all the time that people in the community would like them to devote to that pursuit. Certainly, they have had some great successes. It is very encouraging that they are working in that area and they are endeavouring to shut down those networks of paedophiles who would groom and harm children.

**Mr Roberts:** It's a Queensland Police Service unit that is doing that work.


**Mrs CUNNINGHAM:** Sorry?

**Mr Roberts:** The Queensland Police Service has a sectoral unit which is doing that work.

**Mrs CUNNINGHAM:** Good. Thank you. I have already spoken about the offenders requiring the Police Commissioner's approval to change their name. I think there would be very few reasons why an offender should be able to change their name. The recidivism in sex offenders is high. The inability or unwillingness of some offenders to rehabilitate or to be helped to rehabilitate is low. Therefore, I would be interested to hear an example in the minister's summing-up of circumstances in which it would be appropriate to allow an offender to change their name.

The establishment of a DNA database for reportable offenders is also welcome. I am sure there are groups in the community who would query the civil liberty imposition that such a databank would create. It is an imposition; it is a loss of civil liberties. However, I believe those offenders traded their right to keep all of that information intact—which every other citizen in Queensland should expect—at the point they violated a child. The establishment of that DNA bank will be helpful in the case that any of those offenders re-offend.

Some members have argued that the two pieces of legislation are contradictory. The government cannot support the shadow minister's bill because of certain reasons and the opposition has said it cannot or does not want to support the government's bill because of other reasons. I believe that any effort that is made to reduce the risk of offending against children is welcome. Any moves to reduce or restrain offenders from re-offending is welcome. As I said, from my community's point of view, offenders who harm children in any way, shape or form trade away much of their right to privacy at the point of offending. I actually support both bills.

 **Mr FOLEY** (Maryborough—Ind) (8.44 pm): I rise to participate in this cognate debate on the Child Protection (Offender Reporting) and Other Legislation Amendment Bill and the Child Protection (More Stringent Offender Reporting) Amendment Bill. At the outset let me say that I agree 100 per cent with my colleague the member for Gladstone when she says that children are the true innocents in our society and they deserve our absolute and utter protection. I have nothing but contempt for people who use things such as the internet for their filthy purposes. As a father of five children, I become wildly angry when I think of someone preying on children in such a manner.

When it comes to the protection of our children, we cannot be too vigilant. They are our most precious, God given resource. There are no second chances when it comes to the abuse of children. We have all heard and know all too well the stories of the permanent scarring that affects victims of this shocking abuse. I wholeheartedly support any efforts that governments make to curtail the risk to society that these sick individuals pose. We hear a lot about prison reform and rehabilitation. I would go a step further than the member for Gladstone did and say that prisoners who simply refuse to even participate in rehabilitation should not be released from prison as they pose too great a risk to the children in our society.

This bill makes the changes to Queensland legislation that originate from a report received by the Commonwealth Ministerial Council for Police and Emergency Management, which made 14 recommendations seeking to align the compliance management and monitoring of reportable offenders on the reportable offender register across all states and territories. That is entirely necessary because we cannot have the situation where paedophiles drift from state to state and, because of altered reporting regimes, they can simply go to ground, go into hiding or whatever. That is just not on. I believe that the harmonisation of the reportable offender register across all Australian jurisdictions is absolutely necessary. Indeed, the sex offender register in the United States is named after Dru Sjodin, the 22-year-old college student who was kidnapped and murdered by an attacker who had crossed state borders to commit his crime. That is just a no-brainer for me. At this point I would like to ask the minister if he could answer in his summing-up what the process is for Queensland police to be advised when reportable offenders from other states come to Queensland for holidays or other reasons. How do we keep track of those people in Queensland?

This bill amends three acts—the Child Protection (Offender Reporting) Act 2004 the Police Powers and Responsibilities Act 2000 and the Births, Deaths and Marriages Registration Act 2003—to implement a raft of measures aimed at providing the highest levels of protection for children who, after all, are the most vulnerable members of our society. The key changes contained in the bill are reducing

the time limit for initial reports when an offender is released from custody from 28 days to seven days. I think that is a very good, proactive move to put people on notice that they are being observed and that they better not play up. Generally speaking, reducing the time, from 28 days to four days, that offenders have for reporting the names and ages of any children who generally reside with them or with whom they have regular, unsupervised contact is a step in the right direction.

The minister spoke earlier when the member for Gladstone had the call and said that the Queensland police sex offenders unit does a great job—and indeed they do. We are all a little bit heartened to hear stories of highly trained police posing as 13-year-old girls who seem far too regularly—depending which way you look at it—to catch paedophiles using the net to groom children for their filthy and vile purposes. As a dad, I am always glad to hear that. I really think we cannot be too vigilant about these things.

The bill also expands the personal details required to be reported including the internet service providers, email addresses and other electronic identifiers, being or intended to be used by the reportable offender. That is something that would make the civil libertarians howl with disbelief and cry foul and so forth, but again I agree with honourable members who have said that people who have committed such heinous crimes really have forfeited their right to privacy and to hide behind those sorts of things. With regard to requiring reportable offenders to obtain the Police Commissioner's approval before changing their name, I am very cynical about people who might want to change their name. I will talk about the law of unintended consequence in a moment, but I have yet to be convinced that most people who would look to do that would be doing that for very genuine purposes.

The bill also requires reportable offenders to present their passport and travel documents for inspection after returning from travel outside of Australia. The year before last I had occasion to travel to Cambodia in my role as the patron of an organisation called No More Traffick. We were over there for a couple of weeks and saw firsthand the horrors of sex trafficking, where parents were selling their eight-year-old children into brothels for \$200. We witnessed some inhumane things—things that one would think surely a parent could not do—but the reality is that these people are trapped in such a cycle of poverty that they often do things that one would just not think it would be possible for a parent to think of.

When I was in Cambodia I met with the Australian Federal Police and was told about some of the excellent initiatives they are involved in over there. In Cambodia, the average police officer's monthly wage is about \$50. The Australian Federal Police and the Australian government have sought out people within the system who are known to be straight and have doubled their monthly salary to \$100 to make them less susceptible to bribes and some of the corruption that goes on in countries like Cambodia. That has had a very big impact.

