

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

THURSDAY, 7 JUNE 1979

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of the Parliamentary Commissioner Act 1974–1976, Mr. Speaker administered the oath of office to Sir David Muir, C.M.G., Parliamentary Commissioner for Administrative Investigations.

PAPERS

The following papers were laid on the table—

Orders in Council under—

Racing and Betting Act 1954–1978.

Mines Regulation Act 1964–1979.

Electricity Act 1976.

Harbours Act 1955–1978.

Regulations under the Queensland Marine Act 1958–1975.

MINISTERIAL STATEMENTS

HYDROGEN-DRIVEN MOTOR CAR

Hon. J. BJELKE-PETERSEN (Barambah—Premier) (11.4 a.m.): I should like to inform the House about the hydrogen-driven car I inspected in Sydney yesterday. It certainly represents a breakthrough in the field of energy use and application.

Mr. R. J. Gibbs interjected.

Mr. ACTING SPEAKER: Order! I am surprised that a member of the Opposition does not view this as an important matter. I would ask for his silence.

Mr. BJELKE-PETERSEN: Thank you, Mr. Acting Speaker. It is certainly a very, very important matter. It is a world event. It is an historical event. As I said, it certainly represents a breakthrough in the field of energy use and application—with potentially much wider application than just the motor car, including, of course, all forms of transport, including aircraft, ships and so on. It could also apply to power-stations.

For the first time, it has been possible to harness hydrogen at a competitive figure. The old system was that the hydrogen car would work, with chemical burn, but was not economical.

The new system uses chemical burn, together with a small nuclear reaction, whereby the mass is converted into energy and it therefore becomes a lot more economical than any other known system. The system is clean, and it is pollution free.

This concept certainly would alleviate our dependence upon the Middle East oil countries and extend the life of fossilised fuel throughout the world. Effectively applied, this concept would mean that every country could now have a fuel source in unlimited quantities, including Third World countries. It would alleviate the payment of funds of

THURSDAY, 7 JUNE 1979

Mr. ACTING SPEAKER (Mr. W. D. Hewitt, Greenslopes) read prayers and took the chair at 11 a.m.

STATE DEVELOPMENT AND PUBLIC WORKS ORGANIZATION ACT AND OTHER ACTS AMENDMENT BILL

Assent reported by Mr. Acting Speaker.

PARLIAMENTARY COMMISSIONER FOR ADMINISTRATIVE INVESTIGATIONS

Mr. ACTING SPEAKER: I have to inform the House that on Wednesday, 6 June 1979, in accordance with the provisions

perhaps many thousands of millions of dollars for overseas sources of energy. There is also the point that this could overcome the urgency of prospective drilling in waters adjacent to the Barrier Reef.

In my opinion, it is the greatest breakthrough since the advent of the steam train. Hydrogen has been harnessed previously, of course—but at about four times the cost of conventional energy—for example, petrol used in motor cars.

This new process brings costs down to an equal footing. I believe that this process represents an historical breakthrough in nuclear-controlled pulsed fusion that can be completely controlled. The process, in layman's language, is that a portion of the hydrogen fuel is enriched from an irradiation source within the fuel cell. The irradiated hydrogen plasma is then accelerated magnetically, and mixed with air via the carburetor device. This mixture is then drawn into the combustion chamber, compressed, and ignited via a special spark plug that produces a high energy-shaped discharge. The result of the reaction is one of combustion and controlled pulsed fusion of the hydrogen. The output is water, helium and some escaping neutrons.

I spent some hours yesterday in discussion with the head of the company in an endeavour to have the new industry centred in Queensland. I have the assurance that representatives and members of the company will visit Queensland in this connection in the near future to discuss the matter.

NEWSPAPER ARTICLE ON LEGISLATION UNDER CONSIDERATION FOLLOWING PEEL REPORT

Hon. L. R. EDWARDS (Ipswich—Deputy Premier and Treasurer) (11.8 a.m.): I refer to an article in "The Courier-Mail" today headed "Peel bill gets mixed reaction". This article is not only totally inaccurate but also irresponsible.

