TUESDAY, 18 MARCH 1997

Mr SPEAKER (Hon. N. J. Turner, Nicklin) read prayers and took the chair at 9.30 a.m.

ASSENT TO BILLS

Mr SPEAKER: Order! I have to inform the House that I have received from Her Excellency the Governor a letter in respect of assent to certain Bills, the contents of which will be incorporated in the records of Parliament—

GOVERNMENT HOUSE
QUEENSLAND

19 February 1997

The Honourable N. J. Turner, MLA
Speaker of the Legislative Assembly
Parliament House
George Street
BRISBANE QLD 4000

Dear Mr Speaker

I hereby acquaint the Legislative Assembly that the following Bills, having been passed by the Legislative Assembly and having been presented for the Royal Assent, were assented to in the name of Her Majesty The Queen on 14 February 1997:

"A Bill for an Act to provide for industrial organisations in Queensland and for other matters"

"A Bill for an Act to provide for workplace relations in Queensland, and for other purposes".

The Bills are hereby transmitted to the Legislative Assembly, to be numbered and forwarded to the proper Officer for enrolment, in the manner required by law.

Yours sincerely

(Sgd) Leneen Forde

Governor

ELECTORAL DISTRICT OF KURWONGBAH

Resignation of Member

Mr SPEAKER: I have to report to the House that I have received the following letter from Margaret Rosemary Woodgate, member for the electoral district of Kurwongbah—

"March 17, 1997

The Hon N Turner, MLA
Speaker
Legislative Assembly of Queensland
Parliament House
BRISBANE QLD 4000

Dear Mr Turner,

It is with regret that I have to inform you that I am tendering my resignation as the Member for Kurwongbah in the Parliament of Queensland as from today's date.

Since my two heart by-pass operations last year, I have not enjoyed the best of health. In fact my health has deteriorated to the extent that my Doctors have advised me that they believe I can no longer effectively perform my duties as a Parliamentarian and as Member for Kurwongbah.

I am enclosing letters from my Doctors which are self-explanatory.

I would appreciate if you would convey my notice of resignation to the House at your earliest opportunity.

All the best for the future.

Yours sincerely,

Margaret Woodgate"

MOTION OF CONDOLENCE

Death of Mr H. Dean

Hon. R. E. BORBIDGE (Surfers Paradise—Premier) (9.33 a.m.), by leave, without notice: I move—

"1. That this House desires to place on record its appreciation of the services rendered to this State by the late Harold Dean, a former member of the Parliament of Queensland.

2. That Mr Speaker be requested to convey to the family of the deceased gentleman the above resolution, together with an expression of the sympathy and sorrow of the members of the Parliament of Queensland in the loss they have sustained."

Harold Dean was born on 20 February 1913, the son of Andrew, a businessman, and Emily. Harold was educated in Brisbane at Sandgate State School and Brisbane State High before working in the Public Service, principally within the State Housing Commission. A childhood bout of polio meant that Harold wore leg braces throughout his life. Whilst this meant that he was unable to take up active service in World War II, it did not discourage him from serving his country and, instead, he took part in the volunteer corps. It was during the war that he joined the Labor Party.

In 1952 Harold was elected to represent the Sandgate region as an alderman within

the Brisbane City Council. He stayed there for eight years until he was elected as the member for Sandgate in 1960. Perhaps like all members who enter this place via local government, Harold's views were characterised by an understanding of the problems faced at that level, particularly in relation to infrastructure development and levels of financial assistance and subsidies from State and Federal Governments.

Mr Dean sat on the Opposition benches for the duration of his parliamentary career and at the time of his departure in 1977 he was the Opposition spokesperson on community and welfare services. Harold was well known for his strong views against the consumption of alcohol and the use of illegal drugs. It was perhaps a mark of the tenacity and strength of the man that he was not dissuaded from expressing his views, which were often controversial, even when they conflicted with the policies of the Labor Party.

Above all else, Mr Dean was certainly an enthusiastic and strong local member, committed to his home turf of Sandgate and constantly trying to achieve more for the residents in his electorate. Whether it was trying to get ceiling fans installed in the local school, obtaining improved health facilities or advocating the installation of sewer systems, he was often vocal in his criticism of the Government of the day. He was considered accessible and personable by those who worked with him in his electorate and he was certainly a popular and well-respected figure on both sides of this House. Honourable members will be well aware of the physical demands that representation of their constituents places upon them and will therefore have some appreciation of the achievements of Mr Dean in overcoming physical disability to do this over a period of 17 years.

Shortly before he retired from politics at the age of 64, Harold announced his engagement to Iris Toppin, whom he met while working in Parliament House. They later married and moved to Sandgate to live. His retirement notwithstanding, Harold did not lose interest in the machinations of this place and was frequently seen around the precincts of Parliament House. As a frequent visitor, he was always keen to have a chat and a yarn. I always found him to be an absolutely delightful gentleman.

Harold is survived by Iris and their families. On behalf of the Government, I extend my sympathy and that of this House to them.

Mr BEATTIE (Brisbane Central—Leader of the Opposition) (9.36 a.m.): On behalf of the Opposition, I second the motion moved by the Premier and pass on the condolences of the Opposition to Iris and to Harold Dean's family.

As the Premier indicated, even though Harold Dean retired in 1977, he was a frequent visitor to the Parliament. He used to come in here regularly with his good mate Jack Melloy, with whom he served in the House, to have morning tea. From time to time the staff of the Parliament have told me how delightful both Harold Dean and Jack Melloy were and they looked forward to their weekly visits here.

Harold was certainly a distinguished parliamentarian. He had the unfortunate experience of serving in the cricket team days when the Labor Party was reduced to 11 members in this House. Harold was delighted when our position improved significantly after those days. He was one of those tough individuals who went through the difficult times for the party, and he did it with style and a lot of commitment.

Harold was born in Red Hill on 20 February 1913. He was educated at the Sandgate primary school and he attended Brisbane State High. He was the alderman for Sandgate from 1952 to 1960 and he was the State member for Sandgate from 1960 to 1977. Unfortunately, he passed away on 28 February 1997.

Harold was a Commonwealth and State public servant with the Housing Commission prior to 1952, and he was a voluntary worker for the Army from 1939 to 1945 because, due to the fact that he had poliomyelitis as a child, he was unfit for war service. He was the Opposition spokesman on community and welfare services, he was a member of the Queensland Central Executive of the ALP from 1950 to 1955 and he was the past president and secretary of the Sandgate branch of the ALP. He was a patron of the Sandgate boy scouts, he was a member of the Lions Club, he was a fellow of the Royal Geographic Society, he was vice-president of the Queensland Band Association, he was a member of the Musicians Union and he was a member of the Brisbane QATB Executive, which gives the House some idea of the broad interests that Harold Dean had.

In 1977 Harold married Miss Iris Toppin, who was the head of the parliamentary correspondence section at Parliament House. When Harold Dean married at 64 it was his first marriage and, indeed, it was Miss Toppin's

first marriage as well. Of course, neither had children, but they do have an extended family.

Those members who knew Harold Dean knew that he suffered from polio as a child and that he used leg irons and a walking stick for most of his life. In later years, he was confined to a wheelchair. That says a great deal about the courage, the fortitude and the strength of character of the man.

Harold spent 25 years in representative service, and it is worth going through this again. For eight years he was an alderman with the Brisbane City Council and for 17 years he was the State member for Sandgate. He entered politics at the age of 40 following a career as a public servant, as I have mentioned. Perhaps Harold's most memorable career highlight was his successful advocacy of lower strength beer. He was a confirmed non-drinker and non-smoker—something which provides an example to all members of the House.

As to his personal attributes—my office spoke to Nev Warburton, also a former member for Sandgate and parliamentary leader, as well as Roy Harvey and Pat Hanlon, all of whom were mates of his. They gave me a few snippets that are worth sharing with the House. They said that Harold adopted a philosophy of Abraham Lincoln; that is, live respected and die regretted. That exactly sums up Harold Dean. According to Neville Warburton, Harold was very sincere, always said what he thought and stood for what he believed was right.

Even though he was physically handicapped, his efforts in council were often thought to be far superior to those of the able bodied. In State Parliament, he was enormously respected, highly regarded by members on both sides of the House and was held in great affection. Earlier this morning, members heard the Premier commenting to that effect. Harold was a people person. All of his contemporaries said that there was not another person who was better at grassroots campaigning than Harold Dean. Harold was associated closely with almost every organisation in the Sandgate area. I have already given some examples of his community involvement. The people of Sandgate knew that they could go to Harold with almost any problem. If he was not able to solve it, it could not be solved.

Harold was a dedicated Labor man. Unquestionably, he was a representative of the working people of his electorate. He went through all the traumas associated with the split in the Labor Party during the 1950s, and the ups and downs of good and bad fortune with the party, but he never lost his faith in the Australian Labor Party. Today I pay tribute to Harold for that commitment and faith.

I wish to speak again about his disability, because it is important to appreciate on an occasion such as this one his great strength of character. In spite of his substantial disability, no-one was more visible in the Sandgate electorate than Harry Dean. According to Nev Warburton, he seemed to be everywhere. His disability somehow made him more determined to succeed. It gave him greater compassion and understanding of the disadvantaged in our society, and he quietly went about giving them a helping hand.

Most members of the House were delighted that Harold found romance at Parliament House, when he married Iris Toppin. People were very emotionally supportive during those times. On this occasion it is worth pointing out that, notwithstanding his profound disability, Harold never missed a division—and this was before lifts were installed in the building. The installation of lifts at Parliament House was met with some relief by Harold Dean.

In summary, Harold's greatest attribute was his sincerity. He had the respect of everyone in the community and Parliament. He overcame his disability in order to give something to the community. Harold did not hesitate to put forward his views—some of them were very strong—and he did so in a way that earned him the respect of everyone in the Parliament. He was unquestionably a strong representative for the people of Sandgate. As I said at the beginning, I pass on the condolences of the Opposition in this condolence motion.

Hon. J. M. SHELDON (Caloundra—Deputy Premier, Treasurer and Minister for The Arts) (9.43 a.m.): I wish to add to comments made by my parliamentary colleagues in offering condolences on the death of Harold Dean. Harold Dean retired as the ALP member for Sandgate in 1977 after 25 years of serving his local community. In fact, Mr Dean spent his entire working life serving the people of Queensland as either a Federal and State public servant or a Brisbane City alderman and a State member of Parliament. He carried out this service with strong conviction and dedication despite his polio-afflicted disability.

As the Premier has already mentioned, Harold Dean was a man of temperate ideals. He scorned alcohol and drugs and campaigned against their use. To many of

those who have come to this House since 1977, Harold Dean would be best remembered as an avid follower of the modern parliamentary process. He was a regular visitor to the House every Wednesday, when he caught up with old colleagues and new friends. As leader of the Liberal Party, I offer condolences on behalf of my party colleagues to Mr Dean's family and friends on their sad loss.

Mr NUTTALL (Sandgate) (9.45 a.m.): In the electorate of Sandgate, Harold Dean was enormously well respected. Even in his latter years Harold was very visible in the electorate. In the last few years, Harold even succumbed to modern technology—and members may recall having seen Harold in the dining room in his wheelchair—buying an electric scooter to get himself around the electorate.

The sad thing is that Harold's leaving us was something we had not expected. Despite his affliction, he enjoyed relatively good health. I probably more than anyone else was surprised by his passing. The last time I saw Harold was—and this is typical of Sandgate—at the local fish and chip shop on the foreshore. Harold was down there with his lovely wife Iris enjoying the views of Moreton Bay and his old electorate.

In his latter years, Harold was still very active in a number of community organisations. He had enormous respect in Sandgate. Sandgate was one of the very last areas taken into the greater Brisbane City Council. Those members who know the Sandgate area well would know that Sandgate contains a large number of community organisations. Harold was probably involved with each and every one of those community organisations at some stage throughout his career.

When Harold first became a State member—and members can correct me if I am wrong—I understand that we did not have electorate offices. We still have a town hall in Sandgate. History records that Harold used to conduct court in the Sandgate Town Hall, and the queues of people waiting to see Harold regarding their concerns and problems in relation to their electorate would extend well beyond the door. In his later years after retirement from Parliament, Harold resided on the bluff at Shorncliffe. He had a nice, modest home which had a lovely set of bay windows, where he used to sit and read. He had a beautiful outlook over Moreton Bay. It certainly was a very peaceful and loving environment for both him and Iris.

The seat of Sandgate had a bit of a chequered history in its early days in that it was held by people from the Progressive National Party, the Country Party, the United Australia Party, the Queensland People's Party and even the Liberal Party. Labor lost the seat after the split in 1957. It was of great pride to Harold that he was able to win it back for Labor in 1960. He held it until 1977.

Harold would have been about 47 years of age when he came into the Parliament. At the time, the local newspaper stated that he was still a comparatively young man. I am very pleased by those sorts of comments, because I am a lot younger than Harold was when he entered Parliament. The other thing Harold and I had in common was that we both had hair when we came into the Parliament. Unfortunately, those sorts of problems go with the job.

As I said, Harold's affliction never, ever stopped him from getting around the electorate while he was an alderman, a State member and in his retirement. Harold had an enormous following in my electorate and his funeral was well attended. I wish to thank the current and former Labor members at Federal, council and State levels who attended the funeral. The Labor Party was strongly represented at the funeral, and I know that Iris was extremely pleased to see such a strong representation. On behalf of the people of the electorate of Sandgate, we extend to Harold's wife, Iris, and family, our deepest sympathy at his passing.

Mr ARDILL (Archerfield) (9.50 a.m.): With regret, I join this motion of condolence. I had quite a long association with Harold Dean. I had immense pride in that association and a great respect for him, not only for overcoming his difficulties but also for the achievements of his life. We had quite a lot in common. I suffered from polio in my young days without great ill effect, but unfortunately for Harold it left him with considerable problems of mobility. He overcame those difficulties, and it is a mark of the man that he did achieve so much despite his difficulties. He never allowed his mobility problems to stop him from serving not only the people who elected him but also various organisations in Brisbane, and it is also a mark of the man that so many people from so many walks of life were at the funeral to offer support and condolences to Iris and to acknowledge their respect for Harold.

Harold was involved in community life for quite a while before he went into the Brisbane City Council. He actually spent nine years—three terms—in the Brisbane City Council,

where again he was well respected. For the last year of his time in the Brisbane City Council he was also the member for Sandgate, so he had two duties to perform. It is worth mentioning that he refused to take two salaries at that time, meagre as they certainly were at that time, particularly the Brisbane City Council salary. He gave that away to local charities. It was a very difficult life for even the most able-bodied and mobile people at that time because there was no support of an electorate office, either for the Brisbane City Council or for the State Parliament. In fact, it was only in Harold's last term in this place that State parliamentarians had an electorate officer to field the first line of questions coming in. Harold had to serve his electorate of Sandgate from his own home and, as the present member for Sandgate said, he also held court in the Sandgate Town Hall.

Harold and I had a lot of interests in common, particularly music. We served on the Brisbane Musical Advisory Council for many years together. His keen intelligence and his keen interest in music, particularly band music but right across the spectrum, came to the fore and assisted in what is now a regular part of the City of Brisbane, that is, the free concerts that occur in Brisbane. His input into the musical life of Brisbane was quite significant. In that regard, once again he overcame his difficulties.

I never knew Harold to complain about his situation. He certainly was somebody whom one could look up to and try to emulate, despite the fact that that was very difficult. I offer my condolences again to Iris, as I did at the funeral, and to his extended family.

Hon. D. J. HAMILL (Ipswich) (9.54 a.m.): I join this motion of condolence at the passing of Harry Dean. There are probably very few members in the Parliament now who served in this place when Harry was——

Mr Mackenroth: Three.

Mr HAMILL: I take that interjection from the member for Chatsworth. I am told that there are three members in the House who served with Harry.

An honourable member: Four.

Mr HAMILL: Four—Mr Speaker included. Many members would know Harry because one would see him often in the cafeteria having a cup of tea with another of his then parliamentary colleagues, Jack Melloy, a former member for Nudgee. As a young member in this place, Harry would always be there with a word of encouragement. He always maintained a keen interest in what was happening in the Parliament, even in the 20 years since he sat in here as the member for Sandgate.

As other members have said, Harry was a man of considerable courage and determination. He never allowed his disability to impede his desire to serve the community or to be involved to his fullest in a whole range of community activities. As the member for Archerfield has already commented, one thing that perhaps was not so well known about Harry Dean was his great love of music. He maintained a very active and keen interest in a range of organisations that promoted not only band music but also chamber music and orchestral music.

It has been remarked upon already by some honourable members that Harry was a man of conviction. Certainly if one peruses Hansard over many years, one will see a recurrent theme, that being Harry's determination to oppose what he saw as the dangerous liberalisation of liquor laws in the State. At the time, and certainly in the mid seventies—as you will no doubt remember, Mr Speaker—there were a number of rather fiery debates in this place on issues about the use of breathalysers and whether there should be mandatory gaol sentences and so on. To give a feeling of those debates, it is worth while referring to Hansard. There was one debate in April 1975 in which a series of members talked about these issues, and this of course was an issue which was dear to Harry Dean's heart. One could not imagine a greater gulf in members of the one political party than one could see in this particular debate.

Mr Elliott interjected.

Mr HAMILL: The member for Cunningham probably remembers it well. The then member for Bundaberg, Lou Jensen, stated in relation to blood alcohol levels—

> "I might say that I drive a car better with a .08 or a .1 blood-alcohol level than I do when I am sober."

Mr SPEAKER: Was that 0.08 or 0.18?

Mr HAMILL: Mr Speaker, the Hansard does record laughter at that point. The member for Bundaberg also suggested that he could certainly drive better than a member of the Assembly who left the place in a state of nerves. I have heard a number of euphemisms, and that is a good one! In the same debate, the member for Sandgate had been railing against alcohol. In fact, the member for Sandgate, Harry Dean, was advocating the stationing of police officers

outside pubs in order to apprehend the drunks before they got into their cars. He also made the point that the drink-driver is a potential killer. At the time, I suppose it could be argued that Harry's views were taking one extreme of the argument and Lou Jensen's the opposite extreme. I suspect with the passage of the years that Harry Dean's views, at least in terms of policing in relation to road safety, have probably become the norm and not the exception. While deep down Harry was a prohibitionist at heart, he certainly did have a great concern for road safety, and that was just a part of his great concern for his fellow man. Certainly the care and attention that he brought to his duties as member for Sandgate is well known, well respected and well remembered. I want to add to this condolence the well wishes of my wife and family to Iris and to the other relatives of the Dean family.

Mr J. H. SULLIVAN (Caboolture) (9.58 a.m.): I did not know Harold Dean when he represented the people of Sandgate, first as an alderman and then as their member of this Assembly. Harold and I first met in 1990 when I was a member of the select committee inquiring into ambulance services in this State and Harold was a member of the Brisbane QATB. I got the distinct impression at that time that the board had trotted Harold out with his impeccable Labor credentials to prevent the heathens from making any changes to its much-loved board system. But of course Harold wasn't going to play that game, as I will point out in a moment.

I had the opportunity on many, many occasions to sit with Harold and his great mate Jack Melloy over in the cafeteria and to talk to them about the way things were going in Queensland at the time. Of course, he much preferred those first six years of conversation to the last year of those conversations, but nevertheless they were enjoyable occasions for me. I learned one of the things that I think kept Harold Dean as a representative of the people of Sandgate for 25 years, and that was his ability to take a great interest in what was happening to other people. He certainly was able to discuss knowledgeably with me matters pertaining to my own electorate in Caboolture. I was greatly pleased by the fact that he would take the opportunity to make himself aware of those matters.

Like many of the Labor people who preceded us in this place, Harold often expressed some concern about the ways of the modern Labor Party, although he always stressed that it was the prerogative of the present membership of the Labor Party to chart its own course. In that respect, Harold reminded me of some of the words of the Henry Lawson poem "Too Old To Rat" and I would like to read the first verse of that poem onto the record of this motion. It reads—

> "I don't care if the cause be wrong
> Or if the cause be right—
> I've had my day and sung my song
> And fought the bitter fight
> In truth at times I can't tell what
> The men are driving at
> But I've been Union thirty years
> And I'm too old to rat."

Of course in Harold's case he was 50 years and it was not only the union movement he was loyal to, but also the Labor movement. But the sentiment remained the same: Harold was too old to rat on this party.

I was greatly saddened to hear of Harold's passing and I was much distressed by the fact that commitments that I could not break kept me from his funeral. On this occasion I would like to express my personal condolences to all those people who knew and loved Harold, particularly to his wife, Iris, and their extended family and to his great mate Jack Melloy whom I know will be missing Harold today.

Hon. V. P. LESTER (Keppel) (10.01 a.m.): As one of those members who served in the Parliament with the late Harold Dean, I purely want to say that he was one of the very first people whom I met when I came into this place. At that time I knew very little about the Parliament or even where on earth it was. Some people might say I still do not know much.

Honourable members: Ha, ha!

Hon. V. P. LESTER: Harry would have loved that comment and the little bit of laughter because that is what he was really about. He was a very happy man and he always saw the good points in everybody. It did not matter what side of the political fence one was on, if one showed him just a little bit of respect, then one got that respect back. Even in the late days when he and Jack would have their cup of tea, he would always call me over to sit down and find out how things are going in central Queensland. That was always an extraordinarily generous interest that he had in what was going on all over the State. He always maintained the ability to be a very interesting person all the way through his life.

I will not take up any more of the time of the House; I simply want to say that he was a great Australian and each and every one of us who were fortunate enough to have known Harry Dean are the better for it.

Mr D'ARCY (Woodridge) (10.03 a.m.): I would like to associate myself and my wife with the condolence motion for Harry Dean. Harry was an honourable man, as most members here who knew him would know. I was one of the members who served with him. I certainly remember very well the incident that occurred on one night that the member for Bundaberg spoke in the House. I had never seen Harry quite as riled as he was that night. I do not know whether Hansard showed it, but Harry certainly did interject and even waved his walking stick a couple of times at the comments of the then member for Bundaberg, Lou Jensen. As members may know, Lou liked to have a drink and definitely thought that he could drive a lot better with a few drinks under the tail than he could sober. Harry really took to Lou that night and it continued for some time afterwards.

Harry was a person who could accept all sorts of points of view. Members may not be aware but, when I was the member for Albert, he actually had a holiday place at Runaway Bay. His next door neighbour was also an employee of this Chamber who used to like to imbibe a little bit of the time. Most honourable members who were here during that period would remember Baxter McCarthy. Baxter's house was right next to Harry's. They were actually great mates but Harry used to insist that Baxter did his drinking at his own place, not at Harry's.

It was an interesting period and Harry was one of those people who brought a wealth of knowledge to this place. We call honourable members "honourable" but Harry Dean certainly was an honourable man. I spent many hours with him at Runaway Bay and in this place. He certainly had a wealth of knowledge and he passed that on for Queensland and Queenslanders. He was non-parochial in that area and I think it is tremendously important that we saw where his party politics played an important role to himself personally. He has left behind a legacy for all Queenslanders in that he was a type of parliamentarian who came from an era when it was very difficult for the Labor Party, when we were in opposition for a very long time. He managed to maintain that high standard that is necessary in this place. I pass on my condolences and those of my wife to Iris and to Harry's extended family.

Motion agreed to, honourable members standing in silence.

PETITIONS

The Clerk announced the receipt of the following petitions—

Bald Hills Railway Station

From **Mr J. N. Goss** (665 petitioners) praying that the House immediately provide the appropriate funds for the construction of a ramp at the Bald Hills Railway Station because the existing steps are difficult for elderly people, parents with prams and cyclists.

K mart Site, Chermside

From **Mr J. N. Goss** (34 petitioners) requesting that the House abandon the proposal to construct a fire station on the old K mart site at Chermside.

Public Transport, Crestmead

From **Mr W. K. Goss** (380 petitioners) praying that the House ensures a proper public transport system is made available for the newly developed shopping centre in Julie Street, Crestmead.

Public Transport, Logan City

From **Mr W. K. Goss** (154 petitioners) praying that the House ensures a proper public transport system is made available for the City of Logan with essential improvement and planning for the 21st century.

Public Transport, Greenbank

From **Mr W. K. Goss** (1,255 petitioners) requesting the House to take immediate action to significantly improve the level of public transport services, including the local bus service and upgrading of the existing Greenbank rail line to passenger status so as to meet the public transport needs of local households and the fast growing region.

Public Housing

From **Mr Nuttall** (146 petitioners) requesting the House to take actions to ensure that the coalition Government meets its commitments to (a) tenants in public housing that they are not charged more than 25% of their income in rent; (b) tenants in public housing that they are not disadvantaged; and (c) introduce accountable strategies for addition and replacement of housing stock to ensure that proceeds of sales

of public housing to tenants are reinvested in public housing.

Gateway Motorway, Bracken Ridge

From **Mr Nuttall** (401 petitioners) requesting the House to direct the appropriate authority to erect barriers to provide adequate noise amelioration along the Gateway Arterial road in the suburb of Bracken Ridge.

Yeerongpilly/Fisherman Islands Railway Line

From **Mr Radke** (46 petitioners) requesting that the railway line be straightened at the Norman Park curve and only (new generation) electric locomotives are to be used for goods freight and passenger trains along the Yeerongpilly/Fisherman Islands railway line in conjunction with noise barriers where residents approve.

Energywise Advisory Centres

From **Mr Welford** (936 petitioners) requesting that the House re-establish the Energywise Advisory Centres located at Springwood and Townsville with staff and funding adequate for provision of a high-quality service and that the mobile Energywise Advisory Centres be maintained and used as intended for the promotion of energy efficiency and renewable energy technologies.

Petitions received.

PAPERS TABLED DURING RECESS

The Clerk announced that the following papers were tabled during the recess—

12 February 1997—

Childrens Court of Queensland—Annual Report 1995-96

National Australia Trustees Limited—Statutory Accounts for the year ended 30 September 1996

17 February 1997—

Darling Downs-Moreton Rabbit Board—Annual Report 1995-96

Late tabling statement from the Minister for Natural Resources regarding the 1995-96 annual report of the Darling Downs-Moreton Rabbit Board

National Crime Authority—Annual Report 1995-96

11 March 1997—

Queensland Treasury Holdings Pty Ltd—Annual Report 1995-96

North West Queensland Water Pipeline Pty Ltd—Financial Statements 10/10/95 to 30/06/96

Eungella Water Pipeline Pty Ltd—Financial Statements 10/10/95 to 30/06/96

14 March 1997—

Island Co-ordinating Council—Annual Report 1995-96

Late tabling statement from the Minister for Families, Youth and Community Care regarding the 1995-96 annual report of the Island Co-ordinating Council

Island Industries Board—Annual Report for the year ended 31 January 1996

Late tabling statement from the Minister for Families, Youth and Community Care regarding the annual report for the year ended 31 January 1996 of the Island Industries Board.

STATUTORY INSTRUMENTS

In accordance with the schedule circulated by the Clerk to members in the Chamber, the following documents were tabled—

Acts Interpretation Act 1954—

Acts Interpretation Regulation 1997, No. 28

Agricultural Chemicals Distribution Control Act 1966—

Agricultural Chemicals Distribution Control Amendment Regulation (No. 1) 1997, No. 54

Auctioneers and Agents Act 1971—

Auctioneers and Agents Amendment Regulation (No. 1) 1997, No. 29

Auctioneers and Agents (Exemptions) Amendment Regulation (No. 1) 1997, No. 43

Breakwater Island Casino Agreement Act 1984—

Breakwater Island Casino Agreement Variation Regulation 1997, No. 11

Canals Act 1958—

Canals Amendment Regulation (No. 1) 1997, No. 39

Coal Mining Act 1925—

Coal Mining Exemption Order (No. 1) 1997, No. 21

Education (School Curriculum P-10) Act 1996—

Education (School Curriculum P-10) Regulation 1997, No. 26

Education (Senior Secondary School Studies) Act 1988—

Education (Senior Secondary School Studies) Amendment Regulation (No. 1) 1997, No. 27

Environmental Protection Act 1994—

Environmental Protection Interim Amendment Regulation (No. 1) 1997, No. 38

Fire Service Amendment Act 1996—

Proclamation—the provisions of the Act that are not in force commence 24 February 1997, No. 34

Fisheries Act 1994—

Fisheries Amendment Regulation (No. 1) 1997, No. 16

Fisheries Amendment Regulation (No. 2) 1997, No. 47

Fisheries Amendment Regulation (No. 3) 1997, No. 48

Indy Car Grand Prix Act 1990—

Indy Car Grand Prix Amendment Regulation (No. 1) 1997, No. 45

Jupiters Casino Agreement Act 1983—

Jupiters Casino Agreement Variation Regulation 1997, No. 10

Jury Act 1995—

Jury Regulation 1997, No. 14

Proclamation—the provisions of the Act that are not in force commence 17 February 1997, No. 13

Justice Legislation (Miscellaneous Provisions) Act 1996—

Proclamation—certain provisions of the Act commence 28 February 1997, No. 35

Proclamation—part 17 of the Act commences 17 February 1997, No. 12

Justices Act 1886—

Justices Amendment Regulation (No. 1) 1997, No. 44

Juvenile Justice Act 1992—

Juvenile Justice Amendment Regulation (No. 1) 1997, No. 41

Local Government Act 1993—

Local Government (Areas) Amendment Regulation (No. 1) 1997, No. 22

Local Government (Internal Boundaries Review) Amendment Regulation (No. 1) 1997, No. 32

Lotteries Act 1994—

Lotteries Amendment Rule (No. 1) 1997, No. 40

Medical Act and Other Acts (Administration) Act 1966—

Medical Acts and Other Acts (Administration) Amendment Regulation (No. 1) 1997, No. 52

Mental Health Act 1974—

Mental Health Amendment Regulation (No. 1) 1997, No. 25

Mineral Resources Act 1989—

Mineral Resources Amendment Regulation (No. 1) 1997, No. 46

Mines Regulation Act 1964—

Mines Regulation (Application of Act) Repeal Order 1997, No. 53

Nature Conservation Act 1992—

Nature Conservation (Duck and Quail) Amendment Conservation Plan (No. 1) 1997, No. 37

Nature Conservation (Protected Areas) Amendment Regulation (No. 1) 1997, No. 36

Nursing Act 1992—

Nursing Amendment By-law (No. 1) 1997, No. 30

Petroleum Act 1923—

Petroleum (Entry Permission—BHP Minerals Pty Ltd) Notice 1997, No. 55

Plant Protection Act 1989—

Plant Protection (Papaya Fruit Fly—Mt Isa) Quarantine Notice 1997, No. 33

Plant Protection (Papaya Fruit Fly—Mt Isa) Quarantine Regulation 1997, No. 49

Public Service Act 1996—

Public Service Amendment Regulation (No. 1) 1997, No. 56

Public Trustee Act 1978—

Public Trustee Amendment Regulation (No. 2) 1997, No. 51

Queensland Tourist and Travel Corporation Amendment Act 1996—

Proclamation—the provisions of the Act that are not in force commence 21 February 1997, No. 31

Stamp Act 1894—

Stamp (Mortgage, Bond, Debenture and Covenant) Order 1997, No. 24

Superannuation (Government and Other Employees) Act 1988—

Superannuation (Government and Other Employees) Amendment Notice (No. 1) 1997, No. 18

Superannuation Legislation Amendment Act 1995—

Proclamation—sections 19, 28, 35 and 47 of the Act commence 14 February 1997, No. 20

Superannuation (State Public Sector) Act 1990—

Superannuation (State Public Sector) Amendment Notice (No. 1) 1997, No. 19

Superannuation (State Public Sector) Amendment Notice (No. 2) 1997, No. 50

Superannuation (State Public Sector) Amendment of Deed Regulation (No. 1) 1997, No. 42

Transport Legislation Amendment Act 1996—

Proclamation—certain provisions of the Act commence 7 February 1997 and 1 May 1997, No. 23

Weapons Act 1990—

Weapons Amendment Regulation (No. 1) 1997, No. 15

WorkCover Queensland Act 1996—

WorkCover Queensland Regulation 1997, No. 17 and Explanatory Notes for No. 17.

RESPONSES TO PETITIONS

The Clerk laid upon the table of the House the following responses to petitions received by the Clerk since the last sitting day of the Legislative Assembly, 30 January 1997—

Proposed Power Station

Response from the Minister for Mines and Energy (Mr Gilmore)—

20 February 1997

I refer to your letter dated 30 January 1997 with which you enclosed the wording of a petition presented to Parliament by Mr R Cooper MLA, with regard to the location of the Oakey power station.

Oakey Power Venturers (Oakey Power) were one of the successful bidders in the 1996 competitive bidding process. The Oakey power station is scheduled to start operations in early 2000. The site of the proposed power station contained in the bid was 4km west of Oakey at the corner of Karney Road and the Warrego Highway.

After the successful completion of the bidding process, Oakey Power undertook further studies to identify alternative sites that could offer more attractive siting conditions. One such site identified was a property located at the corner of Oakey Cross Hill Road and Tangkam Dorries Road (which is the focus of the petition). Oakey Power initiated procedures to secure town planning approval for this new site, however, opposition to this new location led to Oakey Power's decision not to proceed with the application. Therefore, Oakey Power reverted its attention to the original site at the corner of Karney Road and the Warrego Highway.

Any change of site for the power station will require town planning approval. The town planning process provides ample opportunity for community objections and views to be considered. I believe that any concerns relating to the location of the Oakey power station can be resolved within this process without the need for Government intervention.

In terms of the environmental affects of the project, Oakey Power has indicated that it will provide all noise mitigation measures necessary to meet current legal requirements and that exhaust gas emissions will meet the National Health and Medical Research Council guidelines. Furthermore, because the plant is expected to operate in peaking mode only (averaging about 5% utilisation rate) any adverse environmental impacts will be minimal.

I trust that the above information will reassure you on this matter. If I can be of any further assistance, please do not hesitate to contact my office.

St Helens Creek

Response from the Minister for Natural Resources (Mr Hobbs)—

25 February 1997

I refer to your communication of 30 January 1997 relating to petitions objecting to damming of St Helens Creek and have noted the contents of separate submissions received from the following principal petitioners objecting to the damming of St Helens Creek:

Mrs Valmai K Kay
120 The Esplanade
Grasstree Beach
M/S 283
MACKAY QLD 4740

and

Mrs Margaret June Plahn
Ms 529 MT Charlton Road
MT CHARLTON QLD 4798

As part of a plan for the development of the State's water resources to boost the economy well into the future, the Coalition Government has committed $1 billion to a Water Infrastructure Package over the next fifteen years.

Following my submission to Cabinet during May 1996, I announced the membership of a nine (9) person Water Infrastructure Task Force which was formed in response to announcement of the Coalition Government's initiative to plan the future development of the State's water resources as part of a broader strategy for the State's economic development.

The principal responsibility of the Task Force is to publicly call for nomination of water projects that warrant construction in the interest of further sustainable production and development of this State's water resources in parallel with agriculture, mining, industry, urban and environmental requirements. The Task Force has received over 380 submissions for projects with a gross value of over $8 billion. The Task Force will provide recommendations for inclusion of projects in a Water Infrastructure Development Program to be implemented over the next fifteen years.

The two petitions received are in response to submissions to the Task Force made by industry and organisations which proposed development of St Helens Creek for conservation of water for agricultural purposes. These submissions to the Task Force do not carry any commitment by the Government to proceed with development of a storage at this site even if they were to be recommended by the Task Force.

All of the projects recommended by the Task Force will be subject to endorsement by Cabinet and to detailed investigation and review by the Department of Natural Resources. Before any project can proceed to development it must pass the guidelines for economical and sustainable development and obtain the necessary Government approvals which would be based on the environmental and social issues that pertain to the site. Part of the approval process for any project proposal will be a detailed environmental study, and people opposed to the project will have the opportunity to provide input to that process.

Before giving any commitment in relation to these particular petitions, I propose to await the receipt of the Task Force report and consideration of that report with my colleagues in Cabinet.

RESPONSES TO PARLIAMENTARY COMMITTEE REPORTS

The Clerk laid upon the table of the House the following responses to Parliamentary committee reports—

Response from the Minister for Health (Mr Horan) to a report of the Public Works Committee entitled Inquiry into the Redevelopment of the Cairns Base Hospital;

Response from the Minister for Environment (Mr Littleproud) to a report of the Public Accounts Committee entitled Review of the Tabling of Annual Reports 1995-96; and

Response from the Minister for Natural Resources (Mr Hobbs) to a report of the Public Accounts Committee entitled Review of the Tabling of Annual Reports 1995-96.

FEES PAID BY CROWN TO BARRISTERS AND SOLICITORS

Return to Order

The following paper was laid on the table—

A return showing all payments by the Government to Barristers and Solicitors, stating the names of the recipients and the amounts received separately, for the financial years July 1994 to June 1995 and July 1995 to June 1996.

OVERSEAS VISIT

Report

Hon. T. J. G. GILMORE (Tablelands—Minister for Mines and Energy) (10.10 a.m.): I seek leave to table a report on my visit to Papua New Guinea on 5 and 6 February this year.

Leave granted.

OVERSEAS VISIT

Report

Hon. T. J. PERRETT (Barambah—Minister for Primary Industries, Fisheries and Forestry) (10.11 a.m.): I seek leave to table a report on my recent trip to Asia as part of a fisheries trade mission.

Leave granted.

OVERSEAS VISIT

Report

Hon. R. T. CONNOR (Nerang—Minister for Public Works and Housing) (10.12 a.m.): I lay upon the table of the House a report of my recent ministerial trip to New Zealand.

OVERSEAS VISIT

Report

Hon. M. D. VEIVERS (Southport—Minister for Emergency Services and Minister for Sport) (10.13 a.m.): I table a report on the delegation that I led to China, Thailand and Indonesia. Attached to the report are copies of agreements signed while in Asia, plus a list of proposed development projects presented to me by the Heilongjiang Provincial Government in northern China. The total value of the projects on that list is in excess of $1 billion, and I recommend that Queensland businesses obtain copies of it.

MINISTERIAL STATEMENT

World Expo

Hon. R. E. BORBIDGE (Surfers Paradise—Premier) (10.15 a.m.), by leave: I wish to report to the House on certain developments overnight towards securing a second World Expo for Queensland. I wish to report on the success we achieved at a meeting in Paris yesterday at a special general assembly of the Bureau of International Expositions. This meeting of the delegates of 40 nations overturned the last hurdle to a 2002 date for a new-style World Expo. The meeting voted overwhelmingly—39 to one—to accept legal advice that no moratorium on smaller Expos existed. The BIE executive had attempted to impose such a moratorium because it said that there were too many Expos. Australia's argument, led by Queensland as the host of the projected Gold Coast World Exposition, was that the moratorium contravened the BIE's own rules and was misplaced in any case because what the Expo movement needed was not fewer

Expos but better ones. Our superb, cost-effective and profitable 1988 World Expo was, in our view, the justification for this position.

Queensland's preferred position, backed by the Federal Government, had been for a 2002 Expo. Yesterday we won the right for BIE member nations to bid for a World Expo in 2002 ahead of the 2005 Expo already planned. As a result, we will be withdrawing our bid for 2005 and bidding instead for the innovative 2002 Expo that we always sought. The complete vindication of the policy that the State Government has adopted with support from the Commonwealth represents a great opportunity for Queensland to reinforce its place in the wider world. And it will, if Australia is now awarded a 2002 Expo, give Queenslanders and other Australians a magnificent opportunity to experience again the magic of an international Exposition. Our bid, themed around the concept of one people, one planet, was well received in Paris in December and won considerable applause. We thought that it was a winner then, and we think it is now. Finally, so does the BIE.

Honourable members would be aware that I visited Paris in early December to present Australia's bid for another Expo. Our intention then was to bid for a scaled-down Expo to be held in 2002 on a greenfield site at Coomera. The argument over the moratorium at that time made it formally impossible to bid for 2002. Australia, as a consequence, presented to the Paris meeting a proposal to host a full-scale Expo in 2005 in competition with Nagoya in Japan and the City of Calgary in Canada.

Since December, the Expo bid group, which is headquartered in Brisbane and led by Sir Llew Edwards, has been working towards acceptance by the BIE of the concept of a smaller-scale, much less expensive Expo. The team yesterday made another presentation of its conceptual plans for the Exposition at a reception addressed by Australia's Ambassador to France, Mr John Spender, and Sir Llew. Sir Llew and the Expo bid group yesterday presented what we believe is the strongest argument for Australia's bid for 2002—a cost regime that should reduce by at least 25% the total outlays of participating countries. Over the next few weeks the details of this cost reduction will be refined for formal presentation to the international Expo authorities and member nations of the BIE.