With regard to allowing DNA samples to be taken from reportable offenders as permitted if no record exists, I would ask the minister to comment on this again. With such a non-invasive thing as taking a DNA sample with a cotton swab, I believe that all prisoners convicted of serious offences should be DNA tested on the way into prison and that that form part of the database. If we did, we might find that unsolved crimes that are cold cases are suddenly warmed up.

There are increases in the penalties for failing to comply with reporting obligations or giving false or misleading information—they have risen from 150 penalty units or two years imprisonment to 300 penalty units or five years in prison—and the bill reclassifies these offences as crimes. There has been some discussion about that. Again, the people who are very much in the persuasion of civil libertarians might complain about that, but tell that to a parent of a child who has been groomed and sexually abused by a paedophile. As I said, these changes are no-brainers and really beg the question why they have not been introduced earlier as these are key levers for the monitoring of reportable offenders.

The statistics on recidivism or reoffending for paedophiles are truly frightening. As a dad, over the years I can remember a number of times watching the TV news with tears in my eyes when I have heard stories of sex predators who have been released from jail and who have reoffended within a week or two and have destroyed the life of yet another innocent child. That is an absolute heartbreaker for me, as I am sure it would be for most honourable members.

As the act currently stands, information on offenders on the register can only be released in circumstances approved by the Commissioner of Police. However, I believe that certain information, including the number of reportable offenders residing in a particular area, should be available to the community but of course in limited circumstances. In a moment I will talk about some of the risks of making that information readily available.

In answer to question on notice No. 310 of 2010 the minister revealed that between January 2008 and March 2010 99 reportable offenders on the register were charged with further sex offences. These people pose a very real and present risk to the community, and places like child-care centres, schools, kindergartens and sporting clubs deserve to know if any, and how many, reportable offenders live in the vicinity of their facilities so they can exercise extra care and vigilance in how they go about things like


transport and watching the gate at sporting events. I ask the minister what steps can be taken to provide reasonable information that can be used responsibly. That is a very difficult issue. I am the first one to admit that and to say that finding the right balance between people's rights to privacy and information and the rights of victims is very difficult.

I can fully understand the reasons for not adopting an American type public register with all of the personal details and whereabouts of offenders being publicly available on places like the internet. Florida's Marion County Sheriff, Ed Dean, in responding to the suicide of a handicapped former offender after flyers picturing him with the words 'child rapist' printed in big, bold letters were plastered all over the community, said—

I think this is a clear example of an unintended consequence, which can occur when we go beyond what we call police protocol when handling sex offenders. I understand the concern of parents for their children. But we must not allow hysteria to take place.

However, organisations that have a large number of children under their care and responsibility have a right to know if these persons who pose an extreme risk live at least within the vicinity of their facilities—not necessarily naming them or giving out addresses but just having an idea of what is going on.

In conclusion, I reiterate my support for the bill. I congratulate the minister and encourage him to respond to the questions that I have raised and adopt any suggestions. We owe it to our kids and it is a step in the right direction to tighten up the regime of reporting.

 **Mr SHINE** (Toowoomba North—ALP) (8.56 pm): I rise to make a short contribution to debate on the Child Protection (Offender Reporting) and Other Legislation Amendment Bill 2010. I recognise the attributes that the legislation has, particularly in relation to the desire to achieve national consistency. In my view, all of our laws in Australia as much as possible should be consistent with one another. It should be the case that when Queenslanders travel or move interstate they are subject to the same law as operates in this state. That is a wholly worthwhile object and I commend the ministerial council, which has achieved the degree of unanimity that was necessary to achieve national consistency with respect to this legislation.


The legislation of course sets out more restrictive reporting conditions than have applied in the past dealing with times within which notification of whereabouts must be given. All of that seems to me to make sense and to be appropriate, as is the need to respect the usage of technology, the provision of DNA samples and the increase in penalties.

The justification for the increase in these penalties and the increase in these conditions is of course the ever-increasing need to provide adequate protection for children. That is the chief aim of this legislation and like legislation of the same nature. There are, however, always some concerns, because what we are trying to achieve is a balance between the protection of children on the one hand and of course the rights of individuals on the other. From my point of view, when we talk about sex offenders like dangerous prisoners—people the subject of the DPSO legislation—there is just no argument that this type of notification regime should not apply. Predators of that nature need to be under strict observation and control, and the reporting measures are wholly sensible in my view.

However, not all sexual offenders are predators in that sense. I have always had a concern for people who have been sexual offenders, for example, under-age teenagers engaging in unlawful carnal knowledge, being branded for the rest of their lives as sexual offenders and being the subject of these registers and the necessity, in many instances, to comply with these type of reporting conditions. It just seems to me that they are not the sort of people whose lives we should be trying to control. I believe that there should be some discretion for the minister or some ability for people in that circumstance to apply cheaply to a court or to QCAT to have their name removed.

I note that there seems to exist some room for discretion with respect to the new and additional reporting requirements that this bill deals with. These requirements do not apply unless under section 59 of the act the Police Commissioner gives a notice of reporting obligations. Certainly, the act provides some leeway there, but, of course, that is at the behest of the Police Commissioner, who cannot be regarded as being impartial in these circumstances. I think it would be better if we had an independent body like a court or QCAT determining who receives those reporting notices and, ultimately, who stays on those registers in terms of my comments earlier.

However, overall, I am certainly supportive of the intent of the legislation. The intent is to enhance the system of child protection in Australia, and in Queensland in particular, and I commend the minister for it.

 **Mrs MENKENS** (Burdakin—LNP) (9.01 pm): I am very happy to speak to the Child Protection (More Stringent Offender Reporting) Amendment Bill 2010, which was introduced in April 2010 by the LNP. In doing so, I certainly support the former shadow minister for police and emergency services and I share his concerns about the government's bill. This government has seen fit to have this bill debated in cognate with the Child Protection (Offender Reporting) and Other Legislation Amendment Bill, which it introduced.