Firstly, I do not know what occurred in the National Party meeting yesterday, but I wish to assure the house that no formal decision was made on any such matter by yesterday's Liberal Party meeting. Secondly, the legislation referred to has been discussed by Cabinet and Ministers and members, including the Premier and myself and investigations are still proceeding.

The aim is to consider if it is possible that legislation is necessary and desirable to overcome certain difficulties regarding the appropriation and other matters concerning members' entitlements, including transport over many years of members' wives. No specific appropriation appears to have been made for this, although it was thought to have been covered by the appropriation named "Members Air Transport".

As well, action is being considered to see if it is possible to legislate to give authority to the accountable officer of the Parliament to claim moneys allegedly misused

at any time and not necessarily related to the Auditor-General's report. This action is also aimed at clarifying for all time the entitlements of members and their responsibilities and accountability, especially in the light of the absence of specific legislation on this matter.

Mr. Speaker, let me make one point clear. If the legislation is to be introduced, it will not be Liberal Party legislation or National Party legislation; it will be Government legislation approved by Cabinet and by the joint parties. Any attempt by newspaper journalists or by other persons to link the legislation with me, one party or the other, or one Minister or the other, is totally irresponsible. If it is my responsibility to introduce the legislation approved by the Government, then I will do so willingly and I will accept my individual and collective responsibility for such legislation as is expected and demanded of every Minister.

REPORT OF SELECT COMMITTEE ON EDUCATION

Mr. AHERN (Landsborough): I lay on the table of the House the Fourth Interim Report of the Select Committee on Education in Queensland and move that it be printed. I advise that a copy is with the Government Printer and that the report will be available to honourable members and the public at 12 noon on Wednesday next.

Whereupon the document was laid on the table, and ordered to be printed.

PETITIONS

PREVENTION OF CRUELTY TO ANIMALS TRANSPORTED BY QUEENSLAND RAILWAYS AND ROAD TRANSPORT

Mr. BURNS (Lytton) presented a petition from 375 electors of Queensland praying that the Parliament of Queensland will take the necessary steps to amend the relevant legislation to ensure that animals transported by Queensland Railways and by road transport are not forced to suffer intolerable pain and suffering due to neglect, lack of water and lack of concern.

Petition read and received.

MANUAL ARTS AND HOME ECONOMICS GRANTS

Mr. BOURKE (Lockyer) presented a petition from eight residents of Queensland praying that the Parliament of Queensland will—

(1) Take such action as to ensure that the manual arts and home economics grants are paid to special schools immediately.

(2) Make provision that these grants be paid in full for the current year.

Petition read and received.

INDEPENDENT WATER SUPPLY FOR TOWNSVILLE
AND SURROUNDING DISTRICTS

Dr. SCOTT-YOUNG (Townsville) presented a petition from 657 residents of the Thuringowa Shire praying that the Parliament of Queensland will instigate the procedures whereby an independent authority, responsible for the harvesting and supply of water to Townsville and surrounding districts, can be established.

Petition read and received.

PERSONAL EXPLANATION

Mr. HARTWIG (Callide) (11.14 a.m.), by leave: I make this personal explanation because it appears to me that I have been the victim of a personal attack by a Sydney newspaper in connection with a minor incident that happened recently at Yeppoon. I have made a formal complaint to the secretary of the Australian Press Council about an article that appeared in the "Daily Mirror", a Sydney newspaper, without my consent. An incident did in fact occur at Yeppoon. I attached no real significance to it. I merely reported it to the police. A journalist from the South phoned me. I forbid him to publish one word of what had happened. He then kept on talking and said, "Well, on a man-to-man basis"—and surely the ethics of journalism are such that a person can talk to a journalist without being quoted—

Mr. Hinze: You'd have to be joking.

Mr. HARTWIG: Anyway, I was under that impression.