There is still a lot of work to be done. While the way is being cleared for an Expo in 2002, we should not expect that the pioneering work that we have done to achieve this essential redirection of the Expo movement will leave Australia alone in the field for this date. We welcome the friendly competition of other nations. We are convinced that our bid will be the best and the most cost effective. We are also convinced that the chosen site at Coomera will also provide Queensland after the Expo with a hub of an exciting new dimension in integrated urban planning and new opportunities for high-technology enterprise.

The December visit that I made to Paris was preceded by a short visit to London where, in addition to seeing members of the British Government on Expo and other matters, I had the opportunity to renew Queensland's official links with business circles and look at the operations of Queensland House and the office of the Agent-General. I also met business people in Paris who are interested in building commercial links with Queensland. This process was much assisted by the stronger focus that the London office now places on operating as Queensland's European representative office.

I am pleased to report that Queensland's profile in Europe as a trading partner and investment opportunity is steadily rising. I pay tribute to the officers and other operatives we have working in that region. It is an important element in the Government's policy of broadening trade and investment links around the globe. I can report that, in relation to investment in Queensland infrastructure and the development of air links, the picture is encouraging. In addition to revitalised ties with France itself, the growing economic, educational and social links that we have created with New Caledonia under the agreement signed last year with the several authorities in the territory are a matter of some interest in Paris in both the political and business fields. I emphasised both informally in discussions and formally through a speech that I gave at the Australian business breakfast in Paris that Queensland regards France and its territorial administration in New Caledonia as friends and partners. For the information of honourable members, I table a copy of my 12 December address to the Australian business breakfast in Paris.

MINISTERIAL STATEMENT

Charter Flight to Thursday Island and Palm Island

Hon. R. T. CONNOR (Nerang—Minister for Public Works and Housing) (10.17 a.m.), by leave: I rise to report on a

Government charter flight to Thursday and Palm Islands. With me on the flight were metropolitan media representatives and Mr Tony Cavanaugh from the Liberty and Beyond production company. The trip was to maximise publicity for my department's cause in relation to ATSI funding.

Some time ago, I developed a book that is to be scripted and produced by Liberty and Beyond. This film contract is properly listed in the MLAs' parliamentary register of pecuniary interests. Subject to the contract, I have attended a workshop and a church memorial service. Prior to the flight, I engaged in a pedestrian conversation with Mr Cavanaugh, and he expressed an interest in producing a documentary on ATSI communities. The flight, which was a routine exercise involving the media, occurred some time later.

Just prior to the scheduled departure, three media organisations withdrew from the trip. On my behalf, Mr Cavanaugh was invited on the flight only on the grounds that the plane had three seats unfilled. Mr Cavanaugh was asked to pay all his own costs. He confirmed that arrangement in his letter dated 7 February. I table that letter. I asked for this personally signed account from Mr Cavanaugh, but I did not seek to influence its contents. Before the offer was made, I was anxious to guarantee due process. My office was asked to check the matter with the department and report back. This fact is borne out in a diary note dated 21 January, two days prior to the trip, from the then Acting Director-General, Mr Mal Grierson, which I now table. The Acting Director-General stated that as there was no additional cost incurred because there were spare seats on the aircraft, the person from Liberty films could accompany us on the visit. That person, the diary note states, would obviously meet all personal costs, such as accommodation, meals, etc. Tony Cavanaugh was presented with a bill and paid more than $1,800.

That brings me to the Opposition's question on notice. That film company has brought prestige and employment to this State. The fact that a principal of such an important industry as this would be used by Labor as a political football concerns me. I made contact with the Opposition to provide the relevant information and documents without embarrassment to Liberty and Beyond. Clearly, Labor was happy to target me personally. But to involve Liberty and Beyond and to blacken its name is a very bad path for us to be taking.

An invoice for the trip was sent to Liberty and Beyond on 10 February, only a day or two after the office received its account from Ansett. Only when the invoice was presented by the aircraft operators could the costs incurred by Mr Cavanaugh be determined and presented for payment. I table the invoice. The record shows that, when the bill was presented, it was forwarded, and Liberty and Beyond paid by cheque dated 21 February. I table a copy of the cheque.

If all journalists had accepted their invitations to travel, the aircraft would have been full and the matter would not have arisen. On board that aircraft were media representatives from SBS, the Australian newspaper, Channel 7 and the Australian Broadcasting Corporation. Mr Cavanaugh's reason for travelling was an open book with all of them.

In closing, I accept the criticism of the coalition leaders, who are rightly concerned that although there was no impropriety in this case, questions arose that led to a poor public perception. Government-assisted location scouting is not a matter that comes within my portfolio, although it has been common practice in Queensland under the former Labor Government and the coalition. At the time, I viewed Mr Cavanaugh's interest not as an exercise in location scouting but as an opportunity to promote important issues within my own area of ministerial responsibility. In future, I will not refer approaches from TV or film producers to my department but to the appropriate officers in the Pacific Film and Television Corporation. For the benefit of members, I table a comprehensive report.

BUSINESS PAPER

General Business—Notices of Motion

Mr FITZGERALD (Lockyer—Leader of Government Business) (10.21 a.m.), by leave, without notice: I move—

> "That notwithstanding anything contained in the Standing and Sessional Orders for the remainder of this session, all General Business—Notices of Motion appearing on the Business Paper, including those already appearing, shall be deleted from the Business Paper after the expiration of one month from the day on which notice is given."

Motion agreed to.

COMMITTEE REPORTS

Sessional Orders

Mr FITZGERALD (Lockyer—Leader of Government Business) (10.22 a.m.), by leave, without notice: I move—

"That the Sessional Orders adopted by this House on 2 April 1996 be amended by providing—

(a) On presentation of a committee report, the Member presenting the report may make a statement to the House for a period not exceeding 5 minutes and a notice of motion may then be given that the House take note of the report on Thursday next.

(b) On each Thursday, following Private Members Bills and prior to Question Time, notices of motion for the noting of reports may be moved and debated without amendment.

(c) Members may speak on any such motion for 3 minutes."

Motion agreed to.

SCRUTINY OF LEGISLATION COMMITTEE

Report

Mr ELLIOTT (Cunningham) (10.23 a.m.): I lay upon the table of the House the Scrutiny of Legislation Committee's Alert Digest No. 2 of 1997, and move that it be printed.

Ordered to be printed.

CRIMINAL JUSTICE COMMITTEE

Reports

Hon. V. P. LESTER (Keppel) (10.23 a.m.): I lay upon the table of the House the CJC publications titled "Criminal Justice Commission—summary of activities for November, December 1996 and January 1997" and "Gold Coast district negotiated response trial: survey findings". The committee is tabling these documents as it believes that it is in the spirit of the Criminal Justice Act that all non-confidential publications by the CJC be tabled in the Parliament.

However, the committee stresses that it has not in any way conducted an inquiry into the matters that are the subject of these publications, and that it is the CJC that has determined that these publications are not "reports of the commission" for the purposes of section 26 of the Criminal Justice Act.

I also lay upon the table of the House, pursuant to section 4.7(4) of the Public Service Administration Act 1990, the report of the Commissioner of the Police Service, Mr J. P. O'Sullivan, being a certified copy of the register of reports and recommendations made to the Minister for Police and Corrective Services and the Minister for Racing, the Honourable Russell Cooper, MLA, under section 4.6(1)(A) of the said Act, including all ministerial directions given in writing to the Commissioner for 1996 pursuant to section 4.6(2) of the Act, along with the report of the Chairman of the Criminal Justice Commission, Mr Frank Clair. Mr Clair reports that he has no comments to make in respect of the register. I advise that the report was received by the committee on 3 February 1997. It is therefore tabled within the prescribed period of 14 sitting days, as prescribed by section 4.7(4) of the Act.

OVERSEAS VISIT

Report

Mr WELFORD (Everton) (10.25 a.m.): In accordance with the terms of approval given by the Premier, I table a report on my recent overseas travel.

MEMBERS' ETHICS AND PARLIAMENTARY PRIVILEGES COMMITTEE

Report

Ms WARWICK (Barron River) (10.25 a.m.): I lay upon the table of the House Issues Paper No. 2 by the Members' Ethics and Parliamentary Privileges Committee on the sub judice convention.

NOTICES OF MOTION

Leading Schools

Mr BREDHAUER (Cook) (10.25 a.m.): I give notice that I shall move—

"That this House expresses its concern at the uncertainty that has been created among parents, the teaching profession and the community at 'Leading Schools', the Borbidge Government's planned radical restructure of Education Queensland.

In particular, we note—

(1) that the restructure will lead to 400 job losses, 300 in regional Queensland;

(2) major uncertainty about whether the Government will provide schools with adequate resources to deal with the avalanche of bureaucracy which is about to descend on schools; and

(3) widespread anxiety that the proposed restructure will mean some schools are well resourced and better equipped to deal with the needs of their students while other schools, especially smaller schools, are forced to cope with a diminishing share of Queensland's educational resources.

Further, we call on the Minister to delay the implementation of 'Leading Schools' until schools are guaranteed adequate resources to cope with any changes and the equitable distribution of all education services to all Queensland students."

Disallowance of Statutory Instrument

Mrs EDMOND (Mount Coot-tha) (10.26 a.m.): I give notice that I shall move—

"That Sections 68, 164, 176 and 263 of the Health (Drugs and Poisons) Regulation 1996 be disallowed."

PRIVATE MEMBERS' STATEMENTS

Performance of Coalition Government

Mr BEATTIE (Brisbane Central—Leader of the Opposition) (10.27 a.m.): In the very week that scientists in the UK announced that they had successfully cloned sheep, this coalition Government unveiled its own cloning: the attempt to clone Sir Joh Bjelke-Petersen. The features were familiar and they were similar: political interference in the appointment of senior judges—this time to the High Court—and a willingness to ignore the Constitution as it relates to appointment of Senate replacements. However, what was missing was the leadership gene. Unfortunately for the Nationals, Sir Joh's little "Sir Echo" is just not up to it.

The Premier was at the coalition's Coolum love-in announcing that there would be no golf, while the Minister for Family Services was announcing to the press gallery that it was hot out on the course. The Premier announced the speed-up of the Capital Works Program, just as he did on 9 November 1996, 25 November 1996 and again on 1 February 1997. He is now so unable to get his way with Cabinet Ministers that the Nationals have to go to ministerial staff to get some work done. National Party President, David Russell, was taken to a $290 lunch at Augustines by the Minister for Health's staff so that they could finally get something done in Health. I table the bill for that lunch.

The Premier said that Ministers could not go on any more overseas trips. They have been tripping over each other at the international airport departure lounge trying to get out of the place. A spokesman for the Treasurer told us that, as long as the travel was for business, that was okay. What other sort of ministerial travel is there? Time is running out for Government members. They know that the writing is on the wall. They are trying to make the best of it while they are in office. Bjelke-Petersen was never that weak.

Time expired.

Mr SPEAKER: Order! Time has expired. It is now question time.

QUESTIONS WITHOUT NOTICE

Mr T. Cavanaugh

Mr BEATTIE (10.29 a.m.): I refer the Treasurer to her statement of 25 February clearing her Housing Minister of any wrongdoing for taking Liberty and Beyond film producer Tony Cavanaugh on a taxpayer-funded ministerial trip to Thursday Island on 23 and 24 January. I ask the Treasurer: exactly what document did she see that supports the Minister's claim that Mr Cavanaugh was asked to pay his share of the charter costs before the Opposition first raised this matter on 30 January?

Mrs SHELDON: As the Leader of the Opposition knows, all of these questions have been answered. His question shows the poverty of the content of his questions for today. I thought that, with the coming of a new year, we would have a bit of oomph from the Opposition, but instead we have nothing.

When this matter came to my attention, which was on the morning of a Cabinet meeting, my officers went over——

Mr Beattie: Why are you covering up for him?

Mrs SHELDON: The Leader of the Opposition asked the question; would he like to hear the answer? My officers went to Mr Connor's office and spoke to departmental persons, including the deputy director-general who had signed the allocation to allow this gentleman to go on the plane. The word from the deputy director-general was that, indeed, there was the full intention of this person to pay his fare, all his accommodation and expenses.

Mr Beattie: Did you see any proof? You still haven't answered the question.

Mrs SHELDON: I said this at a press conference well over a month ago. As the Leader of the Opposition does so often, he is just trying to beat up something that I am afraid is already dead.

Mr T. Cavanaugh

Mr BEATTIE: I understand what happened in Brisbane on Saturday. I refer the Minister for Public Works and Housing to his visit to the Torres Strait on 23 and 24 January and his claim that Tony Cavanaugh agreed to pay his share of the $18,050 Thursday Island flight cost before the Opposition raised the matter on 30 January. I ask the Minister: as none of the documents tabled today by him, which we have read, show that, will he now table in this Parliament documentary proof that this happened?

Mr CONNOR: I presented a very comprehensive report to the House not 10 or 15 minutes ago, and also tabled a number of documents which quite clearly show——

Mr BEATTIE: I rise to a point of order. The Minister is misleading the House. I have indicated already in my question that his documents have not been tabled.

The SPEAKER: There is no point of order. The Minister is answering the question. I call the honourable member for Warwick.

Mr BEATTIE: I rise to a point of order. We know that this Government has no standards. Is this Minister going to continue to treat this Parliament, and the people of Queensland, with such arrogance and contempt? It is a disgrace, an absolute disgrace!

Mr SPEAKER: There is no point of order. The Leader of the Opposition asked the question and the Minister answered it. The Leader of the Opposition can pursue the matter further in another forum. I call the honourable member for Warwick.

June Election

Mr SPRINGBORG: I ask the Premier: yesterday the Opposition Leader was reported as saying that the results of the local government elections at the weekend have forced the Premier to scrap plans to announce an early election to be held in June. Could he advise the House if he has decided not to announce a June election?

Mr BORBIDGE: I thought that the Opposition might be interested in the reply. It is an intelligent question, and I ask honourable members to listen carefully. The answer to the honourable member's question is, "No." I have not decided not to announce an election on that date because I was never going to announce an election on that date.

We saw from the Leader of the Opposition yesterday Queensland early election alert No. 23. He averages about two a month. The problem is that the Leader of the Opposition has developed a phobia about early elections. It is simply repetitious panic. If members were to believe the Leader of the Opposition, at various times the Government has planned early elections for a variety of reasons: we were afraid to bring down a Budget; we wanted an election before our first Budget because we had made too many promises; then we wanted an early election for a confrontation with the unions about industrial relations. There was no election. Then in September last year, we were going to have an election because of the Carruthers inquiry. The Opposition Leader went into red election alert. He put the ALP on what he called a "war footing". However, there was no war. So it was back to the Budget. By September, the Opposition Leader was convinced that we had changed our minds on the Budget, that we had got on top of our fear and that we were actually going to have one—that is an election, not a Budget—and that it was going to be an election Budget.

So when the Budget came and went without an election, the new trigger, still in the month of September last year, was workers' compensation. That did not work. So the next trigger was going to be the Lytton by-election. That did not happen. So the next trigger for an election was going to be Wik. Then by January, on warning No. 19, it was a double-header: we were informed by the Courier-Mail—

> "Beattie has already written a back-up script if his Wik plot falls through.
>
> If the Premier does not use Wik as a trigger, we believe he will try to bribe voters with a give-away Budget on May 27 and go to the polls immediately afterwards."

To ensure that I have not misrepresented the Leader of the Opposition, I thought that I should check the dates on which he has predicted an election. They are: 9 April 1996, again on 16 April, then again on 17 April, then on 7 May he predicted it twice—that was a big day—then we had a bit of a break; the Leader

of the Opposition did not predict an early election until 11 June. He again predicted an early election on 31 August. Then he predicted one on 1 September. The Sunday Mail stated—

> "The ALP has moved onto a war footing . . .
>
> A meeting of party heavies including Peter Beattie . . . Jim Elder . . . Mike Kaiser and . . . Don Brown took place on Friday . . . for what . . . party figures are convinced will be an early election in the wake of proceedings at the Carruthers inquiry."

On 2 September, the Leader of the Opposition predicted an early election, then again on 12 September, 16 September, 17 September—and then again on 17 September—2 October and 8 October. Then we had a break for a while; the Leader of the Opposition did not say that we were planning an early election until 7 November and then again on 9 December. On 18 January, the Courier-Mail stated—

> "Mr Beattie told party members at a dinner in Yeppoon on Thursday night: 'If you look at the way Borbidge behaved in Normanton on the Century Zinc issues and you examine the way he and his Ministers are positioning themselves on the Wik issue, the similarities are obvious. We believe he is trying to engineer a situation where the Government's provocative and confrontational decisions will result in an impasse where he says an election has to be called."

Then again on 18 January the Leader of the Opposition made the prediction. On 3 February 1997, the Courier-Mail stated—

> "The Opposition believes an election could be held this year."

Then on 5 February 1997, the Courier-Mail stated—

> "Queensland was embroiled in a 'phoney war' as the Borbidge Government prepared for an early state election Opposition Leader Peter Beattie said yesterday."

Then we had the prediction at the weekend. So we have now had 22 early election warnings from the man who stood in this place and demanded that the Parliament run its full term.

I want to assure the Leader of the Opposition that the Government is getting on with the job. He is getting a bit like the boy who cried wolf. Every time he has predicted an early election, his credibility has suffered, and suffered, and suffered. Twenty-two times he has predicted an early election and has sought to work his program of political instability in this State. Twenty-two times the Leader of the Opposition has been wrong. The record of the Leader of the Opposition speaks for itself.

Mr T. Cavanaugh

Mr ELDER: I refer the Minister for Public Works and Housing to his recent trip to the Torres Strait and the documents that he tabled this morning. I refer the Minister also to the diary note on 22 January noting the fact that those three media outlets were unable to accompany him on his visit. I then refer the Minister to the diary note on 21 January from Mal Grierson, and I ask: how could Mr Grierson have approved the trip knowing there were vacancies when quite clearly that vacancy was not outlined until the diary note of 22 January?

Mr CONNOR: Members of the media were sent a notice that they were to get back to the department by 5 p.m. on the 21st. As I understand it, it was after that time on the 21st that they went to see the acting director-general.

Employment Growth

Mr CARROLL: I refer the Deputy Premier, Treasurer and Minister for The Arts to today's front page of the Courier-Mail, which carries a story with the headline "State's jobs outlook brighter", and I ask: will she inform the House of the basis for that claim?

Mrs SHELDON: I thank the member for his question and for his obvious interest in job creation in our State. I will quote a number of independent reports which show the very positive moves that are being made in our State. Firstly, I refer to the Access Economics forecast report which has been released recently. This is the second report in just over a month which forecasts Queensland's jobs outlook as the best of all the States. That is really good news.

In that report, Access Economics forecast that employment growth in Queensland would exceed that of all other States over the next two years, with a growth of 2.1% for 1996-97 and 3.6% for 1997-98. This is the best jobs outlook for all the States for 1996-97 and 1997-98. I am sure that even the Opposition would be very pleased to see this positive jobs growth in our State.

Yesterday's Access Economics report followed the National Australia Bank's Quarterly Business Survey, which was released in February, in which Queensland's record——

Mr Elder: It's only the Treasurer who's holding it back.

Mrs SHELDON: It would be nice if the Deputy Leader of the Opposition was interested in jobs growth, but, unfortunately, we know that he is only a negative, whingeing harper who is not interested in any positive results for our State.

The National Australia Bank's Quarterly Business Survey, which was released in February, showed that Queensland had the highest expectation of any State for employment for the March quarter of 1997. The survey revealed that 82% of Queensland respondents expect to maintain or increase their employment levels over the March quarter.

The third piece of good news came in the February Yellow Pages Small Business Index, which revealed an improvement in Queensland business conditions over the three months to January 1997. Perceptions of the Queensland economy a year from now were extremely positive, with 45% of respondents anticipating an improvement in conditions. Again, this is the highest of all Australian States.

The Access Economics report also forecast that Queensland's real gross State product growth of 5.4% will be the best of all the States in 1996-97. To compare Queensland's real gross State product forecast of 5.4% with that of other States—New South Wales was the next highest at 4.4%; Victoria, 2.8%; Western Australia, 3.5%; South Australia, 1.6%; and Tasmania, 1.7%.

The fourth very positive indicator is that the ANZ job ads survey for February shows a 4% increase for Queensland in seasonally adjusted terms, compared with the national increase of 1.8%. The fifth very positive point is that the ABS labour force figures released last week showed that, under the coalition, 7,900 more Queenslanders were employed in February. The figures also showed an improved unemployment outlook, with a decrease in the unemployment rate from 10.3% to 9.7%. An analysis of the ABS data showed that 26,000 jobs, or 25,900 to be exact—24.5% of all jobs in the nation—have been created in Queensland in the first year of the coalition Government.

Mr Hamill interjected.

Mrs SHELDON: This shows that Queensland is on the rise and that we have some very positive indices. It is very unfortunate that the shadow Treasurer and the Leader of the Opposition are not backing Queensland on this. As usual, we hear negative whingeing and harping from them. They do not really want to see our young people find jobs and they do not want to see our State improving and running ahead of the rest of the nation. We are the premier State and we intend to stay that way. Our coalition policies are really creating jobs.

Mr T. Cavanaugh

Mr MACKENROTH: I ask the Minister for Public Works and Housing: if the Minister was so mindful of a conflict of interest in taking Tony Cavanaugh on a ministerial trip to Thursday Island, why did he promise Cavanaugh that he could accompany him on a ministerial trip to Europe which would include a stop over at the Cannes Film Festival on the French Riviera?

Mr CONNOR: That is totally untrue. I had nothing to do with that. That is a total fabrication.

Land Tenure

Mr MITCHELL: I refer the Premier to the Opposition Leader's recent criticism of the Government in not negotiating the right to process in relation to mining projects, as the Western Australian Government has done consistently, and I ask: is the Opposition Leader's criticism valid?

Mr BORBIDGE: I welcome the opportunity to educate the Leader of the Opposition in respect to the differences of land tenure around Australia. To justify his criticism of the Government, the member for Brisbane Central recently said on ABC radio—

> "What's the difference between Queensland and Western Australia in this lease area? The answer to that is . . . virtually nothing."

The Opposition Leader has managed to get a degree in ignorance because he is factually incorrect in respect of land tenure in Western Australia, which differs to that in Queensland.

Mr Beattie interjected.

Mr BORBIDGE: If the Leader of the Opposition is prepared to listen, I might be able to help him out a little.

The issue of the differences between leases in Western Australia and Queensland

goes to the very heart of the decisions that were taken not only by this Government but also by the former Labor Government in respect of section 29 notices. The fact is that until the judgment of the High Court in Wik, the law had been interpreted by lower courts up to and including the full Federal Court to be that, when it came to native title, there were in fact crucially significant differences between pastoral leases in various States. The situation in Western Australia is that there has always been a clear acceptance of the fact that pastoral leases in that jurisdiction did contain reservations in favour of Aboriginal people retaining some degree of access to pastoral land. If one looks at the history of leasehold land in Western Australia, which clearly the Leader of the Opposition was not prepared to do, with the exception of a few leases issued during the 1930s, leasehold land in Western Australia by and large has included and incorporated that access principal. That circumstance made it inevitable that the Western Australian Government would have to issue section 29 notices, bringing into play the right to negotiate processes of the Native Title Act.

On the other hand, in Queensland right up till the Wik decision it was generally recognised by the previous Labor Government as well as the coalition Government that there were no reservations in favour of Aboriginal people in relevant land Acts or in the terms of leases. Advice on that point convinced the Government of which the Leader of the Opposition was then part that it ought not engage the right to negotiate process where there was a mining lease application. There was no basis for a claim and therefore there was no reason to engage the right to negotiate process. That policy was adopted and it was maintained consistently by the former Labor Government. When we came to office, we agreed with it. To have engaged the right to negotiate process in Queensland before the Wik decision was handed down would have been to agree with the proposition that potentially valid native title claims could have been made over pastoral leasehold land in this State. The Government ultimately issued section 29 notices and engaged the right to negotiate process in relation to Century, and we know what happened there.

I would also bring the attention of honourable members opposite to the fact that, if they think going down the section 29 route is the way to go, they should look at what has happened in Western Australia, which has decided to pursue that option. Absolutely nothing has come about; it has been an abysmal failure.

In reply to criticism made by the Leader of the Opposition, I wish to quote the comments of Mr Michael Pinnock, from the Queensland Mining Council, on the Cathy Border program of 13 March when the issue of the initial freeze by the Government was raised. The transcript reads—

> "Border—Are you still wondering why this happened in the first place?
>
> Pinnock—No. It was clear why it happened in the first place and we entirely understood the Government's initial reaction, why they took stock and some legal advice, because the Wik decision did mean that 85% of Queensland land became claimable, doesn't mean to say it will actually be claimed as opposed to 8% previously and that meant a complete change in the approach to the land management."

If we had gone down the path that the Leader of the Opposition advocated and we issued everything willy-nilly, the potential compensation claims would have been horrendous for the State of Queensland. In consultation with the Commonwealth, as it developed its response to native title, we put in place a risk management strategy so that we could start to free up certain approvals where it was possible to do so. I make the point that at the briefing which peak industry groups received last week they accepted the legal advice and the proposition of the Government——

Mr BEATTIE: I rise to a point of order. I challenge the Premier to table his legal advice—the legal advice that put Queensland on freeze.

Mr SPEAKER: Order! There is no point of order. The member will resume his seat.

Mr Beattie: If it is so good, table the advice.

Mr BORBIDGE: The first thing the Leader of the Opposition would do would be to give the advice to his mate Pearson and the Cape York Land Council. That is why he wants our legal advice. There was a full legal briefing.

Mr Beattie: Table the legal advice.

Mr BORBIDGE: If I could trust the Leader of the Opposition, I would table it.

Mr BEATTIE: I rise to a point of order. I find those remarks from a man who has difficulty understanding the truth offensive, and I ask that they be withdrawn. Why does

the Premier not stop being a wimp and table the legal advice?

Mr SPEAKER: Order! The Leader of the Opposition has found the remarks offensive.

Mr BORBIDGE: Straight from the John Singleton academy—shave off the mo and talk tough! The simple fact is that the Leader of the Opposition cannot be trusted. He has been silent on native title and Wik and has done nothing constructive to help——

Mr BEATTIE: I rise to a point of order. The Premier is deliberately misleading the House. I wrote to the Prime Minister outlining our position on Wik, and the Prime Minister had the decency to reply.

Mr BORBIDGE: I am glad that the Leader of the Opposition raised the issue of the letter to the Prime Minister, because I wish to read something into Hansard. A letter to the Prime Minister that I have states—

"Dear Prime Minister

I understand that Mr Peter Beattie, Leader of the Opposition in Queensland, has written to you regarding his preferred options for addressing Native Title issues flowing from the Wik decision of the High Court.

The letter refers to his meeting with representatives of, inter alia, the rural sector.

The United Graziers' Association of Queensland, the Queensland Graingrowers' Association and the Queensland Farmers' Federation yesterday met with Mr Beattie to convey our policy in relation to this issue.

The Associations' unequivocal policy is that the legislation must be amended to clearly provide that pastoral leases extinguish Native Title. This policy was clearly put to Mr Beattie.

The Associations do not support the position put by Mr Beattie and advised him that we do not believe his proposal would resolve the problems."

This letter is from Larry Acton, President of the United Graziers Association, Ian Macfarlane, the President of the Queensland Graingrowers Association, and Lex Buchanan, the President of the Queensland Farmers Federation—the very people the Leader of the Opposition sold out. He betrayed them to such an extent that they had to write to the Prime Minister and say that they rejected the Leader of the Opposition's position.

Native title and Wik are a litmus test for the Leader of the Opposition, and he has failed it. He was part of a Government that said that pastoral leases extinguish native title. That is how he sold the deal. That was part of the deal signed off. The member for Logan signed off the deal with Mr Keating, Noel Pearson and Senator Kernot. That was part of the deal for the $1.4 billion National Land Acquisition Fund: pastoral leases extinguish native title.

The Leader of the Opposition, who has been running around the bush saying that his is a new-look Labor Party, that it has learned the lessons of the past, that it is not going to close down a third of Queensland like it was going to do when in office and that it is not going to close down services in the bush, has betrayed the people of Queensland on the most fundamental issue confronting them today, and that is the security of land tenure.

The Leader of the Opposition has been ducking the issue for weeks. He knows what the mood is not just in the bush but also in Labor Party electorates. He knows that people have had an absolute gutful of the Aboriginal land rights industry in this State and nation. He knows that the Labor Party promised that pastoral leases would extinguish native title. Labor betrayed that trust. The Leader of the Opposition's views on this issue are not only rejected by the majority of Queenslanders; in a letter to the Prime Minister they have been rejected by the peak industry groups in this State.

Proposed Bracken Ridge Neighbourhood Centre

Mr NUTTALL: In directing a question to the Minister for Families, Youth and Community Care, I refer to his letter of 29 November last year to me concerning the Bracken Ridge neighbourhood centre in which he advised that "there are no departmental funds to assist with any relocation or provision of new premises". I table that letter. I also refer to the article in the Bayside Star of 5 March this year in which the Minister's director-general, Allan Male, stated that he would look favourably at funding a Liberal Party election promise to fund the project, and I ask: how does the Minister justify his director-general's partisan and improper intervention in a political campaign on behalf of the Liberal Party?

Mr LINGARD: There were enough funds for 10 new neighbourhood centres when I came in as the Minister for Families, Youth and Community Care. I immediately

announced five of those centres for the year, which used the amount of funding that we had. Certainly I was correct in saying that no more money was available. Those five neighbourhood centres were announced. The member might recall that many of those went to ALP electorates, because that is what was recommended. There will be funds in the coming Budget for extra neighbourhood centres. Clearly, that is what my director-general was referring to.

School-Based Policing

Ms WARWICK: I direct a question to the Minister for Police and Corrective Services. Funding was allocated in the 1996-97 Budget for the trialing of school-based policing. I ask: can the Minister inform the Parliament of the progress of this crime prevention initiative?

An Opposition member interjected.

Mr COOPER: I get around all over the place, old son—all over the State. There are plenty of things to do out there. There are five school-based constables, and they are proving to be a very——

Mr Barton: No problems anywhere else.

Mr COOPER: The member can speak for himself. Ye gods! How the hell can he open his mouth and talk about police numbers? Labor's record is a disgrace. Its record is on the record. All we are doing is going up as far as police numbers are concerned.

Mr Borbidge interjected.

Mr COOPER: Labor actually spent about $1.5 billion over about two or three Budgets on police, but the numbers went down by 79. Members opposite are top managers! We have the numbers coming through. We will have the member spinning around the Townsville Police Academy, if he wants to come. He reckons it is no good and he would like to close it, but he will get an invitation to come to the induction on 28 April. I hope the member will be there. Will we see him there?

Mr Barton: I'll be there.

Mr COOPER: Good! Having knocked it and condemned it, now he is going to come up and eat their biscuits and lamingtons and have a cup of tea and sneak around the back of the tent, as he did last time, and say, "Isn't this terrible." That is exactly what he did last time. He denigrated it and knocked it but like a great buffoon he stood up there before the television cameras to make out what a great fella he is. But that is not all. The member is going to get giddy going around Oxley, because throughout this year there will be endless police inductions. Another 39 recruits went in yesterday. They are constantly going in, and they will constantly be coming out. The numbers are good.

As to the school-based policing program—$250,000 was put aside for a pilot program for five school-based constables.

Mr Dollin: How many in Maryborough?

Mr COOPER: The member can get behind us if he likes and support the expansion of the scheme.

Mr Nunn: We are.

Mr Dollin: We are.

Mr COOPER: Terrific! That is good to hear. There should be a bit more support from members opposite, because all they do is knock and say how terrible things are. Whenever we undertake progressive initiatives such as this, they knock them.

Mr Nunn: Keep your promises; we're right behind you.

Mr COOPER: I am glad to hear it. Good on you, Bib and Bub! I welcome that support. It is terrific. It was good to see the honourable member up there the other day, too.

As to the program—trials are taking place in five school communities. They are the Redbank State High School at Redbank and the Kalkadoon State High School and the Mount Isa State High School in Mount Isa. I have been up there. She is going well, as is the officer at Redbank. There are five constables, and I believe four of them are females. They are really excelling themselves. They are really slipping into this program, which is excellent. It is really working well. The Smithfield State High School is participating in the program. Of course, the member for Barron River would know that school well because it is right in her territory. The Hervey Bay State High School and the Urangan State High School also have the benefit of a school-based constable.

The program is designed to reduce the incidence of crime and victimisation in participating schools. It is also designed to promote positive relationships between police and members of the school community—the parents and citizens, the teachers, the staff, the whole lot. The Department of Education nominated the schools. The police responded by training up to 20 of these constables, and five were selected to undertake the program in the initial stages. The program commenced on 1 February, and it is working extremely well.

Those constables are operational police, so every time one goes into one of these schools, that is an extra police officer going into that area, plus a car. It is improving and enhancing in a positive way, a crime preventive way, one of those positive initiatives that we are encouraging and are going to continue to encourage. It is great to see these things as they work. The quality and type of constables going into these jobs is something to be seen. It is excellent and it is really encouraging.

Mrs Edmond: We'd love to see some police in The Gap.

Mr COOPER: They do not look anything like the member. They are 10 times better than her! I would not like to go into a school with her as a school-based constable. It would frighten the daylights out of me!

Still on a positive tack—in consultation with teaching staff and with the school community, these constables are actually participating in part of the curriculum. They are taking students for various periods throughout the week. They are teaching them an understanding of legal processes and the difference between right and wrong and the role of police in the community. They are developing students' awareness of the harms related to the misuse of alcohol and drugs.

Mr Gibbs interjected.

Mr COOPER: I know that that would not interest you, because these things are positive and they are intelligent—something you are not.

Mr SPEAKER: Order! There is too much noise in the Chamber. I ask the Honourable the Minister when interjecting across the Chamber to refer to members as the honourable member for whatever district they represent.

Mr COOPER: Thank you, Mr Speaker.

Mr Hamill interjected.

Mr SPEAKER: Order! I now warn the honourable member for Ipswich under Standing Order 123A for persistent interjecting.

Mr COOPER: These education programs are also designed to equip students with the necessary skills to avoid dangerous and threatening situations. A lot of young people need such skills, and it is great to get that familiarisation between the police and young people as well as the community. This is called community policing, and it is community policing at its best. It is going to continue. The education program will also contribute to developing an understanding of the consequences of crime and antisocial behaviour, and it is also aimed at reducing the impact of road trauma by promoting road user responsibility and safety.

This program is working, and working well. It is a pilot program. It will be assessed and reassessed along the way. Come October this year, a decision will be made as to whether to expand the program. As we are finding out in many other areas, people actually want to be part of these positive initiatives. We are even starting to get support from a few members on the other side of the House, which is encouraging. We are deadly serious about doing something about crime prevention. We want to attack crime at the front end, not just the back end with more police and more prisons, which we are doing, but we want to implement more crime prevention strategies. This is one instance only of it working well, and we are going to see a hell of a lot more of it.

Code of Conduct, Department of Families, Youth and Community Care

Ms BLIGH: I refer the Minister for Families, Youth and Community Care to his previous answer and direct him to the recently released code of conduct for his department, which states at page 28—

> "You should be aware that party political, professional and trade union activity, especially by officials who are senior enough to be identified by the public, can give rise to perceived conflicts of interest or loyalties. You should ensure that you do not make improper use of your position as a public official in any of these activities."

I ask the Minister: has he taken steps to discipline his director-general for his blatant breach of the Minister's own department's code of conduct, or is this code utterly worthless?

Mr LINGARD: One of the positive thoughts of this Government is that we will support neighbourhood centres. There are some really excellent ones, and Deception Bay would be a typical example of where we have a very positive neighbourhood centre concept. Recently the member for Archerfield, Mr Ardill, came to see me about Acacia Ridge's neighbourhood centre, and I have supported it completely. I would be most disappointed if my director-general went out to see a proposal for a neighbourhood centre and did not say that he supported the concept, which is exactly what he said.

Surgery on Time

Mrs GAMIN: I ask the Minister for Health to highlight the coalition Government's success in reducing Category 1 elective surgery waiting times?

Opposition members interjected.

Mr HORAN: I thank the honourable member for her question and commend her on her continuing interest in health. Obviously, the Opposition is just devastated by the success that the coalition has had with Surgery on Time. First of all, what did we have from——

Mr Livingstone interjected.

Mr HORAN: There was a little interjection from the member for Ipswich West about operating on the waiting lists. Yes, 3,800——

Mr Livingstone: Tell us about the pensioners.

Mr HORAN: —if I can get a word in, Mr Speaker.

Mr SPEAKER: The member for Ipswich West! Order!

Mr HORAN: For the benefit of the honourable member for Ipswich West, I point out that 3,800 extra operations in emergency and elective surgery have been undertaken by this Government in the first six months of this financial year. That is over and above what the former Government did.

Mrs EDMOND: I rise to a point of order. Category 1 used to apply only to elective surgery. At the Minister's direction, they are now including emergency surgery.

Mr SPEAKER: Order! There is no point of order. The member will resume her seat. I call the Minister.

Mr HORAN: What absolute rubbish that is, just like the rubbish we heard the other day when we announced a $66m addition to the Royal Brisbane Hospital complex. When we were over there announcing the earth works, which are now under way, and the central energy plant, which is under way—a $34m project—people asked the honourable member for Mount Coot-tha for her comments. She said that the Labor Government would have started this two years ago. How stupid can you get? Two years ago was March——

Mrs EDMOND: I rise to a point of order. This Minister is repeating lies. I did not say that. I said as a result of their interference it was running two years behind schedule. He knows that. He used the Labor Party's model, the Labor Party's planning and he is just running two years behind schedule.

Mr SPEAKER: Order! The Minister is answering a question.

Mrs EDMOND: He is misleading the House deliberately. It is untruthful; I find it distasteful and I ask for it to be withdrawn.

Mr SPEAKER: Would the Minister withdraw?

Mr HORAN: I am happy to withdraw that.

Mr SPEAKER: Order! Now I ask the honourable member for Mount Coot-tha to withdraw the unparliamentary remark that she made in relation to the Minister when she rose on a point of order. The honourable member indicated that the Minister was lying.

Mrs EDMOND: I withdraw it.

Mr SPEAKER: I thank the member. I now ask her to resume her seat.

Mr HORAN: I do withdraw that. I will use her exact words. She said, "They were two years behind schedule." Two years ago, which was March 1995, what was there? Absolutely nothing! What have we done? We have put into place the consultancies and the projects. Under us, things have actually started. A $34m project is under way at the moment for all the central energy plants; the demolition of major buildings is starting there at the moment; the multilevel 1,000 vehicle car park contract has been let and work is commencing. It is all happening under us. Two years ago, according to her, absolutely nothing had happened. No wonder she is in the position that she is now in.

I will get back to the question and to the proud achievements of the coalition Government. In the first six months of this financial year we have undertaken 3,800 more operations in emergency and elective surgery. For the benefit of the honourable member for Mount Coot-tha I say that that is, emergency, Category 1, Category 2 and Category 3. That is 3,800 more operations—more means additional—than the Opposition achieved in the first six months of the financial year 1995-96. I know the truth hurts. Look at their little mate up there from Hervey Bay; he is smiling. We will expose a few things about him shortly. He just cannot take it. The Opposition just cannot take it—3,800 more operations. I would hate to see them playing footy. They would walk off halfway through the second half when they were in front on the scoreboard.

The question specifically referred to the success of the Surgery on Time program. On

1 July 1996, at the beginning of this project, there were 49% long waits for Category 1 elective surgery. Currently that stands at 1.9%. The most impressive thing is how that relates to the performance of the Labor Government. In mid 1995 the COAG industry report showed that Queensland was the worst State in Australia—this is right in the midst of the reign of Messrs Elder and Beattie—for waiting times for Category 1 elective surgery—43% long waits. What have we got to now? In six short months of our Surgery on Time program the coalition Government has taken Queensland from the worst State in Australia to the best State in Australia and confidence is returning to the Queensland public health system.

I have been quite proud to go around the State to the 10 hospitals involved in this particular project to present outstanding achievement awards because the people who have achieved this success have been the staff of our hospitals: the waiting list coordinators, the surgeons, the anaesthetists, the nurses, the support staff and, in particular, nurse educators who have trained the 120-odd additional theatre nurses whom we are putting in place in order to attack the Category 2 waiting lists.

I think that the public of Queensland appreciates the enormous task that is in front of this coalition Government to attack waiting lists. No other Government in Australia, bar the Labor Government in New South Wales, has made a promise or had the political courage to stand up and set the targets that we have. What happened under Labor in New South Wales? Its waiting lists doubled and there was a $240m budget blow-out. For the first time probably in this decade we will achieve balanced health budgets. We will stay within our budgets and we will have more in-patient activity, more elective surgery and more Queenslanders treated. But most importantly, as of today in the 10 major hospitals of Queensland for the first time Category 1 elective surgery patients can have confidence that they will be treated within 30 days. That is their right; that is our responsibility. We have delivered what Opposition members could not do. They did not even try; they did not have the courage to try. We now move on to Category 2.