It is very interesting to note that, if nothing else, this Labor government is totally dogmatic in that it suppresses bills introduced by the LNP that address real issues. These issues impact on Queenslanders, who deserve to be heard and who deserve to be protected. The LNP's bill came about through the hard work of the former shadow minister for police and corrective services, the member for Gregory, Vaughan Johnson. I commend the member for Gregory for introducing this bill. He and the LNP saw the need to have laws that put the onus and the accountability on the perpetrators of these heinous sex crimes to report to police more often. But it is interesting to note that it is just too much for this government to support ideas that are brought in by the LNP. The government wants to get the kudos, which it will. However, I put on record that I commend the former shadow minister, the member for Gregory, Vaughan Johnson. I also commend the current shadow minister, the member for Noosa, for his efforts in this area.

This government has a very poor record on sex offenders being unaccounted for and it has a lacklustre reporting system that does not stand up to scrutiny. To be advised at the estimates committee hearing for 2009-10 that eight sexual offenders from the sexual offender register were missing is not acceptable from a community safety aspect. As a parliament, we are representatives of the community and the community expectation is that the—

**Mr Roberts:** Member for Burdekin, why don't you ask me how many offenders are missing now? Would you like to ask me how many are missing now? It is zero.

**Mrs MENKENS:** That is good. I note the minister's comments. However, the police are not sufficiently resourced to monitor these sexual offenders and that is a major, ongoing problem. Once again, the onus needs to be on the perpetrators to report.

Under this Bligh Labor government, the incidence of sexual offenders committing additional sex crimes upon release back into our communities is of grave concern. I admit that the government is aware of that issue and I also admit that the current minister is concerned about it and that he has an awareness of it. But the minister is confronted with a very tired, poorly managed process, for want of a better word, for registered sex offenders to carry out their reporting obligations.

There are requirements within the Child Protection (Offender Reporting Act) 2004 for offender reporting and data is captured when that reporting fails to occur. The figures for a failure to comply with reporting obligations have grown alarmingly. In the four-year period from 2005 to 2009, the increase in registered offenders has been far outweighed by the number of sex offenders failing to comply with reporting obligations. From 2005, the offenders registered grew by under three, while the breaches exploded by over 30. This profound inability of the Labor government cannot be underestimated and it is damning, especially when we are talking about sexual offenders, because it is a very sensitive and very dangerous area.

Sexual offenders are flouting the current system. During 2009, of the 3,100 sex offenders on the register there were more than 1,000 prosecutions commenced for breaches of associated laws relating to their registration. The objectives of the LNP's bill was to strengthen the reporting requirements of sex offenders and to empower police to name any missing sex offenders on the register to aid in their location.

The government does not want to admit that the opposition is feeding it with good ideas that the community requires and the community wants. Labor has had ample opportunity to look at the LNP's bill, but it has not chosen to embrace a tougher stand. Instead, the government's bill has elected to choose some weaker middle ground and that is disappointing. These bills are vital. We agree on the processes, but there is a community expectation for some tougher legislation. The legislation is vital as it relates to the protection of children from child sex offenders. For too long poor legislation has let our children down and that is a total indictment on us as a society. The LNP has seen this terrible gap and it has set about attempting to address it but Labor, for whatever reason, appears to be resolute in maintaining part of this gap. We are letting down our children.

The amendments to the Child Protection (Offender Reporting) Act 2004 will see legislation in line with the LNP's lead in making a failure to report or update details an offence. There is also an inclusion of a declaratory provision to establish that it is lawful to disclose or release personal information from the Queensland Child Protection Offender Register to corresponding registrars in foreign jurisdictions.


A gap still exists such that it remains illegal for police to publish details of sex offenders on the register who cannot be located. This is an omission that will continue to cause angst to law enforcers as well as to the wider community. The government's bill also allows for the taking of DNA samples from a reportable offender for analysis and then requires the sample to be destroyed once a person stops being a reportable offender. This would appear inconsistent, as these DNA records can support investigations and deter offending behaviours.

**Mr Roberts:** Have you had a look at the act as to when a person stops being a reportable offender?

**Mrs MENKENS:** I take the note from the minister. Most telling is the fact that no community consultation has been undertaken by this state Labor government in the preparation of this bill. The arrogance of this government in not undertaking community consultation is audacious and that is to say the least, but with a bill relating to protecting our children this omission cannot be excused. This legislation will potentially decrease the number of offenders required to report under this legislation by making the application of such an order discretionary and not mandatory.

The handing of discretion to the courts to place an offender reporting order on a convicted sex offender is also a tenuous move. In recent years the courts' sentencing practices have not met community sentiment. There is an expectation in the community and the courts' sentencing has not met that community expectation. The reluctance of courts to sentence offenders to the maximum jail time prescribed in the Criminal Code is not comforting for those who have been the victims of rape and attacks.

With this Labor bill there is an effort for an advancement, spurred on, no doubt, by the LNP lead. However, there seems little conviction or acceptance of its importance. The lack of community consultation by Labor on this bill speaks volumes to me. The 'greater than thou', 'we know best' attitude is a hallmark of this government. What more can it expect as it further alienates itself from community expectations?

 **Mr WELLINGTON** (Nicklin—Ind) (9.11 pm): I rise to participate in the cognate debate on the Child Protection (Offender Reporting) and Other Legislation Amendment Bill and the Child Protection (More Stringent Offender Reporting) Amendment Bill. There is no doubt we have a responsibility to protect the most vulnerable in our community, and that certainly is our children. It greatly concerns me that we have to amend legislation to make it tougher because the current legislation is not adequate.

At this stage I flag that I will be supporting the opposition's bill. In doing so, I note that the opposition bill would go nowhere without the support of the government. I recognise that this government and previous Labor governments have been progressively strengthening the legislation to provide better protection for the most vulnerable in our community—our children. I acknowledge that as a result of the government's bill there will be significant improvements in the state of the current law in Queensland. But there is no doubt in my mind that this has happened specifically as a result of the matter raised by the previous shadow minister, Vaughan Johnson, which is being continued by the current shadow minister, the member for Noosa.

My views on this matter are formed as a result of my office's involvement in assisting a family who is awaiting a court hearing to hopefully convict a man who has preyed upon the innocence of a very young girl. At the moment this matter is before the court. I certainly do not intend to reveal any specific details which may identify the victim or the suspect. Suffice to say, I am very concerned about the way the suspect's solicitors have been able to successfully apply to the courts for a series of adjournments. I know how genuinely angry the father of the victim is with the delays. I know how angry the father is when he sees the suspect in the community. I share the father's anger with the system. I can understand it. I jolly well hope that the court can finally hear this matter and hopefully convict the suspect.

