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MEETING OF THE ASSEMBLY

The Assembly met at 9.30 am, pursuant to adjournment. The Speaker (Honourable A McGrady) read prayers.

STATEMENT BY SPEAKER – MEMBER FOR CALLIDE

Mr Speaker made the following statement—

'Honourable Members—

Yesterday the Member for Callide, forwarded to me a letter and attached statements by the Member for Gregory, and the Member for Beaudesert.

The Member for Callide has alleged that on Thursday 27 October 2005, I approached him in his seat and threatened him. I do not agree with the Member for Callide’s version of events.

My recollection of events is contained in a note I wrote to the Clerk, immediately after the event. A copy of that note was tabled yesterday by the Premier. I would also add that prior to leaving the Speaker’s Chair, the Member for Callide had stated “you are a disgrace” at least five times.

I have decided to refer the Member for Callide’s complaint and my counter complaint to the Committee for its consideration and report.

I have also caused the Parliamentary Library to search recent print articles and electronic media reports for instances where Members have publicly reflected on my character and actions in the Chair.

I do not believe the House can any longer tolerate the persistent and continued disrespect to and attacks upon the authority of the Speaker or other presiding officers; which is nothing more than an attack upon the authority of the House itself.

Therefore, I have also referred to the committee, not only the specific matter raised by the Member for Callide and my response, but the numerous reported reflections on the Chair and the interferences with the authority of the Chair evidenced in the media reports and recordings.

In doing so, I note that reflections upon, and disrespect to, Presiding Officers on account of their actions in the House may constitute a contempt.

Erskine May, 22nd Edition, at page 123, states—

… reflections on the character of the Speaker or accusations of partiality in the discharge of his duties and similar charges against the Chairman of Ways and Means or Chairman of a Standing Committee have attracted the penal powers of the Commons.

Further, at page 190, the text states:

Reflections upon the character or actions of the Speaker may be punished as breaches of privilege. His action cannot be criticised incidentally in debate or upon any proceeding except a substantive motion.

Parliamentary Practice in New Zealand, 2nd edition, states:

Speeches and writings reflecting upon the character or conduct of individual members in their parliamentary roles have been punished as contempts. To establish that a contemp has been committed on this ground, however, the words complained of must reflect on the member in the discharge of his or her duties in respect of some proceeding in the House or in a committee, and not merely arise out of the member’s status as a public figure.

……

Some of the most serious reflections on members that can be made concern those against the character of the Speaker or any other presiding officer, and accusations that presiding officers have shown partiality in discharging their duties. Reporting on a question of privilege concerning a reflection on the Speaker, the Privileges Committee has said, “[The] Speaker is in a special position. Being the embodiment of Parliament, reflections upon [the Speaker’s] character or conduct directly attack the very institution of Parliament itself, and have been dealt with accordingly here and in England”.

Disrespect to the authority of the Chair, and therefore to the House itself, must come to an end.'
PETITIONS
The following paper petitions, lodged with the Clerk by the Members indicated, were received—
Mr O’Brien from 72 petitioners requesting the House to support the Minister for Local Government and Planning, Environment and Women on her intervention in the Douglas Shire Draft Planning Scheme on the basis of effective and rational planning; to implement the draft planning scheme as originally presented and approved the whole of government assessment process; to provide sufficient funds to fairly compensate affected landowners north of the Alexander Range; and to provide certainty to the Douglas Shire Council’s ability to fulfill its financial commitment to a sustainable Daintree through the Daintree River Ferry fee, or resumption of control of the Cape Tribulation Road and Daintree River Ferry by the Queensland State Government.
Mrs Sullivan from 280 petitioners requesting the House to act urgently to assist the international campaign against whaling by supporting efforts to bring Japan to account before the International Court of Justice for its scientific whaling.
Mr Foley from 8,132 petitioners requesting the House to restore and maintain 24 hour emergency care, intensive care and the birthing unit and to employ adequate doctors and professional staff to ensure the ongoing provision of these and all other existing services to the Maryborough community.