Fire Service Review

Mrs ROSE: I ask the Minister for Emergency Services: why was no expression of interest or public tender called for the $2,000-a-week consultancy given to his Gold Coast mate Lyn Staib to review the Queensland Fire Service? Why was the review of the Queensland Ambulance Service awarded to Ms Staib not open to public tender? Is it not true that Ms Staib had no experience with emergency services prior to her reviews, her only experience being chief executive of the Gold Coast Waterways Authority where she chalked up a debt of $51.9m in 1989?

Mr VEIVERS: Isn't it amazing how honourable members opposite scrape from the bottom of the barrel when they are asking questions? Ms Staib is a very highly qualified lady and she was asked to do the consultancy for that project at a rate much cheaper than that offered by other consultants. This question was asked in the Estimates hearings last year and it was answered. The figures are there for everyone to see. She did a marvellous job at a rate much cheaper, can I say, than that offered by other consultants around the place.

An Opposition member: How much cheaper?

Mr VEIVERS: Members opposite should have a look at the record. I am not going to answer that off the top of my head. Go and have a look at the Estimates record. It was still cheaper than anybody else we could get to do a good job. She did a very good job. Let me add that the recruitment and selection processes that were part of the implementation of the review were reviewed by the Office of the Public Service, which concluded that those processes conformed with the mandatory principles of the public sector management standard for recruitment.

Ms Bligh: They would, wouldn't they?

Mr VEIVERS: That is what members opposite started; those standards were their idea.

Just to make sure that everything was correct and to protect ourselves, we decided to ensure that the standards had been met. We knew this would be coming, this stuff that is right down in the gutter, but I did not expect it to come from the member for Currumbin. I did not expect someone who cannot defend themselves to be kicked around in this place, but I will defend them.

An honourable member: And a female, too.

Mr VEIVERS: Yes, and a female to boot.

Just to finish off, let me explain to the rabble across the Chamber what we did so that we would not run into any trouble. I hope

the shadow Minister for Emergency Services is listening. I cannot understand why he did not ask the question. He gave it to a lady to ask—at least, I thought she was a lady until she asked the question.

Mr MACKENROTH: I rise to a point of order. I believe that the term which the Minister has used is unparliamentary, and he should be asked to withdraw it.

Mr SPEAKER: Order! If any member is referred to and personally offended, that member can ask for the remark to be withdrawn.

Mrs ROSE: I rise to a point of order. I do take offence at that remark.

Mr SPEAKER: Order! I accept that point of order. But I say to the member for Chatsworth that he is well aware that a member cannot take a point of order on behalf of another member. The member for Currumbin has asked for a withdrawal, so I ask the Minister to withdraw.

Mr VEIVERS: As it is the first mistake that the member for Currumbin has made towards this Minister, I withdraw.

An Opposition member: You sook!

Mr VEIVERS: The member says, "You sook!" Mr Mackenroth is sitting over there. I am not going to mention the Labor operative who is in there.

Let me get back to the Ernst & Young situation. So that we would not run into this sort of problem, we decided to make sure about this. We got an independent decision on it from Ernst & Young—people whom members of the former Government used to use regularly. But they will not be using them again for a long while, because they will not be back on this side of the Chamber for a long time. This is what they said—

> "The procedures followed were in accordance with the public sector management standard for recruitment and selection."

Two out of two, 100%, clear, beautiful and straight up and down. One cannot get better than that.

Leading Schools Program

Mr TANTI: I ask the Minister for Education: can he advise the House about the level of support for Education Queensland's Leading Schools initiative?

Mr QUINN: Right from the outset when we launched this program there was broad support for it from principals associations, primary and secondary schools, and the QCPCA representing parent bodies across the State. Not only that, on Sunday, the executive of the secondary school principals association met to discuss this particular issue. I would like to read out the motion that was passed at that particular meeting. If Opposition members think that there is not broad community support out there, they are mistaken. The motion that was passed stated—

> "That QSPA unequivocally supports the concept of Leading Schools and school based management.
>
> That QSPA endorses the broad strategic framework for the implementation for School Based Management as outlined by the Minister and the Director-General."

A number of other motions were passed, the last of which bears mentioning. It states—

> "Since the launch of Leading Schools, a great deal more information has been made available to members of QSPA. This latest information has, for a large part, answered most of our concerns."

So among secondary school principals across the State there is broad support for this Leading Schools program.

The QCPCA, representing all parent bodies throughout Queensland, is on the public record as supporting this particular initiative. Let me read out the comments of the president of that association. She said—

> "We have been awaiting the Minister's decision on School Based Management for some time now.
>
> We're pleased the Minister has finally bitten the bullet and made this important change to the education system."

So there is also support from the peak parent body.

In most cases, the misinformation that is being peddled around schools about this issue is coming directly from the Queensland Teachers Union which, not surprisingly, is including it in the campaign for increased teacher wages. It is throwing it all into the melting pot, causing confusion, and trying to get the teachers on side in terms of going out on strike in support of their wage claims. But what the union has not been telling teachers is that, in order to get their last pay rise under enterprise bargaining, which was signed off by the Labor Party in Government and the Queensland Teachers Union in 1994-95—two years ago—there was an unequivocal

commitment from both sides to bring in school-based management. Let me read out some pertinent comments from that enterprise bargaining agreement, the text of which runs to several pages. I shall quote just two key sentences. It states—

> "The parties to this agreement are committed to a program of long-term workplace reform which enhances educational outcomes for students.
>
> The movement towards school based management will be a long-term, continuous and incremental process."

So the Queensland Teachers Union, on behalf of its teachers, batted for a 9% pay rise, which they got under the last EB arrangement on the grounds that school-based management would be introduced over a period. In common with the Opposition spokesman, they claim that it is too short a time frame. They want to slow it down. From the date that this agreement was signed until it is fully implemented in the year 2000 will be a five-year period. How much slower can it get? It is a continuous and incremental process along the lines of that started by the previous Government. However, like many legacies of the previous Government, we are left to finish the job. Much has been made of some of the comments about backbenchers.

Mr Elder: What about the backbenchers' kit?

Mr QUINN: That is a good point. Let me deal with that as well.

As with all initiatives, not all the information is circulated immediately; it comes in waves. That is what is happening now. Some concerns were expressed by school principals, teachers and members of Parliament about what the initiative would mean. That information is slowly flowing out. Much was made of some of the alleged discontent or alleged concerns of members on this side of the House. All of those concerns have now been put to bed. There has been an ongoing and continuous process of talking with regional offices, regional staff and employees to make sure that they understand fully what is involved in the process. By and large, most are happy with what has been provided to date.

There will be some sectors in which we cannot provide the information. That is why the pilot project will start in June/July this year. That is the reason for the 100-school pilot project to come on line. We need that additional experience in terms of implementing this and working through some of the problems so that, when more schools come on line, they will come into a more settled model.

Fairly soon we hope to have available for public comment a document which canvasses the roles and responsibilities of school councils. I believe that document will allow all people interested in this particular initiative to provide some input and feedback into the process before we put on the table the final version of exactly what school councils are, what their roles and responsibilities will be and how they will interact with the principals, who will still have the day-to-day management of the schools. I believe that a lot of that will put to bed many other concerns which are currently being expressed.

By and large, I believe that this initiative has gone down well. We expected that there would be some queries that we would never be able to answer in the short term. That was the reason for the pilot program. The Queensland Teachers Union is asking questions of us, and we are endeavouring to answer all of those questions. Much of the information is contained in the documentation, which people have not read—notably the QTU. However, as I said, it is an exciting initiative for Queensland schools. It is broadly welcomed by all principals, with a proviso that some further information needs to be provided, and we have given an undertaking to provide that information in the future.

Mr SPEAKER: Order! The time allotted for questions has expired.

MATTERS OF PUBLIC INTEREST

Queensland Principal Club; Mr P. Gallagher

Hon. R. J. GIBBS (Bundamba) (11.29 a.m.): When Labor came to office in 1989, the Queensland racing industry resembled very much a fiefdom overseen by the Queensland Turf Club, and many of the people within the industry were treated much like serfs. It is true to say that there was a master/servant mentality. In fact, those who know the industry know full well that grown men were denigrated to such a degree that they had to doff their caps and say "Sir" to the so-called gentry of the industry.

One of those people who insisted upon these rules was none other than the current Chairman of the Queensland Turf Club, Mr Peter Gallagher. It is unfortunate that, for the past 12 months when I have been a little quiet in this Parliament, Mr Gallagher has chosen to take advantage of that by peddling some of

the most outrageous lies yet heard within the Queensland racing industry, particularly within the annual report of the Queensland Turf Club itself.

Gallagher is one of those persons who likes to portray the image of being a self-made person. Let us put it on the record in Parliament today: he is no self-made man; in fact, he is a person who inherited a financial empire that was built largely on World War II black marketeering. He is a person who craves and fawns recognition as a so-called gentleman. In fact, he craves and fawns it so badly that, when the National Party was last in office, he made a donation of $100,000 to the National Party to buy himself a knighthood. Quite ironically, in our last days in Government, Gallagher came to see me in relation to a particular matter and went to pains to point out that I would be surprised to learn that he was closer to my side of the political arena than he is to the other side. Those were strange words coming from a man who made a $100,000 donation to the National Party. That man is the epitome of the old saying that one cannot make a silk purse out of a sow's ear.

Let us examine his record in depth. While he was Chairman, Deputy Chairman or a member of the Queensland Turf Club, under his administration a number of fiascos occurred in the industry such as the Fine Cotton affair, the caffeine crisis and the jockeys dispute. The Queensland Turf Club exhibited a lack of imagination and an inability to develop suitable facilities for its membership and the public. Of course, one cannot forget his blatant lie that I, as Minister of the day, never made Racing Development Fund money available to that club. He is the first chairman of the Queensland Principal Club to be dismissed from that position by his peers in a democratically held ballot. Significantly, that occurred on April Fools' Day. I gave a grant of $1.6m seed funding to the Queensland Principal Club, yet in the first year of his chairmanship he managed to lose in the vicinity of $700,000. He has frustrated attempts to reform the industry to give equity and equality to all sections of the industry. Of particular interest to members on the other side of Parliament should be the fact that, for the first time ever, a say was ensured in the administration of racing in Queensland for the constituencies that the present Minister represents, that is, country racing.

It is also important to remind people about this man's background. In a shocking conflict of interest, when he was deputy chairman of the TAB between 1983 and 1985 he was also a director of Rothwells Bank in Australia. He was later charged with not exercising his responsibilities in a fit and proper manner. He agreed—as I said, in a shocking conflict of interest—to invest $28m of TAB funds in the now-defunct Rothwells Bank. The TAB was very lucky to recover that money before that bank went to the wall. When the magistrate dismissed the charges against Gallagher, he said that Gallagher did not have a clue what was going on. He described him as a flag waver and stated that that was his sole position on the board of Rothwells at that time.

I am angry that, in the last annual report of the Queensland Turf Club for which he was responsible, Gallagher attempted to paint the system that I introduced, the Racing Industry Management Information System, as a Big Brother style scheme. That scheme, which was not my brainchild, was introduced to ensure uniformity throughout the State in terms of financial reporting and recording. Ultimately, that scheme will be used to ensure that elements of criminality are kept out of the industry. Today, I state very clearly to Gallagher: one of the reasons that the RIMIS system was introduced into Queensland was to ensure that Gallagher and his like will never be able to do to the integrity of the Queensland racing industry what he so effectively did to Rothwells Bank and its investors throughout this country.

It is important that I raise other matters here today. Gallagher wants to make a comeback to the chairmanship of the Queensland Principal Club. I am glad that the Minister has remained in the Chamber during this speech today. I note correspondence that the Minister has sent recently to the Chairman of the Queensland Principal Club, Mr Bentley, in which he refers to proposed amendments to the Racing and Betting Act. The letter states—

> ". . . with a view, among other things, to enhancing the autonomy of the regional associations and enhancing and improving the QPC generally."

The Minister goes on to say that he notices that the people in Toowoomba have held their election to select a new person for the QPC. I draw to the Minister's attention statements that he made in Parliament in April last year, when he stated—

> "There will be no further metropolitan representation over and above the country representation so that country racing would be disadvantaged. The balance will be maintained."

The Minister's voice on the downs, Mr Healy, was reported in the newspaper in that area as saying that there was no intention to interfere with the Queensland Principal Club. With his integrity viewed as it is, the Minister will now have a problem convincing people within the industry that he is not working hand in glove with Gallagher to reform the Racing and Betting Act in a way that will change the make-up of the QPC considerably, ensure a smooth ride for Gallagher back to the chairmanship and ensure that once again the racing industry in Queensland will be controlled by the boardrooms, the golden handshakes and the good-old-boy deals with their mates that the members opposite are so keen to get into bed with—all organised by Gallagher and his cohorts from the Queensland Turf Club.

I turn now to other disparities in Gallagher's report to his members in the Queensland Turf Club newsletter, in which he refers to the TAB distribution under the Goss Labor Government. He states—

> "Your Committee trusts that future schemes for the distribution of TAB profits to clubs will not, as has recently occurred, be aimed at disadvantaging the Queensland Turf Club."

That is another blatant lie. I will place on the record what that lie is all about. Over the past five years, under the Labor Government, the Queensland Turf Club's share of TAB distribution leapt by $2m to its current level of just under $8m per annum. That is about half as much again as Queensland's 125 developmental clubs receive in total. In the circumstances, the Queensland Turf Club's comments raise the question as to which clubs the Queensland Turf Club and Mr Gallagher believe should have done without so that the Queensland Turf Club could receive even more. The answer is: the clubs in country Queensland that the Minister represents.

In my opinion—and I believe that this needs to be said—this man is nothing more than a bludging slug on the Queensland racing industry. He is a disgraceful person to be holding the position that he does in a traditionally great club.

Mr Cooper: Would you say that to his face—outside Parliament?

Mr GIBBS: I have said that to his face; I do not mind saying that. The Minister fawns; he sucks up to him, and that is a pathetic sight at the racetrack.

The racing industry in Queensland needs flair and imagination. It needs administrators who represent the future of the industry, not people such as this who are aberrations, reminders of the past, and those who support him can rest assured that, from now on, the slightest hint of their again trying to use their positions within the industry to frustrate reform will be met with opposition on the floor of this Chamber at every available opportunity. Members should examine Gallagher's record closely. My advice to the Minister is to distance himself from that man as far as he can. The Minister should look to his own back bench and ask people involved in country racing in Queensland what they think of Gallagher. He is a nothing and he is no good.

Road Maintenance

Mr ELLIOTT (Cunningham) (11.39 a.m.): Today I rise to speak about the needs of the border region, which comprises the area from Talwood to Texas and which spans the electorate of my colleague the member for Warwick and my own electorate of Cunningham. Recently, as a result of the exceptionally heavy rain that that area has experienced over the past few months, the National Highway was unable to be accessed, particularly by heavy trucks, and the travelling public in general. Fortunately, traffic was able to reach the Queensland border.

We need to understand the importance of this gateway area. It is a very important commercial gateway, as it represents the culmination of the Newell Highway, which then becomes the official highway, the Gore Highway, and another very important highway that passes through my electorate and the electorate of my colleague the member for Warwick, that is, the Cunningham Highway.

Mr Pearce: Well named.

Mr ELLIOTT: Yes, well named indeed. That highway serves a large area of Queensland. These days, all heavy transport uses that route rather than the traditional route of the New England Highway. Of course, the reason for that is that the Cunningham Highway is much flatter and drivers from southern cities such as Sydney, and particularly Melbourne, as well as other areas to the south west of the continent make fewer gear changes and therefore use a lot less fuel. However, the problems that exist along sections of the highway are starting to have an effect. I refer particularly to the Murri Murri crossing, where water from a large catchment flows through the area adjacent to the point at which the Gore Highway meets the Leichhardt Highway, which is the route to Moonie and beyond.

The Gore Highway passes through Millmerran, up to Toowoomba, and on to Brisbane. Today, many people are using that route because, as I have said, it is a long, flat, good road and it is much easier for truck drivers to use. During the previous wet season, between 300 and 400 trucks were caught at the border and were unable to traverse into Queensland and reach their ultimate destinations. Many millions of dollars have been spent on putting a levee bank around the town of Goondiwindi. That has been a tremendous success. Even in the record floods that were experienced in recent times, that levee bank was not breached and people's businesses and homes were protected. However, from a commercial point of view, one could say that there is no purpose in having that levee bank to protect the business activities of that town if people cannot access destinations further north.

People can drive out of that town in three ways. One way is via the Gore Highway, through Yelarbon and Inglewood and on to Brisbane. At times some traffic has been allowed along the old Goondiwindi Road, which runs along the river. The road is located south of Yelarbon near the bridge that allows people to travel from New South Wales into Queensland. At this stage, some of that road is still dirt. Obviously, a large amount of heavy transport could not be allowed to use that road because if trucks have to pass each other along a narrow section of road, they will have to go off to the side of the road. The next thing, the trucks would go clean through the road, and we would not have a road at all. However, during wet weather that road has provided access.

In addition to the problems caused by the Murri Murri crossing about which I have spoken, we also have problems on the Cunningham Highway caused by the Brigalow Creek and Wondalli crossings. Those two crossings have created big problems. Heavy transport which has not been able to take the alternative route that I have mentioned may have been able to get through on the Cunningham Highway had it not been for the Brigalow Creek crossing in particular.

The Waggamba Shire has done a tremendous amount of work on those two crossings. They have spent a large amount of money on patching and repairing the road to allow heavy transport to have access, even where there was still water running over the road from Brigalow Creek in particular. The Waggamba Shire has received funding from the Federal Government under the National Highway scheme, and some 8 inches of asphalt has been laid over the top of the normal hot mix bitumen surface of the Murri Murri crossing and on quite a few of the other inverts in that area. That will certainly help to solve the problem of water flowing over those sections of the highway, causing areas to be washed out and the development of holes up to 18 inches deep. It may be all right for local people who know the road; they can tell by the colour of the water that there is a hole in the highway and they are not presented with any great difficulties. However, tourists towing caravans from areas such as Victoria would look at the water and say, "It is only 8 inches deep, or maybe nearly one foot deep. We will have no problem with that." Away they go with their caravan only to drop into an 18-inch hole, which is rather embarrassing for all concerned. Usually, the outcome is that they are stuck in the hole and impede the rest of the traffic until someone comes along and pulls them out. So the asphalting of that particular section and other inverts of the highway will certainly help to solve the problem. Last week when I was in that area, I had a look at the first stages of the work. It certainly has led to a big improvement in the road. That asphalt will not wash out like the usual hot mix bitumen, and I think that it is a good short-term measure.

In areas where national highways meet, certain standards have to be met. Funding has been provided to upgrade the standard of the road where the Leichhardt Highway merges with the Gore Highway. That is going to cost quite a bit of money. I am calling for an acceleration of the timing for that work to take place. Although that area has been through a period of drought, it looks as though it will experience increased rainfall over the next few years. We really do not want to see the National Highway cut in the Goondiwindi region when it is able to be traversed in all other areas.

The same acceleration of roadworks is required in regard to the Brigalow Creek and Wondalli crossings on the Cunningham Highway. The Waggamba Shire and other shires have budgeted for further roadworks. I would like to congratulate my colleague the member for Warwick on attracting funding for work to be carried out on what is known as the Yelarbon-Texas Road. That work will be a tremendous asset to the whole district because not only are cattle brought to the feedlot at Texas but also much of the grain that is used at the feedlot is transported along that particular road. It is a very dusty road. It has a very fine bulldust surface—very fine sandy soil. The council experiences major

problems in keeping those roads maintained. They tend to get big potholes in them that fill up with bulldust. The drivers cannot see the holes and they run into them, causing damage to their vehicles. The dust has also created problems for the transportation of cattle in B-doubles, road trains and suchlike. It is not good for cattle to be transported on roads in such poor condition. We are certainly looking forward to seeing the completion of that work.

As well, the Waggamba Shire has saved money on its most recent roadworks on the Talwood-Mungindi section of the road. I would like to thank the Minister for Transport who, through his department, has been able to ensure that some of those funds that were saved were used for roadworks on the road to Yelarbon.

Police Services, Southern and Central-western Queensland

Mr BARTON (Waterford) (11.49 a.m.): I want to talk about police services in southern and central-western Queensland which are currently in crisis. In this area, police numbers are inadequately low. The few police officers who work in those areas are very inadequately resourced and are incapable of doing the very difficult job that we require of them. In this region, crime levels are rising significantly and morale is very low among the police officers working in the major towns. Statistics available to us indicate this. However, between 24 and 28 February, my colleagues Don Livingstone and Darryl Briskey and I visited this region. That visit not only confirmed that the statistics were correct but also demonstrated that, in fact, the situation is far worse than we believed it would be.

Of the centres that we visited, Charleville is by far in the worst position, although all major centres that we visited had similar problems. The smaller towns are typically in a reasonable position as they have their full quota of police, primarily because they have appropriate and adequate housing provided by the police department.

The major centres that we visited were Roma, Charleville, Barcaldine, Longreach, Emerald and Blackwater. We also spoke to the police in many of the smaller towns such as Augathella, Tambo, Jericho and Alpha. We actually missed meeting the police officers of some of the smaller towns because, being single-officer stations, the police officers were elsewhere attending to their duties.

The issues and the problems of the police in this region are clear and most relate to the lack of adequate police housing in the major townships. Much of the available police accommodation is of a very poor and unsatisfactory standard. Part of the problem is that private rental properties are very expensive. In some townships it costs between $160 and $180 per week to rent a house. It rather surprised me that in towns such as Charleville there would be such a high level of rent, but that is the commercial rate that is asked. Therefore, it is proving to be impossible for the Police Service to attract police officers to towns in western Queensland.

Numerous problems result from the shortage of police in these towns which affect the community and the police officers themselves who, I stress, are doing a sterling job in the most difficult circumstances. Police Minister Russell Cooper is aware of these problems. He visited many of these towns the week before we did. We found that intriguing, as I had shown him the courtesy of advising him of our itinerary and seeking cooperation from the Police Service. However, the week before our tour he ran around the region in front of us. We know from our discussions with police officers that they made him well aware of the problems.

Mr Bredhauer interjected.

Mr BARTON: I could possibly do that in the electorate of Cook later on this year. It is time that Police Minister Cooper addressed the problems in southern and central-western Queensland. However, the police officers are not holding their breath waiting for something to happen, and neither am I. Mr Cooper has been the Police Minister for over one year—a year in which the position in western Queensland has not improved but has, in fact, deteriorated.

I stress the issues of Charleville, because it has by far the worst problems, although the same underlying cause results in similar problems in Longreach, Roma and Emerald. Police housing is the principal problem. Police officers are not applying for positions in those centres because police housing is simply not available for lower ranks or non-specialist positions. When one looks at the police barracks, the best way to describe them would be Third World. Available police housing is of an obviously lower standard than that for other Government departments in the same towns. Again, high rentals are a part of the problem. While housing purchase prices are low, it is not unusual for houses that are for sale to remain

on the market for a number of years. This, of course, is an impossible situation for police who have been transferred for a period, because they do not know whether they will be able to sell the house when they leave, returning home or possibly seeking transfers for promotional purposes.

Charleville has by far the worst housing and cannot attract police applicants. Seven operational police are trying to cover a 24-hour operation—an impossible task. The model number for Charleville is 21 and the approved number is 18. Out of a total of 10 police in Charleville, seven are operational and are trying to run a 24-hour shift. The police are working dangerous single-officer, late-night patrols. Of course, honourable members will recall that Police Minister Cooper promised that such a situation would no longer exist following the election of a coalition Government. At times, the single officer on night shift is called out to a job and has to leave prisoners in the watch-house totally unattended. Inevitably, there will be an escape or, even worse, a death because of following this practice for necessary reasons.

No four-wheel-drive vehicle is provided to the police in Charleville. Charleville has many rough roads and station properties. During the recent flooding, the police officers were forced to borrow four-wheel drives from other Government departments. They simply cannot perform their tasks without a four-wheel-drive vehicle.

The police barracks in Charleville is the dilapidated ex-sergeant's house next to the watch-house, shared by three policemen and one policewoman who use the common facilities. One of the policemen does not even have his own room. The police station itself is subject to flooding and desperately needs replacement.

It is little wonder that in these circumstances crime in Charleville is increasing at a rapid rate. For 1995-96, crimes against the person were up 85%, coming off a fall of 33% for the previous financial year when Labor was in office. Crime against property in Charleville is up 31%, again coming off a fall of 35% in the previous year. What was the Minister's reaction when he visited Charleville and 15 additional police from the coast were temporarily stationed in the town on flood relief duties? I am advised by the police that he said, "Isn't it nice to see all the blue uniforms?" However, the problem is that the floods went down and the additional police left town.

Mr Bredhauer: They had to get out of town.

Mr BARTON: Yes, and the Minister went home believing that all was well. I suggest that the Minister take another trip to Charleville when there are not an additional 15 temporary police stationed there.

Another of the Minister's purlers was delivered in Roma, his old electorate, near his rural property. He promised that a new police station would be built. I question this, because the Minister has promised that the Roma police station will be No. 4 on the police priority list for capital works and that it will be built in the immediate future. However, that project was allocated funding in Labor's 1995-96 Budget, but the coalition cancelled it. The allocation for the station did not reappear in the Budget for 1996-97. How hollow are the Minister's promises to the public and the police officers of Roma that they will get a new police station? The Minister also promised police in other western centres that he would look into their housing problems.

I say to the Parliament that the police officers are extremely cynical. Virtually every police officer to whom I spoke does not genuinely believe that action will result from the fact that the Minister was there, by coincidence, the week before the visit by my colleagues and me and promised that he would look into the situation. They are already using terms such as "the mirror Minister".

Charleville is not the only centre that is down a significant number of police. Charleville is down between 8 and 11 officers, depending on whether one looks at the model figure or the authorised figure. I repeat, seven operational police are trying to cover a 24-hour roster. Roma is down eight police, Emerald is down two and Longreach is down three. Crime levels are similarly increasing in all of those towns. Crime levels in Roma are up 17% against the person and 7% against property, in Longreach crime levels against the person are up 4% and in the central region itself they are up 32%.

Police/population ratios are some of the worst in the State and the nation. The average in Queensland is 1 to 525. However, in the central region, which includes Longreach and Emerald, the ratio is 1 to a staggering 611 and in the southern region, which includes Charleville and Roma, it is 1 to a staggering 663.

Time expired.

Coalition Government Achievements

Mr TANTI (Mundingburra) (11.59 a.m.): I wish to make every member in the Chamber

fully aware of the Government's achievements in its first year of office. Mr Barry Galton, of the Premier's Department, has provided me with a detailed list of over 1,000 achievements, which I will ram home to the Opposition and media. These achievements will be recorded by the Hansard reporters for all to read. The list covers all portfolios.

Firstly, I will detail some preliminary notes. This Government has implemented 70% of the policies it took to the people of Queensland at the July 1995 election. Eighty-two items of legislation have been passed by the Parliament, with another 13 having been introduced and awaiting resumption and completion of their remaining stages this year. This compares favourably with Labor's record of 58 Bills passed by the Parliament during 1995. The coalition achieved this outcome despite not having a majority, whereas in 1995 Labor had a substantial majority.

The Government's difficulties are exemplified by the fact that in 1996, because of the lack of a clear majority, there was a large increase in the number of divisions as compared with the number in 1995—117 compared with 68. As to the number of sitting days in 1996—over only 10 months there were 47 sitting days compared with Labor's record in 1995 of 45 days. The total number of sitting days in 1996 did not include an extra seven days of Estimates hearings. The total number of sitting hours in 1996 was 497 hours 11 minutes compared with 339 hours 25 minutes under Labor in 1995. In 1996 there were 11 hours of Private Members' Statements, a privilege for members which did not previously exist.

Cabinet met 52 times, with 45 meetings in Brisbane and seven in country centres—Cooktown, St George, Winton, Bundaberg, Cairns, Charters Towers and Townsville. This compares favourably with the Goss Government's 41 meetings, 36 in Brisbane and five in regional areas—Townsville, Gold Coast, Proserpine, Maryborough and Woodridge. There were 1,041 Cabinet decisions by the Borbidge/Sheldon Government as compared with 827 under Labor in the previous year.

In 1996, democratic processes were alive and well, with the Opposition able to ask 50% more questions than were able to be asked by the coalition Opposition in Labor's final year in office, 1995. On the score of accountability and commitment to the Fitzgerald process, it should also be noted that the Borbidge Government brought back the Parliamentary Criminal Justice Committee which had been abolished by Labor.

During 1996 the Premier made 76 trips within Queensland. He made 14 trips interstate and five overseas. He dismantled the Office of the Cabinet and the Public Sector Management Commission. He created the Office of the Public Service and the new Office of Indigenous Affairs. He divided Labor's amalgamated super departments to provide efficiencies and better management. Incentives were provided for public servants to serve in rural and remote areas. There was a five-year program to enhance Public Service housing in major provincial cities and rural Queensland.

The coalition Government provided an Independent member and a former Premier with offices. The operations of the Department of Premier and Cabinet, in partnership with the Department of Economic Development and Trade, were extended to regional centres—Townsville, Mackay, Cairns, Rockhampton and Gladstone—at a cost so far of $2.8m for 1996-97.

Mark Stoneman, member for Burdekin, was appointed as the Parliamentary Secretary to the Premier in north Queensland. State Cabinet meetings were held in rural and regional areas of Queensland—Cooktown, St George, Charters Towers, Winton, Bundaberg, Cairns and Townsville—to provide access to Cabinet for people in those areas. The coalition Government supported the elimination of duplication between State and Federal Governments. There have been ongoing negotiations over the Federal Native Title Act in search of a commonsense resolution. The coalition Government strongly supported the resolution of the issue of whether or not pastoral leases extinguish native title.

This Government has committed Queensland to the national gun laws in the wake of the Port Arthur massacre. The Government established a task force to assess the implications of the Wik decision to provide practical and legal options for discussions with industry leaders. It created a new Bureau of Ethnic Affairs within the Department of Premier and Cabinet with funding of $2.5m. The Government established Queensland's first Forum on Community Relations to create better understanding and interaction between different ethnic groups.

Provision has been made for both the Government and the Opposition to have an equal number of representatives on

parliamentary committees. All statutory committees are now allowed to call for persons, documents and things. This ability previously applied only to the Public Accounts Committee and the Public Works Committee. The Electoral Act was amended to provide fairness in appointments to the Electoral Commission.

Parliamentary sitting hours were regularised so that State Parliament sits from 9.30 a.m. and usually rises at 7.30 p.m., except in special cases. A full hour of question time now occurs each day between 10.30 a.m. and 11.30 a.m. The hour between 6 p.m. and 7 p.m. is now set aside for private members' motions.

The Government donated $100,000 to the Port Arthur Victims Appeal. The sister State relationship between Queensland and the Shanghai Province has been reaffirmed. The Government has participated in a new heads of agreement for the $500m Townsville Korea Zinc project. The Premier fought successfully for more Federal Government aid for drought relief.

The Government provided a grant of $100,000 to allow the Ethnic Community Council of Queensland to employ an executive director and upgrade its capacity to represent the interests of ethnic communities. The Government increased the Bureau of Ethnic Affairs grants program from $80,000 to $140,000. It allocated an additional $500,000 to fund more teachers for migrant students learning English in State schools. The Government provided $125,000 in 1996-97, rising to $225,000 in 1997-98, for initiatives which capitalise on the business opportunities created through the State's cultural diversity.

The coalition Government's major parliamentary reforms are as follows: the Opposition was provided with improved facilities and resources; more speaking opportunities were provided for backbenchers; more funding resources were provided to Opposition spokespersons—a special allowance of $5,887 is now paid to assist them in their duties; and the Government adopted EARC's recommendation to provide a second electorate office and officer to members whose electorates cover 100,000 square kilometres or more.

The Government introduced legislation to reform parliamentary committees. It recreated the Parliamentary Criminal Justice Committee to oversee the activities of the Criminal Justice Commission. The Legal and Constitutional Review Committee's main priority is to oversee the consolidation of the State Constitution into one Act of Parliament.

Openings and announcements made by the Premier include the following: the Qantas Museum at Longreach; the Historical and Cultural Centre at Monto; the $350m Earl Hill residential and resort project near Cairns; the North Queensland Sporting Hall of Fame; the $65m South Bank Hotel, Brisbane; an $18m manufacturing plant at Brendale; the $8m University of Central Queensland Gladstone campus development; the Centre for Korean Studies at Griffith University; the $1.5m Gladstone seafood factory; a new North America office in Los Angeles; the first hotel on the Gold Coast in four years, the Watermark; the new Queensland Government Trade Office in Shanghai; an $11.5m expansion of the Townsville Breakwater Entertainment Centre; the Tower of Terror at Dreamworld; Carpentaria Shire Council offices in Normanton, plus child-care centres at Karumba and Normanton; the Fraser Island Fishing Classic; a grant for a new crime prevention study at Bond University; a grant of $300,000 for a Gulf of Carpentaria regional development plan; and the Reading Cinema Complex at Thuringowa.

With the Treasurer, the Premier announced the following: a second $260m expansion of coal export facilities at Dalrymple Bay, near Mackay; the $220m south-west Queensland gas pipeline; the expansion of Byfield National Park; the new 1997 State tourism campaign; the decision of Western Mining to develop a $650m fertiliser project in the State's north west minerals province, Phosphate Hill; and the commitment of the Ford Motor Company, the Queensland Metals Corporation, Normandy Mining and others to a $73m magnesium pilot plant at Gladstone, leading to a $700m/90,000 tonnes a year magnesium metal industry in the State. The pilot project, to come into production in late 1998, will provide about 70 jobs in construction and 50 in operation, expanding rapidly to 1,000 construction jobs and 400 operational staff from early next century, with up to 1,000 extra jobs generated in manufacturing industries for downstream processing.

The Premier helped to broker the deal for the giant US-based international company Silicon Graphics to develop a training centre in south-east Queensland. The Premier attended the Asian Summit in Indonesia, meeting with the leaders of Indonesia, the People's Republic of China, Canada and the Netherlands. He also extended the sister-State relationship with Central Java. The list goes on.

Time expired.

Enterprise Bargaining Between Teachers and Government

Mr BREDHAUER (Cook) (12.09 p.m.): Yesterday was a sad day for Queensland with the announcement by the Queensland Teachers Union that its members had voted overwhelmingly to stop work for one day on Tuesday, 25 March. The announcement marks a low ebb in the relationship between this Government and the Queensland Teachers Union as the Minister has sought continually over the last 12 months to exclude, to provoke or to bully teachers in Queensland into submission on a range of important policy and industrial issues in education.

The State Opposition understands and respects the right of all Queensland workers to take industrial action to achieve goals when they are so frustrated in their attempts to negotiate reasonable outcomes for workers on issues such as enterprise bargaining. The responsibility for this proposed stoppage falls directly at the feet of the Borbidge Government and, in particular, the Minister for Education. The Minister's failure to ensure that his department has come to the negotiating table with teachers in good faith throughout the enterprise bargaining process and his failure to recognise the significant educational issues which surround the arguments by the QTU for a pay rise have led teachers to a point of such frustration that 85% of people participating in mass meetings over the last fortnight have taken the extraordinary step of voting to stop work. I say this is an extraordinary step because my association with the Queensland Teachers Union dates back over the last 20 years and during that time I know how reluctant teachers have been to use this measure of last recourse in their campaigns to improve education and conditions for QTU members in this State. It is indeed unfortunate that the Minister has forced teachers in Queensland to the brink of a serious industrial dispute. But it is not too late for the Minister to act to prevent the industrial action, to prevent inconvenience to parents and families through disruption to schools and to actually demonstrate that he has a commitment to recognising the professional integrity of Queensland teachers and the contribution that teachers make to an effective and efficient educational service delivery in Queensland.

This is not just about teachers' salary levels. In Queensland there is an emerging trend towards shortages of teachers. The average age of Queensland teachers is over 44 years and the profession has been experiencing difficulty in attracting high quality high school graduates into pre-service training courses for a number of years. This has been recognised by the Government through the establishment of its scholarship program for pre-service education where 60 scholarships were offered this year, particularly in areas such as maths and science. The scholarships were introduced because teaching shortages are already evident in some specialist areas and in some regional areas of Queensland which are difficult to staff. Projections are that over the coming decade these teacher shortages could be substantially exacerbated, and the Government must act now to ensure that the potential for these shortages does not impact on future students in Queensland schools.

Offering teachers reasonable remuneration, particularly by comparison with their interstate colleagues, is one important way of raising the status of the profession and attracting teachers either from interstate or back into the teaching profession. This will be an important mechanism in staving off teacher shortages. Another major area of concern is the relativities between different professions and their salaries. Many high school graduates choose to study in other professions because the salaries are considerably higher. When I started teaching in the 1970s and 1980s, Queensland teachers were the lowest paid teachers in the country. Many of us remember well the days when Queensland teachers, under former National Party and coalition Governments, suffered this low pay status. Labor was able to address this deplorable situation during its six years in office.

Mr Mitchell interjected.

Mr BREDHAUER: The member for Charters Towers should listen. In 1990 we raised teachers' salaries to comparable national levels and increased teachers' salaries again in late 1994 when the last enterprise bargaining agreement was signed. That agreement between the QTU and the Government expired on 1 March this year. It is a sad reflection on this Government and the Education Minister in particular that they have not been able to sit down and come to an agreement with Queensland teachers. In particular, it appears that this Minister is happy to tolerate a situation in which teachers in Queensland are once again relegated to being among the lowest paid in the country.

After failing to come to an agreement over appropriate salary increases, the Minister has sought to foster support for his flagging Leading Schools initiative by insisting that

teachers accept the Leading Schools Program prior to receiving any wage increases through enterprise bargaining. Given that he did not bother to consult with teachers prior to introducing Leading Schools and the proposal being made public, it is no wonder that this move has backfired on the Minister and made the resolve of teachers in respect of both enterprise bargaining and Leading Schools considerably firmer.

The Minister has also created further division within schools by offering to pay principals of the Leading Schools Program an additional 5% salary increase on top of any negotiated enterprise bargaining agreement. This is another crude attempt by the Minister to buy support for Leading Schools that has created tension between the principals of "Leading Schools" and those in other schools but more particularly between the principals of schools and their staff. After his answer to the question this morning about Leading Schools, I appeal to the Minister to visit a few of the schools and to listen to what they are saying about the proposal out there in the schools, not just amongst the teachers but amongst the parents.

By offering the additional 5% pay increase to principals, in many schools the Minister has set principals against their staff. There is now an air of mistrust in those schools that the principals are pushing for the establishment of Leading Schools so that they can get the extra 5% pay increase and that everybody else in the schools—the deputy principals, the other administrators and the other teachers, who are going to have to share the burden of the extra work—is going to get nothing. There is a lot of anxiety and a lot of animosity out there towards the Minister over that tactic. It is not surprising therefore that teachers have voted overwhelmingly to reject this latest offer from the Government. Teachers are angry that their administrative workload has grown in recent years and would escalate dramatically under the Leading Schools Program while the Minister is not prepared to provide them with a decent pay rise.

The Opposition condemns the Government for its failure to reach a reasonable settlement in its negotiations with the Queensland Teachers Union and particularly notes that this failure will be the cause of industrial action by teachers next Tuesday. The responsibility for next week's planned stoppage rests squarely with the Borbidge Government and the Education Minister. If there is going to be disruption to schools next week, then we can thank the Borbidge Government and we can thank the Education Minister. If there is going to be inconvenience to parents and families next week, then we can thank the Borbidge Government and we can thank the Education Minister. If there is going to be an ongoing campaign, there is no-one else to blame but the Borbidge Government and the Education Minister.

Only under Labor were teachers in Queensland able to enjoy comparable salary relativities with their interstate counterparts. Yet this Minister is prepared to preside over a system which will see those relativities continue to decline over the coming years. Only Labor recognises that proper remuneration for teachers is part of a range of mechanisms which can maintain the high quality of Queensland's education services and particularly prevent the likelihood of teacher shortages occurring in the future.

The Australian Labor Party in Government would seek to negotiate with the Queensland Teachers Union for an appropriate enterprise bargaining agreement which reflects our commitment to wage and salary justice for Queensland workers, particularly for Queensland teachers, by taking into account comparable salary relativities. The Opposition makes a final plea to the Minister to recognise the frustration which is evidenced by teachers resorting to industrial action in their campaign to achieve wage justice. We respect the industrial rights of teachers, but this is a dispute which this Minister has it within his capabilities to prevent. It is not too late for the Minister and the department to negotiate a reasonable outcome in wages for teachers and to prevent next week's stoppage.