I note that we are talking about national scheme legislation. In light of the circumstances of the case that is current in my mind and the minds of the staff in my office, I believe that we are dealing with an animal in our community. We microchip animals. I believe that we need to go further. Why can we not jolly well microchip these people if they are convicted of serious sex offences? People might say I am going too far. I remember when the government said that we could not confiscate the cars of hoons. I remember when the government said that we could not take people's cars if they were hooning in our community. But what happened? It was not long before the Labor government—it has been since I have come to this parliament—introduced legislation that said, 'Hoons, if you misbehave we will confiscate your car'.

**Mr Elmes** interjected.

**Mr WELLINGTON:** That's right. I put on the record that I believe that we should go further and send a clear message to Queenslanders and people who want to visit Queensland that if you come here and you are convicted we will jolly well microchip you and we will track you in Queensland. I know that it is provocative but, by crikey, what is wrong with being provocative in Queensland? Let us send a message. While I am talking about being provocative, what is wrong with castration of these people? What is wrong with it? Why are we so concerned we cannot castrate them? I say let's jolly well do it.

**Ms Struthers:** Hear, hear! I second that.

**Mr WELLINGTON:** Thank you. It is great to see that. Who knows, we may be able to one day join in partnership.


I note that the bill talks about the capacity to take DNA samples. I believe that we should be able to not just take DNA samples but also keep them forever for the purposes of the record. I support that.

I note that there is also a capacity in the bill under part 5A, section 74A for a person to apply for a change of name. I do not believe that people should be able to apply for a change to their name because I see it as a change of their identity. I refer to a case that many long-time residents of the Sunshine Coast will recall—the Valmae Beck case. It was a disgraceful situation. I understand that the shadow minister may raise this matter in his reply so I will not take it any further. I use that as one clear example of why I believe that people who are convicted should not be able to change their name.

I see people changing their names as changing their identity. I ask the minister in his reply to explain why we cannot go further and deal with the issue of plastic surgery on a person who has been convicted of a serious sex offence. Why can we not stop them changing their identity? Maybe I am being too provocative but, by crikey, that is how I feel as a result of the case that my staff and I are aware of that is currently before the courts. I know the suspect. I will not take it any further.

I believe that we need to go further in relation to the concerns about the civil liberties of suspects. I believe that we need to stand up firmly for the victims of these sex offences. They have to live the rest of their life with what has occurred. It is not only the victims who have to live with it and try to understand it, it is also their parents and their families.

In resuming my seat I simply indicate that I do have pretty strong views. I will be supporting the opposition, but I do understand that there are changes to our current law that are significant improvements and that that is as a result of the bill that has been introduced by the minister and the government.

 **Mrs MILLER** (Bundamba—ALP) (9.18 pm): Tonight I follow the member for Nicklin, who I know is quite passionate about these issues. As chair of the Scrutiny of Legislation Committee, I remind the member for Nicklin that what he is proposing may infringe on the rights and liberties of the people of Queensland, particularly when talking about microchipping human beings. That is something that the member for Nicklin and I can take up in the privacy of the Scrutiny of Legislation Committee. It is my great pleasure to speak to the Child Protection (Offender Reporting) and Child Protection (More Stringent Offender Reporting) cognate debate. I will make my contribution brief, because it is late in the evening.

On 19 June 2009, the Ministerial Council for Police and Emergency Management considered a report containing 14 recommendations that sought to align jurisdictional responses for the management of reportable offenders. The committee's recommendations, along with the Queensland Police Service review, seek to establish national consistency and enhance the ability of police to monitor reportable offenders. The government recognises the need to align jurisdictional responses so that offenders who are obliged to report in other jurisdictions, because of certain classes of offences they may have committed, will not be able to escape those obligations. National consistency is important. In my view, national consistency will deter reportable offenders from relocating to another jurisdiction that may not class a person as a corresponding reportable offender or that an offender may view as being less restrictive as far as reporting obligations are concerned.

This government, our Labor government, recognises the important contribution that the Queensland Child Protection Register and our legislation make to the national scheme for the compliance management and monitoring of reportable offenders through corresponding legislation and registers implemented in all Australian police jurisdictions. To this end, the register established by the Queensland Child Protection (Offender Reporting) Act 2004 forms the Queensland component of the Australian National Child Offender Register. This register is premised on the serious nature of the offences and the continuing risks posed by offenders who commit sexual or particular other serious offences against children. I know every member in this House absolutely hates sexual offences against children. It is something that none of us can handle in our communities.


The register is utilised by all Australian jurisdictions to share important information relevant to compliance management and the monitoring of reportable offenders and investigation of any suspected noncompliance. This is really important legislation, introduced by our government, and I certainly support it. We need to protect our children at all times. Given the lateness of the sitting, I will conclude with those remarks.

Debate, on motion of Mrs Miller, adjourned.

## ADJOURNMENT

**Hon. NS ROBERTS** (Nudgee—ALP) (Acting Leader of the House) (9.22 pm): I move—  
That the House do now adjourn.

### His Royal Highness Prince William; Ball, Mrs S

 **Mr CRIPPS** (Hinchinbrook—LNP) (9.22 pm): Life often throws up many ironies. Last Saturday, my electorate welcomed His Royal Highness Prince William, who visited the cyclone affected towns of Tully and Cardwell. I was fortunate to have the opportunity to meet the Prince, who is a real gentleman. He expressed genuine concern for the welfare and circumstances of the people of North Queensland who were affected by Cyclone Yasi. His Royal Highness asked several questions about the extent of the damage to communities in my electorate and the progress of the recovery effort. I thanked His Royal Highness for demonstrating a commitment to duty and service by travelling to communities in North Queensland in the wake of the cyclone.


Certainly, Prince William's visit boosted our spirits during a very difficult time. It was wonderful to see such large and enthusiastic crowds assembled in both Cardwell and Tully. I was extremely proud to see the positive attitude and respect shown for the Prince during his visit by local residents and visitors alike. After several weeks of misery and depression associated with the impact of Cyclone Yasi and the unrelenting wet weather that has plagued communities in my electorate, it was marvellous to see my constituents smiling, cheering and laughing amongst themselves. I am very proud to be a strong, card-carrying constitutional monarchist. While I was personally delighted to welcome our future monarch to my electorate, the most important thing the Prince brought to the Tully and Cardwell districts last Saturday was a brief window of time where we put our worries and burdens to one side.