MINISTERIAL PAPER TABLED BY THE CLERK
The following ministerial paper was tabled by The Clerk—
Minister for Child Safety (Mr Reynolds)—
Response from the Minister for Child Safety (Mr Reynolds) to two paper petitions presented by Mr Wellington from 755 petitioners and 225 petitioners requesting the House to support the terms of the Private Members Bill “Child Protection (Recognition of Relative Carers) Amendment Bill” addressing the issue that grandparents, as relative carers, receive no funding for caring for their grandchildren

MINISTERIAL PAPERS
The following Ministerial papers were tabled—
Premier and Treasurer (Mr Beattie)—
Queensland Investment Corporation – Statement of Corporate Intent 2004-05
Deputy Premier and Minister for Finance, Minister for State Development, Trade and Innovation (Ms Bligh)—
Motor Accident Insurance Commission – Annual Report 2004–05
Queensland Gaming Commission – Annual Report 2004–05
Golden Casket Lottery Corporation Limited – Annual Report 2004–05
Golden Casket Lottery Corporation Limited – Statement of Corporate Intent 2004–05
Minister for Environment, Local Government, Planning and Women (Ms Boyle)—
Environmental Protection Agency – Annual Report 2004–05
Statutory Authorities reporting to the Minister for Environment – Annual Report 2004–05
Minister for Police and Corrective Services (Ms Spence)—
Department of Corrective Services – Annual Report 2004–05
Queensland Police Service – Annual Report 2004–05

MINISTERIAL STATEMENTS (Hansard p. 3818, 9.40 am)
(a) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to the Burnett River Dam and the Burnett Water Infrastructure Project.
(b) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to the Environmental Impact Statement for Stage I of the Spring Gully Power Station.
(c) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to the expansion of the Port of Hay Point.
(d) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to the North Bank development.

(e) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to the construction of a multi-purpose centre for Mackay.

(f) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to Commonwealth funding for Queensland Health.

*Paper:* Mr Beattie, during his statement, tabled the following paper—
Letter (undated) from Mr Beattie to the Honourable Tony Abbott, MP, Federal Minister for Health and Ageing relating to funding for Queensland Health

(g) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to a community cabinet meeting to be held in the Torres Strait.

(h) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to funding for paramedics and the enterprise bargaining agreement with the Queensland Ambulance Service.

(i) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to the Annual Crime Statistics for Queensland.

(j) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to the Federal Government’s proposed anti-terrorism laws.

(k) Deputy Premier and Minister for Finance, Minister for State Development, Trade and Innovation (Ms Bligh) made a ministerial statement relating to a trade and investment mission to the United States of America, the United Kingdom, Germany and Russia from 9 to 21 November 2005.

(l) Minister for Police and Corrective Services (Ms Spence) made a ministerial statement relating to the Queensland Police Service Statistical Review 2004–05.

*Paper:* Ms Spence, during her statement, tabled the following paper—
Queensland Police Service Annual Statistical Review 2004–05

(m) Minister for Health (Mr Robertson) made a ministerial statement relating to the restructure of the health system.

*Paper:* Mr Robertson, during his statement, tabled the following paper—
Report by Queensland Health titled *First 100 Days Report*

(n) Minister for Natural Resources and Mines (Mr Palaszczuk) made a ministerial statement relating to water infrastructure, dams and pipelines.

(o) Minister for Public Works, Housing and Racing (Mr Schwarten) made a ministerial statement relating to Queensland housing assistance.

(p) Minister for Justice and Attorney–General (Mrs Lavarch) made a ministerial statement relating to the centenary of the enactment of the *Legal Practitioners Act 1905*.

(q) Minister for Child Safety (Mr Reynolds) made a ministerial statement relating to child protection reforms.