This represents a complete breach of confidence by the "Daily Mirror", and of course its editor. The sequence of events that led up to the publication of this story was something that I paid no importance to whatever. It was merely an incident that could have occurred through somebody being under the influence of alcohol or wanting to talk to me on some other issue.

This slanderous statement, which continues from page 1 over to page 2, directly implies that I have continually pursued the matter of racehorse-nobbling in Sydney. All of this is in the article. It says—

"He caused a stir in racing circles when he claimed his horse Night Charmer had been 'got at' before a big Sydney race."

This article, which is fabricated to the worst extent one could imagine, has placed me in the position where I am concerned about not only my own safety but also that of my family.

I have not pursued the subject of racehorse-nobbling. In this Parliament over 18 months ago I made a statement about it, and I appeared on "This Day Tonight" on the matter. Other than that, I have not

pursued the subject in the Press or in this place. I have certainly not been involved in it on a personal basis; yet a newspaper sees fit to align me with the underworld. There is no mistake about that. If that is not an implication of crime, I'll walk to Bourke.

Mr. Acting Speaker, I formally register my disgust. I have become a target for criminal elements. It is the greatest example of journalese and of a pick-up article that I have ever seen printed.

Honourable Members interjected.

Mr. ACTING SPEAKER: Order! The honourable member has exercised his complete right in making that statement. It surprises and disappoints me that, when a matter of some importance like that is brought forward, a great number of members seem to greet it with hilarity and frivolity. That is a matter of great disappointment to me.

QUESTIONS UPON NOTICE

1. SOCCER POOLS REVENUE RECEIPTS AND
DISBURSEMENTS

Mr. Casey, pursuant to notice, asked the Minister for Culture, National Parks and Recreation—

(1) With reference to the report in the "Telegraph" of 2 June concerning the distribution to sport and youth bodies of revenue received by the Government from the Australian Soccer Pools, does the original agreement of 1976 provide that the Government receives 30 per cent of pools turnover in Queensland and, of this, two-thirds is to be distributed to sporting and youth organisations?

(2) In each of the years 1976-77 and 1977-78, and from 30 June 1978 to 31 March 1979 in Queensland, what was (a) the turnover of the Australian Soccer Pools, (b) the amount of money received by the Queensland State Government, and (c) the amount of money distributed by the Government to youth and sporting bodies?

(3) What amount of money was held undistributed in the Sport and Youth Trust Fund as of 31 May?

Answer:—

(1 to 3) The Honourable the Leader of the Opposition should direct this question to the Honourable the Deputy Premier and Treasurer.

2. COMMONWEALTH ROAD FUNDS; ALLOCA-
TION AND STATE SUBMISSION

Mr. Casey, pursuant to notice, asked the Minister for Local Government and Main Roads—

(1) With reference to the failure yet again of the State National-Liberal Government to reach a satisfactory roads

agreement for Queensland with the Federal Liberal-National Country Party Government and his subsequent criticisms in "The Sunday Mail" of 3 June, does Queensland as the most decentralised State and the one most reliant on road transport receive only similar finance from Canberra to that of tiny Victoria?

(2) In view of the consistency of the failure to receive a fair deal for Queensland, will he table in this Parliament a full copy of the State submission to the Federal Government for road funds so that Queenslanders can see to what degree our developmental needs are being ignored and members can judge whether the State's case stressing local factors can be improved?

Answer:—

(1 & 2) The honourable member is quite wrong in his statement. There is no agreement. Successive Commonwealth Governments of both political parties have merely advised the States of the level of road grants which would be made available, despite strong representations from the States for higher funding levels, supported by reports, including recommendations for higher levels prepared by independent authorities such as the Commonwealth Bureau of Roads.

Queensland's allocation under the current State Grants (Roads) Act 1977 exceeds that for Victoria by \$1,000,000. This is the first time in the history of road grants that the grants to Queensland have been higher than those to Victoria.