The Opposition calls upon the Minister to re-enter negotiations with the Queensland Teachers Union in good faith and to avert the disruption to classrooms, students and families that looks likely to occur next Tuesday because of yet another failure by this Minister and the Borbidge Government to live up to their responsibilities to the Queensland education system.

Endeavour Foundation

Mr STEPHAN (Gympie) (12.20 p.m.): I take this opportunity to highlight the concept of a Queensland special needs rural training college. We all recognise that the Endeavour Foundation is foremost in service delivery to the disadvantaged. We are well aware of the substantial contribution made by the Endeavour Foundation throughout

Queensland to the welfare of people with intellectual disabilities.

It is acknowledged that the foundation is all but self-sufficient, with only 25% of a $50m plus annual budget emanating from combined Government funding. It highlights this feasible concept. It obviously represents an opportunity for Governments and the Endeavour Foundation to combine forces to facilitate a new and unique service which would unquestionably put Queensland light years ahead in providing options to meet the needs of people with intellectual disabilities. The concept is in fact very feasible.

I will give members an idea of some of the activities that are taking place at present with the Endeavour Foundation. I will indicate to the House the number of services provided. In adult training support services, it is 46; supported business services, 24; business services farms, 8; open employment support and children's accommodation, 18; adult accommodation—residential, 78; respite accommodation and adult accommodation support, 32; in-home respite support and support teams, 18. The total services provided number 225. By comparison, in 1995 the number was 199; in 1994, 187; and in 1993, 184.

It is worth while examining the number of people supported through the adult training service. A large number of people are supported through the programs, which include adult training support services, supported business services and farms, open employment support, children's accommodation, adult accommodation—residential, adult accommodation—support and in-home respite support. Those people are being supported and looked after very well. A total of 214 people are taking advantage of the adult accommodation support program. A total number of 3,909 volunteers provide their services throughout the community.

I have given an indication of the support that is available at present. The concept of the Queensland special needs rural training college includes the provision of a facility in the form of a boarding college focused on rural training outcomes. The college itself would be situated at Spring Valley Farm, Gympie, which has been in existence for 21 years. The college would accept students with intellectual disability leaving special schools at 18 years, and there would be some places for mature age students. In special cases consideration would be given to those people having difficulty at a special school from 16 years of age. The concept would eliminate current discontent from families faced with students who have to cease attending special schools at 18 years with an intellectual ability equating to that of a 12-year-old child. Those students are certainly not sufficiently mature to enter the work force. The concept would provide an additional choice currently unavailable to everyone in the general community.

There is an opportunity to provide the project on the site at Gympie and the people have the will to support it. I certainly commend those people who are involved in the project. Gympie is an ideal site for such a project, not just because it is in my electorate but because of the many other facilities there at present. Spring Valley is a very efficient training centre and workplace for men and women with intellectual disabilities. It is now in its 21st year of operation. Clearview has a substantial permaculture project in place and presents as an ideal associated training facility.

The Gympie district supports the following agricultural industries in a commercially viable form: beef, horticulture, tree crops, timber, dairying, commercial fishing and aquaculture. When one looks at these industries, one obtains a very good indication of what people with disabilities could be doing. A two-year course with a third year option would be a feasible proposition. Qualification and competency rating certification could be included. The Endeavour Foundation has the expertise and the drive to assemble and manage an outstanding service. The project would be unique in Australia, if not the world. The concept has the potential to expand into other courses in the mid and long term.

As I have pointed out, the project would be a practical and formidable proposition. The project would complement other services that are available in the area at the moment. A number of accommodation facilities already exist, such as Sullivan House, Bishop Lodge and Herbert Lodge. That accommodation could also be expanded from time to time as necessary. The farms themselves present the possibility of export opportunities. In fact, export opportunities are already being utilised. These export opportunities are in the area of farming, particularly of tomatoes. It is doing very well because it is managed very well. With the use of hydroponics, for example, farmers do not need to use as much fertiliser or water as they do in the field. These are practical aspects that should be considered.

One of the other positive highlights of the Endeavour Foundation in its annual report was the achievement of over 150 new service

places Statewide. There are a significant number of people on the waiting list for services. There was a 128% increase in the number of people accessing open employment through full or part-time employment or work experience. The Darling Downs branch commenced the foundation's first competitive employment and training service. Another innovative area that the foundation has taken on is Queensland Macadamia Fantasy, a commercial fundraising project selling and promoting macadamia nut products. It is situated on the Bruce Highway at Gympie. The Peanut Wagon is another project that must be highlighted also.

Time expired.

CRIMINAL LAW AMENDMENT BILL

Second Reading

Resumed from 4 December 1996 (see p. 4876).

Hon. M. J. FOLEY (Yeronga) (12.29 p.m.): This Bill is a piecemeal attempt at law reform. It continues the language and legal framework of the 19th century as our community faces up to the challenges of the 21st century. It is a pale shadow of Labor's 1995 Criminal Code, which was a comprehensive reformulation of our criminal law in plain English.

The Bill is crafted to avoid the tough issues of prostitution, police powers, summary offences and laws affecting victims of crime. The Bill contains little or no response to the concerns of women in the criminal justice system, in particular their concerns about rape laws and domestic violence laws. The Bill does follow the lead of Labor's 1995 Criminal Code in allowing increased penalties but contains a very odd set of priorities. Its passage would result in a situation in which the maximum penalty for bribing a Cabinet Minister—seven years' imprisonment—is exactly the same as that for a juvenile found guilty of obscene graffiti. This softness on corruption laws is to be expected from the Government which nobbled the Carruthers inquiry and has tried to cripple the Criminal Justice Commission. The Opposition will move an amendment to increase the penalty for bribing a Cabinet Minister from seven to 14 years' imprisonment to bring it into line with the tough anti-corruption measures in Labor's 1995 Criminal Code. I challenge the Government to support the amendment.

This is an acid test for the Borbidge Government. It can no longer continue to be soft on corruption laws. Queenslanders do not want to see a return to the corruption which had Queensland by the throat during the days of the previous National Party Government. The Bill entrenches court delays by removing an accused person's right to apply to the court to be brought on for trial and introducing a provision allowing prosecutors six months to present an indictment after committal. The coalition Government's failure to honour its election promise of appointing five extra judges—with only two appointed to date—has led to lengthy court delays, with recent criticism from Supreme Court Justice Demack that the administration of criminal justice is falling into chaos, with lengthy trial delays threatening public confidence in the administration of justice.

The Bill does contain a number of positive reforms based on Labor's 1995 Criminal Code, such as computer hacking laws, better pre-trial procedures and reform of outdated evidence laws discriminating against victims of sexual offences. These have been unnecessarily delayed. Queenslanders could have had the benefit of these reforms since mid 1996, when Labor's Criminal Code was due to come into operation. The Bill contains no response to community concern over the need for interpreters for defendants, witnesses or victims of crime in criminal proceedings. Labor will move amendments to address these and other issues when the clauses come to be debated.

Let us look at the context in which this Bill comes to be debated before this Parliament. I table for the benefit of the House a letter dated 4 March 1997 from the Queensland Law Society to the Honourable Denver Beanland, Attorney-General and Minister for Justice. That letter sets out the serious concerns of the Queensland Law Society in relation to the lack of effective consultation in the preparation of this legislation. What a stark contrast there has been between the detailed, careful consultation engaged in by Labor in Government and the approach adopted by this Government. But let me turn to the words used by the Law Society in its letter to the Attorney. It stated—

> "It is a matter of concern to the Council that the consultative process created and followed as a result of the Fitzgerald Report seem to have diminished in their effectiveness in more recent times. The Fitzgerald Report identified reform of the criminal justice system as an area requiring special care and safeguards and the need for an effective and balanced consultative

> procedure in the development of legislation to be brought before Parliament. The Fitzgerald Report stressed at a number of places that 'criminal justice law reform activities should, so far as is possible, be removed from the party political process and the bureaucrats who participate and should be distanced from any bias towards a particular point of view.' Commissioner Fitzgerald identified the need for consultation specifically with legal professional bodies and the need to ensure that bureaucrats do not 'filter information and argument when advising Ministers' or Parliament."

What that represents is an expression of concern from the body which represents the solicitors of this State. It is a shocking indictment on the Government that there should be an expression of such concern. After all, it has taken the Government many months to put this legislation before the Parliament. One would have thought that it had ample time to ensure effective consultation. But honourable members may peruse that letter from the Law Society and see there the expression of serious concern about a number of matters in the Bill, particularly concern about the lack of effective consultation with the Law Society and, indeed, the insertion of a number of fresh matters following the report of the advisory working group chaired by Mr Peter Connolly, QC.

But it is not only a case of the consultation processes being somewhat flawed. There is a deeper problem. The deeper problem is that nowhere in the approach of the Government do we see any attempt at a systematic attack on the causes of crime, particularly unemployment and poverty. Quite the contrary. We have seen repeated cuts to job and training programs on the part of the Government. Instead of providing job and training opportunities for disadvantaged Queenslanders—for young unemployed—we have seen the State coalition abolishing training and employment programs worth some $13m with, for example, the public sector trainee subsidy slashed by $2.35m; the Job Training and Placement Program cut by $2.4m; the Local Employment and Enterprise Facilitation Program cut by over $1m; and the Youth Employment Service cut by over $5m.

At a time when much is said about juvenile crime, and at a time after this Government had brought to the Parliament its amendments to the Juvenile Justice Act, one would have thought that the message would have seeped through, namely, that if one is serious about attacking the causes of crime one has to address issues of unemployment, particularly youth unemployment. Instead, the policy on which this legislation is based—just as the Government's approach in the juvenile justice area is based—is a policy of increasing penalties without attacking the causes of crime and, in particular, without attacking issues of unemployment and poverty which give rise to the crime which is a matter of such concern in our community.

Queensland experienced sharp increases in crime in 1995-96 after significant across-the-board falls in 1994-95. The Statewide average rise for crimes against the person was 16%. All but one Queensland police district—Ipswich—experienced a rise, ranging from 4% in Logan to 85% in Charleville. By comparison, in 1994-95, crime dropped in 18 out of the 27 police districts. Property crime experienced a similar surge in 1995-96 with a Statewide increase of 9% after a fall of 3% in the previous year and drops in only four of the 27 police districts, namely, Wynnum, Ipswich, Dalby and Longreach. Increases ranged from 1% in South Brisbane to 39% in Gladstone. In the previous year, property crime decreased or stayed the same in 19 of the 27 police districts.

Against that background, one needs to examine whether the Government has put in place adequate resources to address the problem. Let us consider, for example, the coalition promise of a further 139 police officers in the 1996-97 year. With only a few short months left in that financial year, there are still only 30 to 40 more police in Queensland than there were when Labor left office, that is, the coalition Government is about 100 short on its promise to deliver police numbers. It is passing strange that the coalition should seek to hold itself out as being concerned about issues of law and justice while failing to provide the basic resources that it itself has promised in the area of police services.

Let us look also at the provision in respect of the court system. Only a short time ago, the Supreme Court heard an expression of very great concern from Supreme Court Justice Demack in Rockhampton. He expressed concern that the administration of criminal justice was descending into chaos because of lengthy trial delays, which tended to threaten public confidence in the administration of justice. This is not some partisan group which is saying this; this is the honourable Justice

Demack of the Supreme Court of Queensland expressing his concern in a very strenuous way that action should be taken. It is all the more disturbing because the coalition was elected on a promise of five extra judges. We have seen the appointment of two judges to the District Court but no extra judges to the Supreme Court. The coalition has simply not delivered on its promise to appoint five extra judges. That situation, no doubt, is driving it to the amendment that allows for the abolition of an accused person's right to bring on an application to be brought to trial and replaces it with a period of six months for a prosecutor to present an indictment after a person has already been committed for trial.

If one looks also at the area of Corrective Services, one sees a spectacular lack of planning. My colleague the shadow Minister for Police and Corrective Services pursued the Minister responsible carefully during the Budget Estimates hearings last year to see whether any Budget provision had been made for extra prisons or extra Corrective Services facilities; but no—the Government had not made any such budgetary provisions. How does one reconcile that with the Government's claim now to seek to increase penalties and to "get tough on crime" as it puts it? What one sees is a Government that is willing to put out press releases, willing to make the external flourishes but not willing to do the hard work of putting in place resources to address the hard issues that confront our criminal justice system.

When one examines this area, one sees that this failure of the Government to provide the resources takes place against a background of the Government being fundamentally weak in its commitment to the rule of law. This is the Government, it must be remembered, that nobbled the Carruthers inquiry that was investigating allegations against the member for Surfers Paradise and the current Police Minister. This is the Government which allowed two Cabinet Ministers to sit around the table and to participate in a decision to set up the Connolly inquiry designed to nobble the Carruthers inquiry and which did nobble the Carruthers inquiry. This is not a Government steeped in respect for the rule of law; this is a Government which is willing to use desperate measures to destroy legal institutions.

Let us consider, for example, its attempt to cripple the Criminal Justice Commission, for it gives an insight into its real attitude towards the rule of law and into the failure that the Government has demonstrated in bringing to this Parliament any comprehensive attempt at reforming our criminal law and the criminal justice system. We have seen repeated attacks from the Attorney-General and the Premier on the Criminal Justice Commission. We have seen a budget cut of some $2m to the Criminal Justice Commission. Even when the Government was presented with the evidence that that would tend to prejudice an inquiry into police corruption, the Attorney-General sought to pass off those warnings as mere advocacy on the part of the Criminal Justice Commission for an enhanced budget. The Government has been driven by the weight of evidence to find that money to enable the Criminal Justice Commission, through the Carter inquiry, to conduct its investigation into allegations of police corruption; but, significantly, that delay and lack of support from the Government could well have caused difficulties in the conduct of that inquiry. That demonstrates a lack of respect for the rule of law.

Honourable members should keep in mind that the criminal law is based on fundamental principles that all parents try to teach their children. It is based upon propositions that one should respect property, that one should not assault other persons and that there should be a fair and just course of conduct for people in a civilised society. In that respect, the lack of leadership from the Government in its disrespect for the rule of law is truly worrying. I turn in this regard to the repeated attacks by Premier Borbidge on the High Court of Australia. He has persistently made his attacks not just on the merits of the decisions made by the High Court of Australia but on issues going to the probity and worth of the court and its members.

Could one imagine former Prime Minister Menzies ever describing a High Court decision as "loopy" or "irresponsible" in the way in which Premier Borbidge has done? Of course, members should keep in mind that former Prime Minister Menzies suffered defeat in the High Court in the Communist Party case—a major public issue—and never resorted to the sort of attack upon that great legal institution that we have seen from this Government.

That is why when we come to look at the fundamentals of reform of criminal law it is instructive to look at the Government's approach to the rule of law. How can we expect a young person to show respect for the rule of law if the Premier of the State does not? How can we expect families to inculcate into their children a respect for the deep principles of the rule of law if we see a cavalier

and intemperate approach taken by the State Government and its Premier with regard to the rule of law? There is a duty upon Governments to look after not only the letter of the law but also the spirit of the law. One sees in the approach of this Government to the criminal law the sort of disregard and the lack of respect for the fundamental principles of the law that we see in its approach to the constitutional law of this country.

This Bill before the House seeks to repeal Labor's 1995 Criminal Code. It is worth keeping in mind that that Criminal Code was debated and passed by this Parliament and was due to come into operation in June 1996. Indeed, the coalition did not oppose that Criminal Code and called for a division on only one of its clauses, that dealing with palliative care. So this attempt to sweep away the comprehensive reforms outlined in Labor's 1995 Criminal Code will be opposed by the Labor Opposition. Labor believes that many of the reforms should have been in place in the normal course of events as far back as the middle of last year but for this Government's determination to scrap Labor's Criminal Code and replace it with the piecemeal reforms that we see in this Bill.

I shall turn to a number of specific areas of the Bill and indicate the Opposition's concerns with regard to those areas. If this Bill were passed, the penalties in respect of bribing a Cabinet Minister remain at seven years. In contrast, Labor's Criminal Code had a maximum penalty of 14 years. I foreshadow that Labor will move an amendment to increase the penalty. I challenge the Government to support Labor's amendment and to end the softness on corruption law that we have seen from this Government.

Similarly, Labor in its Criminal Code made provision for special protection for elderly and disabled people. It provided that there were particular circumstances where an assault should be regarded more seriously and should attract a penalty of seven years' imprisonment. In respect of those two categories of persons—the elderly over 60 years of age and persons with a disability—I foreshadow that the Labor Opposition will move amendments in order to put in place penalties of up to seven years' imprisonment in respect of assaults on those particular persons.

Similarly, under Labor we took the view that it was a much more serious offence to bribe a Cabinet Minister than it was to have a juvenile doing graffiti. This Government is seeking to insert specific provisions that would have the effect of increasing the penalty for graffiti up to seven years. We note that the Government seeks to put in place propositions that were advanced by Labor, namely, that there should be power to order the removal of graffiti and compensation for the owners of the relevant property. However, Labor will oppose the introduction of this excessive penalty of seven years. Labor believes that we need to increase penalties in areas such as the bribing of Cabinet Ministers and assaults on the elderly and the disabled. Labor also believes that within the general context of an offence of wilful damage, which attracts a penalty of five years as a consequence of this Bill, there is ample provision for the courts to ensure that the punishment fits the crime.

I turn to the area of civil remedies and to the Government's criticised provision of ousting civil remedies in respect of persons engaged in the commission of an indictable offence. I draw the attention of the House to the Alert Digest of the Scrutiny of Legislation Committee, which was tabled today, in which at page 7 the committee said this—

> "The committee is concerned about the blanket removal of the rights to civil remedies of persons found guilty of indictable offences in the circumstances of this amendment."

The committee goes on to say—

> "The committee therefore requests the Attorney-General to consider more targeted amendments to the common law that preserve the integrity of this clause but have the flexibility to take cognisance of injustice caused or hardship suffered in particular cases."

I foreshadow that the Labor Opposition will move to amend the Bill before the House to achieve the aims set out by the Scrutiny of Legislation Committee.

That provision has been drafted far too widely. In its current form, it catches not just the home intruder—and Labor's amendment will ensure that the provision continues to apply in the case of home intruders—but also it is drafted so broadly that it picks up a whole host of other perhaps unintended consequences. For example, the committee refers to a person taking an apple from a tree on private property being guilty of theft. If the person were critically injured by the land-holder but convicted of the theft, they would have no recourse under the civil law against the person inflicting that harm. Similarly, take the case of a 14-year-old-girl pinching a packet of cigarettes from a shopping centre. If she were accosted by an overzealous security guard

and suffered injury, she would have no capacity to seek compensation. Consider also the position of other persons engaged in indictable offences, such as teenagers who may be engaged in the unlawful use of a motor vehicle and who suffer paraplegia as a result of a car accident. Where they would otherwise be able to obtain third-party insurance compensation if it were the result of the negligence of a third party, under the clause in its current form they would be prevented from doing so. It is for those reasons that that clause needs attention.

It is not sufficient for the Government to simply trumpet its desire to get tough on crime; it has a duty to the law to frame those amendments in such a way that it does not cause unintended consequences, such as the sort of hardship referred to by the Scrutiny of Legislation Committee. The Labor Opposition will be moving an amendment to avoid those hardships and unintended consequences and to ensure that the application of the law as it is intended by the Government, namely the situation of an intruder into a home, is covered but that other consequences are not necessarily swept up by that provision.

Sitting suspended from 1 to 2.30 p.m.

Mr FOLEY: The position of women in our criminal justice system is an area that requires a careful and vigorous approach to reform. I welcome the action of the Government in following the lead set out in Labor's 1995 Criminal Code to overcome the antiquated and discriminatory rule of evidence which required judges to give a warning as a strict rule in cases involving complainants of sexual offences. The law should be that these offences are treated the same as other offences and that a judge should be free to comment as the judge sees fit on the facts and circumstances of the case. The Labor Government moved to abolish the common law rule with the strict requirement of a warning that it was dangerous to convict on the uncorroborated testimony of a complainant in a sexual offence. The sad thing is that this could have been in place back in the middle of last year and that victims of rape and other sexual offences have not had the benefit of this reform as a result of the determination of the Government not to proceed with Labor's Criminal Code. However, there are two further areas of reform which this Government has failed to address. I refer to the definition of "consent" in rape cases and provision to ensure that evidence of domestic violence may be taken into account in relevant cases of homicide.

The Opposition has consulted with a number of women's groups and they have expressed concern at the lack of a definition of "consent" in the Criminal Code. This problem was addressed in Labor's 1995 Criminal Code, but, significantly, the Bill before the House does not address that problem. That means that the definition of consent in rape cases falls to be determined on the basis of a range of individual case decisions. It is appropriate that the Parliament moves to set out a reasonable definition of consent. Indeed, the Parliament did so in Labor's 1995 Criminal Code with the provision which defines "consent" in these terms—

"1. "Consent' means consent freely and voluntarily given by a person with the cognitive capacity to give the consent.

2. Without limiting subsection (1), consent is freely and voluntarily given if it is not obtained—

(a) by force, threat, intimidation or deception; or

(b) by exercise of authority."

I foreshadow that Labor will be moving an amendment to insert that definition in the Criminal Code. That responds to the concern of women's groups that it is desirable that the law in this area should be set out clearly in the statute and not left to a wide range of case law to be determined. In particular, concern has been expressed that the Parliament should make it clear that consent does mean consent freely and voluntarily given. That is a reasonable and very legitimate concern and it is one to which I would urge all honourable members to have regard.

Similarly, in the case of a woman who has been the victim of domestic violence over a lengthy period, if such a person finds herself charged with the homicide of her spouse, in relevant cases it is important that the court should be able to hear evidence of the domestic relationship between the accused and the person against whom the offence was committed. Again, the common law has developed through a series of cases to provide that relevant evidence of a domestic relationship may be led where it goes to the issue of criminal responsibility.

I draw the attention of the Parliament to the decision of the Appeal Court in South Australia in The Queen v R (1981) 28 SASR 321. In that case, King CJ set out circumstances in which it would have been quite proper for that history to be led in evidence in a case in which provocation was

raised by the defence but was withdrawn from the jury. In that case, the accused killed her husband by attacking him with an axe while he was sleeping. She was convicted of murder, but at her trial provocation was withdrawn from the jury. She appealed. In his judgment, King CJ set out reasons why it was important that the history of the domestic violence should have been heard by the jury. He said this—

> "The deceased's words and actions in the presence of the appellant on the fatal night might appear innocuous enough on the face of them. They must, however, be viewed against the background of brutality, sexual assault, intimidation and manipulation. When stroking the appellant's arm and cuddling up to her in bed telling her that they could be one happy family and that the girls would not be leaving, the deceased was not only aware of his own infamous conduct but must have at least suspected that the appellant knew or strongly suspected that, in addition to the long history of cruelty, he had habitually engaged in sexual abuse of her daughters. The implication of the words was therefore that this horror would continue and that the girls would be prevented from leaving by forms of intimidation and manipulation which were only too familiar to the appellant. In this context it was, in my opinion, open to the jury to treat the words themselves and the caressing actions which accompanied them as highly provocative and quite capable of producing in an ordinary mother endowed with the natural instincts of love and protection of her daughters, such a loss of self control as might lead to killing."

I urge the Government to give consideration to these matters, because the position of women in the criminal justice system deserves attention in any serious efforts at law reform.

I turn now to the broadened offence of incest which is included in the Bill before the House. The Bill amends the law of incest by extending the class of persons potentially affected by the application of the criminal law. In this respect I draw the attention of the House to the document which I tabled before lunch, in which the Queensland Law Society had this to say about the proposed new incest provision—

> "The proposed amendment to section 222 of the Code is an example of unnecessary and unwarranted increase in the class potentially affected by the application of the criminal law. As a result of the extraordinary approach to the amendment of this section of the Code, persons will find themselves in jeopardy of life imprisonment for breach of the criminal law in circumstances where their activities would not be regarded as criminal or as morally blameworthy by any sensible citizen.
>
> It is the case that, under the new section, A and B may cohabit in a de facto relationship for a year, and the daughter of A by a previous relationship may subsequently have a sexual relationship with the son of B by a previous relationship. As a result of that relationship, the step siblings would have committed incest, notwithstanding that there is no legal impediment to their marriage. Indeed, even if the step siblings were married, the offence would still be committed, as it does not appear that the Marriage Act of the Commonwealth would afford any defence to the criminal activity engaged in by the married couple.
>
> The society's concern is not only that the drafting of the provision has produced a manifestly absurd result but that the proposal has been created without any consultation and is directly contrary to the advice of two independent working groups commissioned to review aspects of the Code on behalf of the Government."

One can understand the concern of the Government to provide protection in appropriate cases, but this provision is drafted so broadly that it is directly contrary to the recommendations of the advisory working group chaired by Mr Peter Connolly, QC, appointed by the Government. Whatever the intentions of the Government may be, this provision creates, as the Law Society says, a manifest absurdity, and I would urge the Government to reconsider its position on this matter. I foreshadow that the Opposition will be opposing this provision.

The Bill also seeks to remove the right of a person committed for trial before any court for an indictable offence to make application to the court to be brought to trial. The operation of the proposed new provision would result in accused persons, including those held without bail, losing any right to have their trials disposed of in a timely manner. Persons may be imprisoned without trial for six months at a time and not know what indictment may ultimately be presented against them. Even after release due to the expiry of the time limit in the section, they would remain at jeopardy

of fresh proceedings by ex-officio indictment. This is a provision which entrenches delay in the criminal justice system.

The Government should be getting on with the job of honouring its promise and appointing the five judges that we have been waiting so long for since the coalition promised them. It has simply failed to deliver, with only two judges being appointed so far. It is quite unsatisfactory that the criminal justice system should shift in philosophy and practice so as to remove an accused person's right to apply to be brought on for trial and to substitute that with a mere duty on the part of a prosecutor to present an indictment within six months.

I turn to the principle that the onus of proof is on the Crown and it is for the Crown to bring the charge and prove the charge. That is a principle of ancient origin, but it is a principle which is significantly eroded by the provision to give advanced notice of expert evidence. In this respect, I am mindful of the comments of the Court of Appeal in psychiatric cases that it would be desirable that there be some advance notice and exchange of reports in respect of psychiatric evidence. But this goes much further than that. It goes to all expert evidence and, as such, it represents a significant erosion of the principle that the onus of proof is on the prosecution and that it is for the prosecution to bring the charge and prove the charge. Accordingly, I foreshadow that the Opposition will seek to amend that provision so as to confine its operation to psychiatric and psychological reports.

The conduct of a fair trial depends directly upon the control of evidence exercised by the trial judge. Trial judges must exercise a discretion in certain cases, and in other cases they are governed by strict rules of law in relation to evidence. In the area of similar fact evidence, there has been considerable litigation. There have been many appeals to the superior courts. I participated as counsel for the appellant in the High Court case of the Crown v. Hoch (1988) 165 Commonwealth Law Reports, 292.

In that case, the High Court set out its ruling with respect to similar fact evidence. Concern has been expressed in the wake of that case that separate trials were required to be ordered where there was a mere possibility of concoction or collusion on the part of witnesses. In its 1995 Criminal Code, Labor moved to limit the operation of those principles to circumstances where there was a real chance, as opposed to a mere possibility, that the evidence was concocted or arose from collusion.

I note that the Criminal Code advisory working group to the Attorney-General chaired by Mr Connolly, QC, recommended a provision in respect of the inadmissibility of similar fact evidence which is in similar terms to that adopted by the Labor Government. This retained a discretion on the part of the trial judge which is sought to be ousted by the Bill currently before the Parliament. It is disturbing that that judicial discretion should be sought to be ousted in such a way.

I draw the attention of the House to the letter from the Queensland Law Society concerning this discretion in respect of evidence. It states—

> "The Society opposes the proposals in this Bill to remove from the judge having the conduct of a criminal trial the basis of the discretions to exclude similar fact evidence or to limit discretions in respect of ordering separate trials in the manner proposed. This is a further example of change without notice to fundamental principles of the administration of criminal law. No warrant or justification for change has been offered and the approach is not recommended by your advisory working group."

The Opposition shares the concern expressed by the Queensland Law Society and urges that the judicial discretion set out in the report to the Government by the committee chaired by Mr Connolly is a better approach than the one adopted in the Bill.

In respect of accomplices, the law has traditionally required that there be a warning given that it is dangerous to convict on the uncorroborated testimony of an accomplice. That is so because accomplices, by their nature, are unreliable; they are criminals. Although the Opposition welcomes the reform to the corroboration laws governing sexual complaints, it is unfortunate that the traditional rule regarding accomplices has been swept away as well. The Opposition expresses its grave concern in respect of that provision.

In consultation with a broad range of groups, including the Victims of Crime Association and the Women's Legal Service, my attention has been drawn to the need for interpreters in the courts. This, of course, is part of the inherent jurisdiction of the court to ensure a fair trial. The community concern in this area indicates that it would be desirable to enshrine in legislation the court's power to order the Crown to provide for an interpreter for a complainant, defendant or witness in a criminal proceeding. I think it is particularly

important that this apply not only to witnesses and defendants but also to complainants, to victims of crime. When I had the honour of presenting to this House the Criminal Offence Victims Bill, we included in that legislation the need for sensitivity to linguistic problems affecting victims of crime. Accordingly, I foreshadow that Labor will move an amendment to empower a court that is satisfied that the interests of justice so require to provide for an interpreter for a complainant, defendant or witness in a criminal proceeding and, further, that the court should have regard to the fundamental principles of justice set out in the Criminal Offence Victims Act.

I am sad to say that the coalition Government talked much of the rights of victims of crime when it was in Opposition but has been very slow to act in response to the concerns of victims of crime. I urge it to support the Opposition's amendment in this respect. Consider the position if one were the victim of a crime and the trial were being conducted in a foreign language. Surely it is reasonable to expect that the complainant be allowed to follow the proceedings so that he or she can understand what is going on. This provision is one that would have to be brought into effect at the discretion of the court and no doubt has some resource implications. However, the courts no doubt would exercise the discretion in respect of such an order in the interests of justice mindful of the requirement for a fair trial but also mindful of the principles set out by the Parliament in relation to the rights and position of victims of crime. Frankly, for far too long our criminal justice system has focused on the prosecution and on the defence and has tended to neglect the position of victims of crime in the whole criminal justice process. The amendment which the Opposition proposes will go some way towards addressing those concerns.

The Opposition expresses its concern over the failure to attack the causes of crime, the failure of the Government to address issues of unemployment and poverty. We express our concern over the lack of effective consultation which has been criticised by the Queensland Law Society and criticised as recently as this morning on ABC radio by a spokesperson of the Women's Legal Service. We draw the attention of the Queensland people to the inadequate resources which the Government is placing in the area of criminal justice, in particular its failure to deliver on adequate numbers of police, its failure to deliver on its own promise of extra judges for the courts, its failure to put in place the budgetary and infrastructure measures necessary for the Corrective Services Commission to do its job. We express our concern moreover that at the level of ideas, at the level of the spirit of the law, this Government, far from providing leadership to the young people of our community, has shown a contempt for the rule of law in its nobbling of the Carruthers inquiry, in its attempt to cripple the CJC and in the Premier's repeated attacks on the High Court.

Against that background, the Opposition urges a more comprehensive approach to the problem of crime; one which focuses upon the need to combat it and to respond to the genuine concern expressed in the community about crime. Because the Bill seeks to repeal a comprehensive reform to the criminal law set out in Labor's 1995 Criminal Code, the Opposition will oppose it, but the Opposition will also move the series of amendments that I have foreshadowed in an attempt to make this Bill better and to make the criminal laws of Queensland better.

The principle that every parent tries to engender in his or her children is a principle of respect for the rule of law. This means that when the Parliament comes to debate the fundamental structures of the criminal law, we are talking about something which is important not just in a legal sense but also in a social sense, for the principles that underpin the rule of law go to the very social fabric of our society. It is a shame that the great efforts of my predecessor the former Attorney-General, Dean Wells, the member for Murrumba, in producing Labor's 1995 Criminal Code are being attacked in this way by this piecemeal reform, for the replacement of a comprehensive reform with a piecemeal reform will operate to the detriment of good government and to the detriment of the good administration of justice. There is, however, opportunity nonetheless in the material that we have before us to seek to make some improvements in the law and to ensure that the criminal law does justice.

I think it was Lord Denning who once observed that the law has two great goals—one is order and the other is justice—and that sometimes those goals may be, or at least appear to be, in conflict. It is important in this debate that we concern ourselves with issues of justice, for the Parliament of Queensland has not undertaken a major review of the Criminal Code outlined by Sir Samuel Griffith in the 19th century for nearly a century. While the current amendments before the Parliament are not comprehensive in nature,

none the less they do make some significant changes to the principles and practice of the criminal law in Queensland. Accordingly, I urge the Parliament to pursue the course of justice, I urge the Parliament to oppose this Bill and I urge the Parliament to send a strong message to the Government of the day that it must do more than talk about issues of law and justice; it must attack the causes of crime and in particular attack unemployment and poverty, which are the root causes of so much that is ill in our society.

Mr BEATTIE (Leader of the Opposition—Brisbane Central) (3 p.m.): The bottom line is that the coalition is soft on corruption and crime, in particular organised crime; and it is soft on home invasions. This Bill is not some great leap forward into tougher penalties for criminals in Queensland. At the beginning, let me make this clear point: how can young offenders in this State look forward to some respect for the law from the politicians of this State when the Premier shows no respect for the law at all? What sort of example did he demonstrate when he consistently attacked the High Court on the one hand——

Ms Spence: Shameful attack.

Mr BEATTIE: Yes, it was a shameful attack. On the other hand, he tried to rip up the constitution so that when a vacancy occurs in the Senate, the replacement would be one of his mates? When the Premier of this State does not respect the law, the High Court or the constitution, how can he expect young offenders, whether they are involved in petty crime, graffiti or some other offence, to respect the law?

Mr T. B. Sullivan: Hypocritical.

Mr BEATTIE: It is very hypocritical. He is giving a bad example to our young people. That needs to be clearly understood.

We are asked to believe that this Bill is a consequence of a comprehensive review and forms part of a comprehensive strategy to tackle the rising incidence of crime in our communities, crime that continues to rise unfettered under the coalition. As to the comprehensive review, that was Labor's. This Bill contains many of the tough penalties recommended by Labor and included in Labor's 1995 Criminal Code.

I say to the Attorney-General, why over the last 13 months has crime increased? It is because he sat on his hands and did not enact our Criminal Code. That is why. He did not enact our Criminal Code. He should be roundly condemned from Brisbane to Cape York because he sat on his hands and played politics for 13 months. During that time our Criminal Code could have introduced tougher penalties, which would have done something about crime. He owes an explanation to this House as to why he sat on his hands for 13 months and waited until another one of his mates, Mr Connolly, whom we hear so much of these days, gave his view on the Code.

This Bill is a political document first and foremost. The Government is not primarily concerned about introducing a fair and just Criminal Code for Queensland, but the Government desperately needs to be seen to be tough on crime because its political fortunes are disappearing. The Premier's approval rating is going through the floor and the standing of the National and Liberal Parties in the electorate is disappearing. What do Government members do? They come out with this old adage of trying to look tough on law and order. If only it were true. Certainly, there are a range of increased penalties. Where did many of the penalties come from? From Labor's 1995 Code!

It is interesting, however, to look at the penalties that have not been increased and, indeed, those that have been reduced. Let us look at what this Government is about. It is prepared to be tough on kids—and there is some support for that on this side of the House—provided that we target the real causes, the root causes, of crime which are, as the honourable shadow Attorney-General said, unemployment, social dislocation and those sorts of issues. But whom is the Government soft on? It is soft on corrupt Ministers. How can it be happy to be soft on itself when it is happy to be tough on someone else.

Mr T. B. Sullivan: Special mates' rates.

Mr BEATTIE: That is right, special mates' rates.

Despite all the tough talk not all criminals will be treated the same. Kids using spray cans will risk up to seven years in gaol yet the coalition is happy to see a Minister of the Crown who has taken a $1m bribe subjected to the same seven years' imprisonment. Where is the fairness in that? So a crooked Minister goes to gaol for seven years but for how long does a kid with a spray can used for graffiti go to gaol? The same seven years! Where is the fairness in that? As members opposite know, under Labor that Minister would have got 14 years' gaol. Under Labor, both under the Goss Government and my Government, he would have got double the

penalty. I will not be soft on Ministers or previous Ministers who break the law and who are guilty of corruption. The coalition members are tough on crime provided they get the right sort of criminals to be tough on, provided the criminals are not their mates. They are not prepared to get tough on their mates.

We would not have been soft when it comes to offences involving wilful damage. Under our Criminal Code anyone involved in wilful damage, which includes graffiti—that is where it would have been under our Code—would have been liable to a penalty of up to seven years as well. We are not prepared to equate wilful damage with corruption. We believe one of them should be liable to imprisonment for up to seven years, but that Ministers should go for 14.

Let us look at some of the other criminals the coalition will be tough on, and this exposes the nonsense of the Government's position. You know what it is really tough on—witchcraft and fortune telling! Labor's Code did away with the offence of pretending to exercise witchcraft or telling fortunes. Members should not worry: because the coalition is tough on crime it has reinstated the provision to protect us all from witchcraft and fortune telling.

An Opposition member: Tell us Joan's and Denver's fortune.

Mr BEATTIE: I read it in my palm; their fortune is not good. The provision in the Bill states—

> "Any person who pretends to exercise or use any kind of witchcraft, sorcery, enchantment, or conjuration, or undertakes to tell fortunes, or pretends from the person's skills or knowledge in any occult science to discover where or in what manner anything supposed to have been stolen or lost may be found, is guilty of a misdemeanour, and is liable for imprisonment for 1 year."

Government members are going to send fortune tellers to gaol for one year. Crook Ministers will get only seven years; we would have given them 14 but, no, whom are they serious about—fortune tellers! No doubt it was very important to put witchcraft and fortune telling back in the Criminal Code. I am sure we will be filling our new prisons to overflowing with witches and fortune tellers. That is who will be in gaols.

The Opposition acknowledges that the coalition is tough on witchcraft, fortune telling, sorcery, conjuration and on enchantment. That is what we know it is tough on. The problem is where it is not tough. What did it leave out from Labor's Criminal Code? Do honourable members know what they left out? Organised crime! Organised crime is not in its Criminal Code, yet it was in our Criminal Code in 1995. The Government left out the crime of engaging in organised crime and do honourable members know why? It is because so many of its mates are involved in it. The Government showed it is not interested in getting the Mr Bigs——

Government members interjected.

Mr BEATTIE: Listen to them squeal. The Government and all its organised crime mates ought to squeal because this Government is the toast of every organised crime figure in Australia and overseas. They are delighted with this Government. Organised crime will vote for the Government but Queenslanders will not. The Government shows it is not interested in getting the Mr Bigs and their operatives in areas like the drug trade, the highly organised and well-financed criminals who hide behind expensive lawyers and the sort of slime balls and drug barons who would never get their hands dirty by actually selling drugs on the street. The sort of criminals who make the big money and cause the most misery in our society get off under this mob. Labor provided for terms of life imprisonment.

Mr Lingard interjected.

Mr BEATTIE: I hear the Minister for Families rush to defend one of his organised crime figures. I am delighted to hear him defending his crooked former Ministers and organised crime. Let it be on the parliamentary record; when did we hear him interject? To defend his mates in organised crime!

Labor provided for the term of life imprisonment for engaging in organised crime. That is how serious we were. The coalition is happy to reject the broadly defined new offence to get these grubs while it concentrates on being tough on the witches and the fortune tellers. That is exactly what the Government is about.

What else has the Government left out of the Criminal Code? It will come as no surprise to anyone on this side of the House that section 196 seems to have disappeared from Labor's Code. Section 196 dealt with unlawfully interfering with an election. What have we got now? This is the mob who talk about honesty in an election. This is the mob who talk about honesty in advertising in an election and what do they do? They have thrown section 196 out. What did our Code say? It said—

"(1) A person must not unlawfully do an act with intent to—

(a) interfere with the lawful conduct of an election; or

(b) improperly influence the result of an election.

Maximum penalty—seven years imprisonment."

What could possibly have caused the Government late last year to want to exclude such a provision from the Criminal Code? Was it worried that some of its activities in Mundingburra may come home to roost? Was it worried that someone may be charged under the Criminal Code? Why did it leave it out? It means that the Government is tough on witches, it likes organised crime, it is happy for its Ministers to be crooks and it can pull any rort it likes in an election. That is what the Government stands for. It is an absolute joke when it comes to fighting crime.