(r) Minister for Communities, Disability Services and Seniors (Mr Pitt) made a ministerial statement relating to the Crime and Misconduct Report on Volatile Substance Misuse.

(s) Minister for Education and Minister for the Arts (Mr Welford) made a ministerial statement relating to education and training reforms and community forums for senior syllabuses.

**PERSONAL EXPLANATIONS**  
(Hansard p. 3831, 10.26 am)

Mr Sullivan made a personal explanation.

**NOTICE OF MOTION – PROPOSED FEDERAL GOVERNMENT ANTI–TERRORISM LAWS**

Leader of the Opposition (Mr Springborg) gave notice that he will move—

That this house endorses the Howard-Vaile Government’s forthright and unwavering commitment to address the threat of terrorism in Australia as exemplified by the passage of emergency counter terrorism legislation through the Commonwealth Parliament and congratulates State and Commonwealth law enforcement authorities on yesterday’s counter terrorism raids.
And further calls on the Beattie Government to strengthen Queensland's anti-terror law enforcement capacity with the provision of police helicopters and telephone interception powers as requested by the Queensland Police Service and the Crime and Misconduct Commission.

PRIVATE MEMBER’S STATEMENT (Hansard p. 3831, 10.28 am)
A private Member's statement was made.

Distinguished visitors—
Mr Speaker informed the House of the presence in the Gallery representatives from the USS Frank Cable, in particular, Nicole Paul, the ship’s navigator and Tannya Cruz, the ship’s legal officer.

QUESTIONS WITHOUT NOTICE (Hansard p. 3832, 10.31 am)
Questions without notice were asked.

Paper: Minister for Health (Mr Robertson) tabled the following paper—
Report by Queensland Health titled Queensland Health safe infant care to reduce the risk of sudden infant death syndrome – 2005

Questions continued.

Paper: Minister for Transport and Main Roads (Mr Lucas) tabled the following paper—
Discussion paper by Queensland Transport titled Queensland youth on the road and in control – A discussion of ways to improve young driver safety – October 2005

Questions continued.

LOCAL GOVERNMENT AND OTHER LEGISLATION AMENDMENT BILL (Hansard p. 3842, 11.29 am)
Order of the day read for the adjourned debate on the motion of the Minister for Environment, Local Government, Planning and Women (Ms Boyle) – That the Bill be now read a second time. Debate ensued.

Paper: Mr Lee, during his speech, tabled the following paper—
Flyer for Radar Youth Rock concert

Debate continued.

Paper: Mr Caltabiano, during his speech, tabled the following paper—
News Release, dated 26 October 2005, by the Local Government Association of Queensland Incorporated titled ‘Bastardy’ say Councils as Robertson rams through Asbestos Legislation
Letter, dated 28 October 2005, from Councillor Paul Bell, AM, President, Local Government Association of Queensland Incorporated titled Holding the Line – Fluoride and Asbestos

Debate continued.

Debate adjourned on the motion of Minister for Health (Mr Robertson).

MINISTERIAL STATEMENT (Hansard p. 3856, 2.30 pm)
Minister for Health (Mr Robertson) made a ministerial statement relating to doctors’ acceptance of the State Government’s pay offer.

LOCAL GOVERNMENT AND OTHER LEGISLATION AMENDMENT BILL (Hansard p. 3856, 2.32 pm)
Order of the day read for the adjourned debate on the motion of the Minister for Environment, Local Government, Planning and Women (Ms Boyle) – That the Bill be now read a second time. Debate ensued.

Question put and agreed to.

Bill read a second time.
Consideration in detail—
Clauses 1 to 33, as read, agreed to.
Schedule, as read, agreed to.

Consideration in detail completed—
Ms Boyle moved – That the Bill be now read a third time.
Question put and agreed to.
Ms Boyle moved – That the long title of the Bill be agreed to.
Question put and agreed to.