Since becoming the responsible Minister, I have persistently fought and argued for a higher level of road funds for Queensland, irrespective of the Government which was in power in Canberra. The Honourable the Premier has done likewise, and a further case for extra funds for Queensland is on the agenda for the forthcoming Premiers' Conference.

3. DEFECTIVE CAR JACKS

Mr. Bishop, pursuant to notice, asked the Minister for Labour Relations—

(1) Is he aware that many car jacks are dangerously defective and are a hazard to the unsuspecting motorist?

(2) If so, which jacks are defective and what measures can he take to have them removed from use?

(3) If he is not aware of defective jacks, will he conduct an investigation to ensure that there are no defective brands offered for sale?

Answer:—

(1 to 3) The Commonwealth/State Consumer Products Advisory Committee, on which Queensland is represented, currently

has under investigation a proposal for a mandatory safety standard in relation to car jacks. Such a standard, if introduced, would apply nationally. The Consumer Affairs Bureau has not received any complaints in so far as the failure of a car jack is concerned. If the honourable member can furnish me with specific details of any jacks that are claimed to be dangerously defective, I will have departmental technical officers investigate them.

4. POLICE DRUG SQUAD FOR GOLD COAST

Mr. Bishop, pursuant to notice, asked the Minister for Mines, Energy and Police—

In view of the continued increase in the use and organised sale of drugs in the community and, in particular, on the Gold Coast, where a large floating population makes detection more difficult, what plans are there for the formation of a drug squad on the Gold Coast, as distinct from continuing the present system of using the squad from the metropolitan area, which, although adequate in the past, may not be the most efficient means of combating the drug menace now?

Answer:—

It is not proposed to form a detachment of the Drug Squad at the Gold Coast. The present Drug Squad is a State squad and as such operates throughout the State as required.

On the visit of members of the Drug Squad to areas throughout the State, local detectives are co-opted for operational duties in respect of drug investigations to enable them to become familiar with that phase of police duties. Further, it is a departmental requirement of members who are transferred to Criminal Investigation Branches outside the metropolitan area to complete six weeks with the Drug Squad before departing on transfer.

5. TRANSPORTATION STUDY, GOLD COAST REGION

Mr. Bishop, pursuant to notice, asked the Minister for Transport—

(1) Is he aware that options for transportation networks are closing rapidly in the Gold Coast region because of heavy urban development and that both the Gold Coast City Council and the Albert Shire Council are awaiting the completion of the transportation study?

(2) When will results of the study be released, and will he ensure that it is released at the earliest possible date?

Answer:—

(1 & 2) A report has been commissioned by the Metropolitan Transit Authority on public transport links between

Brisbane and the Gold Coast. I shall be equally anxious to seek resolution of the transportation options once the report has been received by the Government, which is expected to be within the next two or three months.

6. BRISBANE CITY COUNCIL PAMPHLET CONCERNING "STOP" SIGNS

Mr. Lane, pursuant to notice, asked the Minister for Transport—

(1) Has he seen a pamphlet produced by the Brisbane City Council that attacks the Government proposal to alter the meaning and effect of "Stop" signs in Queensland?

(2) Does he see this pamphlet as an attempt to mislead the Queensland public for cheap political motives at the expense of road safety in Queensland?

(3) Would the Labor city council's energies and the ratepayers' money be better expended on assisting to educate Queensland motorists on the importance of observing "Stop" signs relative to reducing the road toll?

Answer:—

(1 to 3) I have seen a copy of a pamphlet produced by the Brisbane City Council and entitled "July 1st 1979 is Stop and Give Way Day". I consider the pamphlet to be of poor quality and quite misleading and I note that it contains at least one error.

The Brisbane City Council would have been well advised to get behind the forthcoming official publicity campaign to be conducted by the Department of Transport. The timing of the campaign is designed to ensure the greatest impact and effectiveness and will be conducted one week prior to and one week after 1 July 1979.