Last Monday, I had the sad duty of delivering the eulogy at the funeral of a long-standing friend of my family, Mrs Stella Ball nee Phelan. Stella fell just short of 93 years of age, passing away on 15 March. Stella was born in 1918 in Kilcullen, County Kildare, Ireland. At the time of Stella's birth, Irish rebels were fighting for independence from Britain and the Black and Tans—troops bought over to help quell the rebellion—occupied villages like Kilcullen. One soldier approached a three-year-old Stella and asked her name. Phelan family folklore insists Stella shot back, 'Stella Phelan and I'm a Sinn Feiner.'

When she was still an infant, Stella's family left Ireland to come to Australia, arriving in the Burdekin district in North Queensland in 1922. In 1942, with World War II in full swing, Stella moved to Tully to work in the Mount Tyson Hotel as a barmaid. She often joked that while many people were moving south in anticipation of a Japanese invasion, she was moving north to meet them head on. Born in the Emerald Isle and being a Sinn Feiner, of course Stella was a strong Catholic. Stella often claimed that she was the only barmaid in North Queensland that knew all of the responses to the Latin mass off by heart in Latin. Indeed, 'stella' is the Latin word for star. Stella Ball was a star and will be sadly missed by her family, my family and her many friends. The irony of warmly welcoming His Royal Highness, Prince William, our future monarch on Saturday and delivering the eulogy of Stella Ball, a Catholic Sinn Feiner, on Monday was not lost on me.

*(Time expired)*

### International Women's Day

 **Mrs KIERNAN** (Mount Isa—ALP) (9.25 pm): I rise to acknowledge the tremendous achievements of women in the Mount Isa electorate. In the past 100 years, women have come far and this year's International Women's Day was no different. On this very special day we celebrate the unique and varied ways in which women have helped to lead and shape our communities. This year I was honoured to attend the Queensland Resources Council's annual Resources Awards for Women. Four outstanding women and one bloke from the north-west were recognised for their outstanding contribution to the mining industry. Those four women and one really top bloke are all employed by Xstrata Mount Isa Mines and Ernest Henry Mine. They were recognised for their contributions and achievements in the resources sector. They are helping to shape the future of women within the sector.


The Lifetime Achievement Award recipient was Robyn Wright, who is the supervisor of marketing and environmental analysis at Mount Isa Mines. Amanda Humphrey was the runner-up in the Trade Award. Amanda is an electrician with the copper smelter. The Operator Award recipient was Kerrie-Lea Nicholas, who is a mining technician and works at Ernest Henry Mining. The runner-up in the Overall Award was MaryAnn Wipaki, who is the operations safety and health manager at Xstrata Copper North Queensland. When International Women's Day was first inaugurated, mining was a male dominated industry, but not anymore. Those four women have forged highly successful careers in the resources sector and those awards recognise their involvement and dedication. And that bloke I mentioned is Dick Kostowski, who received the Gender Diversity Champion Award for his work in promoting equal opportunities in the mining industry.

Outback women are resilient, strong and tough. This was further evidenced by the award recipients of this year's Zonta Club of Mount Isa International Women's Day dinner, which brought together 300 women who represented every facet of our wonderful community. The Woman of Achievement Award winner was the fantastic Theresa Braithwaite, who won for her tireless work in the development of the north-west regional tennis centre. Runner-up was our dynamic and wonderful Sergeant Gina Scott, whose work with the PCYC and youth of Mount Isa is becoming legendary. The

Young Woman of Achievement Award winner was a young woman called Holly Johnstone, a 15-year-old who has achieved so much. Holly is outstanding at school and on the sporting field, while acting as an ambassador for the Juvenile Diabetes Research Foundation. Holly was diagnosed with type 1 diabetes at the age of six and has helped spread the word about the need for investment in research to find a cure. The runner-up for the Young Woman of Achievement Award was Emma Cillekens, who raised close to \$40,000 for the Leukaemia Foundation.

I take this opportunity to congratulate all the fantastic, wise and wonderful women of the Mount Isa electorate who have shaped our history and who will help to shape our future.

### **Coomera Electorate, Schools; Waterways**

 **Mr CRANDON** (Coomera—LNP) (9.28 pm): I am pleased to announce the addition of three new schools—almost three new schools. One is coming on stream in 2012; the other two have come on stream this year. Coomera Rivers State School is a prep to year 7 school. There are 270 students enrolled and that, I am pleased to say, is 20 per cent above the target. So that school is open now. It opened in 2011, and I had the pleasure of attending the first P&C Association meeting just the other night with a very enthusiastic group of ladies and men who are now well entrenched and ready to do some fundraising.

Mother Teresa Catholic School is a prep to year 3 school. It has 60 students. That school also opened this year. It is partnering with Woongoolba State School for outside school hours care. So the Catholic school and the state school are working together to give outside school hours care, and that is ably managed by the Beenleigh Police Citizens Youth Club.

The first sod of soil has been turned for LORDS. A week and a half ago we saw the first sod of soil turned at a special ceremony, with around 100 people attending. As a matter of fact, the member for Albert joined me on that very auspicious day.

**Mrs Keech:** Very special occasion.

**Mr CRANDON:** Yes, it was a very special occasion.

**Mrs Keech:** A lot of hard work.

**Mr CRANDON:** Absolutely. They put a lot of work in over a long period of time. They are going to be a pre-prep to year 8 school and they will be opening in 2012.

Growth in schools in Coomera is well and truly happening. We have many more schools in the planning stage around the area. That all comes about because of the growth in population. We are the fastest growing region in the world, I am told. That is perhaps a bit of a stretch.


**Mrs Miller:** No, you're not.

**Mr CRANDON:** I will not take any interjections suggesting that Ipswich or anywhere else might be growing faster. We are definitely up there as No. 1. We are the fastest growing region and of course we do need those new roads. Exit 54 has to be upgraded to accommodate all of these things.