I turn now to the issue of home invasion. What was the one issue that members opposite talked about in Opposition? Home invasion. Let us look at what they did in the Code. In Opposition, the coalition made a lot of noise about safety and security at home and repeatedly criticised both the civil and criminal law in relation to so-called home invasions and personal security. Nowhere did the Premier and Police Minister talk tougher than on the issue of home invasions. They disgraced themselves and this House with their grubby attempts to score political points over the Castorina case. When talking about the law in this regard, the Premier—the man who does not respect the Constitution or the High Court—said in the Courier-Mail on 18 March 1995—

"Clearly the existing law is inadequate. We are looking at strengthening the right of people to defend their homes, their property and their family."

We were also told that a coalition Government would not charge people who shot intruders who threatened them. Yet, in this regard, the new Code makes only the most minor of changes, which will have no practical effect on the law as it currently operates and as it operated in the Castorina case. It makes no significant change. Instead, the coalition has introduced some absurd changes to restrict the right of an offender to sue a home owner if the offender is hurt. But let there be no mistake. This Bill retains the very same test. This makes it harder to justify defending one's own home than it would have been under Labor. Under Labor it would have been easier to defend one's own home. We only required any actions in defence of one's home to be reasonable. The coalition said that Labor was not going far enough. There was no requirement to show that the person using the force to defend his or her home had to believe that "on reasonable grounds . . . it is necessary to use that force." It is a more difficult test under the coalition's legislation.

Mr Elder: Fraud.

Mr BEATTIE: It is a fraud and a misrepresentation—and a deliberate one—to the people of Queensland.

Once again, let me remind members of what the Premier said in the Courier-Mail on 15 March 1995. He said that, under a Government led by him, people would not be charged if they shot intruders in a home invasion situation. He added that he considered it reasonable for a person to defend his or her family and home through the use of weapons, including firearms. As always, the Premier talks tough but delivers little. The great theme out of this debate about the Criminal Code is this: the Premier talks tough, the Attorney-General talks tough, but they deliver nothing. They are hot air. This will not assist people in home invasion situations.

As to bribery—Labor's Code pulled together and enhanced a mishmash of provisions on bribery and related matters into a single chapter of the Code. What did members of the coalition do? They are not worried about bribery. They have a long history of experience with it. They are not worried about it. The coalition has been content to retain the mishmash.

As to the disclosure of official secrets—Labor tidied up the provision relating to disclosure of official secrets. The provision inserted by the coalition Government is largely similar to Labor's, except that it reduces the maximum penalty from three years to two years' imprisonment. So the coalition is soft on the disclosure of official secrets.

As to assaults on the aged and disabled—here is another classic example of where the coalition is soft on crime. The coalition has made it clear that it expects older Queenslanders to keep their doors and windows locked and bolted during the day. Labor increased to 20 years' imprisonment the penalty for entering a dwelling during the day with intent to commit a crime. But under this coalition Bill that penalty returns to a maximum of 14 years' imprisonment. Yet this is the mob who run around saying that people have to

serve 80% of their sentences. So what did they do? They reduced it from 20 to 14 years' imprisonment. And the Premier says to the Opposition, "Don't you stand in the way of this legislation." Then he takes off this Friday and next Thursday, so Parliament will not sit. But he says, "Don't stand in the way of legislation." The Premier is reducing the effectiveness of these penalties. Today his fraudulent behaviour is being exposed.

Labor's Code contained special provisions at section 114 which meant that if an assault was committed on someone under 16 years of age or over 60, a pregnant woman or someone with a disability, that was an aggravating circumstance and the penalty went from three to seven years' imprisonment under our Code. We wanted to protect children under 16, people over 60, pregnant women or someone with a disability.

Mr T. B. Sullivan: Those more vulnerable.

Mr BEATTIE: That is right—the most vulnerable people in the community. We wanted to protect them, so we increased the penalty from three to seven years' imprisonment. There is no such provision for common assault on older Queenslanders in the coalition's Code. Under the coalition, assault on an older and disabled Queenslander will carry a maximum penalty of only three years under section 335. I ask the Attorney-General: where is your protection for young people, the disabled, pregnant women and senior Queenslanders? In his reply, he owes the people of this State an explanation as to why he is not prepared to protect them.

As to increases and decreases—we have already begun to hear the Attorney-General and others trumpeting about how they are tough on crime because they have further increased penalties over and above the substantial increases under Labor. What have they done? They have increased some penalties while actually decreasing others for what are significant offences. I do not need to go into the detail of the increases, because members will be hearing about those ad nauseam from members opposite.

The coalition has failed to attack crime on all fronts. At the same time, it will have nothing to say about crime prevention and stopping the root causes of crime, about genuine increases in police numbers and real community policing. Under my Government, we will actually tackle the root causes of crime, not try to sort it out at the other end. The coalition desperately needs to be seen to be tough on crime for political reasons. Many of the penalties contained in this Bill were new or increased penalties in Labor's 1995 Criminal Code, which was passed by this Parliament without members of the then Opposition moving even one amendment. They let our Code go through without one amendment. But what did they do? They came back and watered it down. The coalition's ready acceptance of Labor's Criminal Code would seem to suggest that they like it—and like it they did. They have incorporated most of it in this Bill before the House, but with some very important and telling exceptions.

Labor was and is tough on crime. But being tough on crime is about more than tough sentences, just as good policing is about more than police numbers. As we head towards the 21st century, we need to be clever about how we tackle crime. The coalition's overreliance on increased penalties is part of a not-so-clever political public relations exercise to cover up the coalition's inability to deal with the broad issues associated with crime management in our community. This Bill is simply knee-jerk populism. It promulgates the view that the easy and sole answer to crime is to lock up more offenders for longer. Labor understood the need for tough sentences. That is why our 1995 Criminal Code included a range of tough sentences the likes of which had not been seen before in Queensland. However, we made sure that tough sentences were equally handed out to Ministers and the Mr Bigs of crime as they were to the less illustrious Queenslanders involved in crime.

The community frequently calls for tougher penalties. Labor responded to that in 1995. But all that people really want is for crime to stop or to be significantly diminished. The Government thinks that if it simply increases penalties it will be seen to be tough on crime and the community simply will not notice its inaction in providing more police, creating jobs or reimplementing community policing initiatives introduced by Labor. That is what the Government hopes will happen.

An updated Criminal Code needs to be but one strand of a comprehensive strategy to tackle crime, which includes more police, instead of the pathetic effort so far; a properly costed impact assessment of the State's prison system; the expansion and reintroduction of community policing initiatives introduced by Labor in Government and stalled or scrapped by the coalition, such as Police Beats; an aggressive response to unemployment—like Labor's $200m three-year Community Jobs Plan; a reinstatement of the $13m training and employment programs

scrapped by the coalition; programs such as the Public Sector Trainee Subsidy Program, which provided 670 jobs at a cost of $2.35m; and the $5.3m Youth Employment Service, which was scrapped by the coalition.

Time expired.

Mrs GAMIN (Burleigh) (3.19 p.m.): I think that this House should nominate the member for Brisbane Central for an Oscar. Since I have been in this place, his acting skills have improved enormously. He does not believe a word he says. He has been very dramatic. I think "histrionics" is the word I am looking for.

I rise to support this Bill. These are major changes to the Criminal Code, changes that are of the greatest importance to Queenslanders. They are changes that will mean safer streets and a properly administered criminal law. These changes should have been implemented before now. The Goss Labor Government recognised that changes needed to be made, but, instead of getting on with the job of making those amendments in a thoroughly professional and workmanlike manner, the Goss Labor Government squandered its opportunity. It squandered that opportunity by listening to bad advice, that advice being that the Criminal Code written by Sir Samuel Griffith was no longer working and needed total rewriting. Instead of reflecting on such radical advice, the Goss Labor Government accepted it without question and then took five long years to produce the 1995 Criminal Code, which was then criticised from one end of Queensland to the other. The most trenchant criticism came from the lawyers. They pointed out that implementation of the Labor Code would mean appeal after appeal as the courts struggled to give meaning to all the rewritten sections. Such criticism was well placed, as it was the lawyers who stood to make a lot of money by conducting appeals. The legal community has done this State a wonderful service by resisting the 1995 Code. That resistance alone will save millions of dollars for the taxpayer.

I do not know how the members opposite can look honest Queenslanders in the eye and truthfully say that they were concerned about crime. The Labor Party needs to explain to the people of this State why it wasted huge amounts of taxpayers' money on twice rewriting the Criminal Code, which had worked very well for nearly 100 years. There was simply no need to waste money and time; there was no need to rewrite it twice. Of course, wasting time on reviews was designed to give the public the impression that the ALP was working hard. We all know what it was doing: it was marking time, wasting time. The majority of voters recognised its intransigence for what it was, and voted it out.

The dangers apparent in throwing out the old Code for new, rewritten laws was apparent to everyone except Labor. It should not have listened to its own spin doctors. The advice from Labor lawyers and hangers-on was akin to a lawyer representing himself in court, and we all know that only a fool would do that. The National/Liberal coalition Government, however, consulted well-respected practitioners and the public, and then quickly got on with the job of amending those sections needing amendment. This House will remember that Labor received excellent advice on updating the Criminal Code from Rob O'Regan, QC, and then threw his advice out.

Honourable members will recall how the former Attorney-General, Dean Wells, used to boast that archaic sections of the Code were to be removed, sections such as those that make it an offence for someone to have a blackened face at night. With the huge number of break and enter offences that ran out of control under Labor, that is exactly the sort of section that one would want to keep. Blackening the face at night is camouflage for criminals intent on not being seen. It is perfect camouflage for those hiding in bushes in people's yards as they plan their burglaries. This Government is not getting rid of such an important section. However, what this Government is doing in relation to break and enter offences is very important. All break and enter offences will now be called what they really are: burglaries. Until now, section 419 of the Criminal Code referred to a burglary as a break and enter offence that occurred after 9 p.m. and before 6 a.m. However, people know what a break and enter is: it is a very serious offence and it is burglary—the crime of a sneak that occurs day or night. If there is an aggravating feature of that crime, such as the use or threat of violence or of being armed or pretending to be armed, or in company, or where property is damaged or threatened to be damaged, then the offender is liable to imprisonment for life. I am, of course, talking about crimes that are more than just burglary. These are what we now know as home invasion offences. Home invasions are the most terrible of property crimes because of the sheer terror that the victims suffer. This Government has addressed those crimes. It is of importance that the judiciary takes note of the liability of imprisonment for life that this

Parliament considers to be a most appropriate range of penalty.

I will now comment on the very sad case of Tracy Wooding. That was the case in which her former boyfriend kicked her in the stomach because he did not want to have the responsibility of caring for the yet-to-be-born baby. The National/Liberal coalition Government has amended a very important section in the chapter of the Criminal Code dealing with homicides. It did that in response to the Wooding incident. Honourable members should make no mistake: section 313 closes the gap that existed in the law. The provision went out for public discussion and comment. The intent of the original provision has not been changed by this Government, that is, to ensure that there was adequate criminal liability available to deal with that type of offence when a baby was capable of being born alive. This Bill will do much to modernise the criminal laws of Queensland and deserves the support of the House.

Mr BARTON (Waterford) (3.25 p.m.): I rise to oppose this Bill in its current form. My principal reason for that opposition and the principal concern about which I will speak is the potential impact of this Bill on the Police Service and Corrective Services, because this Bill fails to address the community's needs. This Bill represents a Government that likes to talk tough, but which wimps out when it comes to delivery of the measures that are needed to protect the public against criminals in our society. They are wimping out on delivering appropriate laws. They are certainly wimping out on delivering appropriate police numbers and resources and the number of prison cells that are required now—let alone the number that would be required if the massive change that they are proposing will occur does occur.

I reinforce what has been said by my two colleagues who preceded me in this debate. In reality, this Bill is a pale shadow of Labor's 1995 new Criminal Code, which the members opposite never sought to enact and which they allowed to languish for over a year while crime increased dramatically in this State. I will provide honourable members with some statistics a little later. The basics of a very good criminal justice system are very simple. The public want criminal laws to be tough but fair. The public want laws and enforcement, and punishment where necessary, which ensures that they are safe at all times—whether it is in their homes or public places, and particularly if they are travelling on the streets or in trains. They want to be sure that their property is secure. They are entitled to that security. The public want a Police Service that is professional, courteous and corruption free. The public want a Police Service that has the necessary numbers and the resources to be able to respond to calls for assistance promptly and effectively. The position has worsened in the 12 months since this current coalition Government came to power.

The greatest fears that the public have currently are for their personal safety. Elderly citizens in our society are very concerned when they are in their homes. Young people want to be confident that they are secure when they are travelling via railway stations, riding on trains and visiting nightclubs, without fear of bashings—or, sadly, as we have seen in recent months, without fear of being murdered—when they are enjoying themselves around our cities. The public also have a great fear of theft, because average citizens in this society have to work very hard and save very hard for their possessions. The great bulk of people who vote Labor—ordinary, working-class people—have to work very hard in comparative terms to gain their possessions. They would like to think that their possessions are secure, whether that be their property within their homes or their motor vehicles. Motor vehicle theft is an ever-increasing crime problem in this State.

With regard to prisons, the public want tough but fair prison sentences. They want those who commit crime to receive an appropriate level of punishment, whether that be through monetary fines, orders to perform community work or, in those cases when it is the only alternative, prison sentences.

Mr Milliner: Including white-collar crooks.

Mr BARTON: Including white-collar crime. Several weeks ago, I visited one of the WORC camps in central Queensland, where there were quite a number of white-collar criminals. White-collar crime is one of the hardest to detect. The Police Service needs specialist resources in order to catch the white-collar crooks who masquerade as the pillars of our society.

Most importantly, the public want criminals to be given the opportunity to reform themselves so that they do not feel a need to reoffend. They want those people who have been convicted to receive appropriate counselling, education and training in prison to allow them to return to society as law-abiding, productive, good citizens. The public also want some basic freedoms that we all take for granted in our democracy to be protected. I think that is one thing that we should never

lose sight of: we want to be tough on the criminals, but democracy can be very, very fragile. It had to be fought for through the centuries to get to the situation that we have today. Many of those basic freedoms should not be thrown away simply because it would be easier to gain a conviction without them. That might achieve the conviction of some of those criminals who desperately need to be put away, but if those convictions are achieved at the expense of the basic freedoms of the ordinary citizens of this State and the fabric of our society is damaged, we will all pay a very, very high price.

Many people in our society are alienated. Apart from talking about what the basics of a criminal justice system should be and what the public expect it to be, we should never, ever forget that many of the people, particularly young people, who fall into crime at an early age are those who are missing out. They are mostly the young. They do not have the job opportunities that certainly my generation took for granted when we left school. They have a sense of hopelessness. If we do not address that underlying problem that exists in our society and leave those people feeling that society owes them nothing and that they have a right to go and take what they cannot get because they cannot get the appropriate training and gain appropriate jobs, then we will not address effectively the issues of juvenile crime and we will have a society that is degrading further.

I turn now to the crime levels that have been rising quite rapidly over the past 12 months under this coalition Government. Firstly, I refer to offences against the person. The figures that I will quote are figures that come from the Queensland Police Service Statistical Review. Over the last 12-month period, crimes against the person have increased by 16%. We do not have to go far to find out which centres are experiencing that increase in crime the most. I will refer later to some of the reasons for that increase when I outline where the worst police-to-population ratios are located. When one looks at the areas where the police have the least number of people and resources to do the job, it is a strange coincidence that they happen to be the same centres where crime is most on the increase.

The average increase for the State of crimes against the person was 16%. However, in Cairns, which is currently very, very topical and where the Police Minister thinks that the Opposition is beating up stories about crime that does not exist, the Minister's own Police Service figures indicate that crimes against the person have increased by 22%. In Townsville—another location where the Minister has not honoured his promise to provide additional police—crimes against the person have increased by 15%. In Gladstone, which figured fairly prominently in the reasons for why there was a change in Government, crimes against the person increased by 33%. In Charleville—and I will repeat a figure that I quoted this morning—crimes against the person in Charleville, where seven police officers are trying to do the job of 21 police officers, have increased by 85%. That is the highest increase in this State for crimes against the person.

The increase in crimes against property is nearly as bad. That is the legacy of this Government, which talks so tough about law and order but which is presiding over rapidly increasing crime levels. I will repeat the figures relating to the increase in crime levels, which are coming off the previous year when Labor was in office when those same crime statistics were falling by large percentages instead of increasing by the large percentages that they are currently. Crimes against the property in the State have increased by 9%. In Townsville, they have increased by 16%; in Cairns, by 11%; and in Gladstone, by 39%. Certainly, the member for Gladstone should be thinking about those statistics because they show that, since she assisted in toppling the Labor Government of the day to put the coalition in power, crime in her electorate has been increasing dramatically. So much for her justification for turning the Goss Government out of office to put this current bunch of bumbling Ministers into place!

Mr Veivers: That's not nice.

Mr BARTON: I will take that interjection—I am not referring to the Minister, only some of the others.

In Queensland, police-to-population ratios are the worst of any State and Territory in this nation. In Queensland we have one police officer for every 525 citizens. In New South Wales, that ratio is 1 to 475; in Victoria, 1 to 449; in South Australia, 1 to 423; in Tasmania, 1 to 451; in the Northern Territory, 1 to 218; and in Western Australia, 1 to 386. So in terms of police-to-population ratios in this nation, Queensland has the worst base.

I refer again to those centres that keep bobbing up as having major crime problems. Townsville has a police-to-population ratio of 1 to 613, and over the past year crime in that area has risen by 15%. However, I go further and refer to the figure for the south-eastern

region, which is 1 to 697. In the Logan district, where my electorate and the electorates of other people in this Chamber are located, the ratio is 1 to 781. In the Gold Coast district, the ratio is 1 to 674, against the State ratio of 1 to 525.

Mr Mitchell: Why didn't you get some more police?

Mr BARTON: We did do a lot about it. If necessary, I will quote the figures to the member. In responding further to that interjection, I make the point that this Government talks tough about law and order but, when it comes to delivering, in the 12 months that it has been in office it has not been delivering the police numbers and it is presiding over an ever-increasing crime problem.

I refer to Townsville. We remember Mundingburra and honest Frank Tanti, who is sitting up the back of the Chamber—the honest member for Mundingburra! Townsville's police-to-population ratio is 1 to 613. Gladstone's police-to-population ratio is 1 to 722. I have not forgotten what the member for Gladstone said during her speech under the mango tree behind her office in February of last year when she gave lack of police numbers as one of the principal reasons for tipping my colleagues and me out of office. We have in Gladstone one of the worst police-to-population ratios in the State and one of the worst increases in crime levels. I am afraid that if that is what the member for Gladstone thinks is good politics, I must be somewhere else.

The police-to-population ratio in the north coast region is 1 to 831; in Bundaberg it is 1 to 969; in Toowoomba, it is 1 to 970; in Maryborough, which includes Hervey Bay——

Mr Nunn: What was the promise?

Mr BARTON: The promise was that we would have the best Police Service in the nation and that there would be very substantial increases in police numbers. However, in Maryborough, including Hervey Bay, the police-to-population ratio is 1 to 878. In Toowoomba, it is 1 to 970; in Warwick, it is 1 to 639.

The Warwick media, the Daily News, has picked up this issue. Last Friday, it referred to the Borbidge Government's promises that Queensland's crime rate would be curbed by the provision of 800 more police and tougher penalties. It asked: so what happened? It has not happened. The people of that area are still waiting and they are getting very frustrated about it. In terms of delivery on law and order, the coalition's promises are simply not being met. This Bill will not help it one little bit. Warwick is an example of the fact that the coalition, in its own heartland, is not looking after its people.

As at November, Townsville was down by 15 officers and the northern region was down by 43 officers. What happened after Mundingburra? What about the great promises that were made during that election campaign? Quite frankly, the coalition has talked tough and it has talked big, but in reality it has allowed police numbers in Townsville to decline to even fewer numbers than they were at the time of the Mundingburra by-election.

Mr Tanti interjected.

Mr BARTON: I hear the political pygmy up the back rattling but, frankly, we do not have an improvement in Mundingburra.

Let us look at the promises of the last Budget. The Budget papers indicated an additional 800 police officers would be provided over the next three years. It repeats the coalition's 1995 election promise of an additional 2,780 police officers over 10 years. However, the Police Minister did not even indicate how many police would be provided in 1996-97 in the Budget papers. He was not going to commit himself to something so tight in the Budget papers. That only appeared in the press statement released by the Minister on that particular day. Even with the predicted separation rate of 3.5% to 4%, our assessment is that, at best, the Government can deliver 20 additional police officers this year and, at worst, using the Government's own figures, there will be a reduction of 12 police officers. The Government is promising in the order of 40 additional officers, but we know that the separation rate is running at a far higher level than the predicted 3.5% to 4%. Therefore, our estimate is that there will most likely be a fall in police numbers this year and the Government's promise will not be kept.

One other point really needs to be driven home, because in question time this morning the arrogant Police Minister, who refuses to answer questions, gave another example of it——

Mr Veivers: I am just writing a cheque out for your area for $6,000.

Mr BARTON: That is very good. My area will thank the Minister, because the fire services people desperately need help, if that is what it is for.

Mr Veivers: No, it's for Noffke Park.

Mr BARTON: Noffke Park needs that help, and I thank the Minister for it.

The most important issue is that of police numbers. This morning, the arrogant Police Minister talked about how many trainees would be graduating from the academies. However, the North West Star reported that a police inspector in the Mount Isa district said very clearly that the number of graduate officers he will receive will not even make up for the officers already lost from his police district. That is happening all over the State. We are hearing grand promises that so many police officers will graduate from the Townsville or Oxley academies and be sent to Mount Isa or Maryborough, but in reality those graduates are only replacing police who have resigned, retired or who are moving to other locations. There is not a net increase in the number of police who are actually being provided.

The same issue exists with police regional budgets. We are told that this is a record Police budget which has been increased by 7.3%, although that is lower than the last Labor Budget which was increased by 7.5%. However, that is not helping the service delivery end of the Police Service because the average regional budget is only increasing by 2.5% to 3%. In other words, it is barely keeping up with the current inflation rates. In addition, the overall police budget was kicked along because $19m in capital expenditure, which was deliberately not spent in the first half of the last calendar year when the coalition jiggled its programs, was rolled over. Therefore, there was an artificially high Police budget based on capital works, some $19m of which was rolled over from the previous financial year. At a very high level in the Police Service, officers are telling us that they have not got the expenditure in real terms for regional service delivery which they need to do their job.

Even the capital works budget makes for interesting reading, because when he was in the west two weeks ago, Police Minister Russell Cooper said that the new Roma police station would be given Government priority. I would like to nail this issue, because in the 1995-96 Labor Budget allocation was made to build the station at Roma. That was one of the police stations not proceeded with due to the capital works freeze which the coalition imposed while it reallocated its priorities. The Roma station was knocked out by the Police Minister. It did not reappear in the 1996-97 Budget and, all of a sudden, because he was forced to roam around in the west, his old heartland, and because he knew I was coming, the Minister suddenly resurrected the importance of building the new Roma police station—a project which the coalition had knocked out of the Budget on the two occasions it had the chance to do so, firstly by not building it and secondly by not reinstating its funding allocation following the capital works freeze.

A similar position exists with the Queensland Corrective Services, which has no hope of having enough available cells following the imposition of these new penalties. Either the Leader of the Opposition or the shadow Attorney-General made the point that in the Budget Estimates the Minister admitted that there was no allowance made for prisons to have increased accommodation in view of the increases in tougher penalties and sentences that will result from the passing of this Bill and the proposed new Penalties and Sentences Act.

The Bill is a fraud. It talks tough, but it is actually doing what the Government has done on law and order issues—promising a lot; delivering nothing.

Ms SPENCE (Mount Gravatt) (3.46 p.m.): Today I presented the Office of the Speaker with a petition signed by over 800 Queensland women concerning these proposed amendments to the Criminal Code and I understand that more petitions will be presented to Parliament this week. The amendments to the Criminal Code are of particular interest to Queensland women. Of great disappointment is the fact that the Government has rejected Labor's rewritten Criminal Code and reverted to the Code that was written 100 years ago almost exclusively by men. The petition makes mention of the fact that the laws concerning domestic violence and sexual assault effectively serve to revictimise women who have already been victimised. The existing Criminal Code makes it very difficult for just outcomes to be achieved. The petitioners have also been disappointed that this Government has not consulted with women by working in these areas of law. Thus they recommend that the Queensland Government appoint a representative committee to review the Criminal Code with a brief to consult widely and report back to the Government with a broad range of community views. The committee should include sexual assault counsellors, domestic violence workers, Aboriginal and Torres Strait Islander women, women from non-English speaking backgrounds and disability workers as well as lawyers and police.

When the Labor Government rewrote the Criminal Code, many women in Queensland contributed their time and effort to submissions that provided a gender analysis

of the Code as well as a number of significant recommendations for change. It is significant that under Labor the Women's Legal Service was given funding from the Office of the Status of Women and the Women's Health Policy Unit to assist its work. The book Rougher than Usual Handling and a second, updated edition were produced as a result of that funding. Contrast that level of support and consultation with the way that this Government has operated.

The group Women for a Just Criminal Code was not granted an interview with the Minister responsible for the status of women. Mrs Sheldon is ever willing to perform her responsibility as Minister for The Arts at opening nights, but her track record in meeting with women's groups is disappointing. I acknowledge that the Attorney-General met with this group on one occasion. However, this does not compensate for the lack of attention such a significant lobby group has received from the Minister with responsibility for women's issues.

The exclusion of women from the processes of law making in this country continues today as it did 100 years ago when Sir Samuel Griffith wrote this Code. The voices of women in our Parliaments and Cabinet rooms are heard infrequently. The voices of women at the top levels of our bureaucracy are next to non-existent and the Minister must take his share of the blame for this. Women have not forgotten that, on taking on this portfolio, one of his first actions was to sack the first female Director-General of the Attorney-General's Department and replace her with a man. Furthermore, women's voices have not been heard in our courts. Therefore, today we debate changes to a Criminal Code that, for the most part, has been written by men. Nearly a century later men are still legislating for women.

There are some positive aspects to the amendments proposed today and I mention one of them, that is, the laws concerning corroboration. Of course, the Attorney-General cannot take the credit for this amendment as it had been included in Labor's Criminal Code. However, it is pleasing that good sense has prevailed and that this initiative has been kept. Corroboration is the rule of practice whereby judges have always directed juries in sexual assault trials that it is dangerous to convict on the uncorroborated testimony of the complainant alone. As Rougher than Usual Handling points out, the emphasis on the need for corroboration of the testimony of women and girls in rape trials has led to some perverse decisions which have been devastating to the victim.

For some time, Queensland has been the only State in Australia not to have introduced legislation which removes the mandatory requirement of corroboration in sexual assault cases. In failing to enact Labor's Criminal Code, this Government has delayed this law from taking effect in Queensland for over a year. Given the number of sexual assault cases dealt with by our courts in a year, the Government has allowed the perpetuation of a law which makes convictions in these cases more difficult to obtain.

One of the failings of the amendment Bill is in respect of prostitution. Interestingly, in delivering its much-heralded changes to the Criminal Code, the Government has failed to amend Queensland's prostitution laws. Given the frequent and public pronouncements by the Minister for Police on this issue, one would have expected the Government to use this opportunity to reform those laws. I will remind members of Mr Cooper's words in a Courier-Mail article titled "Vice bosses face law blitz". Mr Cooper said—

> "We gave an election pledge to review prostitution in Queensland and that's just what we'll be doing."

He also said on many occasions that Queensland's prostitution laws were not working. Mr Borbidge agreed with him.

Mr DEPUTY SPEAKER (Mr Laming)**:** Order! I remind the honourable member to use members' correct titles.

Ms SPENCE: The Premier, Mr Borbidge, agreed with him.

Mr DEPUTY SPEAKER: Order! The member will refer to Mr Cooper as the "Police Minister".

Ms SPENCE: Last April, the Premier told the House that the legislation was unworkable and that it was a joke. He also said last April that the "new Government is committed to carrying out a review of the Labor Party's failed prostitution laws". The Government has now had over a year to change these laws which it finds unworkable. It has had a year to make the changes and to incorporate them into the Criminal Code. However, again it has failed to deliver. Its performance in this Parliament stands in stark contrast to its public outcry about this issue.

The Labor Opposition has much to criticise with respect to what is and is not in the Bill. Let us consider the amendments that the coalition is proposing to the laws concerning

incest. Currently, the offence of incest arises when a man has carnal knowledge of his daughter or other lineal descendant. Similarly, the offence of incest occurs where any woman permits her father, brother or son to have carnal knowledge of her. These amendments proposed today extend that definition to include uncles, aunts, nieces, step relationships and relationships arising out of cohabitation in de facto relationships. Therefore, a couple who are either married or living in a de facto relationship could be found guilty of incest if one of each of their parents subsequently formed a de facto or marriage relationship.

I am sure that many in our society would find Woody Allen's relationship with his adult stepdaughter to be objectionable; but if he comes to Queensland, the Government will lock him up for life under these laws. History is full of examples of relationships that have taken place between step siblings or aunts and uncles and which have been successful. In some societies, it is common practice for a man to take as his wife the widow of his brother. If members opposite look at the lineage of the wives of Mohammed, I believe they would find cause to lock up the Prophet for life under Queensland's new laws.

In saying that, I do not wish to give the impression that I regard the carnal knowledge of minors as frivolous. In fact, the crime of incest is regarded as one of the most serious crimes in our society, particularly when it involves minors. However, we have laws concerning carnal knowledge that make these crimes serious offences. The amendments proposed today are, to quote the Law Society, "manifestly absurd" and stand to criminalise relationships that would not be regarded as criminally or morally blameworthy by any sensible citizen.

I move now to an issue which concerns many women involved with improving our criminal laws, that is, the issue of consent—a central issue in rape trials. In these trials, the fundamental thing which must be proved by the prosecution is some form of sexual connection by one person without the consent of the other. Because there are frequently no other witnesses, the question of whether or not the woman consented involves a detailed examination of exactly what occurred between the parties.

Under the Criminal Code, there is no definition of the term "consent" and therefore the common law is relied upon. It is important that the issue of what is meant by "consent" be clearly spelled out in our Criminal Code. It would seem that a clear definition of what constitutes consent is given to our judges. Let me remind members of a case that attracted publicity in May 1993, when Judge Boland of the County Court in Victoria exposed his personal views on women and sexual relations in sentencing an 18-year-old man who had pleaded guilty to a charge of rape committed when he was 16 years old. The young woman whom he had raped was 15 years old at the time. The case against the young man was that immediately before the rape the young woman had said, "Stop it." During the submissions, the judge commented to the prosecutor—

> ". . . often, despite the criticism that has been directed at judges lately about violence and women, men acting violently to women during sexual intercourse, it does happen to the common experience of those who have been in the law as long as I have, anyway, that 'No' often subsequently means 'Yes'."

The survivor said that she had been through hell since the rape, that the judge's remarks made her feel like the rapist was in the right and that she had done something wrong by saying, "No." She also worried that other girls may not go to the police if they have been raped or abused because of what this judge had said. There is no room to be complacent about the formulation of jury directions by judges. In one of the cases in the 1989 Victorian study, the following words were used—

> ". . . consent can be given verbally or by conduct, and often it may be by conduct. Sometimes, and I do not say this in a chauvinistic way, it is said that perhaps some women may say one thing and act in another way; that may or may not happen, but I merely mention that to say that the consent can occur either way."

I am pleased that today, at the Committee stage, the Opposition will be moving an amendment to this Bill to correct this serious shortcoming in the legislation. I hope that the Attorney-General and his colleagues seriously consider accepting the amendment that we will be moving on the issue of consent.

I know that women's groups have lobbied some of the women members of the coalition. Indeed, the member for Burleigh has been lobbied heavily by sexual assault workers on the Gold Coast. They have told me that they believed they received a reasonable hearing from the member for Burleigh. I was shocked today to hear that, as the first Government speaker to this Bill, the member spoke for only

five or six minutes on the legislation and did not mention the issues of domestic violence, rape, her attitudes, or the lobbying that she may have been undertaking with the Attorney-General on these issues. I hope that the Minister's caucus colleagues have been talking to him about these issues, because they have certainly discussed these issues with sexual assault workers in the community at large.

I move on now to the issue of domestic violence and the issue of evidence in domestic violence cases. Women who kill their partners are most likely to do so in fear for their own lives, yet the construction of legal rules makes it difficult for them to successfully argue self-defence. Prior to their resorting to homicide, their attempts to seek help from police, lawyers and other professionals have usually been met with inadequate responses. A number of women's groups, particularly the Women's Legal Service and the Sexual Assault Referral Service, have raised concerns about the lack of reference to domestic violence in the criminal law and to the plight of women who kill their partners following lengthy periods of abuse. A submission from that group states—

> "Women who have often been physically, psychologically and sexually violated over a number of years may not react immediately to a provocative act. These women sometimes react some hours after the last provocative act. The timing of women's actions are driven by self-preservation and are influenced by relative strength and other gender-based factors.
>
> Violent men who have abused their partners often over a number of years and eventually kill their partners have been able to successfully rely on these defences because of the way the Code is framed and the law has historically been practised.
>
> Once again, the current Criminal Code is centred around the experiences of men who kill or are killed. Legal defences of self-defence and provocation are quite narrow in their application and reflect the experience of a reasonable man. An important aspect of the defence is an issue of 'timing' or the 'suddenness' of the retaliation."

In Labor's 1995 Criminal Code, the Evidence Act was amended to insert a new provision stating—

> "Relevant evidence of the history of the domestic violence relationship between the person and the person against whom the offence was committed is admissible in evidence in the proceeding."

This provision was inserted in order to make it clear to courts that they should have regard to the background history of a domestic violence relationship in considering cases where, for example, a woman was charged with killing her husband following a long period of abuse by the husband. The provision in Labor's Criminal Code reflected the law in the Queen v. R. In that case the accused killed her husband by attacking him with an axe while he was sleeping. She was convicted of murder. At her trial, provocation was withdrawn from the jury. At the appeal in the Supreme Court, Chief Justice King observed—

> "The deceased's words and actions in the presence of the appellant on the fatal night might appear innocuous enough on the face of them. They must, however, be viewed against the background of brutality, sexual assault, intimidation and manipulation."

I am pleased to say that the Opposition plans to move an amendment in the Committee stage so that Queensland's Criminal Code can be brought into line with the case law of this country. I urge all Government members to consider supporting this amendment, which actually defines the evidence of domestic violence in the Criminal Code.

Finally, I move on to the right for interpreters. The shadow Attorney-General has already flagged that Labor will be moving an amendment in this regard at the Committee stage. In consultation with community groups, our attention has been drawn to the need for interpreters to be provided for people of non-English speaking backgrounds. If we are serious about providing people with fair trials, then interpreters should be provided for the accused, witnesses and the victims of crime who view court proceedings. It is extraordinary that in our multicultural society this matter has not yet received attention. Most of our bureaucratic institutions now understand the need for sensitivity to linguistic problems and provide necessary assistance to overcome those problems.

I urge the Government to support the Labor Opposition's amendments recommending that the court order the Crown to provide for an interpreter where the interests of justice require it. I understand that in the present case a magistrate or a judge actually

asks a witness a series of simple questions to try to gain the witness' understanding of the English language, such as "What is your name? Where do you live?", and because the witness can answer those questions magistrates often deem that interpreters are not necessary. The courts are finding that those simple questions are not a significant pointer to the extent of that witness' or that victim's linguistic abilities, and indeed it should be up to the victim himself or herself to say to the court that he or she needs an interpreter in that case of law. That is the kind of amendment we are moving as part of Labor's platform here.

I urge the Minister to consider our amendments to this Criminal Code. We have been out there consulting with the community. In many cases the Minister has failed to consult with the groups which needed consulting on these issues, and I point particularly to the women's groups in Queensland. The fact that there are over 800 petitions today and more coming in the next few days should be a pointer to the Minister that his consultation has been inadequate, that women still have serious concerns about the inadequacies of this Criminal Code and that they have no confidence that the amendments he is proposing today are going to improve the Criminal Code for the women of Queensland.

Mrs WILSON (Mulgrave) (4.04 p.m.): Most Queenslanders will welcome the repealing of the former Labor Government's Criminal Code, and I will touch on some of the new inclusions proposed by the Minister. I say "most" because those who will not applaud these changes will be the criminals, the scum of our society, the perpetrators of crime who have over the last few years been roaming our streets with the knowledge that, if caught, they would basically get off with a smack on the knuckles or a short period behind bars, possibly with early parole, or they would perform some given community service. Community service became somewhat of a joke, as many of the offenders either did not turn up at all or when they did they stayed for a short time only and did no work.

Queenslanders have been waiting for this week when they would see the fulfilment of a promise by the coalition that perpetrators would pay for their crimes—in other words, if they committed a crime, they would do the time. No-one tells anyone to commit a crime, and whilst recognising that some perpetrators commit crimes to fund drug habits or other reasons, no-one—and I repeat "no-one"—should be the victim of a crime, be it theft, assault, break-in or any other invasion of their safety. People who have had crimes committed against them pay for it for years, and many perpetrators tend to get off much more lightly. Queenslanders have the right to feel and be safe and secure in their neighbourhoods, homes or at work, and this week sees a new dawning of safety for residents in this fine State.

Some 100 years ago the then Chief Justice of the Supreme Court of Queensland, Sir Samuel Griffith, prepared the State's Criminal Code Act of 1897 based on the common law of the day. His work has, over the years, had considerable influence not only on this State but also across the country and further. During its time in Government the Labor Party left Queenslanders of the 1990s somewhat let down and unsafe, and of course many were angered at the limp sentences meted out to the perpetrators of crimes during this time. Cairns has recently seen media coverage on the crimes in the city and outer rural townships. Every town and city has certain crime rates, and Cairns is no different from any other in the State. Would that it were.

Mr Schwarten: You said there would be no crime under you people.

Mrs WILSON: We did not say that we would get rid of it. One never gets rid of crime; let us be realistic.

Community anger in Cairns was that those who committed the crimes did not pay for them, and the community strongly held a perception of crime that rogues who were caught were not dealt with as they should be, if at all. Under the new legislation, the changes will see doubling and in some cases trebling of the maximum sentences for sex crimes, the penalties for wilful damage, stealing and fraud will be boosted, and children will be protected by broadening the definition of "cruelty".

Of note is the introduction of tough new penalties for a crime of the nineties, that of torture. There would not be a member in this place who was not horrified and indeed sickened at the torture of young Tjandamurra O'Shane in Cairns, who continues to receive treatment, and also at the bashing of young Cleis Norbury, who was attacked at night and who is still receiving treatment and will also continue to do so. Fortunately, the fiend who attacked the former has been gaoled whilst the perpetrator of the horrific crime on the latter roams at large. This legislation provides for the new offence of torture, and in this regard I cite the Griffin case. The creation of

this offence was considered appropriate after the case of Shane Paul Griffin, who was recently convicted of assault after torturing his stepson with an electric cattle prod. The only charge available was assault, and the judge sentenced Griffin to one year's imprisonment—the maximum—although it is noteworthy that he said that Griffin deserved more. This Bill increases the penalty for common assault from one to three years. It also introduces a new section for torture which may cover similar cases to Griffin's in the future. The maximum penalty for this new offence is 14 years.

I want to touch on the section of the Criminal Code which deals with domestic discipline. This is an important section of the Criminal Code which has existed since the Code's inception last century. Many people today do not realise that they may, if they are in charge of a child, discipline that child using force reasonable in the circumstances. Let me state categorically that this does not—and I repeat "does not"—allow child abuse, but it does allow for parental and teacher control and discipline. Having been involved in the setting up of a community child abuse committee, SCAT—Stop Child Abuse Today—some eight years ago in Cairns, I would not condone anything which in the slightest way puts a child into an abusive situation. What does exist today are certain groups in the community which would have parents believe that it is illegal to smack a child. That is not the case. A smack is far different from a physical assault which leaves a child bruised and bashed. I must admit that I intended to bring up my children without smacking them. That did not turn out to be the case, and my children are okay. Whilst I will not moralise for any parents in their philosophy of bringing up their children, I feel strongly that discipline seems to be a quality that is fast becoming rare in our society, and I believe that our young have suffered from this and our teachers have suffered from this in the classrooms.

Discipline teaches our children and ourselves to take part in our community, to serve our community, to be good community citizens and to order our lives so as not to impinge on the freedom of others. It is our duty to ensure that our children receive love and guidance, and domestic discipline is not out of step with these sentiments. The section is being amended to insert the words "discipline, management or control". I understand that the Teachers Union commented that these words help clarify the provision.