DEFAMATION BILL  (Hansard p. 3866, 3.41 pm)
Order of the day read for the adjourned debate on the motion of the Minister for Justice and Attorney-General (Mrs Lavarch) – That the Bill be now read a second time.
Debate ensued.
Debate adjourned on the motion of Mrs Sullivan.

NOTICE OF MOTION – PROPOSED FEDERAL GOVERNMENT ANTI–TERRORISM LAWS  (Hansard p. 3883, 5.29 pm)
Leader of the Opposition (Mr Springborg), pursuant to notice, moved—

That this house endorses the Howard-Vaile Government’s forthright and unwavering commitment to address the threat of terrorism in Australia as exemplified by the passage of emergency counter terrorism legislation through the Commonwealth Parliament and congratulates State and Commonwealth law enforcement authorities on yesterday’s counter terrorism raids.

And further calls on the Beattie Government to strengthen Queensland’s anti-terror law enforcement capacity with the provision of police helicopters and telephone interception powers as requested by the Queensland Police Service and the Crime and Misconduct Commission.

Debate ensued.

Distinguished visitors—
Mr Speaker informed the House of the presence in the Gallery of members of the Mitchelton Rotary Club.

Debate resumed.

The following amendments were proposed by the Premier and Treasurer (Mr Beattie)—

‘1. That the words “and Federal Labor Opposition’s” are inserted after “Government’s”.’
‘2. That all words after “raids” are deleted and the following words inserted:
That this House notes the Beattie Government’s determination to strengthen Queensland’s anti terror law enforcement capacity.
That this House notes that Queensland Police already access government helicopters, helicopters part-funded by the government and other helicopters for operational purposes as the need arises.
Further, that this House calls on the Federal Government to enable state-based telephone interception by Queensland Police Service to proceed on the basis of the involvement in all cases by the Public Interest Monitor.’

Debate ensued.

Question – That Mr Beattie’s amendment No. 1 be agreed to – put and agreed to.
Question put – That Mr Beattie’s amendment No. 2 be agreed to.
The House divided.
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That this house endorses the Howard-Vaile Government’s and Federal Labor Opposition’s forthright and unwavering commitment to address the threat of terrorism in Australia as exemplified by the passage of emergency counter terrorism legislation through the Commonwealth Parliament and congratulates State and Commonwealth law enforcement authorities on yesterday’s counter terrorism raids.

That this House notes the Beattie Government’s determination to strengthen Queensland’s anti terror law enforcement capacity.

That this House notes that Queensland Police already access government helicopters, helicopters part-funded by the government and other helicopters for operational purposes as the need arises. Further, that this House calls on the Federal Government to enable state-based telephone interception by Queensland Police Service to proceed on the basis of the involvement in all cases by the Public Interest Monitor.

**DEFAMATION BILL** (Hansard p. 3893, 7.40 pm)

Order of the day read for the adjourned debate on the motion of the Minister for Justice and Attorney–General (Mrs Lavarch) – That the Bill be now read a second time.

Debate ensued.

Question put and agreed to.

Bill read a second time.
Consideration in detail—

Clauses 1 to 8, as read, agreed to.

Clause 9—
Debate ensued.

Question put – That Clause 9, as read, stand part of the Bill.

The House divided.

AYES 50—

| Attwood | Cunningham, E | Hoolihan | Mulherin | Reynolds | Sullivan, T *
|---------|---------------|----------|----------|----------|----------------
| Barton  | Cunningham, J | Jarratt  | Nelson–Carr | Roberts, E | Wallace
| Beattie | English       | Lavarch  | Nolan *   | Robertson | Wellington
| Boyle   | Fenton        | Lawlor   | Palaszczuk | Schwarten | Wells
| Briskey | Finn          | Lee      | Pearce    | Scott     | Wilson
| Choi    | Foley         | Livingstone | Pitt    | Shine
| Clark, E| Fouras        | McNamara | Poole    | Smith
| Clark, L| Fraser        | Miller   | Pratt     | Spence
| Croft   | Hayward       | Molloy   | Reilly    | Sullivan, C

NOES 19—

| Copeland | Horan         | Lee Long | Menkens | Seeney
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| Flegg    | Johnson       | Lingard  | Messenger | Simpson
| Hobbs    | Knuth         | Malone   | Rogers * | Stuckey
| Hopper * | Langbroek     | McArdle | Rowell  |--------

Tellers *

Question agreed to.