That growth in population puts a lot of pressure on our environment. A healthy environment for our younger generations into the future is absolutely essential. Coincidentally, yesterday, 22 March, was World Water Day. That brings me to something that is a bit of a shame—that is, the Albert and Logan rivers once again scored an F for fail in the latest report card on healthy waterways.

*(Time expired)*

### **Member for Maroochydore**

 **Mrs SULLIVAN** (Pumicestone—ALP) (9.31 pm): I am used to dirty election campaigns by the LNP in my electorate. At the 2009 state election the local LNP councillor, Gary Parsons, was caught red-handed interfering and removing my legal election signs. This time the member for Maroochydore was caught trying to shake the temporary safety railing on the Bribie Island Bridge and then issued a statement to say that it was unsafe. The member insisted on being accompanied by a television crew, a reporter, a photographer, the chamber of commerce and the LNP's candidate for the area. All of those people in one place at one time is a minor logistical accomplishment, requiring several taxpayer funded phone calls.

We know that the member is not interested in our bridge. She saves her interest in roadways for issues that impact on the Simpson family fortune, like the Yandina bypass and the Maroochydore Road through the Kunda Park Industrial Estate. I must remind myself to check real estate sales on Bribie Island for purchases by the Simpson family.

The member then stood in this parliament and criticised the government for using 'gaffer tape and garden ties to hold up part of the bridge' and in doing so exposed herself for the fraudulent practitioner that she is. Nowhere in her speech of 9 March, or in the article that she caused to be written in a local paper, were the so-called details that she later relied upon in her personal explanation to this parliament on 10 March, following Mr Wallace's statement that morning thoroughly dismembering her 9 March assertions. Indeed, in her speech on the 9th the member said of the railing on the bridge—

It is quite clear that it is dangerous.

Yet on the 10th, in her personal explanation, the member said of herself that, upon tripping—

I did grab the railing to break my fall ...


Of course, she then went on to qualify that admission by saying—

... but even then I almost fell into the traffic because the temporary railing does not provide protection for pedestrians.

It beggars belief that the member would say something so stupid because what she said in essence was that the temporary railing saved her life—that is, prevented her from falling into the traffic—but it affords other pedestrians no protection. This is very smart infrastructure, indeed, if it can distinguish between the member and other pedestrians! Clearly the trip incident—she obviously took her foot out of her mouth long enough to do this—provided details that contradicted the story that was being cooked up by the member, and those details had been discarded. After all, she said that the railing was made of gaffer tape and tie wire. How could it possibly take her weight? Although she is referred to as a lightweight in the National Party, shouldn't it have collapsed after her assertion that it was held together by only gaffer tape and tie wire?

The newspaper headline that we were never going to see—'MP's life saved by temporary safety railing on bridge'—would have rather spoiled her fabricated story. The member may wonder why in the future her comments are accompanied by a few whistled bars of the theme music for the movie *The Bridge on the River Kwai*. That music was, of course, the 1914 composition of the *Colonel Bogey March*, to which one unidentified World War II wit composed a set of lyrics concerning bovine excreta. In the meantime, here is a dollar for the member. She can ring me about issues in my electorate. It will save the taxpayers money and she will get the facts.

### Moreton Island and Stradbroke Island, Ecotourism

 **Dr ROBINSON** (Cleveland—LNP) (9.34 pm): The recent Brisbane River flood had a devastating impact upon many Queenslanders. One impact that escaped the attention of most was the effect upon the Tangalooma resort on Moreton Island. In the wake of the Queensland floods, this holiday resort on Moreton Island looked like laying off more than 100 staff due to losing 60 per cent of its bookings. Despite the government's \$600,000 marketing blitz, the downturn in visitor numbers to Moreton Island due to the flood and a depressed market meant the resort operators were considering letting go about one-third of the 340 staff.

This situation highlights the at times erratic nature of the tourism industry and some of the challenges it faces. The people of Cairns know well the ebb and flow of tourism and the problems associated with a tourism downturn. In comparison, the city of Townsville, with a broader economic base than Cairns, is less exposed to the ups and downs of tourism in Queensland.

My purpose tonight is not to run down tourism of course, as both government and opposition need to support the tourism industry. I hope that there will be a turnaround soon. My point is that overreliance upon tourism can be problematic. Putting all of one's eggs in the tourism basket has significant risks.


So the Tangalooma downturn highlights the problem in the Premier's rushed plan to try to push the Stradbroke Island economy to be reliant solely upon ecotourism. The Tangalooma situation demonstrates the fragility of the Premier's rushed and politically motivated plan to sack sandminers and to replace their jobs with 400 ecotourism positions.

A Brisbane marketing chief recently said that it would require five Tangaloomas on Straddie for ecotourism to take the place of mining to replace the expected loss of \$130 million to the local economy from the Premier's plan. This replacement economy is not likely, especially in the only eight years that it has left to run. Tourism experts believe the Premier's plan is overly reliant upon ecotourism and risks eroding what is currently a sustainable local economy for Straddie's 2,500 residents. It is a high-risk strategy.

One major problem is the lack of desire of miners to retrain for the hospitality industry. That is a very real problem. Further, ecotourism as the staple diet of the island is not supported by the island community, and it is flying blind without having conducted an economic impact study. Clearly, the lesson for Straddie, from one Tangalooma on nearby Moreton Island, is not to put all of our eggs in the ecotourism basket while still investing in ecotourism.

What has become clearer in recent days, and what will be addressed in the bill when it comes before the House, is that the Premier's policy on Straddie is more about appeasing the Greens in Ashgrove to save the environment minister's bacon than it is about looking after the residents of Straddie.

### Shave for a Cure

 **Mr HOOLIHAN** (Keppel—ALP) (9.37 pm): Those people who know me and who have seen me stand up in the House previously will probably have noticed this sitting week that I am missing certain covering on my head. For those members who do not know, 10 to 12 March was Shave for a Cure for the Leukaemia Foundation. After a couple of very slow starts, when both events at which I was going to have my head shaved were washed out by rain, I had my head shaved at the Emu Park markets on 20 March. Aquarius Hair at Emu Park volunteered to give me the small clip.