Just recently the Attorney-General and Minister for Justice, the Honourable Denver Beanland, attended a community meeting I arranged with members from the local chambers of commerce in my electorate, Neighbourhood Watch, the police and concerned citizens who wanted to ask him just how they, as community groups, could cope with the gangs of young people who caused disturbances and violence in their townships and who reacted with a "thumbs up" in response to any discipline.

The Minister was constantly asked at that meeting about the leniency given to perpetrators of crime and he soon heard the community's perceptions of the situation, a situation which is intolerable to solid, hardworking and honest citizens of Queensland. They told him that they were tired of reading in the press about rogues who, in their eyes, got off scot-free after committing a felony. They were tired of young people committing crimes, however minor, and not paying back the community in some way, for instance, by actually doing constructive community work. They were relieved to hear the Minister tell them that these things would change, that the coalition Government would amend the current Criminal Code to ensure that if people commit the crime, they do the time. My constituents are no different to the rest of Queensland residents; they are simply fed up.

A new section in the Code presented by the Minister deals with expert opinion and I turn to that now. This section is also a new section which is very important from the point of view of the law and public safety. The section ensures that if expert evidence is going to be introduced at trial—and this is very pertinent to psychiatric evidence—then the other side must be informed. This section arose because of the Attorney-General's deep concern about a trial where psychiatric evidence was presented by the defence which the Crown could not test. In other words, the defence was able to ambush the Crown. This is really hindering the course of justice because the community expects that a fair trial will occur, and fairness is a right not only of the accused but also of the community to be protected from people suffering from a psychiatric illness which leads them to commit criminal acts. The proper way to understand a psychiatric illness is to allow the Crown to test any psychiatric defence. This can only be done when the Crown has advance notice of expert reports which are intended to be relied upon.

Up until the 1970s it was a widespread practice that the defence would alert the Crown to a psychiatric report. In recent years, however, the Crown has faced a psychiatric argument at the last minute. Psychiatric arguments cannot be considered a defence in the accepted sense of the word. If an accused is psychiatrically ill at the time of an alleged offence, then commonsense demands that the Court hears all the expert evidence which would be available if the Crown had notice of such a defence. The section is so worded as to put the onus on the party producing the expert evidence to make it available to the other side as soon as practicable. This should prevent parties resorting to delaying tactics.

Technological advances have meant new inclusions need to be made, and I allude to the section dealing with computer hacking and misuse. The new section will contain three new offences: firstly, a person who uses a restricted computer without the consent of the computer's controller commits a simple offence and is liable to imprisonment for two years; secondly, if the person causes or intends to cause detriment or damage or gains or intends to gain benefit for any person, the person commits a crime and is liable to imprisonment for five years; and, finally, if the person causes detriment or damages or obtains a benefit for any person to the value of more than $5,000 or intends to commit an indictable offence, the person commits a crime and is liable to imprisonment for 10 years. It is a defence to any of the charges to prove that the use of the restricted computer was authorised, justified or excused by law.

Unfortunately, there has been a rapid rise in crime committed by using or abusing computer systems, networks and the Internet. There has been a proliferation of computer viruses created and spread by cyber vandals. These viruses often cause the loss of important data, coupled with the anxiety and expense associated with the continual vigilance of protecting against data loss or corruption and the constant updating of anti-virus software. The viruses have created an industry of their own. The new focus in the Code is most welcome because it will deter these criminals from causing loss or damage or gaining a benefit from the misuse of computers. Also, it will assist the authorities to adequately punish and deter these vandals who write and spread viruses. This section will not depend on proving that the offender counselled or procured anyone to spread a virus; it will suffice if a person causes a virus to be spread and to be installed upon or otherwise affect a restricted computer. If a person is responsible for writing the virus software and then allows it to spread by any means to other computers, he or she will be prosecuted.

Where the computers are simply used as a means by thieves to achieve their ends, the offences of stealing and fraud will also apply. The alteration of information on public or corporate records or the alteration of records with intent to cause a detriment or to obtain a benefit for anyone will amount to a crime. With the widened definitions of "property" and "record", such offences involving a computer record will also come within the new offence of fraudulent falsification of records.

Courts have held that confidential information is not property. Other jurisdictions have altered the traditional meaning of property and created offences such as stealing of confidential information or an unlawful abstraction of confidential information. Although the definition of property in these amendments includes intangible property, the new offence will not depend on the concept of property but, rather, on the use of information, which can include the unlawful access, manipulation, alteration, erasure, viewing and consequent use of confidential information. This is a sensible approach which recognises, and is up to date with, today's realities in relation to the storage and accessibility of information.

Some hackers are said to hack into restricted computer systems for the mere intellectual challenge of achieving access and supposedly do so without any criminal motive. Nonetheless, the Interim Report on Computer Crime and the Review Committee on the Commonwealth Criminal Law recommended the creation of offences relating to the unauthorised access to data held in Commonwealth computers. In 1989 these recommendations resulted in the incorporation of Part VI A "Offences Relating to Computers" into the Crimes Act 1914. Other Australian jurisdictions have also introduced various forms of offences.

Today's society relies heavily on the security of computer systems, privacy, commerce, education and transfer of money. Indeed, almost every facet of life in the late 20th century proceeds on a trust and a prayer that such systems are safe and secure. The next century will see technological advances which will most likely make all of us even more reliant on computers. Intellectual challenges and stimulation are no excuse for breaching computer security, just as it is no excuse for peering through the gap in a neighbour's

closed curtains, opening his or her personal or business file on a desk or locked away in a cupboard, for working out how to start a car without keys and taking it for a joy ride or taking money from an employer because "I just wanted to see if I could get away with it". The challenge is there but it is just not right. The Government can be commended for modernising the criminal law so that it will serve the citizens well into the 21st century. There will obviously be further changes made in these sections as new technologies emerge. That is the way that these laws are; we need to update them.

In conclusion, I want to touch on dangerous driving, which has become an important factor on our roads in this State. Amendments are needed in this area of the law because of the incidence of dangerous driving on our roads. The coalition's focus is on trying to make our roads safer. The Bill places criminality on the operation or interference of a vehicle, not the driving. This is because dangerous acts come in many shapes and forms and law-abiding road users need to be protected from dangerous criminal acts on our roads.

Just recently we had an horrific accident resulting in death in my electorate because somebody might have rolled a stone into the centre of the road. The resultant accident caused one death and the admission of two people to hospital. The perpetrators, if that was the case, are still out there, but one life has been lost. Take, for instance, somebody who is in the passenger seat and who suddenly pulls on the handbrake for a joke or who does some other stupid act which endangers others. Those people are now made liable under this legislation.

The amendment also makes it an offence to drive dangerously on private property as opposed to public places under the Criminal Code as it is now. Why should not somebody who drives dangerously on private property face the same consequences as somebody who drives dangerously in a public place? The word "dangerous" means exactly that: the vehicle is being operated in a manner dangerous to others. This legislation will certainly enhance safety on our roads. I welcome the commitment made by the Attorney-General in bringing the Criminal Law Amendment Bill to the Parliament for debate. Queenslanders will also welcome the final document after all members in this place have brought their comments on the various amendments for attention and deliberation. I support the Bill.

Mr SCHWARTEN (Rockhampton) (4.20 p.m.): I rise to support the Opposition's position here today, namely that of opposing this particular piece of legislation, simply on the grounds that it was unnecessary to introduce it and that it is a political stunt. It is a brazen attempt to pull the wool over the eyes of the people of Queensland and to convince them that somehow, as a result of the passage of this particular Bill, they will be a lot safer in their homes. I believe that it is a ruse—and a very cruel ruse—to try to convince people in this State that, by bringing in these laws and talking them up, somehow crime is going to go away.

The Honourable Attorney-General is aware that the prime reasons for crime and the increase in the number of offences can be tied to the economic situation out there. As the now Attorney-General said in 1993, the recession at that time had led to an increase in crime. So he is well aware of the causes of crime. Yet I do not recall him ever attacking the Federal Government, for example, when it threw at least 300 people in Rockhampton out of work. I do not recall hearing one peep from him about the abolition of many of the excellent labour market programs that were introduced by the Federal Labor Government and which have now been scrapped by this Government, therefore putting people on the hopeless end of the dole queue without any skills or hope, and then wondering why they turn to crime. So let us not kid ourselves that, by passing this legislation today, somehow crime is going to cease to be a problem out there in the community.

I suppose that the irony of all this is that Government members have put themselves in this position by blatantly talking up criminality prior to the last election and making it one of the cornerstones of the last election campaign. They were then forced to carry out a review, as a result of which they have cobbled together this piece of legislation which is basically a cut and paste of Labor's legislation with some notable exceptions.

Anybody who believes that, since members opposite have come to Government, somehow the world has become rosier in terms of justice in this State should look no further than the comments of a very learned judge in Rockhampton on 25 February this year. In an absolutely horrific case, which he has been forced to put off because of the lack of capacity of the prosecution to put the case together, Judge Demack said—

> "Queensland's criminal justice system was verging on serious chaos."

He went on to say that delays were caused by shortages in resources. I have lost my glasses and I am finding it hard to read this. He said that—

". . . the time taken to bring matters"—

Does anybody have a pair of glasses? I thank Mr Foley for the loan of his glasses, but they are not much better! I will have to do the best that I can.

Mr Gilmore: Table it.

Mr SCHWARTEN: I will have to in a minute. He said——

Mr Gilmore: Who wrote it?

Mr SCHWARTEN: A journalist in Rockhampton wrote this newspaper article. I can summarise it. I ask Government members to listen to this because they might learn something, although they are not particularly interested in law and order. The judge was saying that the resources that were made available to the prosecution were so meagre that the case could not be prepared. It has now been put off yet again, and this has gone on for some 12 months.

This was a particularly horrific crime in which the accused allegedly shot his wife in the back with a shotgun in a hotel in central Queensland. The judge was saying that the longer one puts this off, the greater the chance is of no conviction being recorded. That is simply because of the torment that the delay causes the witnesses and their difficulty in remembering. That is a reasonable position for the judge to take. So when people of the calibre of Justice Alan Demack are saying these sorts of things, I do not believe that the imprudent comments made by that Attorney-General's staffer about this case—more or less indicating that the good judge did not know what he was talking about—help us to solve this problem.

I ask the Attorney-General to cast his mind back to when he was on this side of the House. This is where the hypocrisy comes into all of this. In 1993, he said—

> "The courts are already bursting at the seams with cases that have been brought on by a whole host of situations created by the Labor Party."

The very same statement is being made about him today—not by us but by one of the State's own judges—yet he sits there like a stupefied sand crab, mute and absurd, ignoring what I have to say. He said that more judges should be appointed. During the election campaign he said that he would appoint five more judges to deal with the backlog or the log jam of cases. The fact is that he has appointed only two additional judges. So he has not even lived up to that promise. And he wonders why the people of Queensland do not swallow his rhetoric. By and large, that is what this particular piece of legislation is about. I cannot believe that members opposite, who found themselves on this side of the House because they had a couple of rotten apples in the cask, as it were, would want to——

Mr Lingard: Do you have any idea why you ended up over there?

Mr SCHWARTEN: I have plenty of reasons for that, and we have learned from them. But members opposite have not learned from them. The fact is that, by reducing the sentence for a corrupt Cabinet Minister, what the Attorney-General has effectively transmitted to the people of Queensland is that he has not learnt a thing. If I were him, I would fix that up in this particular Bill today and say to the people of Queensland that, if Ministers go wrong, if they get on the take, and if they get that brown paper bag disease that they had some years ago, they ought to be treated at a higher level of seriousness than a kid who has gone berserk with a spray can. I just cannot understand why the Attorney-General would have reduced that particular sentence. He cannot say, "We are going to get tough on crime" and then exempt the politicians of this State. He just cannot do that, unless he has some motive or a Nostradamus-type belief that some of his mates might end up in the peter again and he is trying to look after them. I really do not know why he has done this.

The real absurdity in all this is that the Attorney-General is bringing back all that nonsense about witchcraft, sorcery and conjuring. I get around Rockhampton a fair bit, but I have not noticed any rampant witchcraft being practised in the mall in Rockhampton. I do not notice sorcerers camped outside the airport. I do not have fortune tellers bailing me up in the street as I go about my daily business, trying to read my palms and impart some sort of dubious advice to me as to what my future might hold. But I can give members the drum. One does not need to be a fortune teller to know that Government members are in a lot of strife. If they witnessed what happened last weekend, they should take stock of their position.

Why would such an absurd piece of nonsense be included in this legislation? Basically, it is not a problem out there. There are far more serious crimes being committed,

and the causes of those crimes are virtually going undetected. The court system is already overburdened, and the Government is doing nothing about it. Yet to make people think that it is somehow getting tough on crime, the Government is going to lock up all the witches in this State.

Mr Ardill: All of them?

Mr SCHWARTEN: If it does, we would need a big gaol. Some of them might not be actual witches by definition, but their actions would prove otherwise. We would need a lot of stakes out there. Next the Government will be tying witches to the stake and people will be piling wood around their feet.

I cannot understand why the reference to organised crime has been deleted from the legislation. If it is the case that the Attorney-General did not think it was quite tough enough or relevant enough, then the challenge to the Attorney-General was to make it tougher and more relevant. But I honestly cannot believe that he has chosen to actually get rid of a reference to what is rapidly becoming the greatest cancer in this State, namely, organised crime, especially in the drug industry. Whoever gave him the advice to do that should be given the bullet.

As for unlawfully interfering with an election, which was included in our Code—and this is another reason why we are opposing what the Attorney is trying to do today—there does not appear to be any reference in this legislation to section 196, which states that a person must not unlawfully do an act with intent to interfere with the lawful conduct of an election or improperly influence the result of an election. The penalty was seven years' imprisonment. Why in the name of fortune would that be knocked off? Why in the name of fortune should that not be a major criminal offence in this State carrying that sort of penalty? Effectively, that is the crime of robbery: it is a theft from the people of this State of their constitutional and democratic right to vote in elections and to have their votes treated fairly. I cannot believe that the Attorney has stripped away any reference to that particular section. I know that the Government experienced a bit of strife surrounding the Mundingburra campaign, but I believe that going to this extent is somewhat overenthusiastic.

I am very interested in the home invasion issue. In all seriousness, I believe that that is a dreadful crime. It is dreadful to think that people, sitting in the innocence of their lounge room, can have other people enter their house and ruin their life. I remember well the Castorina case, which the members opposite exploited brazenly for their own political gain without much thought for the families concerned. The members opposite made all manner of statements. I remember Mr Borbidge saying that he would want the right to pick up a gun to defend his family. Members can correct me if I am wrong, but I believe that it was the current Minister for Police who said, "You should be allowed to shoot them on sight if they come into your house." At that time, the response was to ask whether shooting the Avon lady or members of the Salvation Army when they were doorknocking would be an offence. What members opposite said to the people of Queensland at that time was that they would make it lawful for people to shoot those who came into their home, and that they would not face any form of prosecution as a result of that shooting. Many people who have not thought that through believe that that is okay, that is, if a person comes into one's house, one ought to be able to blow that person's head off. I do not believe that any reasonable member of this place would suggest that that would be good law. Labor's Criminal Code stated that such action ought to be tested to determine whether or not it was reasonable.

If one wanted to put one's mind to it, one could think of a number of situations in which a person could be innocently killed, and as a result no-one would face charges. Of course, members opposite did realise that. That is why, in their so-called "getting tough on criminals", there is no evidence of members opposite taking that path. It would be very nice if the Attorney—and all those others who ran around saying that it would be all right to take a firearm to anybody who came into one's home—to explain why it was wrong, bad politics and, in my view, hypocritical politics to proceed to run that line throughout the election campaign. There is no suggestion whatsoever that what the Attorney is proposing in this legislation will do anything more—in fact, it could be argued that it will do less—than what was proposed under Labor's Criminal Code, which, of course, the coalition refused to implement.

The speaker who preceded me in this debate referred to "doing the time for the crime". If ever there was a hackneyed saying, that is one of them. It is so simple to say but so impossible to do. The truth is that the judicial system in this State is charged with making that judgment. In many cases, if not most of them, that judgment is passed after a person has been tried by his or her peers. For anybody to suggest that, by passing these

laws and even increasing penalties, the judicial system will take any further note of it, is untrue, misleading and dishonest towards the people of this State. I caution members opposite to stop the Dutch auction in relation to penalties and to stop saying that, if we keep increasing penalties, crime will stop.

A couple of years ago, I was in Shanghai when 28 prostitutes were lined up in the street and had their heads blown off. The next week, another 50 were lined up and shot. I cannot think of any harsher penalty than to cop a bullet behind the ear, yet people continue to commit that crime. If one visits Saudi Arabia, one will see people with their hands cut off because they have been stealing. I believe that that is a pretty harsh deterrent, but the crime seems to continue. On a daily basis, people in Singapore continue to be flogged, yet every week more floggings occur. Resources should be provided at the soft end of the crime.

Any people worth their salt who have studied criminology will say that Year 1 teachers can predict who will become guests of Her Majesty in 20 years. We should not allow those people to continue through the system and simply say that the system will work because we have increased penalties and we will deter people from committing crimes and they will do the time if they do the crime. Generally speaking, once these people are on the conveyor belt that runs through our correctional institutions, society washes its hands of them until they end up behind bars. Members opposite can sit here and make the harshest laws in the land—they can even advocate cutting off people's hands for stealing and locking up people for spraying the sides of houses with graffiti—but talking tough and telling the people of the State that they do not have to worry about crime because we have this you-beaut Criminal Code that will solve all of our problems will not stop the vicious circle of crime. I will have a little bet with the Attorney-General: crime will continue to increase this year just as it did last year, despite anything that the Attorney puts before the Parliament today. I challenge the Attorney to say that he knows that this legislation will not stem the flow of crime in this State.

Mr Fouras: Of course it won't.

Mr SCHWARTEN: Of course, it will not. But the reality is that that is what members opposite promised before the last election—that life would be better under them, that people would be safer in their homes and it would be a safer State in which to live. That was simply not true. Members opposite will wear the consequences of that politically at the next election, because they promised something that they knew at the time they could not deliver. They deserve to pay the penalty for that. They did the crime and they will do the time.

Mr CAMPBELL (Bundaberg) (4.39 p.m.): The major emphasis of this Criminal Law Amendment Bill is heavier penalties for crimes. Over the past three years, we have had more gaolings—a 66% increase in the number of prisoners—and yet the crime level has climbed even higher. Other countries have adopted the "Three strikes and you are out" approach and have tried truth in sentencing. However, those measures have not worked effectively. There is nothing to say that these tougher penalties are going to work. We are going to need a whole range of measures to ensure that we overcome crime. I know that the Police Beat initiative, which was introduced by Labor, has been accepted by the public. I hope that that initiative is continued.

However, the concern that is expressed to me by ordinary people about the legal system is the time that it takes for cases to go to court. As the member for Rockhampton said, a judge has indicated that the courts are bursting at the seams. So if we impose these heavier penalties and offer less flexibility, more defendants will go to court and they will plead not guilty because they have nothing to lose. My major concern about what we are doing today is that we will put greater pressure on the court system. The longer and longer it will take for people to wait until they have their day in court will not only be to the disadvantage of the victims but also to the disadvantage of the defendants.

A major aspect of the changes to the Code that are contained in this Bill relate to crimes against children. The Bill places great emphasis on what I can only describe as disgusting and vile crime. I have to say that the activities of paedophiles, which are highlighted by this Bill, occur in all parts of Queensland, including country Queensland. There has been lots of talk but very little action about it. While that is occurring, the children suffer. Parents have expressed their grave concerns for the safety of their children and the lack of passion and response by the police and the legal system. In some cases, it has only been through the media that action has been taken by authorities. In New South Wales, Franca Arena, who is a member of the Legislative Council, had to name Justice Yeldham. She took action that the police and

a court of inquiry would not take. Also, former Chief Justice Sir Lawrence Street could not remember when allegations about Justice Yeldham were made to him. Franca Arena's parliamentary revelations exposed the cover-up and actually caused the disbandment of the New South Wales Special Branch. So it is very important to note that sometimes the legal system and the police system do not work.

I want to cite two cases in which I believe the system and the authorities have not reacted in a truly responsive manner. It has only been through articles published in the News-Mail that I hope that action will be taken to protect children and the concerns of parents will be listened to. On 12 March in the News-Mail, a letter to the editor titled "Attacker won't face court" stated—

> "Three weeks ago we were called to our children's school to attend a meeting with the school principal and our daughter. We were quite puzzled by the interview however we had a chance to talk to our daughter beforehand.
>
> She broke down and informed us she had been sexually harassed by a man (of prominent standing from our community)."

The incident occurred in a small town outside Bundaberg. The letter stated further—

> "During the interview and what followed the subsequent became known to us:
>
> There were four girls involved in the sexual harassment.
>
> A teacher had discovered the problem during a sex education class. He immediately told the girls he would have to inform the principal and separated the girls, to the four corners of the room, to make their own independent statements."

They took the right action immediately. The letter stated further—

> "Upon collecting the statements he took the girls to the principal's office where they again related the events and confirmed their statements were true and correct.
>
> The meeting with each of the parents, who came for the interview, (only two families of the four involved came forward) took place.
>
> The two families decided to take the matter to the police. An interview was set up for the following weekend.
>
> The police interviewed the girls (ages 11 and 12) for four and half hours. During that ordeal the police were compelled to treat the children roughly, as if the defence lawyer were picking at their stories. The officer was only doing his job, he had to be rough because in a court of law, there are no holds barred."

What a shameful thing to have to say about our children who are the victims—"no holds barred". I say to the Attorney-General that I think that it is time he made certain we looked at that matter. After conducting further investigations, I have even been told that some judges allow defence lawyers to be rougher on the kids than do other judges. The victims suffer more if their cases are heard by certain judges. In time, if we do not see some changes, perhaps those judges should also be named in this Chamber.

Mr Cooper: All of us should. That has been the system for yonks, and admittedly, in many cases, wrong. I think that all of us have got to look at that. It is not a case of "all of a sudden".

Mr CAMPBELL: The letter continues—

> "Following his interview he pulled us the parents aside and said yes surely something had happened but the children weren't strong enough witnesses to stand up to court room bullying, because of this no further action could be taken other than a stiff talking to by them to the perpetrator.
>
> Three weeks on the police have still not interviewed the fellow, even after three prompts by myself this week . . . sometime . . . if ever."

Today, I ask the Police Minister—and I will provide him with the name and identify the area in which this happened—to ensure that proper investigations take place. I think that, if that kind of protection cannot be given to children, we should all stand in this place and say that there is something wrong with the system. What further infuriates me is that the actions of that supposedly prominent person in this small country town have been going on on an individual and conjoint basis for more than a year. I ask the police to make certain that that matter is followed up. I will be giving that information to the Police Minister and to the Minister for Families to ensure that progress is made. If it is not, I will be taking further action in this Parliament. Three days later, the News-Mail published a letter in response to that first letter. It states—

> "In September of last year my eight year old daughter told me she had been sexually assaulted. You can understand my horror and utter revulsion that my child had suffered something of this nature.
>
> My husband and myself went with my daughter to the police and were very proud of her for giving her statement solely by herself, without either of us being there. We assumed that because of the nature of the alleged assault, that the accused would be interviewed within a short period of time.
>
> I understand that the police, especially the Juvenile Aid Bureau, are extremely busy. But I can't understand why, after almost six months since my child gave her interview, that the accused has yet not been interviewed."

After finding out more information about this matter, the concern that I have is that the alleged perpetrator has done it before. In the six months since this matter has been reported and the perpetrator has not been interviewed, the police have had to get reports from Brisbane about other possible cases involving this same perpetrator.

I ask: where are the resources, or is there a lack of resources that prevents the police from being able to take action in these cases? I believe that we have to look at this matter. If the police are too busy to take these statements because there are not enough officers on the ground, we have to make certain that more are provided.

Mr Ardill: I can go one further than that: when that goes into court, the complainant probably won't get legal aid because the Legal Aid Office will tell them they can't afford it because the Government has cut off their money.

Mr CAMPBELL: That is going to cause more concern, especially for the victims of crime. In effect, they are being made to pay a greater penalty than the offenders. I am going to give to the Police Minister the information that I have about these two cases, and I hope that he will follow them up.

It is important that our children are safe. The letter concludes—

> "I can truly feel for the parents of the school girls, but how would they and other parents feel if after six months they are still waiting for the accused to be interviewed, let alone having to see justice served and the perpetrator go to court. Just imagine the utter disgust and revulsion each time I pass by this person and the rage that builds up within me."

It is even harder for people in country towns, because they can face those perpetrators again and again.

Marianne James of the Australian Institute of Criminology has presented a good paper on paedophilia, an issue in regard to which I believe we need to take an holistic approach. In that paper, she concludes—

> "Paedophilia is part of a very complex web of deviant sexual behaviour which is specifically directed towards the sexual abuse of children. The sexual abuse of children, in turn, is one element of child abuse which also includes physical and emotional abuse. All forms of child abuse can result in later social problems such as youth homelessness, childhood prostitution, juvenile offending, mental health problems, and drug and alcohol abuse and the inability to form relationships. Its antecedents include the attitude of our society to children, to sex and to violence, as well as the effects of childhood experiences. Although appropriate sentencing and treatment programs are a necessary part of the criminal justice response to sex offenders, programs which prevent all types of child abuse need to be coordinated at a national level and then implemented at State and local government levels."

I urge parents to make certain that they listen to their children and, if they do not get the necessary compassionate and caring response from the police, to go to their member of Parliament so that we can ensure that the perpetrators pay. If action is not taken in the appropriate manner, I will raise the issue in this House to ensure that those perpetrators do not go unpunished and are not allowed to remain on the streets of Queensland.

Ms WARWICK (Barron River) (4.52 p.m.): I rise to support the amendments to the Criminal Code. As most honourable members would be aware, in Cairns the law and order issue has enjoyed wide exposure, mainly through the media—some of it exaggerated and some not. Unfortunately, the situation in my area has become misrepresented because of the large number of indigenous homeless. I am not making any judgments about the situation; I merely mention it because it is a factor.

The problem of homeless people is presently a huge social issue. For whatever reasons, unfortunately indigenous people

mainly from the cape communities choose to live in the parks and along the Esplanade in the Cairns CBD. I use the word "unfortunately", because the majority of these people are intoxicated and tend to fornicate, defecate and urinate in public places. Obviously, many people, both locals and visitors, find this behaviour offensive, which is understandable. The local people expect the police to take some action to remove the offenders. However, the locals see the indigenous people as receiving special treatment and consideration, and they maintain that if the offenders were white then they would quickly end up in the watch-house. Of course, this leads to an element of racism being brought into the equation, with a backlash against indigenous people. That is all very understandable and I feel great sympathy for the people who are exposed to such offensive behaviour, to say nothing of the feelings of helplessness that I feel about the situation regarding the indigenous homeless.

People are attacked as they walk along the Esplanade or in the local CBD area, and lot of the time the attacks are by those intoxicated people. As I said, that affects not only the locals, who feel they cannot take their children down to the parks or go for a walk at night, but also tourism. Tourists return to their homes and talk about the problem that exists in Cairns. It is a huge problem in my area.

Mr Schwarten: Will this Criminal Code fix it up?

Ms WARWICK: I would ask the honourable member to wait just a minute.

I mention the problem of homeless people because the issue is being used by the media and others to muddy the waters when speaking about law and order problems in my area. In addition, we have had and continue to have a spate of criminal activity which includes rapes, muggings, violent bashings and, unfortunately, murders. I know that this happens all over Queensland, not just in Cairns. However, lately a couple of high-profile cases have catapulted Cairns into the media spotlight. Firstly, I mention Cleis Norbury, a young lady who was bashed violently and left to die one Saturday night. I understand that she is receiving rehabilitation at the moment, but, unfortunately, she has to go back to the beginning and learn to talk, eat, walk—the whole box and dice. Of course, there was also the very high-profile case of Tjandamurra O'Shane, which I do not need to tell anyone about. The media has adequately covered what happened when Tjandamurra was set alight in his school grounds. Recently, there was an horrific road accident, which my colleague the member for Mulgrave mentioned, as it occurred in her electorate. It is alleged that somebody placed a large rock on the road, which caused a car to crash. One person died and some of the passengers received very bad injuries, including one lady who lost an arm.

There are a couple of hot spots in my electorate of Barron River where youths tend to gather to vandalise property and terrorise residents, which is unacceptable behaviour. As I have said in the media and will repeat in this place: parents should accept the responsibility for a lot of the actions of young people, but, unfortunately, they do not, as is evidenced by the rates of vandalism in my area and the number of homeless young people on the streets of Cairns. Many representations have been made to my office regarding such unacceptable behaviour. Residents are concerned that they cannot enjoy the pleasures of Cairns, such as taking their families to the park or walking along the Esplanade, because they feel that they are going to be attacked.

The National/Liberal Government has taken the problem of homeless people out of the too-hard basket where it has been lying for many years, and has had a good look at it. We have provided land and money for a night shelter to be built and recurrent funding will be available to enable that shelter to function. I know that this will not solve the problem of homeless people entirely, although it is a start. At least we will be able to offer homeless people a shelter for the night other than the local watch-house.

The people of my area are getting fed up with the penalties that have been handed down to criminals and, therefore, most are in favour of the proposed changes to the Criminal Code. Those changes are being received very favourably. At my invitation, the Attorney-General visited my electorate and listened to the concerns of people who appreciated the fact that he is going to bring in tougher penalties. The Attorney-General spent an hour and 10 minutes on a local talk-back radio program and received overwhelming support for changes to the Criminal Code.

I am not naive enough to believe that these changes to the Code will solve our law and order problems entirely. Many measures need to be put into place to get results and the Liberal/National Government is committed to making a difference and doing the hard slog. We will do that with a whole-of-Government approach. We cannot just say

that we need more police, we need this or we need that. We need a whole-of-Government approach and a whole raft of measures. These changes will certainly go a long way towards restoring public faith and confidence in the political process. We promise strong measures and we are now prepared to put our money where our mouth is.

I congratulate the Attorney-General on the changes. Lots of offences will attract greater penalties, and that will be appreciated by constituents. For example, I refer to the offences of threatening violence and in particular threatening violence at night, the penalty for which will increase from two years' imprisonment to five years' imprisonment. For common assault, the penalty will increase from one year to three years. Unfortunately, there tends to be a lot of sexual assaults in Cairns. The penalty for that crime will increase from 7 years to 10 years. In respect of sexual assaults where a person is armed, the penalty will increase from 14 years to life imprisonment. Again, we have a lot of break and enters in Cairns. The penalty for stealing will increase from three years to five years. For stealing with a circumstance of aggravation, the penalty will increase from 7 years to 10 years.

A new offence of stealing a firearm for use will incur a 14-year penalty. The penalty for wilful damage at night will increase from three years to five years. Another honourable member mentioned graffiti, which is also a problem in my electorate. Public toilets in my electorate have been vandalised twice. It is the local people who have to pick up the bill for the repairs to those toilets. Graffiti, obscene or indecent, will attract a penalty of seven years' imprisonment. Damage to an educational institution will also attract seven years. Again, that is a common problem in most of our electorates.

I turn now to another area in which there will be changes. These changes are timely and will be very well received. The member for Rockhampton also mentioned this issue. I refer to the crime of home invasion. Most people are horrified when their home is invaded and even more horrified because they feel that they do not have any protection; if they do harm an intruder, they can be charged. We have looked at that issue, and these amendments are very much in favour of the rights of the householders and present a strong and clear package of law reforms dealing with the issue of home invasions.

This Bill will make it a crime to enter or to be in the dwelling of another with intent to commit an indictable offence. The maximum penalty will be 14 years' imprisonment. Further, any person who enters or is in the dwelling of another and commits an indictable offence therein is guilty of a crime and is liable to imprisonment for life. If the offender enters the dwelling by means of any break, he or she is liable to imprisonment for life. Finally, if the offence is committed in the night, or if the offender uses or threatens to use actual violence, or is or pretends to be armed with a dangerous or offensive weapon or instrument or noxious substance, or is in company with one or more other person or persons, or damages or threatens or attempts to damage any property, the offender is liable to imprisonment for life.

If a person has been found guilty of an indictable offence, whether or not a conviction has been recorded, if that person suffered loss or injury in or in connection with the commission of the offence, that person shall have no right of action against another person in respect of the loss or injury. There will be a lot of cheers for that provision. There will also be some clarification and broadening of the defence so that it is lawful for any person who is in peaceable possession of a dwelling and for any person lawfully assisting or acting by the authority of that person to use force in order to prevent or repel another person from unlawfully entering or remaining in the dwelling if the person using the force believes on reasonable grounds that the other person is attempting to enter or to remain in the dwelling with intent to commit an indictable offence in the dwelling and that it is necessary to use such force.

One question which may be raised is whether a person is barred from bringing a civil action or from seeking criminal injury compensation if the householder uses unreasonable force. This question or any other statement concerning the use of reasonable force potentially shows a misunderstanding of the law even as it stands currently. The replacement section does little to change the law. It simply clarifies the existing law and adds the reference to repelling an intruder. However, on the question of reasonableness, the current and proposed new sections require not that the force actually used be reasonable but that the person using the force believes on reasonable grounds that the other person is attempting to enter or to remain in the dwelling with intent to commit an indictable offence in the dwelling and that it is necessary to use such force.

That should give maximum protection to an unfortunate householder faced with an intruder in his or her home. Whether a belief is reasonable will depend on all of the objective and subjective facts with which the person is faced at the time the person acts. The new law will not deprive innocent citizens and bystanders of their legal rights. It is only those who are convicted of an indictable offence who will lose their right to sue the householder who acts to protect his or her life or property or someone else.

The courts have held that in defending one's home a householder need not retreat. If in the course of committing a burglary or assault upon an innocent householder a criminal is injured by the use of what in the light of day may seem excessive force, it will have been self-induced if by the criminal's own action he or she induces in the householder a reasonable belief that the degree of force was required to prevent or repeal the criminal from entering or being in the dwelling.

The 1995 Code was going to provide that the householder who reasonably believed that a person was attempting to enter or remain on premises could use reasonable force to stop or remove the person. That would have placed an intolerable burden on the householder faced with an intruder who may not have much time to stop and to contemplate whether the force he was about to use could be regarded as reasonable by any ordinary person. Also, it is interesting to note that the current Code allows, and has always allowed, the setting of mantraps only in a dwelling and only at night for the protection of the dwelling. The 1995 Code would have allowed the setting of deadly traps at any time of the night or day. That would have been a totally ill-conceived and irresponsible vigilante support mechanism.

As I said, we have adopted a whole-of-Government approach to the issue of law and order. No one measure will solve the problem, but these amendments will go a long way towards doing so. Therefore, I support these amendments and congratulate the Attorney-General.

Mr NUTTALL (Sandgate) (5.07 p.m.): This evening I wish to touch on a number of issues in relation to the Criminal Law Amendment Bill. Firstly, I wish to speak about the problem of graffiti.

Mr Schwarten interjected.

Mr NUTTALL: I thank the honourable member for Rockhampton for his kind comments.

Previously, I have spoken in the House about the graffiti problem not only in my electorate but also in a number of other electorates. The Bill before the House proposes to increase the penalty for graffiti offences from five years to seven years. However, I suggest to honourable members that that in itself will not be enough to deter graffiti vandals. Police officers who deal with this offence tell me that the main problem is that the graffiti is caused by juveniles and, as such, they are not able to be locked up in gaol for the same lengths of time applicable to adult offenders. Therefore, increasing the penalty for graffiti offences from five years to seven years will not solve the problem we face.

My electorate is very old and, over the years, people have renovated their homes and so on. Only recently, in one area in Shorncliffe young vandals went on a rampage. Every house, fence and every car parked on the road over a distance of 300 metres was vandalised. The damage was quite sickening. It was the people who own those properties who had to pay for the repair of the damage caused by these graffiti vandals.

I have been unable to find figures for the cost of removing graffiti in Queensland. However, I have been able to obtain some figures in respect of the New South Wales rail authority. In 1986, removing the graffiti from its trains was costing in the vicinity of $5m per annum. In 1989-90, Victoria's rail authority is estimated to have spent $17m on removing graffiti from trains and stations. One would assume that the figure for Queensland would be in the range of $5m and $17m. Obviously, given those figures, drastic steps need to be taken in order to curb graffiti vandalism.

I am aware that various States have tried a number of methods to combat this problem. Legislation is not necessarily always the answer, and one must accept that fact. A voluntary code of practice for retailers has been introduced in some States. It has worked in some areas and in other areas it has not worked. I believe that retailers in Queensland need to take some responsibility in terms of controlling the sale of spray paint, polishes, shoe dyes, large felt tip pens and other materials that are used by graffiti artists. There are a number of ways in which they can play a role in preventing the sale of such products to young people. But if they are not prepared to do so on a voluntary basis, then we need to legislate to ensure that they do. In Western Australia, South Australia and the ACT a code of practice for retailers was implemented. That

was done in conjunction with the Government and the small enterprise associations and the retail traders associations. So it would appear that some States and Territories are looking at ways of combating the problem of graffiti. However, as I said, sometimes it takes stronger measures.

In 1995 we as a political party went to the people with a policy regarding the sale of spray paints and cans. We sought to establish a code of practice which prohibited retailers from selling spray paint to persons under the age of 18. I am asking this evening that the Attorney-General take that concept on board. I believe it is a worthwhile initiative. The policy went further than that and went on to say that purchasers of spray paints were required to provide proof of identity and of their age and had to sign a register, which is not dissimilar to what people are required to do when they buy poisons. Therefore, if a person wants to buy a can of spray paint, they must be 18, they need to prove how old they are and they need to be prepared to sign a register. Retailers need to play a role in that process. In addition to that, we were going to require that retailers store full spray paint cans in secure areas in order that they could not be stolen by shop thieves, so that the only spray paint cans that they should put on display would be empty cans, simply there for display purposes. Although those measures will not completely solve the problem, they are certainly worthy of consideration. As this issue is of concern to the community, I ask the Attorney-General to have a serious look at those initiatives, even though they were put forward by us as a political party back in 1995.

Most community members are disgusted and outraged by graffiti. It is unfortunate that some of it is obscene, but, more importantly, it is destructive. We as parliamentarians need to examine the problem and see what we can do to assist. As I said, voluntary codes of practice have been established in some States. I do not believe that they go far enough, and I think that we should go further in attempting to combat graffiti. I am seriously hoping that the Attorney-General will consider the matter. As I have said, increasing the penalty from five to seven years does not solve the problem because most of those who commit the offence are juveniles. Therefore, we need to consider alternative measures and we must aim to solve the problem at the source, and the source is obviously the retailers.

The next issue I want to touch on is the cuts made by both the State and Federal Governments to employment and training programs. The widely held view is that if people are employed they feel that life is worth while and that they can contribute to their community. However, if people are unemployed and feel that there is no hope they may resort to crime, and that indeed is a shame. We have a responsibility to address that matter. The State Government has abolished $13m worth of programs which we calculate would have created something like 21,000 job opportunities. I am not saying that each of the 21,000 people who will miss out on those jobs will be out there committing crimes, but some of them will because, as I said, they will feel that they have no worth in our community.

Rather than spending money on prisons, are we not better off spending money on job creation in an attempt to stop crime before it starts? Is it not better to take a pro-active approach to the crime problem? I have just commented on the State Government. The Liberal Commonwealth Government has cut $1.8 billion worth of programs, resulting in 200,000 job or training opportunities being lost. It is false economy to say that that money will be saved, because somewhere along the line that money will end up being spent—on our courts, on employing more judges, on employing more police and on building more prisons. That is where the money ends up being spent. We are taking with one hand and spending with the other. Those issues need to be addressed.

I turn now to police numbers. On a number of occasions the Police Minister has indicated that the Government intends to increase the number of police in Queensland. While that is a noble cause, the reality is that police numbers have not been substantially increased since the coalition has been in Government. Indeed, last July the intake into the Oxley Police Academy was cancelled. The separation rate of members of the police force has increased, and it is now in the vicinity of 4%. Although that would not appear to be a substantial figure, it is significant when we are losing police officers who have been trained at great expense. Some of the reasons for the high separation rate include the perception that there are cuts in overtime budgets, that some of them are missing out on their 19% shift allowance and that they have increased workloads and, consequently, increased stress. Obviously, those are issues that the Police Minister and the Government need to address. We should be aiming for a greater retention of our good people in the police force. I believe that they do a great job. It is a shame to see people embarking on a career

in the police force and then leaving for all those other reasons. I certainly hope that those matters can be addressed.