Clause 9, as read, agreed to.

Clauses 10 to 49, as read, agreed to.

Schedules 1 to 3, as read, agreed to.

Schedule 4—
Debate ensued.

Question put – That Schedule 4, as read, stand part of the Bill.

The House divided.

AYES 52—

| Attwood | Cunningham, E | Hoolihan | Mulherin | Reynolds | Sullivan, C
|---------|---------------|----------|----------|----------|----------------
| Barton  | Cunningham, J | Jarratt  | Nelson–Carr | Roberts, N | Sullivan, T *
| Beattie | English       | Lavarch  | Nolan *   | Robertson | Wallace
| Boyle   | Fenton        | Lawlor   | Nuttall   | Schwarten | Welford
| Briskey | Finn          | Lee      | Palaszczuk | Scott     | Wellington
| Choi    | Foley         | Livingstone | Pearce | Shine
| Clark, E| Fouras        | McNamara | Poole    | Smith
| Clark, L| Fraser        | Miller   | Pratt     | Spence
| Croft   | Hayward       | Molloy   | Reilly    | Stone

NOES 20—

| Copeland | Horan         | Lee Long | Menkens | Seeney
|----------|---------------|----------|---------|--------
| Flegg    | Johnson       | Lingard  | Messenger | Simpson
| Hobbs    | Knuth         | Malone   | Rogers * | Springborg
| Hopper * | Langbroek     | McArdle | Rowell | Stuckey

Tellers *

Question agreed to.

Schedule 4, as read, agreed to.

Schedule 5, as read, agreed to.

Consideration in detail completed—

Mrs Lavarch moved – That the Bill be now read a third time.

Question put and agreed to.

Mrs Lavarch moved – That the long title of the Bill be agreed to.

Question put and agreed to.
WATER AMENDMENT BILL (Hansard p. 3900, 8.52 pm)
Order of the day read for the adjourned debate on the motion of the Minister for Natural Resources and Mines (Mr Palaszczuk) – That the Bill be now read a second time.
Debate ensued.
Debate adjourned on the motion of Mr Horan.

ADJOURNMENT (Hansard p. 3911, 10.02 pm)
Leader of the House (Mr Schwarten) moved – That this House do now adjourn.
Debate ensued.

Paper: Miss Simpson, during her speech, tabled the following paper—
Non–conforming petition requesting the House to urgently call on Minister for Transport and Main Roads to bring forward planned road upgrades to realign the intersection of David Low Way, Menzies Drive and Mudjimba Beach Road at Pacific Paradise, and provide for dedicated turning lanes
Debate continued.

Papers: Ms Stone, during her speech, tabled the following papers—
Bundle of correspondence concerning a liquor licence application by Hedley Hotel Group Pty Ltd for a proposed hotel at Shailer Park
Non-conforming petition relating to the proposed Shailer Park Hotel
Debate continued.
Question put and agreed to.
The House adjourned at 10.31 pm.

ATTENDANCE
The following Members were present—

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<tr>
<th>Altmann</th>
<th>English</th>
<th>Knuth</th>
<th>Messenger</th>
<th>Quinn</th>
<th>Smith</th>
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<tr>
<td>Barton</td>
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<td>Miller</td>
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<td>Reynolds</td>
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<td>Fouras</td>
<td>Lee Long</td>
<td>Nelson-Carr</td>
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<td>Fraser</td>
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<td>Livingstone</td>
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<td>Male</td>
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<td>Pratt</td>
<td>Shine</td>
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