The team I am part of is the Ninja Shavers. There are a number of young women—Kathleen Petrie, Mahnee Barry and Gillian Finlay—who will be colouring their hair at the Yeppoon markets on 3 April. For those who are not aware of Shave for a Cure, I am sure that every member of this House—whilst giving me a variety of names such as Kojak, Uncle Fester, Yul Brynner—would be aware of a family friend or a relative who has suffered from leukaemia or a blood borne disease.

With the current difficulties in Japan there will be an increase in the incidence of leukaemia. That was one of the main diseases that was detected after the atomic blast at Hiroshima and Nagasaki. There have been members of this House who have suffered from blood borne diseases. The Hon. Warren Pitt had treatment for one during his last term in parliament. I think it is high time that we really put the time and effort into realising that the only way to fight this disease and to turn the situation with cancers around is to support research.

The Leukaemia Foundation runs Shave for a Cure every year. Although it is somewhat cool when the air conditioning hits the top of your head—we lose about 30 per cent of our body heat through our scalp—I would encourage more people to get behind the Shave for a Cure campaign for the Leukaemia Foundation and see whether next year we can raise a large amount of money. There were members who coloured their hair during the last sitting week, as members would have noticed. I would encourage everyone to see what it is like.

*(Time expired)*

### Redlands, Shadow Community Cabinet

 **Mr DOWLING** (Redlands—LNP) (9.41 pm): I add my congratulations in this public forum to the member for Keppel for his generous contribution to the cancer fund. As a chairman of the Redlands branch of the Cancer Council of Queensland in the recent past I can only but add my congratulations and hope that he does not have to do it again.

I rise to mention a serious matter. I would like to acknowledge quite a significant event that took place in the Redlands last Monday. My parliamentary colleagues, the shadow cabinet came—

**Mr Rickuss** interjected.

**Mr DOWLING:** They did. They came out to the Redlands to host a community shadow cabinet. It was a fantastic event. The community turned out and raised a whole range of issues affecting Redlands city. Members of the Birkdale Progress Association, who are well known for their environmental crusades and their championing of those issues, were there. It was nice to see them in attendance.

There were also a number of groups from the southern Moreton islands. There were members from the SMBI forum present. They raised a significant number of issues—issues that I have raised in this House before but which I think are important to revisit. They raised issues like TransLink, parking for the southern Moreton Bay islands, infrastructure, the asbestos issues on Macleay Island and law and order. They are the key things that are of concern to my island community.


Also raised were issues around the super quarry and sandmining on Stradbroke Island. They raised a number of issues. The concern on Stradbroke is the transition from mining to tourism, the loss of jobs and the calibre of employment that is going to replace those jobs. I note the member for Cleveland earlier tonight raised the very issue of the viability of tourism as an economic driver for a community isolated such as the community on Stradbroke Island.

People also raised the super quarry and the impact of a lack of roadworks through the Redlands. Issues of road safety were raised by the community. Families who are caring for disabled family members described the lack of support they receive. They are all valid issues. Members from Queensland Justices were there. Members from the VMR turned up. They raised the issue of the funding failing to keep up with the requirements of the service they deliver and how they are able to maintain that service. Members from Kindilan attended.

Local residents also attended. They talked about a whole range of issues such as transport, infrastructure and the environment. The cost of living was one of the key things that a number of individuals raised—the cost of power and the cost of water, particularly in the Redlands, to name just a few. They mentioned the employment opportunities lost in the Redlands. They also mentioned business opportunities and tourism opportunities. They need the 'can-do' strategy.

*(Time expired)*

### Essence of Japan Day; Whillans, Mr T

 **Mrs SMITH** (Burleigh—ALP) (9.44 pm): We have all been horrified by what has happened in Japan—the destruction is indescribable. A proud people, with a 1,500-year history, are facing hardships not encountered since the end of World War II. My daughter-in-law, Shigemi Ishigaki, has her whole family in Yamagata. While they survived the earthquake, food, heating fuel and petrol is in very short supply. The effects of the leaking Fukushima reactor are more cause for concern. Living just 90 kilometres from the plant, she waits to hear that they are safe.

In the face of this devastation, the Gold Coast Multicultural Communities Council hosted the Essence of Japan Day earlier this month, in conjunction with Harmony Day. I am sure the members of the Japanese community present would have preferred to be elsewhere, coming to terms with the tragedy and making sure their relatives and friends had survived the earthquake and tsunami.

True to their nature, however, they graciously welcomed guests and showcased their contributions to the Gold Coast. There were traditional food stalls, Japanese crafts and information booths. On stage was a six-piece women's orchestra with each playing a koto—an instrument over two metres long with 13 strings. Very impressive! There was also a karate demonstration, drumming and a special samurai demonstration direct from Japan. I want to thank the Japanese community for their hospitality and especially Mr Nao Hirano, the community development officer from MCC Gold Coast, who has become a friend and who is a very proud honorary Aussie.


On a personal note, I advise the House of the death of Claude Edward Whillans, or Ted as he preferred to be called. Ted was born in Coolangatta in 1923, but moved to Brisbane after his father, a builder, found work there. He attended South Brisbane State School. Ted developed a love of planes at a very early age and would often wag school and go to Archerfield aerodrome, some 10 miles away, to watch the planes.

At 16 years of age he applied to Qantas for an apprenticeship and became an aircraft engineer. When World War II broke out he attempted to join the Air Force but his profession was declared a 'reserved occupation' and he never realised his dream.

It is funny what you learn at memorial services. You think you know someone and then find out you knew very little. It seems Ted was not only an accomplished gymnast but also a weightlifting champion. At one time he held 20 of the 21 Queensland records as a bantam weightlifter.

Ted was a member of the Burleigh branch of the ALP for many, many years. Although he kept his politics close to his chest, Ted was very supportive of me. The Whillans family was always the first to volunteer to stuff envelopes, hand out how-to-vote cards and stand at a polling booth for 10 hours straight. Ted attended meetings with Phyllis and was a much loved and respected member of our branch. I extend my sympathies to Ted's wife, Phyllis, and their children, Craig, Mark, and Kylie, and their extended families.

### Lockyer Electorate, Queensland Transport Depot

 **Mr RICKUSS** (Lockyer—LNP) (9.47 pm): I rise to make a brief contribution about the lack of a Queensland Transport depot in the Lockyer Valley. It is a growing area with a large transport base. We have large operators in the area, such as Nolans Transport, that employ several hundred men. We also have Lindsay Brothers Transport, McGraw Transport, Bowzam Transport and a myriad of other large to medium transport companies plus a lot of owner operators in the area.