Community policing is probably the most effective form of policing. In areas in which there is a large and visible police presence, crime rates decrease. We must aim to give our police a worthwhile career to ensure that they do not want to leave the force and, in turn, hopefully we will have a better quality police officer who will assist in reducing the level of crime. In January 1996, when Labor was in Government, we announced the implementation of police beats or the old village cop concept in which police would be on the beat and police officers actually live and work in a defined area. Those police beats were initially to be introduced in Cairns, where four officers were to be stationed—and one of the honourable members from that district has just spoken about the problems being encountered in that region—in Townsville, where six officers were to be stationed, and also in Rockhampton, where four officers were to be stationed. We had proposed to do that by April this year.

However, this Government never proceeded with those police beats. The honourable Police Minister advised this House that they were not a priority and that they may be considered within the context of the 97/98 Budget. We are looking forward to his response and to what transpires in the 1997/98 Budget Papers. Certainly in the estimates committee we will talk to the Police Minister about that because we believe that they are worthwhile initiatives. We believe that police on the beat is one of the types of things that help us to prevent crime.

Another matter of concern is home invasions, which I know was touched on by the honourable member for Rockhampton. One of the ironic things about this legislation before the House this evening is that when the Labor Party introduced its Bill, we used the words "that the use of force was both reasonable and necessary as required". The Honourable the Premier and the Honourable the Police Minister both indicated in the debate on that Bill that we were not going far enough and we were not being tough enough in relation to that offence and that people basically should have the unfettered right to shoot and kill people who invaded their homes. They claimed that we were not going far enough, yet those same words have been used in the legislation before the House this evening. The irony is that when we introduced it, it was not tough enough, but when the Government introduces it, it is okay. We will leave that to the people of Queensland to judge for themselves.

The other matter which concerns me greatly is assaults committed on elderly or disabled persons, because a number of aged and disabled people live in my electorate. Of course, everyone would agree that they are society's most vulnerable people. The Government has forgotten those people in this legislation. Section 114 of our Criminal Code, which we introduced in 1995, included a provision whereby if an assault was committed on a person who was over the age of 60 or was disabled then that was considered to be a circumstance of aggravation and the penalty was increased from three years' imprisonment to seven years. The Code that is before the House this evening leaves the penalty for assaulting those old people at three years' imprisonment. It is not tough enough. The Government said that we were not tough enough, yet here is an example of where we were going to increase the penalty from three years' imprisonment to seven years but the Government is actually reducing it from seven years to three years. I do not believe that this sort of legislation does anything to put elderly and disabled people at ease. That is obviously a matter which needs to be addressed.

Another issue of concern to me is that of juveniles. We have been fortunate enough to have the Childrens Court of Queensland third annual report tabled in the House today. It contained a number of recommendations. A number of recommendations were made in the first and second annual reports. In fairness, some of those have been acted upon, but a number have not. I ask the Attorney-General to look seriously at the third annual report of the Childrens Court of Queensland to see where improvements can be made in the role of that court in terms of its dealing with juveniles. I noted in the report that in relation to property damage—and again that goes back to the issue of graffiti—there have been increases not only in the number of charges against juveniles but also in the number of cautions given to young people. The report does not specify what proportion of property damage graffiti was, but no doubt, given that there were increases, there certainly would have been an increase in that area.

The Criminal Code is an important issue, but standing in this Parliament and saying that we are going to get tough by increasing penalties is not the answer in itself. Today, we are calling on the Government to be pro-active in its approach, to spend more money on job

creation, on policing, on the retention of police officers and on our young people and to give those young people a worthwhile role in our society. If we are pro-active in our approach we certainly will be far better off in terms of the State itself; we certainly will have a better quality of life and, in my view, we will certainly prevent more people going to gaol.

Building more prisons, putting more people in gaol and making sentences tougher has not worked anywhere in the world, so why do we continue to go down that path? Why are we not more lateral in our thinking and more pro-active in our approach in terms of addressing the issues of crime? Today is a perfect opportunity for that to be done but, unfortunately, it is an opportunity which has been wasted by the Government.

Mr HOLLIS (Redcliffe) (5.27 p.m.): I believe in that old adage that if a person does the crime, he or she does the time. It is extremely important, of course, for any Government to take all the steps possible to prevent crime. I believe that, and I believe that those statements relate to two essential parts of the solution to the problem we are all talking about. I, too, would like to live in a society that was crime free. I do not think anybody in this Chamber would not want to live in such a society. We know, of course, that that will never happen in our lifetime.

This is one of those Bills that one looks at and thinks, "Why do we have this Bill before the House in this form?" It has been introduced because of public pressure and public perception of what the Liberal/National Parties proposed prior to the 1995 election. That is the only reason that we have the Bill in its present form.

When one looks at this Bill and thinks about recent events in Australia, particularly Alan Bond's ludicrous sentencing, one wonders about the Government's priorities. He is a corporate criminal of immense magnitude, who actually committed one of the largest corporate crimes ever heard of in this country. What happened to Alan Bond? He got approximately two years' gaol. In two years he will be out of gaol even though as a result of his actions many people have lost their money, their homes, and so on. This Bill creates an offence of graffiti. Most graffiti is committed by young people, the young unemployed, the young person who lives in poverty or the young person who is angry at society. For that offence, this Government proposes a five to seven year prison sentence.

Let us think of the implications of this sort of sentence. When Alan Bond comes out of the gaol he will have his nice nest egg of many millions of dollars hidden away and his corporate crim mates will be patting him on the back and saying, "Well Alan, you did not do bad. You got out of it. You have still got your mansions and your Rolls Royce and everything else. You can hold your head up high amongst us because you have done a pretty good job." What about the young lad or the young woman who committed the crime of graffiti if he or she goes to gaol? What happens to that child, that young person? He or she comes out of gaol and what is there for him or her? The same life of unemployment, the stigma of being in prison, poverty, all the things from which they suffered prior to their committing that act of graffiti. That is where this Bill and this Government missed the target. It is all right to say, "We are going to sentence everybody to gaol" but what about introducing the programs to prevent them going to gaol in the first place? That has sadly been lacking in any part of this Government's policy.

It is interesting when one reads the Liberal Party policy as it was prior to 1995. Not once in that document where it mentions graffiti and vandalism is there one word saying that the Government will send these kids to gaol. It talks about good things; it talks about the removal of the graffiti by offenders and property damage being compensated, but it does not say the Government will try to gaol them for five to seven years. This is another thing——

Ms Spence: Why are they doing this?

Mr HOLLIS: The Government believes that the rednecks of this society will support it. I believe the rednecks of this society will support it, but the thinking people of this State will reject completely the proposition of sending people to gaol for such minor crimes as graffiti. One of the difficulties of all this is that the Government's graffiti program and its sentencing options make no provision for rehabilitation.

I turn now to police. This is another issue about which members have spoken at length in this House in recent times. I want to talk particularly about community policing, which the honourable member for Sandgate mentioned. I believe that many members on both sides of this House are talking about what we should do about community policing. Recently in this House I spoke about the Police Beat program, and I have written to the Minister and the CJC asking for trial programs to be instituted in the Redcliffe area. I believe that this is a very viable sort of policing which will deal with the problems of today.

In the last four or five months, at every function I have attended, I have made a point of asking every person I have talked to whether he or she knows a local policeman. I have not had one positive response to that question. I believe that says something about our Police Service and how it delivers that service. We should be looking at the Police Service and what it delivers. This week, I read with interest an article in the Police Union magazine in which Mr Wilkinson rants and rails about one-man patrols. If Mr Wilkinson's police were interested in serving their community and being part of that community, there would be no problems about one-man patrols.

An interesting thing happened in Redcliffe recently. A young lawyer whom I know went to the Redcliffe police court. He got into conversation with some police there and floated the idea of community policing. He said, "Surely it would be a good idea to have Police Beat programs. Surely it would be a good idea to have community policing across the City of Redcliffe." The police said to him, "There is a problem with this community policing." He asked what that was, and the police said, "If the people get to know us too well, they will not be frightened of us any more." That is the ethos of our Police Service, and we have to change it. It is incumbent upon any Government and any Police Service management to change that ethos of the fear of police.

At the moment just about the only time that one sees police anywhere in the community is when they drive by in cars. One does not see them anywhere else, apart perhaps from Police Beat shopfronts. We have to change that image of the Police Service and make police responsive to the community. That is the important issue that this Police Minister should be considering. It is not just a case of having a certain number of police. I do not rant and rail about the fact that Redcliffe has four fewer police than it did four years ago. However, I want to see some service from the Police Service. That is the job of the Police Minister and the management of the Police Service.

Also in that Police Union magazine was a letter from a Sergeant Jim Bindon. I recommend that the Police Minister read that letter, because it is interesting to consider the way in which the police in this State are approaching their job. Sergeant Bindon complained bitterly that the previous Labor Government brought in a wonderful computer system called the CRISP system. That system is supposed to assist police in relation to the time they spend at crime scenes so that, instead of having to do heaps and heaps of paperwork, they can put the details straight onto the computer system. This supposedly alleviates all the paper warfare and, hopefully, gets a crime solved quicker and puts the crime on a database. Sergeant Bindon was complaining bitterly that the CRISP system is causing police more work than they had with the former paper-based system. If that is happening to police of the rank of sergeant, surely it is time that the management of the Police Service had a look at the situation and said, "If this is happening, why is it happening? Are you doing your job? And where can we, as a Police Service, improve it?" But one does not hear that. All one hears is whingeing and whining in the Police Union magazine about police being overloaded, but a solution to it is never forthcoming.

I well remember that, when the former Government came to office, I attended a meeting at Redcliffe at which the police whinged and whined about their conditions. Our Government improved their conditions and their wages. We improved everything about the Police Service until they were perhaps nearly the best-paid police in Australia. But they are still complaining. This means that we must have some sort of set-up whereby their complaints are heard and rectified. In the past few weeks, information has been forthcoming about what has happened to the New South Wales Police Service and the insular manner in which it operates. We now have to look at the Police Service and ask, "What do we expect from them and how are we going to get it?" The only way to do that is through proper management, which starts with the Police Minister.

I turn now to the prison system. This Bill will cause chaos. There is no doubt about that. This Government is introducing a tory policy—a Liberal/National policy—which has been tried in many places in Australia. It has also been tried overseas, but it does not work. It has been proved that truth in sentencing has never worked. I am amazed that the Attorney-General has not researched this. Truth in sentencing does not work. In fact, it increases crime.

Statements have been made about people serving 80% of their sentences without parole. This reduces the time that people are under supervision in the community. Over the past three years, the gaol population has experienced a 60% increase. As a result of this legislation, that figure will probably

increase to 100%. Every time that happens, the crime rate increases. It is a very simple analogy. For every 100 people who go to gaol, 40 will return to gaol within the first 18 months of their being released. So it is quite logical that if we have 5,000 people in gaol now, 2,000 of them will return to gaol. If we have 10,000 people in gaol, 4,000 of them will return to gaol. Why do they return to gaol? Because they commit another crime. Truth in sentencing will increase the crime rate and the rate at which people return to prison. This has been proved to cause problems within our gaols. In the mid seventies in Victoria, there were gaol riots. That is what is going to happen under this Bill and this Government's truth in sentencing policies. This Government is not concerned about the social effects of this. Nothing in this Government's policy addresses poverty. Nothing in this Government's performance addresses unemployment.

Everywhere one turns there are more people becoming unemployed. During the debate on the industrial relations legislation, I said that the unemployment rate will rise to 11% by the end of this year, and it could rise even further. The Government is doing nothing about it. Its capital works programs are doing nothing. There is a complete lack of capital works in many electorates. I can state quite convincingly that, in the electorate of Redcliffe, there are no Government capital works. The Minister for Public Works and Housing, who criticised me for talking about housing in a newspaper the other week, should get on with the job. He should build some public housing so that people are decently housed, because that is another avenue that prevents crime.

The other aspect which causes crime is when people do not have enough money. People do not have enough money to pay for health care, but that is another matter. Whatever the Minister for Health says, health waiting lists are growing day by day. When people obtain health services which they desperately need, they go into debt, because the only way that they can obtain them is through a private provider. As I said, that lack of money causes crime in the community. It is not just a matter of introducing a Bill which sends people to gaol for more years. It is a matter of putting in place policies whereby people have a chance in life. That is the biggest difficulty faced by this Government.

I want to refer briefly to the contribution of the member for Bundaberg, who spoke just prior to me. I was interested to hear the member talk about the problems of paedophilia in his electorate. I was interested for two reasons. Firstly, where is the Children's Commissioner? These things are obviously happening. They are being reported in the newspaper, but where is the Children's Commissioner? Where is that fantastic bloke this Government appointed earlier this year? What is he doing about paedophilia? I would suggest that it is not very much. All we hear about the Children's Commissioner is that he refers matters to Family Services. The record of Family Services leaves a lot to be desired.

Prior to Christmas I was very happy to read an article by Tony Koch about a speech that I had made in relation to the Children's Commissioner. I thank him for that article, because it was an extremely good, sensitive and very well written article. Recently, I received a phone call from a very prominent business person who talked to me about that article. I wondered what he was referring to when he said, "You made me do something which I wouldn't have done." I said, "What was that?" He said, "On reading that article, I thought about all those people who should be exposed. I was an inmate of Neerkol. I went to Rockhampton and gave a deposition to the police. I am so happy now and I feel so much better that I've got that off my chest." I thank Tony Koch because, if that article achieved nothing else, at least that one man has got that matter off his chest and somebody will pay for that disgusting act of paedophilia. That was a wonderful response to Tony Koch's article.

I believe that there are times for serious penalties. I believe that people who commit crimes of assault and murder and other serious offences against people should be punished. I have no argument with that at all. However, while the Government is doing that, it should also provide resources at the beginning and end of the system. That is what is missing from all of the Government's policies. The Government has no policies to care for disadvantaged people in our society who need help. I urge all Ministers opposite—not just the Attorney-General, because I know that he does not have much of a heart—to consider people with problems, those who are unemployed and those who are suffering domestic violence. The funding for domestic violence has been reduced since the coalition came to power. Members cannot establish domestic violence programs in their electorates because there is no money. The Government has plenty of money to employ a Children's Commissioner who does nothing, but it provides no money towards attacking the

problem at the other end. That is where Labor sees the difficulties in the community.

Today the Government should have presented a range of social programs to deal with the effects of crime. They do not exist. All the Government will achieve through this Bill is the filling of the gaols. I suppose the Government can be happy about that, because the more people who are put in gaol the more the unemployment figures will be reduced. A few more prison officers will be required to look after them, which may reduce the unemployment figures further. That is all this Bill will achieve. It is time that members opposite started thinking not as people who support the Alan Bonds of this world but as people who think about disadvantaged people. I know that some Ministers do think about those people, and I urge them to consider the matters that I have mentioned and convince their colleagues that something should be done about the effects of crime rather than gaoling many more people in Queensland.

Mr HARPER (Mount Ommaney) (5.44 p.m.): It is a pleasure to rise in this debate and to support the Bill now before the House. I would go as far as saying that the constituents of my electorate of Mount Ommaney would expect me to speak in this debate, because not a week goes by that I do not receive several comments and representations from people within the community about the problems and concerns which they have and which this Bill is addressing. The Minister—the Attorney-General—is to be commended for squarely facing up to the situation, moving quickly on it and introducing this Bill, which addresses the problems faced by our community.

Despite some of the empty words of the members opposite, who obviously had their ears closed to the process, the Attorney-General participated in an intensive consultation process. Shortly after we came into Government, he set up a working group, which then worked speedily but thoroughly, gathering information, considering the circumstances and sending out drafts to interested parties to receive further input. They received over 120 submissions. After that consultation, they and the Attorney-General worked on drafting this Bill. That was all done in a short time. I will refer to that length of time later.

This Bill is a strong Bill. It deals with the problems and offences in a strong manner, but in a very fair manner. That is important. We must always strike a balance between making sure that any crime is suitably suppressed by the threat of a sentence of punishment and that the innocent community is protected; however, at the same time, we must have provisions that encourage people, if they have committed crimes, to try to rehabilitate themselves to have good conduct while in the prisons. This Bill certainly addresses that.

I will turn briefly to what Labor did while it was in Government. I will be brief, because that is all the time I will need to take to address their efforts. The previous Goss Government spent several years dilly dallying before it introduced a completely new Code. It talked about that, mucked around and, finally after four or five years, introduced a new Code. That Code was going to cause trouble, and I will comment on that later. Having introduced that new Code, the Goss Labor Government was criticised by many people throughout the length and breadth of Queensland. Included in that criticism was an organisation that usually supports them, that is, the CJC. If members opposite have forgotten that, they can turn to an article in the Australian of 9 March 1995 for evidence of that criticism. Despite that criticism, the member for Murrumba, the then Attorney-General, Dean Wells, claimed that Labor's new Code reflected community values. If it did reflect community values, I would be very surprised, because it received criticism throughout the length and breadth of the community. Labor must not have been listening properly to the community if it really thought that its Code did reflect that community feeling. Judging by the criticism that we have heard from members opposite in the lead-up to this debate and during this debate, it is obvious that they are still not listening to the concerns and worries of the community.

The completely new Code that Labor introduced would have been the subject of much appeal through the courts as to its validity. That process would have taken a long time. In the meantime, Queensland's system of criminal justice would have been up in the air on many matters. That is why the Attorney-General—and I commend him—took the correct route of deciding to amend the current legislation.

I am at variance with the speaker who preceded me in this debate, the member for Redcliffe. He was inferring criticism of some police officers. I work extensively with the police officers in my electorate. I have frequent contact with them. I see them at work and I

see the work that they are doing. I know how they operate. I know that they take a great interest in the community. They know their community. They know a lot of the people. They certainly have their finger on the trouble spots and the people causing problems. They are working hard. I place on the record my personal praise for the fine work that the police do in the Mount Ommaney electorate.

I turn now to community expectations. In all my years of being involved in community organisations and leading up to my election and involvement in politics, one of the big issues was always the issue of crime: the worry of crime and the punishment that has been meted out over the past few years to people who are convicted of crime. People kept on saying to me that the system is a farce, the victims of crime are the ones who are being punished and those who commit crimes are often not punished. At times one could almost think that they receive some reward. That is why it was so essential that, once we took office, the Attorney-General turn very quickly to addressing this matter. The community expected that.

As I said at the start of my speech, many of my constituents come to see me about the problems that are caused by the current Code and the criminal activities which are allowed to occur without suitable punishment for them and without suitable redress. I will refer to a few of those crimes. Firstly, I refer to vandalism. Although some people may regard vandalism as a relatively minor perpetration of criminal activities and that it does not really matter, we must always have regard for those victims who suffer from vandalism, no matter how small that vandalism might be. I refer to car vandalism. One of the current trends is for people to scratch the paint work on cars. Some people might say that is only a minor thing, and what the heck. However, we must consider the cost involved in that vandalism, the heartache that is caused to somebody who has pride in his or her vehicle, what that vehicle has cost and what it will take to repair. If one simply puts one small scratch down two panels plus the boot and the bonnet of a car, that might be only four small scratches. However, it could cost a couple of thousand dollars to fix up that damage. That is no small crime.

I also refer to vandalism in people's homes, be it knocking down fences or ripping up plants. They might seem to be only small things and easily redressed. However, victims have put hard work into buying their houses and developing them. They have put pride and time into developing their homes and their yards. They then have to turn around and put more work and more money into fixing up the damage caused by vandalism. Similarly, I refer to the effect that vandalism has on people whose livelihoods depend on their shops or small businesses. That costs them money, time and effort. Certainly, when those people are trying to make a living, repairing the damage caused by vandalism is a daunting prospect.

I turn now to harassment. The threat of physical violence, even if it is not carried out, is something that the community expects we as parliamentarians and the Government to address properly to ensure that it does not go on. Many people are afraid to go out, be it day or night. They are afraid to walk within their community because of the threat of harassment, even if it does not lead to physical activity against them.

Another area that is a major problem is graffiti. Once again, people might think that it is caused by only a few young people. Of course, it is not only young people who are doing a little bit of spray-painting. I draw the analogy between somebody's property which is damaged by graffiti and which is going to take $1,000 to fix up and somebody's business where a cash register is robbed of $1,000. If the criminal who robbed the cash register is caught the next day or a few days later and that person still has the money, the people who own that money can get that money back. So that part of the crime is addressed. Of course, in relation to graffiti, once the damage is done there is no giving it back. The damage is done; it has to be repaired and that repair has to be paid for—whether it is paid for by the individual who has suffered or by the community generally through insurance premiums. I think that graffiti has to be regarded in that way. One of the most objectionable forms of graffiti occurs on road safety signs and road direction signs. That puts people's lives at risk and costs the State—the taxpayer—many hundreds of thousands of dollars.

I refer to minor assault, which occurs particularly among young people. Nonetheless, that leaves a scar on them for the rest of their lives. It alters their approach to life and their approach to their social activities. It certainly has to be addressed. With reference to those particular issues, even if the cost is small someone has to pay and someone has to go to the trouble of redressing the issue and fixing up the problem.

I am particularly pleased to see that the Bill addresses the new offences of transmission of serious disease. We know that some diseases are now prevalent in society and that it is easy for criminals to use diseases such as AIDS or similar diseases—whether they are carrying out a robbery or, as they see it, paying back somebody or having a go at somebody—as a threat to determine whether some other people live or not. I am very pleased to see that this Bill addresses that issue.

The Bill also addresses the offence of bomb hoaxes. Unfortunately, in today's modern society Australia has not escaped that particular problem and, of course, it will not escape it in the future. It is important that the Bill makes that activity a criminal act.

Another area relates to car theft. I refer to the trouble that a person has to go through if his or her car is stolen, even if it is found later. Often stolen cars are damaged beyond repair or burnt out. Even if the car is repaired, the owner then has to drive around in that car knowing that somebody else has driven it and damaged it. The owner might have taken years of work to pay off that car. To that person, the car is not the same. While the car is missing, the owner has to do without it, make an insurance claim and prove that claim. It is no idle thing for somebody to take an innocent joy-ride. Of course, often the innocent joy-ride ends up in the car being smashed up or, as I said earlier, deliberately destroyed. This Bill considers that matter.

Another issue is when people enter somebody's home. If any members have had their homes entered by criminals—whether they stole something, left before they had the opportunity, or got cold feet—they would know that their home is somewhere they are entitled to go to and live with their family and that, once a criminal has entered that home, it is never the same. I can vouch for that personally. I can also vouch—as I am sure all other members can—for those who have spoken to me about that problem. The fact that people have to confront somebody in their home is not good enough, so they should have the law on their side. People should have the right to defend their homes. They should have the right to see that action is taken against the person who actually entered their home and maybe physically threatened their life and their property. I am glad to see that the Bill addresses those issues.

Similarly, in regard to places of employment that are invaded—and I refer to banks, shops or petrol stations where there are innocent customers as well as employees and the owners of those businesses—where threats are made to those people, it leaves a scar on them for the rest of their lives. In many cases that incident affects those people's ability to work. Many employees who have been the subject of robbery or a person entering their place of employment cannot go back to that place of work. In the end, they find themselves unable to work, they go on the dole, and from that point on their life is virtually ruined. I think that they are entitled to see that the person who committed that crime is suitably punished.

The Bill addresses the offence of dangerous driving where either people's lives are threatened or they suffer permanent injury. The Bill adds to that offence other forms of transport, including aircraft. The offence has been changed from "driving" to "operating", so that it can bring in several types of other offences. That is very important.

Mr SPEAKER: Will the honourable member move for the adjournment of the debate?

Debate, on motion of Mr Harper, adjourned.

LEADING SCHOOLS PROGRAM

Mr BREDHAUER (Cook) (5.59 p.m.): I move—

> "That this House expresses its concern at the uncertainty that has been created among parents, the teaching profession and the community at 'Leading Schools', the Borbidge Government's planned radical restructure of Education Queensland.
>
> In particular, we note—
>
> (1) that the restructure will lead to 400 job losses, 300 in regional Queensland;
>
> (2) major uncertainty about whether the Government will provide schools with adequate resources to deal with the avalanche of bureaucracy which is about to descend on schools; and
>
> (3) widespread anxiety that the proposed restructure will mean some schools are well resourced and better equipped to deal with the needs of their students while other schools, especially smaller schools, are forced to cope with a diminishing share of Queensland's educational resources.

> Further, we call on the Minister to delay the implementation of 'Leading Schools' until schools are guaranteed adequate resources to cope with any changes and the equitable distribution of all education services to all Queensland students."

On 9 February this year, the Minister for Education announced a radical restructure of the former Department of Education under the name Leading Schools. Once again, the Minister sparked an outcry by failing to consult with key stakeholders in the education process before the announcement was made. Incorporated in the concept of Leading Schools is the abolition of the 11 Education Department regions and 40 school support centres and a major reordering of administrative priorities within the Education Department with virtually all functions currently undertaken by the regions either being forced down on to schools or being centralised in the head office of the Education Department.

I need to say at the outset that the Opposition does not disagree with the concept of school-based management per se. During our term in Government, a number of responsibilities were devolved to schools, and we recognise that school communities have an important and active role to play in decision-making about the allocation of resources. However, we have substantial concerns about the proposals contained in the Leading Schools document, which I intend to outline to the House this evening.

The first issue about which the Opposition has expressed serious reservations is the fact that this restructure will lead to the loss of 400 jobs throughout Queensland, 300 of them in regional areas. In the information which was disseminated to education stakeholders called the Leading Schools Information Kit, the document titled The Leading Schools Program and Organisational Improvement, under the heading "Implications for Staff", states—

> "Currently there are approximately 1,000 positions in regional offices and school support centres. It is proposed to begin a process to reduce this total over time to approximately 700 positions in the new structure."

It could not be clearer. There will be 300 fewer positions in the regional structure. Under the heading "Implications for Staff in the Future Central Structure", the document states—

> "The present central office structure will be reduced by 90 positions."

In black and white, the Minister's own propaganda acknowledges 400 job losses, 300 of them in the regions. Is it any wonder that Queensland is currently suffering the highest rate of unemployment of any mainland State in Australia and that people in regional Queensland in particular know that this Government has abandoned them when it comes to providing a role in decision making, most importantly in the area of service delivery and regional employment? Once again, this Government is cutting services in the regions.

It is also for this reason that National Party members in particular have been expressing their concern about the restructure. The Minister for Families, Youth and Community Care, the Minister for Environment, the Minister for Natural Resources, the Minister for Local Government and Planning, the member for Hinchinbrook, the member for Keppel and the member for Gympie have all been voicing their concerns about the restructure, particularly its implications in cutting back regional services, its effects on regional unemployment and also, in some cases, because their electorates have missed out on being preferred for the new district offices. In answering a question in Parliament this morning, the Minister said that the concerns of all National Party members have been put to bed. If that is the case, it will be interesting to know whether those members have once again sold out their electorates and their regional constituencies to the Liberal Minister for Education from the Gold Coast, who has demonstrated time and again that he has no concern for regional services or regional unemployment.

However, the Opposition's concerns go far beyond the regional employment implications. Over the last month I have been contacted by many P & Cs, teachers and a significant number of school principals, all of whom have expressed serious reservations about the proposed Leading Schools Program, and particularly the lack of detail and information which has been provided by the Minister and the Education Department. Paramount amongst those concerns is that the Government will identify a limited number of schools to be known as leading schools and that, particularly in the pilot stage, those schools will be well resourced to cope with the avalanche of bureaucracy that is about to descend upon them, but that this resourcing will not be duplicated across all schools in Queensland as the scheme is progressively implemented.

There are serious reservations in the education community that we will have leading schools and we will have following schools. The choice of the term "leading schools" means that 100 schools will promote themselves as the 100 best schools in Queensland and the other schools will be regarded as the also-rans. They will be the ones that will be fighting for resources which will become increasingly difficult to find. Those schools will find it increasingly difficult to meet the needs of their students with a declining proportion of the overall resource allocation for education in this State. This is a particular concern amongst smaller schools and in country schools. The Opposition will not and cannot support Leading Schools until the Minister can guarantee that all Queensland students will continue to be equitably dealt with in terms of the allocation of education services and that no Queensland school or Queensland school student will be disadvantaged by the process.

The Minister has announced that additional funds will be made available to the pilot schools. In a press release on Sunday, he said that an additional $8m worth of funding would provide between $60,000 and $100,000 for each of these 100 schools based on their enrolments. I make two points in regard to this. First of all, those schools which are thinking of volunteering need to question the Minister carefully to find out what strings are attached to the resources that have been allocated.

Advice to me indicates that the schools will be allocated additional money but that they will also be told that they will be required to employ administrative personnel, who will become redundant by the closure of the regional offices in an attempt to minimise the unemployment impact of the restructure. The Minister is saying, "Here is the money. We are giving you the power to make decisions, but we are telling you how to spend the money." Secondly, no extra money has been allocated for the implementation of this proposal. Not one extra penny has been allocated by Treasury for this proposal. It all comes from reshuffling the deck chairs on the Titanic which is the Minister's department.

The Minister attempted another form of inducement to get schools to volunteer for the Leading Schools Program when he announced that the principals of the Leading Schools would receive an extra 5% pay increase on top of any enterprise bargaining outcomes that were negotiated with the Queensland Teachers Union. As I mentioned during the debate on enterprise bargaining this morning, this has been a particularly divisive tactic and has clearly backfired on the Minister and the Government, as teachers have rejected both the Leading Schools proposal and the enterprise bargaining position of the Government by voting by a margin of 85% to undertake a stop-work meeting for 24 hours next Tuesday. The Minister has attempted to induce the schools and P & Cs into volunteering for the pilot project by offering an additional $100,000 per school and offering the principals a 5% pay increase.

Notwithstanding these tactics, my advice is that so far fewer than 30 schools have nominated to be part of the 100-school trial, as school after school either rejects the Minister's offer to be involved or, at best, say that they are not prepared to volunteer until they have much more information available about the implications of Leading Schools and the availability of resources to deal with the extra administrative load. I can tell the House that the principals of some of the schools that have volunteered have not had the guts to tell their staff yet, because they know that the staff will not cop it. They are waiting until 27 March, so that they can tell them after the Easter holidays. However, the real motive behind the Minister's move is so that he and the Borbidge Government can pass the buck for the inadequate resourcing of schools onto school communities, principals and school councils.

One needs to look no further than the Minister's tirade against school principals a few weeks ago over the reorganisation of school classes when staff were withdrawn to understand the motivation of the Minister and the Government. About three weeks ago, many schools in Queensland suffered substantial upheaval as teachers were withdrawn by the Government and classes had to be reorganised. Regional officers of the department were candidly telling some schools and P & Cs that the flexibility that existed in staffing last year no longer existed because of Budget cuts. However, what was the Minister's response? He launched a tirade against the school principals, saying that they refused to accept their responsibilities. We will see how the Minister reacts in future when a school says that it does not have enough resources to maintain its buildings or that it does not have enough teachers or that its class sizes are increasing. Instead of accepting the responsibility which the Government carries for providing adequate resources to schools, the Minister will simply seek to pass the buck on to

the school councils and the school communities and tell them that it is their responsibility.

The Opposition is also concerned that the planned restructure will entrench longstanding discrimination against women in promotion to more senior positions. As part of the restructure process, a number of senior officers in the regions who currently hold SES 1 positions have been advised that they will not be considered for the position of director of the new district offices and need not apply. The principle of merit-based appointments has been thrown out the window. Two women in the Education Department have been told that, because they have not been senior principals, they will not be considered. Notwithstanding the fact that 70 per cent of teachers are women but a grossly smaller proportion of women are in senior management positions, the Minister and the director-general are seeking to entrench years of discrimination against women by precluding people from applying for senior positions in the department on spurious grounds.

I am also concerned that senior officers of the Department of Education have improperly represented the views of the Opposition in respect of Leading Schools. They have been saying that we support the program. That is wrong. Public servants are buying into a political debate. Yesterday I wrote to the Minister telling him that those people should be pulled into line. I suspect that the member for Ipswich will have more to say about whether or not we initiated the program.

Many other issues remain unanswered because of the paucity of information which has been forthcoming from the Government—the effects on staffing, the transfer scheme and rural and remote schools, the impact of the avalanche of bureaucracy, the fact that issues such as the availability of specialist teachers in schools and class sizes could be adversely affected by these changes. The submission proposes to establish school councils, but there is not enough detail. Overall there is an alarming lack of detail in the information which has been sent out by the Minister. The Opposition does not support the Leading Schools Program.

Time expired.

Hon. D. J. HAMILL (Ipswich) (6.09 p.m.): I second the motion moved by the member for Cook. In doing so, I wish to address some fundamental issues in respect of the role of the Minister for Education in relation to the State's education system and how that role is being eroded by the ideological position adopted by the Minister and the Government and which is reflected in the Leading Schools document and the thrust to devolve responsibility for matters which the Opposition believes should not be devolved.

Mr FitzGerald: You could have done with 20 minutes.

Mr HAMILL: I could happily have done with 20 minutes.

At the outset, I wish to express my concern as the member for Ipswich for the people who are currently employed at the regional office of the Department of Education in my electorate. I wish also to express my concern for the people employed at the Limestone School Support Centre, one of 45 such centres that will be closed down under this Government's drive to abandon a regional structure in the Department of Education. Those jobs are needed in our community, and the resources are shared among the schools in our area. Those bodies play a worthwhile role not only in respect of supporting schools but also in ensuring that the administration of the Department of Education is kept close to people in the community. The Minister's model for having districts is really——

Mr Quinn interjected.

Mr HAMILL: The districts really have little power. What the Minister is really on about is a further centralisation of a series of functions in Mary Street, Brisbane, with schools effectively being thrown to the wolves and having to undertake a wider range of responsibilities with fewer real resources.

The real problem with the Minister's and this Government's approach is that it abandons what ought to be the fundamental responsibility of the Minister for Education, that is, to maintain standards across the whole system. The approach that the Minister has embraced is the approach adopted in Victoria. We can understand the Liberal Party, in common with the Minister, being infatuated with what has happened in Victoria. However, I suggest that honourable members take a closer look. Even in Victoria, where after three or four hours' drive from Melbourne one would be out of the State, this system has caused absolute mayhem. That is particularly so in the provincial towns and small rural communities, whose local schools have not only had responsibilities directed to them but also had their resources cut. Many communities have seen their entire schools disappear off the map.

The Liberal and National Parties are taking the Victorian model and trying to adopt

it in Queensland. But what they forget is that it is not just about maintaining standards across different socioeconomic circumstances in different communities; the fundamental problem in Queensland—and this is why the Victorian model is so inappropriate—is that we also have to maintain standards of access across the geographic expanse of our State. This State has degrees of isolation unheard of in a State such as Victoria, yet the Minister is trying to transplant the Victorian model in Queensland.

As I said, it is an ideological position. It is about setting school against school and community against community. It is educational Darwinism—survival of the fittest. The small, poor and remote schools will be the ones that will fall through the system. There will be no safety net. The Minister is not providing the maintenance of standards in relation to staffing, curriculum, resources and so on—things which should not be devolved to the schools.

Quite falsely, the Minister has paraded around the State claiming that school-based management, as pursued under the former Labor Government, equals Leading Schools. That equation is not correct. It is not the same thing. What we did in Government—and very responsibly—was to resource community groups to take a more important role in school administration through advisory councils and increasing school grants and encouraging parents and P & Cs to be involved. We encouraged schools to develop behaviour management programs and so on. What we refused to do, and did not do, was to devolve responsibilities for staffing and curriculum to schools. We know that poor schools and remote schools will miss out. It is hard enough now to transfer staff around a system such as Queensland's let alone when it is "Balkanised" and one school is set against the other.

There is no mention from the Minister that additional moneys will be given to poorer and remote schools so that they can recruit staff and buy in the resources which they ought to have as of right if a fair, equitable and decent education system is being run in this State. The Minister has lost the plot. He is not maintaining the balance, yet that is his responsibility as a Minister.

Time expired.

Hon. R. J. QUINN (Merrimac—Minister for Education) (6.15 p.m.): I move the following amendment—

"*Omit* all words after 'That' and *insert*—

'this House acknowledges the concerns expressed by some parents, teachers and community members with regard to the "Leading Schools" programme for Education Queensland.

This House calls on the Minister for Education to ensure that—

(1) the restructure will not involve redundancies or retrenchments;

(2) schools will not suffer any diminution in teaching resources as a result of funding made available to the schools for direct expenditure under the "Leading Schools" programme; and

(3) schools not involved in the "Leading Schools" programme (below Band 8) will not suffer any reduction in their resources which would affect their ability to address the needs of their students.' "

As usual, the debate so far has been characterised by a lack of information and informed comment, mainly because members opposite have not read the relevant material. The material is available, but members opposite refuse to read it. What members opposite do is regurgitate the claims by the Teachers Union about a whole range of airy-fairy notions that really do not have much to do with school-based management but a lot to do with the enterprise bargaining agreement that is currently in place.

The notion that we are going down the Victorian model of school-based management is absolute rubbish. We have looked around Australia and picked the best elements from every system and put together a unique Queensland model of school-based management. The member for Ipswich was absolutely right when he said that this was not what the Labor Party proposed; it did not have the guts to propose it. That is recognised in the schools. Labor would not have done this, because the QTU would have railed against it. It is widely recognised by principals that Labor would not have done this, because it did not have the intestinal fortitude to take even a first step.

As I said at the launch of the Leading Schools policy, everyone who wants a job within Education Queensland will have a job under the new structures. No-one will be sacked. There will be no redundancies. Everyone will have a job. Where job losses

have been indicated in the documentation, there has simply been a transfer of jobs from the regional structures to the school structures. We are putting people back where they belong—in the schools.

We acknowledge that over time there will be some downsizing of Public Service jobs or associated jobs at the regional level. But that is inevitable because of the impact of technology. Using an information network, all schools will be connected to each other and to the department's head office in Brisbane. Technology is having impacts in all departments and businesses. Education Queensland cannot be insulated from those impacts. There will be a natural reduction in jobs within this department. However, where possible, we are trying to transfer people within the current structure into the new structure.

We spoke to our staff within one week of launching this initiative. We went right around Queensland and spoke to all regional office staff and all school support centre staff. We said, "If you want a job in the new structure, you've got a job. We'll talk to you." Teams of people from our human resource section will talk to all of our staff and tell them where their new position will be. We will reassign and transfer them. If necessary, if there is not a suitable position, we will maintain their salary level for at least 12 months until we can move them into a similar position.

We value our staff. That is why we did not go down the same road the Labor Party went down when it restructured in the early 1990s. At that time, Labor spilled all of the positions in head office, and staff left in droves. VERs were applied and people lost their jobs. That is in complete contrast to what we are proposing. We are proposing to keep our staff. They are valuable and experienced. We want to keep them on board. That is why we are saying that we will transfer or reassign staff. There will be no redundancies, no sackings and no VERs if we can possibly help it.

Mr Bredhauer: "There won't be any if we can possibly help it."

Mr QUINN: There might be one or two.

Mr Hamill: I'll be counting.

Mr QUINN: The member can count—one or two.

As I said before, this moves away from a heavy-handed, centrally driven formula approach to education by devolving resources, flexibility and authority to the local school level so that decisions can be made in the best interests of kids at that local level. What suits schools in Ipswich might not suit schools on the Gold Coast or in Rockhampton, Cairns, Longreach or Charleville. This model takes into account all of those differences.

Time expired.

Mr RADKE (Greenslopes) (6.20 p.m.): I second the amendment moved by the Honourable Minister for Education. The move to school-based management in Queensland schools is driven by educational imperatives, not an economic imperative. Recent educational research in the USA shows positive links between local decision making in schools and improved learning outcomes. To support the move, an additional amount of $150m will be directed through school gates annually by the year 2000. This move to put more money through the school gates is a continuation of the process, and there is no good reason to delay its implementation.

The move to school-based management in Queensland is being matched by a commitment to ensure that the change will be appropriately resourced. In recognition of the need to ensure that resource allocation methodologies remain appropriate to the needs of Queensland schools and their students, there will be a major review of all allocation methodologies commencing in 1997. This review will draw on the knowledge and expertise of people with experience in a range of overseas environments.

All Leading Schools will receive an increase in their annual school grant of between $30,000 and $50,000, depending on school enrolment. Additionally, schools that volunteer to participate in the pilot phase will receive a one-off payment for implementation and innovation. The one-off payment recognises that pilot schools will develop many of the approaches and templates that other schools will use in successive years. In 1997-98, a pilot program school with an enrolment of 450 students will receive an ongoing increase of $34,950 in the school grant and a one-off implementation and innovation grant of $34,950. This is a total increase of $69,900. A school with an enrolment of 1,200 students will receive an additional $43,200 annually and $86,400 in the first year. Schools will have flexibility in the application of these funds. In other words, schools will be able to use these resources in a way which matches the needs of the school. All other schools will continue to be resourced using current allocation methodologies. No school will receive fewer resources as a result of the Leading Schools Program.