People can wait up to six or eight weeks for a driver's licence test in Laidley or Gatton. That is really too long. It is an impost on business. If the area were serviced well they should not have to wait more than two or three weeks. But to wait for six, eight or 10 weeks is too much. If it is a heavy vehicle licence they can wait even longer.

If these transport operators want an inspection they have to take their heavy machinery to either Ipswich or Toowoomba. They have to book in and all that sort of thing. With the Toowoomba range being a disaster and the Marburg range being a disaster there is a flow-on effect. The government has to service people especially in growth areas like the Lockyer Valley. It is only going to continue to grow. My colleague the member for Hinchinbrook is nodding his head. He knows the area well and realises that it is going to continue to grow.

**Mr Cripps** interjected.

**Mr RICKUSS:** That is right. It is just frustrating that these sorts of services are not provided by this government. That is why we want to come back with a 'can-do' team that can provide these sorts of decent services into the regions. That is where this 'can-do' team is really going to take us forward, unlike this 'can't-do' government that sits across the chamber from us. It is a shame that the 'can't-do' team is sitting there. I can see the Minister for Health having a chuckle to himself, as he knows how true my words are. Also there is the minister—what is he the minister for now?

**Mr Cripps:** Mines.

**Mr RICKUSS:** That is right. The minister for mines is sitting there and he is struggling with this concept as well. He understands that we are the 'can-do' team and members over there are the 'can't-do' team. It is very frustrating—

**Mr Hinchliffe:** I can see struggling happening. There is about 24 seconds of struggling and you keep going.

**Mr RICKUSS:** The member for Capalaba is even struggling to leave the chamber. That is an example of how this 'can't-do' team can't do! He is standing there with his arms folded and does not know whether to go or not. We are a 'can-do' team. When I am finished here I will leave the chamber. I will not hesitate. This 'can-do' team can do it.

**Honourable members** interjected.

**Mr SPEAKER:** The House will come to order. It can do that.

### Roebig, Mr S

**Ms DARLING** (Sandgate—ALP) (9.50 pm): I rise to pay tribute to a special man who passed away on 22 January this year aged 50. Sean Roebig, loving husband to Krissy and dad to Joshua, Stacey, Brady and Ashleigh, lived his life for his family and friends and died leaving a legacy of hope to families around Australia. Sean and Krissy have been blessed with a beautiful family. The two youngest children, Brady and Ashleigh, have been diagnosed with a rare disorder known as ataxia-telangiectasia. Since their diagnosis, Sean and Krissy worked tirelessly to find out more about the condition and how to cure it. Currently there is no known cure, but through their charity, BrAshA-T, the Roebigs have raised awareness about this disease, raised valuable funds for research to find a cure and provided a network of support for families.

Sean and Krissy were the driving forces behind the establishment of the first Australian clinic for sufferers of ataxia-telangiectasia and Friedreich's ataxia, supported by QIMR and the Brisbane Royal Children's Hospital. The clinic has a team of specialist doctors in the fields of neurology, immunology, respiratory, oncology, genetics and psychology along with a paediatrician on board to oversee general care as well as speech and occupational therapists and physiotherapists. Clinics are held three times a year, and a clinic is being held this week. Families travel from all over Australia to be a part of this groundbreaking clinic, and I am proud to have helped get it established.

Sadly, it was shortly after our very first clinic that Sean was first diagnosed with cancer. I only knew Sean for a few years and I mostly knew him through his lovely wife, Krissy. The way Krissy spoke of Sean made me feel that he was an old friend. Krissy has become a good friend of mine through her lobbying for the establishment of the clinic. I know that she is strong and brave because I have seen her fight for her children. So I know that she will be the rock for her kids during this difficult time. I also know that she would give anything to have Sean back by her side. I have seen her family and friends wrap her and the children in the warmth of their love.

Father Bernie Costigan conducted a beautiful funeral service at St Joseph's church at Bracken Ridge. It was standing room only as hundreds of people packed the church to say goodbye to Sean. The member for Aspley and I were among the mourners. I know that the honourable member was also a friend and supporter of the Roebigs.

I would like to read Krissy's words from that day. She stated—

I wish we could have found a cure for A-T in Sean's life time but I will continue to push ahead for a cure in Brady and Ashleigh's life time. BrAshA-T is a legacy that Sean has left behind to be continued ...

Life is going to be very hard without Sean in it. Raising kids alone is going to be hard. Running the foundation is going to be hard. Going back to work in my shop is going to be hard. Having two sick kids with a disability is going to be hard. Getting them to start school for the year is going to be hard. Smiling again is going to be hard ...

BUT as hard as all of these things will be it will happen because Sean had faith in me from the day he met me. He loved me. We will be ok ...

Rest in peace, Sean Roebig.

Question put—That the House do now adjourn.

Motion agreed to.

The House adjourned at 9.52 pm.

### ATTENDANCE

Attwood, Bates, Bleijie, Bligh, Boyle, Choi, Crandon, Cripps, Croft, Cunningham, Darling, Davis, Dempsey, Dick, Dickson, Douglas, Dowling, Elmes, Emerson, Farmer, Finn, Flegg, Foley, Fraser, Gibson, Grace, Hinchliffe, Hobbs, Hoolihan, Hopper, Horan, Jarratt, Johnson, Johnstone, Jones, Keech, Kiernan, Kilburn, Knuth, Langbroek, Lawlor, Lucas, McArdle, McLindon, Male, Malone, Menkens, Messenger, Mickel, Miller, Moorhead, Mulherin, Nelson-Carr, Nicholls, Nolan, O'Brien, O'Neill, Palaszczuk, Pitt, Powell, Pratt, Reeves, Rickuss, Roberts, Robertson, Robinson, Ryan, Schwarten, Scott, Seeney, Shine, Simpson, Smith, Sorensen, Spence, Springborg, Stevens, Stone, Struthers, Stuckey, Sullivan, van Litsenburg, Wallace, Watt, Wellington, Wells, Wendt, Wettenhall, Wilson