In 1997-98, Leading Schools will receive a facilities grant for maintenance and minor works projects. The funding allocation to a specific school for this grant will be based on factors such as historical data, school size, age and condition of buildings. This facilities grant will provide the 100 pilot Leading Schools with in excess of $5m for maintenance and minor works projects. In future, when a school wishes to undertake a small project in the school, it will not have to wait until the wheels of bureaucracy turn. Principals will be able to arrange for the work to be done and be able to ensure appropriateness and timeliness. In this environment, it is likely that more money will be spent within the local communities, that is, that local businesses will benefit.

The Queensland Teachers Union, in order to encourage its members to boycott the change, has mounted a comprehensive campaign based on misinformation. One common piece of misinformation is that schools will become more responsible for maintaining facilities while the resources will dry up. This is a nonsense and the facts speak for themselves. Another piece of misinformation concerns legal liability. The current situation in which the Minister for Education is legally responsible for all facilities on State school sites will remain. Education Queensland will not permit its capital assets to deteriorate. Therefore, through an annual facilities audit process, major projects will continue to be identified according to Statewide priorities. Where these projects are to be undertaken in Leading Schools, school communities will be given the opportunity to participate in the management of the project.

Some 80% to 90% of the resources allocated to schools are staffing resources. There is currently virtually no flexibility for schools to change the mix of staff. It is not possible for a central allocation methodology to adequately cater for individual school differences. Under school-based management, schools will be able to vary the staffing mix within departmental guidelines and make better use of the resources available.

The specific needs of small schools are also recognised. Small schools will receive enhanced services from district offices which are much closer to the school than the old regional office. These small schools do not have the staffing resources to undertake a range of corporate services locally.

Time expired.

Mr DOLLIN (Maryborough) (6.25 p.m.): I rise today to express great concern on behalf of the citizens of the Maryborough electorate and Queensland over this Government's planned major restructuring of the State's education system, the Leading Schools proposal. It is any wonder the communities that make up the Maryborough electorate are left scratching their heads about the direction of this Government, and there is only one direction that is evident to all country Queensland, that is, it is heading back to George Street in Brisbane, away from the regions and the country.

This Leading Schools proposal is a prime example of how this National/Liberal Government is hell-bent on shifting all of the control and management back to George Street. The effects of this restructure will be dramatic. As usual, regional Queensland will bear the brunt of this attack on a basic education system. Members on the other side of this House who represent country electorates should stand up and be counted and speak against this Liberal Minister's proposal, which will rip 300 jobs from regional Queensland. Their silence is deafening.

In my electorate alone, a black cloud hangs over the future of 100 staff employed in the regional office of education. Parents are concerned, teachers are left wondering about their jobs, and the community and business people are angered over the potential economic loss to the region through the loss of jobs. Our region is Australia's capital for unemployment, standing at 16.5% regionally and a shocking 25% at Hervey Bay. Unemployment appears to be the only growth industry under these State and Federal Governments. These radical proposals with the impact of job losses strike at the very heart of our future, our children and our economic prosperity. I hope that members on the other side of the House are listening. These cuts have been made on country schools in their electorates. Why do they not stand up for them?

When the former Goss Labor Government came to power in 1989, schools in Queensland were in a deplorable state: unpainted, peeling, overcrowded. Teachers were the lowest paid in Australia, class sizes were the biggest in Australia and P & C associations were forced to raise money for the schools' basic needs, sporting equipment and even toilet paper—a really sad state of affairs. The Goss Government can stand proud of its achievements in Queensland schools in its term. Teachers' wages were

brought into line with those in other States, P & Cs were funded generously, schools were repainted, refurbished and rebuilt, class sizes were set at a maximum to ensure no overcrowding and unruly classes, and schools were computerised. Now this Government is turning the clock back to the bad old days.

I have serious doubts as to whether Leading Schools can deliver an even quality of education across our State. It tends to encourage rivalry between principals and schools and will produce winners and losers—probably more losers than winners. With the abolition of the regional offices and school support centres and the loss of hundreds of jobs, there will be a significant increase in the administrative workload and no additional resources to deal with the additional load in regional and country schools. Something must give. With extra work and fewer resources, standards will drop. But education standards should not give way under this radical restructuring. Students in Maryborough, Wide Bay and across Queensland must be guaranteed access to all services and should be guaranteed the best quality education available.

Turning over the responsibility for staff and teacher appointments and transfers to individual schools will make it harder for the smaller country schools to attract teachers. Bigger schools with bigger budgets will have more bargaining power to attract staff. What is to become of the smaller schools and, more importantly, what is to become of the students at these schools when they do not have the best education available? This system is set up for buck-passing. When the problems become too great this Government will turn its back and lay the blame at the feet of the school councils or the principals or both. This Minister appears to be trying to provoke a strike, hoping that the disruption to parents and students will create a backlash against teachers.

I believe that teachers are making a legitimate claim for pay equal to that of their counterparts in other States. The Minister has the power to resolve this issue and avert a disruptive strike by sitting down and negotiating with the union in a fair and honest way. Surely Queensland teachers are worth the same remuneration as teachers in other States. When all other avenues have been exhausted and no agreement reached, it is the right of all workers, including teachers, to withhold their labour as a last resort. I absolutely defend their right to strike.

The most important thing in our education system is that schools are adequately resourced and students are not disadvantaged by change. It is evident that this Government is taking a step back in time to the "education Joh style" of the bad old days. Queenslanders will see this provocation of teachers by the Minister and this attempted restructure of the education system for what it really is: an attack on our children and an attack on regional Queensland's economy and education employees.

Miss SIMPSON (Maroochydore) (6.30 p.m.): The Leading Schools Program will be implemented despite attempts by the Queensland Teachers Union to destabilise school support for the program through the deliberate and regular spread of misinformation. Part of the union's campaign has been to criticise the lack of detail provided in information about the program. This is the whole point of introducing Leading Schools with a pilot program in 1997. The pilot schools are an important part of the solution and will be working closely with departmental officers to develop the detail in making refinements to the program during the pilot year.

If the department had all the answers for all the schools there would be absolutely no need for school-based management. This program is all about allowing school communities to make locally informed decisions on the key issues that will lead to improvements in student achievement. The QTU has attempted to frighten teachers through a campaign of deceit. The union has suggested to its members that the current transfer system which guarantees teachers a return to the region of their choice following completion of the required period of country service would disappear. This is patently untrue. The current transfer system will remain in place to ensure that all schools regardless of their location are appropriately staffed. This will not change under the Leading Schools Program.

The union has tried to create an aura of mystery around the concept of a departmental employment pool. This concept is not new. It is simply the database of teacher information that Education Queensland currently maintains and is used by regional staffing officers to make decisions about staffing schools. Many of these decisions are already being negotiated with school principals. The only change under the Leading Schools Program is that leading schools will now be able to access information in that database to make their own staffing decisions. Of course,

this will have to be done within current departmental policy and priority will have to be given to eligible teachers on transfer.

The QTU has sought guarantees on the maintenance of real levels of funding for education. Such guarantees have never been available to any Government department in the past and are unlikely ever to be available to any Government department in the future. But school communities can be reassured by last year's findings of the Queensland Commission of Audit, which reported a compound growth rate for education outlays of 2.5% per annum over the period 1986-87 to 1995-96. This compares more than favourably with compound enrolment growth of 1.02% from 1986 to 1995.

The union has attempted to divide school staff by emphasising that only principals will receive additional remuneration for their enhanced role under the Leading Schools Program. Principals of leading schools will receive a modest increase in remuneration which acknowledges their increased accountability under the program and their ultimate accountability for the performance of the school. Leading schools will receive a significant increase in grant funding to address any increase in workload which might occur for school staff. This will range from $66,000 to $100,000 during the first year of the program.

Despite repeated requests to the union from Education Queensland, a series of questions concerning the program was received by the department only last Wednesday. These questions have now been responded to in full. On last Saturday, 15 March, the Queensland Secondary Principals Association adopted a motion that "QSPA unequivocally supports the concept of leading schools and school-based management" and "endorses the broad strategic framework for the implementation of school-based management outlined by the Minister and the Director-General". This is a fundamental rejection by school principals of the Queensland Teachers Union stand on the issue.

For many years the Queensland Teachers Union tried to exercise control over schools and their staffing. It is now being asked to recognise the need for local school community input into staffing decisions. Just as Education Queensland has to allow for the local communities to have input into school-based management, so, too, does the Queensland Teachers Union.

Mr SCHWARTEN (Rockhampton) (6.35 p.m.): The decision that the Government has made is about centralism. It is about taking services away from the bush in Queensland, closing regional offices and putting it down here in "Fort Bumbling", Mary Street. It is about giving power to people such as Frank Peach, who has been pushing this model for over 20 years that I know of. Now he has finally got a mug silly enough to come into it. I notice that a former Education Minister, Mr Littleproud, is in the Chamber. During his time, his hapless Education 2000 project did not get off the ground. That was devolution Mark I; this is devolution Mark II.

The fact of the matter is that anybody who believes that schools are going to be better off as a result of this program really has not looked at what happened in other States. Eighty per cent of the Education Department's budget or thereabouts is tied up with salaries. If there is $150m to go back into schools, where is the Government going to save it from? It is going to save it from salaries. It will do it in the way that people like that fascist McHugh, who works for the Minister, and Peach do it. They ring up people such as Mike Maher and other people in Rockhampton and say, "Do not bother to apply for the job, the best thing you can do is get out of the system." If that is what is happening now, imagine what it will be like in the next couple of months when these people really get their claws right into this program.

It is about destroying equity in the education system throughout this State. It puts the responsibility for the tough decisions on the backs of the schools so that schools have to make the decisions about what they do without and they wear the flak. It absolves people such as Peach and the Minister for Education from any responsibility whatsoever. Under this model it will become an all care and no responsibility Education Department.

The amendment that was moved today is the greatest pakapoo ticket that I have ever seen. It does nothing whatsoever to address the real issues such as the 17 jobs that are going to be lost from Rockhampton, 17 pay packets that will go as a result of this program; the fact that there will be district inspectors who do not have any powers whatsoever to ensure there is some equity across the region; and the fact that schools will have to make decisions on whether the P & C paints the classroom or gets another bit of administrative assistance. That is what the Minister said yesterday in the Morning Bulletin, "Perhaps the P & C might like to get volunteer labour to start painting the school." What will happen to jobs as a result of people voluntarily painting

the school, which is the responsibility of this State Government? What will happen then?

Mr Quinn: It has been happening for years.

Mr SCHWARTEN: They have not been painting classrooms for years. Honourable members opposite should wake up to themselves. They did under a National Party Government. When I was a teacher at Park Avenue school, volunteers had to paint the school because the mob opposite would not paint it.

An Opposition member interjected.

Mr SCHWARTEN: Under them, the P & C bought everything. The fact of the matter is that this program will centralise all the power in Brisbane and as a result make sure that the schools wear the flak for it. The transfer system will collapse right before our very eyes because of this program. For example, I would hate to be the principal out at Blackwater State High School trying to get teachers out of the golden circle down here. It is hard enough under the compulsory transfer system that we have now. Once those people go to Blackwater, how will they get out of there? It simply will not work.

The Minister is being lured down this path by Frank Peach, who has peddled this idea for years and years. He has had this agenda ever since I have known him, which is over 20-odd years. I am surprised that the Minister, as a former teacher, would be mug enough to cop this. I am certainly not mug enough to cop it. But the Minister is expecting schools to make the tough decisions that rightly belong to him and his director-general. It is a great old pea and thimble trick and, as far as I am concerned, the schools in my electorate and the people whom I represent will be greatly disadvantaged as a result, because there will be no more money. The $150m that the Government talks about is already circulating in the school system. That will soon wash up. $150m is the amount that the Minister has been pumping out up there—all that rot that he has been talking. The only way he can save $150m is to get rid of teachers and other staff. That is the only way he can save it, unless he can twist Aunty Joan's arm and get a bit more money.

Mr HEGARTY (Redlands) (6.40 p.m.): The Leading Schools Program and school-based management have been supported by this Government to improve the learning outcomes of Queensland students. We believe that school communities themselves are best placed to make decisions regarding teaching and learning programs and what is needed to support them. With the decision to fully implement a system of school-based management, Education Queensland must restructure its current 11 regional offices and 45 school support centres and transfer to a district model. There will be 36 districts across the State, with a district office located in each. A common core of functions will be performed by district office personnel. This Government assures school communities that the services currently available to all schools and students will not be eroded by introducing a district office model. In fact, under the new district model, many communities will have an enhanced education services presence and a broader array of services available to their schools.

Mr Ardill: How so, when you say there will be nine less?

Mr HEGARTY: I will give the member for Archerfield an example. For example, Mackay, Townsville and Maryborough will each have two district offices, and there will be a new district office in Gladstone. Importantly, the distinctiveness of each district has been carefully considered by the department, with specialist education and community personnel placed in specific district offices to address local needs. This transition has been carefully planned and is well managed. Education Queensland advises me that existing departmental sites will be effectively used to facilitate the transition. The department is minimising the effects of this transition on its work force. A team has been established by the human resources directorate to manage the transition process. The department has assured school communities and its officers that there will be no general spill of positions.

The figure of 300 regional job losses referred to in the honourable member for Cook's motion is inaccurate. Many officer positions currently in regional offices and school support centres are teacher-based positions. As part of the restructure, many of these teachers will be relocated back to schools.

Mr Bredhauer: It is in the Minister's own hand-out. Read the papers.

Mr HEGARTY: I can tell the member that, from going around to P & Cs in my electorate, I know that they are happy to take those people because they know that they will get a better deal; they will have the support at hand. This will address the current teacher shortage. Such concerns of the Queensland Teachers Union are baseless.

School support centre specialist teaching staff who are not placed in district offices will be relocated to local schools. Their specialist services will therefore be better utilised by staff and students in schools, who will have improved access to these support teachers. Other Education Queensland officers will be reassigned or transferred at the same level to positions in the new structure—most of these staff will remain within the regional area in which they are currently located.

The figure of 400 total job losses mentioned by the honourable member for Cook is also inaccurate. Education Queensland's non-teaching work force will be reduced, and these resources will be relocated directly to schools. Since August 1996, the department has allowed a high vacancy rate to develop to provide greater flexibility and the capacity to change structures without negatively impacting on the current work force. In addition, the transition will occur over a period, which will allow issues to be managed gradually in line with planned procedures.

We must not forget that the aim of the Leading Schools Program is to improve the learning outcomes for the students of Queensland. There are great benefits for students and school staff in this new district model. Firstly, the new district structure recognises the changing reality of our schools. The one-size-fits-all model is a thing of the past. Significant resources that have been managed and expended by regional offices and school support centres on behalf of schools will be gradually devolved to schools and placed under their control.

Secondly, bureaucrats in regional offices will no longer impact upon the schools and make decisions on behalf of schools. Leading Schools will be able to prioritise their local needs and decide how best to achieve their objectives. Thirdly, as schools take on more responsibilities and are able to access more services and information, there is less need for large regional offices to provide processing services to schools. This can be done through information technology provided by the department.

Fourthly, despite the repeated comments from the Opposition and the QTU, the Education Department has not abandoned smaller regional and isolated schools. These schools are not involved in the Leading Schools Program. We acknowledge the current constraints on smaller schools and teaching principals. Support service to these schools will be enhanced by the district service model. Fifthly, districts involve smaller groups of schools, so district officers, especially the district director, can have a closer and more effective relationship with each school.

Time expired.

Mr T. B. SULLIVAN (Chermside) (6.45 p.m.): If the Government's radical restructure of education in Queensland would result in improved, fairer and better resourced schooling for Queensland students, then I could give it greater support. But with the limited details provided by the Minister, it appears that the main result of the Leading Schools Program will be to pile more work onto selected local schools, which will result in overworked principals, teachers and administrative staff, taking them further from the classroom to do more paperwork. The Minister acknowledges that there will be so-called savings or downsizing. What he means is that there will be the loss of jobs, and those jobs are going to be in the regional areas in particular. I wonder how some of the National Party backbenchers are going to feel when people in their electorates, in the local school support centres and the regional offices lose their jobs. It will also mean that the work previously done by 400 staff will now be spread over a couple of thousand teachers and school administration staff. What will be the result of this? It will mean even more paperwork, more meetings, more reviews and more reports. It will not mean more contact with the kids in the classroom.

If the Minister claims that the current school staff will not be more overworked and will not be involved in all this paperwork, then the only way that could be is if more people are employed at the school level. This is simply shifting the jobs from one area that is currently working well and pretending to give more money to the schools. Then the school principals find out that they have a need that they cannot meet from their current budget, and are simply going to have to use the money to employ people. The extra supervision, the extra meetings, the extra reviews and the extra reports will all be work that is put onto the local schools. There will not be savings, just a shifting of jobs.

The restructuring of the 11 regions and 45 school support centres into 36 district offices simply means that we will have 36 mini-regions. A number of problems will be created by this; firstly, with finance. There is nothing wrong with accountability at the local school level, but with more things being thrown onto the local school, what was previously part of an administrative officer's job at a local school will now be his or her full-time job, or that the

school will have to employ someone else to do it.

Secondly, in relation to staffing—there are current difficulties trying to move staff to the far-flung regions of the State and trying to cope with too many applicants who are trying to make their way back into the south-east corner. This new structure of 36 mini-regions will make it almost impossible to accommodate the Statewide staffing needs of the Department of Education. The power of the district staffing panels could also lead to two major problems: firstly, a type of inbreeding that will occur because of the power given to the district CEO. There will also be difficulties from central office in trying to supervise 36 different staffing systems that are going to develop throughout the State.

Thirdly, in relation to special needs—currently, the 11 regions are finding it difficult enough to gather resources and allocate them for special needs students, such as those with physical needs and learning needs. Some of the new districts may have two or three schools with special needs. Others have none. How is the Government going to organise the funding? If it says that it will then assess the needs across the various districts, that means another structure of funding. I am not talking only about special needs; I am talking about things such as TELFU, teacher aide time and other forms of special support. There are difficulties enough with the 11 larger regions; the 36 small districts are going to be worse. Facilities and assets are going to have a problem as well, especially with larger projects such as school halls and pools.

As to low-incidence needs—LOTE, sporting links and special behavioural programs will all have to be reorganised, restructured and refinanced. The specialist teachers in primary schools in music, physical education, speech therapy and learning support are going to find it difficult working over the 36 regions rather than over the 11 regions.

The Labor Opposition is not opposed to change or to a restructuring of the Education Department which would lead to better resources for schools and better classroom learning conditions for Queensland students. But what the coalition Government has done is to shift more work to local schools and create more paperwork, which will lead to an unfair distribution of scarce resources. Leading Schools seems to be more about saving money by sacking people at the central level and having them re-employed at the local level, and it means more paperwork for local schools.

Time expired.

Mr BAUMANN (Albert) (6.50 p.m.): I am pleased to support this amended motion which, with the assistance of the member for Gladstone, has been worded to say—

> "Parents and the community have a right to have a say in how their schools will be run."

That view clearly outlines why schools are an important part of school-based management. That view is quoted from an address by the honourable member for Cook to the annual general meeting of the Queensland Institute of Education Administration on 13 November 1996, as quoted in the November newsletter of that organisation.

Mr Bredhauer: What was I talking about?

Mr BAUMANN: I will tell the honourable member in a minute, if he just waits. Has he lost his memory, too?

Interestingly, on that occasion the honourable member for Cook was generally supportive of school-based management, seeing it as having—

> ". . . the capacity to provide school communities with the authority and the resources to improve the delivery of educational services in their schools."

That is the point of introducing school councils as part of school-based management: they provide an opportunity for members of school communities, particularly parents and teachers, to have a say in their local school. The move to school-based management is an important initiative for Education Queensland. School-based management devolves greater authority, responsibility and accountability to Leading Schools. School councils are based on effective partnerships among parents, staff, educational administrators and community members.

Effective school councils provide considerable benefits for the partners in education: students can be sure that their parents, teachers and other school staff are working together to ensure quality educational outcomes; parents and community members share in policy decisions and can use their special skills and interests in helping the school; and school staff formally share in policy decisions as they know that school polices and directions reflect community needs and are supported by the school community.

School councils build on the valuable work of parents and citizens associations. They are not intended to replace P & C associations; rather, they will work alongside them and enhance the role of the local community in our schools. The work of P & C associations contributes greatly to the effectiveness of our schools and that will continue with the development of school councils. However, in addition, parents and other school community members will have an enhanced role in the strategic decision making of those schools. The Queensland Council of Parents and Citizens Associations, representing parents in all our State schools, supports the introduction of school councils.

These proposals involve a significant development for Queensland State schools. There is a need to ensure that the approach adopted is appropriate for Queensland conditions. As a result, consultation will take place with the wider school community. That period of consultation provides an opportunity for all members of school communities—parents, school staff, students and other stakeholders—to comment on the proposals. A discussion paper on school councils will be released shortly. That discussion paper lays out in some detail one model of school councils and explains the membership, roles, functions and powers of school councils and a number of operational matters. The discussion paper will be distributed to schools, parents and citizens associations and other interested parties. Three months will be provided for consultation. After the process of consultation and taking account of the outcomes of the process of consultation, legislation will be developed to ensure that, through the school council partnership, school communities will have greater authority, responsibility and accountability for decision making within systemic frameworks.

Some very misleading stories have been circulating throughout our schools and their communities to the effect that school councils will be able to sack principals and teachers. That is mischievous nonsense. The Government seeks a collaborative relationship between school councils and school staff. Legislation will be developed to support that. The proposal to develop school councils has been carefully developed to ensure an appropriate balance between the roles and responsibilities of different partners in Leading Schools. Principals of Leading Schools will be able to exercise more effective educational leadership in the day-to-day management of schools. It would be inappropriate for school councils to seek to interfere in that operational detail and legislation will be drafted to ensure that that does not occur.

Clear evidence exists that close alignment between schools and their communities is a critical factor in helping students to achieve their maximum potential. We should not delay any further the move to school-based management in Queensland because further delay will, in the end, be to the detriment of students in our schools. A very positive outcome will flow from this amended motion. I support the amendment.

Question—That the words proposed to be omitted stand part of the question—put; and the House divided—

AYES, 42—Ardill, Barton, Beattie, Bird, Bligh, Braddy, Bredhauer, Briskey, Campbell, D'Arcy, De Lacy, Dollin, Edmond, Elder, Foley, Fouras, Gibbs, Goss W. K., Hamill, Hayward, Hollis, Lucas, McGrady, Mackenroth, Milliner, Mulherin, Nunn, Nuttall, Palaszczuk, Pearce, Purcell, Roberts, Robertson, Rose, Schwarten, Smith, Spence, Sullivan J. H., Welford, Wells. Tellers: Livingstone, Sullivan T. B.

NOES, 43—Baumann, Beanland, Borbidge, Connor, Cooper, Cunningham, Davidson, Elliott, FitzGerald, Gamin, Gilmore, Goss J. N., Harper, Healy, Hegarty, Hobbs, Horan, Johnson, Laming, Lester, Lingard, Littleproud, McCauley, Malone, Mitchell, Perrett, Quinn, Radke, Rowell, Santoro, Sheldon, Simpson, Slack, Stephan, Stoneman, Tanti, Veivers, Warwick, Watson, Wilson, Woolmer. Tellers: Springborg, Carroll

Pair: McElligott, Grice

Resolved in the **negative**.

In division—

Mr HAMILL: I rise to a point of order. In the amendment which has been circulated by the Minister for Education, there appears to be some error. I know that he is trying to explode the regional structure of the department, but he is suggesting that there might be a "dimunition" in teaching resources. I am just wondering whether he means "diminution".

Mr SPEAKER: Not "demolition". Order!

Amendment agreed to.

Motion, as amended, agreed to.

ADJOURNMENT

Mr FITZGERALD (Lockyer—Leader of Government Business) (7.03 p.m.): I move—

"That the House do now adjourn."

Proposed Bracken Ridge Neighbourhood Centre

Mr NUTTALL (Sandgate) (7.03 p.m.): This morning in question time a number of questions were asked of the Honourable

Minister for Families regarding the conduct of his director-general.

Ms Bligh: And he couldn't answer those questions.

Mr NUTTALL: That is correct. I take the interjection from the honourable member for South Brisbane. The Minister could not answer those questions. These are serious allegations regarding the behaviour of the Minister's director-general and his department generally. This morning, I referred honourable members to a letter that I received from the Minister on 29 November—and I table that letter—which indicated clearly that, with regard to my representations seeking extensions or money to assist community groups in the neighbourhood centre in my electorate, the response from the Minister was that money was not available.

However, subsequent to that, in an election campaign, a photo of the Minister's director-general appears in my local paper with the headline "Liberals promise extensions". In that photo is the director-general, the incumbent councillor——

Ms Bligh: The Liberal councillor.

Mr NUTTALL: The endorsed Liberal councillor and the Lord Mayoral candidate. The article states that if the people elect a Liberal council to Brisbane, the director-general's department will look favourably at giving money to that neighbourhood centre. Basically, the director-general is saying, "You vote Liberal and I will give you money for your neighbourhood centre."

I made representations on behalf of that neighbourhood centre. Whether or not that neighbourhood centre receives funding should be determined on the merits. It should not be determined by the political aspirations of candidates; it should not be determined by political patronage; and it should not be determined by a director-general saying to a community, "If you support Liberal Party candidates, we will give you the money." It is not good enough. It is also not good enough for the Minister to rise in this place today and say that his director-general is doing his job. He is not doing his job; he is doing the bidding of the Liberal Party. He is saying to the people in my electorate, "If you vote in a particular way, we will support you." It is not good enough.

The people in my electorate will not cop that, and at last Saturday's election they did not cop it because areas in my electorate recorded swings of up to 16% towards Labor. Those people are not going to cop that sort of nonsense from the Government, the Minister for Families or his director-general.

The project that has been put forward should be determined on its merits as a viable and beneficial project for the people of Bracken Ridge. It should not be determined on political patronage. As I have said, on behalf of that neighbourhood centre, I made representations to the Minister. I asked the Minister whether he would consider contributing money towards those extensions. The Minister responded clearly that there was no money available. Why is it that three or four months later his director-general is able to say, "Yes, we will consider it if the people vote for the Liberal Party"?

The reality is that the director-general is a public servant who is doing the bidding of the Government in an election campaign.

Mr T. B. Sullivan: It is improper.

Mr NUTTALL: It is improper and it is wrong. I support the work being done by those community groups in that neighbourhood centre. I made representations on their behalf and the Honourable Minister said, "No, I am sorry, I cannot help you." I call on the Minister to give a public undertaking to the people in my electorate and to this Parliament that there will be no political patronage and that he will make sure that that money is forthcoming for that neighbourhood centre within my electorate, as was promised by Allan Male if they voted for a Liberal council. The people have not voted for a Liberal council. Tonight, in this Parliament, the Minister should give a commitment to those people that that money will be forthcoming, because they deserve it.

Child-care Initiatives

Mrs WILSON (Mulgrave) (7.08 p.m.): It is timely for this House to become aware of some of the child-care initiatives taking place in this State. I would like to talk about the child-care program which continues to license child-care services, monitor compliance with the child-care legislation, fund a variety of child-care services and provide information and resources to parents and the child-care community. Some of the initiatives centre around the Rural Children's Centres program. We have not forgotten rural families because, under that program, $4.35m will be made available to rural and remote communities over the next three years. These funds will provide support for up to 40 communities to enhance their existing infrastructure to respond to rural families' needs for child care. This program will explore appropriate services

for rural and isolated communities. It will take into account the different needs of each area and services will be provided accordingly. The service responses may be as simple as adding to a local community a church hall so that it can be used for play groups or they could be as complex as developing a multifaceted service that is designed to meet the needs of children from birth to the age of 15.

Three outreach services will be established. Those services will provide an important link for isolated communities and people living on properties and bring early childhood education and care resources to their door. One such service has been approved already and will be operational in the very near future. That service will be based in Charters Towers and its operations will extend as far north as Cooktown and as far west as Julia Creek. It will also include the very isolated gulf country. Families in rural areas are certainly happy with those initiatives.

Over the next three years, the Red Cross Playscheme will receive $300,000 to expand and enhance its program across the State. The Red Cross Playscheme was established in 1986 at the Mater Hospital and the Royal Children's Hospital in Brisbane. The scheme now operates in 16 hospitals across the State and, as a result of my department's funding, a new scheme will open in Bundaberg during April. Additional resources have been purchased for use by children across the State by the Red Cross Playscheme. The purpose of the Playscheme is to help children adjust to their hospital stay by bridging the gap between home and hospital through play. Playscheme operates in children's wards, in outpatients, in antenatal clinics and accident and emergency departments and it provides a range of play activities involving sick children and their siblings. Volunteers ranging from students to retired people who come from all sorts of backgrounds form the backbone of the scheme. With the additional funds, Red Cross has now been able to provide training to its volunteers, beginning with a Statewide coordinators conference to be held in Brisbane at the end of April. I might say that the TAFE students in Cairns have spent a number of hours at the Cairns Base Hospital and they have been able to bring quite a number of play activities to the children who come from very remote parts of the State to that hospital.

The Queensland Government recognises the importance of high-quality, supervised care for children before and after school hours and during holiday periods for working families. The Government will spend $6.06m on improving existing services and creating new programs over the next three years. New initiatives will focus on upgrading existing out-of-school-hours care facilities and developing new out-of-school-hours care services for young people aged 13 years to 15 years. Queensland is the first and only State to assist those services to meet national standards with a funding package of $4.3m. Those funds, in addition to the $426,418 which was approved in June 1996, will assist services to upgrade their facilities in line with the agreed national standards. A total of $2.7m will be distributed to approved services in April 1997.

Another first for Queensland is the Outside School Hours Care Activities for Young People (13-15 year olds) Program. This initiative responds to growing community and parental concern regarding the supervision of young people out of school hours. In February this year, this program was advertised with applications closing on 21 March. Currently, departmental staff are assisting community-based organisations to develop their applications. Funds totalling $158,000 will be distributed to approved services in May 1997.

The Child-care Information Service provides information to a broad section of the Queensland community, including parents, families, students, developers, child-care providers, licensees or potential licensees and valuers on a range of child-care related topics. The information service aims to increase knowledge of what constitutes quality child care, knowledge of the range and availability of child-care services in the community, and awareness of the rights and obligations of child-care service consumers. The information service provides a free telephone call information service and publications and resources, including videos.

Time expired.

Gunalda Range Road

Mr DOLLIN (Maryborough) (7.13 p.m.): Road users should not hold their breath waiting for the completion of the new road over the Gunalda Range. Despite the promises made by the Federal member for Wide Bay, Mr Truss, in the lead-up to the last election that there would be an early start to the project, it now appears that travellers will have to wait till next century before the new route becomes available. No Federal funding has been made available for the project except that provided to Maunsells by the previous Federal Government to investigate and recommend a new route over the range.

Maunsells' draft report, completed in January this year, recommended route A2. The Main Roads Department accepted this recommendation and advised the land-holders accordingly that route A2 would be the preferred route. However, within an hour of a meeting of the land-holders at Gunalda on 23 January, a Main Roads representative appeared to change his mind—or had it changed for him—and advised certain land-holders that the alternative route B2 would be the preferred route. This has caused great anguish and concern. Now none of the land-holders know where they stand.

In my opinion, Main Roads could have handled its consultation with affected land-holders with more consideration and tact. Fruit growers in the area have great concerns about the effects that a cutting in the mountain would have on the area's climate. A cutting has the potential to let frost and fog into the fruit-growing area north of the range that currently enjoys a much warmer climate than does the southern side.

The confusion, frustration and anger being felt by the affected land-holders is understandable considering that Main Roads has now returned the draft report to Maunsells for its reconsideration and, it would appear, the overturning of the draft recommendations. The residents of the area are asking why. Many believe that it is because the member for Wide Bay, Mr Truss, has arranged ministerial approval of Maunsells recommendations to be reversed to route B2.

Maunsells draft report recommendations state—

> "The recommendation is a value judgement based on road project objectives stipulated.
>
> If the objective is for example:
>
> To provide a safe road to national highway standards, with good economic returns and with the least impact on the environment, existing land use and disruption to the community at a lower cost.
>
> Then route A2 should be chosen. If the objective is for example:
>
> To provide a safe least cost solution with the best economic return but with acceptable impacts and minimal disruption to the community and land use.
>
> Then route A2 should still be chosen as the cost disbenefits over route B2 are small but the environmental and land use impact are significantly less.
>
> Evaluation
>
> In terms of topography route B2 requires a 43m high"—

I would call it "deep"—

> "cutting which is 10m higher (33%) than route A2. Conversely route A2 requires a small area of 22m deep fill as opposed to route B2 which requires a large area 13m deep fill. Route B2 therefore changes the topography more adversely than route A2.
>
> The alignment of route B2 in new location, running directly up the hill with large fills and a deeper cutting than route A2 which runs along the side of the hill near the existing highway must be considered to have a less desirable visual impact than route A2.
>
> Whilst the Bureau of Meteorology has indicated that neither route affects the local climatic conditions, a significantly deeper cutting (33%) will be more likely to affect the climate and therefore route A2 must be preferred in this regard.
>
> Route B2 also moves the highway nearer to 6 properties, all of which were not previously affected by the existing highway alignment.
>
> Route B2 therefore has a significantly more adverse impact than route A2 in regard to environmental impacts."

Plainly, the political interference by the Federal member is totally out of order and should be the subject of CJC investigations. We cannot allow a return to the corrupt old days when Ministers could go against independent recommendations to assist mates. I ask the Minister for Main Roads to look very carefully at this matter before it gets out of hand. I trust him to do that in an honest, even-handed and fair way. I ask for his urgent attention to this matter.

Smithfield Community Radio Broadcasting Association Incorporated

Ms WARWICK (Barron River) (7.18 p.m.): I rise to tell the House a good news story about a group of young people from my local high school. They are students of Smithfield State High School and they are participating in a project to establish a community radio station. Smithfield State High School boasts a school community of approximately 1,000 students and has recently been chosen as a pilot school for the school-based policing program. The school

has a culturally diverse population and it is the only State high school in my electorate.

The project began in 1996 in response to a need identified in the local community for youth-oriented activities and input into programming on radio. At a meeting of the Radio Broadcasting and Student Production Group in late 1995, it was proposed that the group had reached the point where the move to community broadcasting was an achievable and desirable goal. After extensive consultation with the intended audience and other interested community organisations, the decision to move in this direction was made and the Smithfield Community Radio Association Incorporated was formed.

Smithfield Community Radio Association Incorporated represents the interests of the youth of the area, with particular emphasis on youth in the Smithfield/Marlin Coast community, which is in the heart of my electorate. The objectives of the group are many and varied and include the provision of access to training, production facilities and air time to the youth of the region and to community groups which provide services to the youth of the region; the provision of entertainment programs which cater for the needs of youth who are often disfranchised by commercial considerations; the development of programs of an analytical nature which will empower the listener with the information required to make decisions on issues of relevance to them; the encouragement of youth performances and creative endeavour through exposing students to a wide audience; and the fostering of exploration of radio as a medium by encouraging experimentation and innovation in writing, production and presentation.

During 1996 and the early part of 1997, considerable progress has been made towards the broadcasting goal. Community support has been gained, as has Department of Education approval for the site. An incorporated association has been formed with continuing fund raising for studio equipment. Further expansion has occurred in the commitment to youth activities and with the introduction of live concerts by the students in the school plaza. Programs have been developed to reflect the community expectation and the number of programs which are broadcast to the school via its PA system has been increased. An application has been submitted to and approved by the Australian Broadcasting Authority to enable the radio to begin aspirant community broadcasting. This is the first step towards gaining a full-time community broadcasting licence and allows 90 days of broadcasting per year. An application has been lodged for a full-time community radio licence, but until the licence allocation plan for the Cairns area is completed, no more community radio licences will be granted.

Community support for the community radio has been outstanding. There has been support from a lot of people, including the local Federal member, Warren Entsch, me and the local councillor. Neighbouring primary schools in the Barron River electorate have pledged support, as have the Education Department, the school principal and the P & C association. Trial broadcasts took place last week, and the response from the public was beyond all expectations. Calls have been received from numerous people who heard the trial broadcasts and were suitably and surprisingly impressed.

I was honoured and pleased to have been one of the guests, and I was very impressed with the commitment and professionalism of the young people involved in the project. I place on record my congratulations and best wishes to the students of Smithfield State High School, to Mr Mark Delaney, the project officer, to Mr John Hamilton and also to Mr Larry Gallagher, the school principal, who has given unqualified support to the project. As I mentioned at the beginning of this speech, this is a good news story, and I salute the community of Smithfield State High School.

Flooding, North-west Queensland; Mr R. Hookey

Hon. T. McGRADY (Mount Isa) (7.22 p.m.): Tonight, I rise to say a few words about the recent floods which devastated north-west Queensland. However, before I do so, I wish to recognise the presence in the public gallery of Mr Reg Hookey and his wife Mandy. Reg is the Chairman of the North West ATSIC Regional Council and a man who has certainly shown great leadership in the short time he has held that position. I expect a great deal from him in the years ahead.

The recent floods in north-west Queensland have brought much-needed rain to that part of the State and to land which has been parched for many years. However, those rains also caused massive damage to properties, homes and businesses. Words cannot describe the sense of loss that people felt as their family photographs, birth certificates, marriage certificates, records of

years gone by, family videos and special personal items were totally destroyed as the floodwaters overtook everything. At times of adversity, such as the recent flooding, the people of the west join together and work as one. As I visited the township of Cloncurry, I was flabbergasted to see the way in which the SES, Fire Service officers, the CWA, the council work force and the general public all rallied to assist their neighbours who had suffered a great deal.

Back in 1974 there were major floods in the north west. The powers that be at the time organised a flood relief fund. Once all of the claims were paid out, there was in excess of a quarter of a million dollars left in the kitty. Those moneys have been invested wisely, and today that fund contains about $580,000. The three trustees—the Federal member for Kennedy, the Mayor of Mount Isa and I—were able to give immediate relief to many of those people who had suffered great hardship. Tonight I wish to place on record my thanks and appreciation to my fellow trustee the Mayor of Mount Isa, Councillor Ron McCullough, and also to a lady who is coordinating the activities in Cloncurry, Mrs Betty Kiernan, who did an excellent job.

Tonight I wish to bring home to the Government and members of the Parliament the stress that people go through at such times. Obviously, this is not the time for any member to try to make political capital out of a natural disaster. I recognise that Minister Veivers and Minister Lingard paid a visit to Cloncurry and Mount Isa. I wish also to place on record my appreciation for the many telephone calls that I received from the Minister for Transport, Vaughan Johnson. At times like this, we can work together.

In some cases, people have seen their homes totally destroyed—floating down the Leichhardt River. All of the assistance in the world cannot help those people. Businesses have been destroyed, yet because of the assets, means and income tests, nothing or very little can be done to assist those people. At the time of the Charleville floods, I understand that Terry Mackenroth, the then responsible Minister, brought 15 houses into Charleville so that people at least had a house in which to live. Those houses from various parts of the State were given to those people ex gratia—no payment was made. I believe that the floods in the north west of the State were equally damaging to our people. I ask the Government to take on board what happened in response to the Charleville floods. Some houses must be available somewhere around the State which can be transported to Mount Isa and Cloncurry to assist those people whose houses have been totally destroyed.

I want members to understand that I am not trying to make political mileage; I am bringing to the attention of the Parliament the plight of many of the people I represent. I am sure that with goodwill my request tonight will be acceded to by the responsible Minister.

Time expired.

Brisbane, Public Transport

Hon. V. P. LESTER (Keppel) (7.27 p.m.): Recently, the provision of bus lanes has been receiving some attention in the City of Brisbane. As a member of the Minister's transport committee, it is fitting that I make a comment on this issue.

In Brisbane, there is no doubt that we have the ball at our feet. We have a very well planned, clean and developing city. We need to plan now to ensure that the population makes more and more use of public transport. People will do this only if the service is fast and efficient. That is the case with respect to trains. We have probably one of the greatest rail systems in the world. However, the story is a little different in relation to bus transport, although a lot of work has been done recently with the aid of engineers such as McCormack Rankin, which has greatly assisted the Brisbane City Council and the Government.

In my view, building an additional tunnel is something that should be considered. Some people have raised the issue of the cost of such a proposal. However, we need to recognise the efficiencies that a tunnel would provide in 20 years' time.

Recently, I spent a day inspecting the progress on bus lanes in Brisbane. Although progress is being made, a lot more needs to be done. Interestingly, when I visited Ottawa recently, I noted the difference that city administration's efforts have made since I was there some years ago. We should do what we can to ensure that the public gets behind the council's public transport strategy in a big way.

Time expired.

Motion agreed to.

The House adjourned at 7.30 p.m.