7. ILLEGIBLE TRAFFIC SIGNS

Mr. Lane, pursuant to notice, asked the Minister for Transport—

(1) With reference to the large number of Brisbane City Council traffic signs in the Fortitude Valley area, particularly in Ann Street, Brunswick Street, St. Pauls Terrace and Alfred Street, in which the lettering is no longer legible owing to fading from the sun, or damage, or rusting, and the instructions on these signs that were once meant to prohibit or limit certain parking can no longer be deciphered, what legal liability is there on the motorist who parks or stands his vehicle in a place in contravention of the instructions that no longer exist thereon?

(2) Should Brisbane City Council patrol officers issue tickets on vehicles in these areas?

(3) If tickets are issued and fines paid in these instances, is this a great illegal revenue earner for the Brisbane City Council, which could be accused of deliberately letting the signs deteriorate for this purpose?

Answers:—

(1) Contravention of, or failure to comply with, an official traffic sign is an offence under the Traffic Act. If in any particular case the sign is not capable of conveying a direction or indication, it seems that there would be no offence or contravention of, or failure to comply with, that sign. This, of course, is a matter for consideration of each individual case and individuals should be guided by their own legal advice.

(2 & 3) It is a matter for the Brisbane City Council to consider if the signs are in such a state that directions or indications are no longer clear and, if in fact the signs are no longer clear, it would not seem appropriate that traffic offence notices should be given. I will draw the matter to the attention of the Brisbane City Council and advise that complaints have been made about traffic signs in the Fortitude Valley area.

8. USE OF MESSAGE PARLOURS FOR PROSTITUTION

Mr. Lane, pursuant to notice, asked the Minister for Mines, Energy and Police—

(1) Is he aware of statements that have been made by magistrates for some months now amounting to complaints that there exists no adequate law to deal with the proprietors of massage parlours who are receiving money from prostitution?

(2) Is he concerned that every day that the Government's announced proposals to effectively outlaw prostitution or the conducting of premises for prostitution in massage parlours is delayed, this business continues to produce large monetary returns for the criminal element who live off this trade?

(3) When can we expect to see some action on these matters by the Government?

Answers:—

(1) I am aware of comments being made by magistrates regarding the inadequacy in law to prosecute proprietors of massage parlours.

(2 & 3) Consideration is presently being given to the enactment of legislation to cover this aspect.

9. SOUTH-EAST QUEENSLAND PETROL SUPPLIES; AMOCO REFINERY

Mr. Hansen, pursuant to notice, asked the Minister for Industry and Administrative Services—

(1) Is there a concern amongst distributing oil companies about a possible shortage of petrol in South-east Queensland and, if so, what is the reason for the shortage?

(2) Is the Amoco refinery at present closed for general maintenance?

(3) Is the Ampol refinery presently working at 65 per cent capacity and, if so, what is the reason?

Answers:—

(1) There is no anticipated shortage of gasoline in Queensland.

(2) Amoco Australia Pty. Limited has just completed a two-week planned shut-down to tie in major new refining facilities. This work has been completed and the refinery is currently in the start-up phase. It is expected to be fully on line by the end of the week-end. This will result in a 50 per cent increase in the refining capacity of the Bulwer Island plant.

(3) No. The Lytton refinery of Ampol Refineries Limited is producing at above normal operating capacity following a major expansion of the plant earlier this year.

10. ADULT EDUCATION

Mr. Hansen, pursuant to notice, asked the Minister for Education—

(1) Who are members of the Board of Adult Education and whom do they represent?

(2) When was each of the members of the board appointed and when do their terms expire?

(3) On what dates during the past 12 months has the board met and how many members were present on each occasion?

(4) What has been the vote for adult education from State funds in each of the last three years?

(5) What was the Budget allocation for technical education, excluding adult education, in each of the last three years?

(6) What was the level of staffing for adult education in Queensland in each of the last three years?

(7) What was the level of staffing in technical and further education, excluding adult education staff?

(8) What proportion of adult education classes in Queensland during the past 12 months has been conducted by technical teachers in each of the respective districts of the colleges of technical and further education?

Answers:—

(1) The Board of Adult Education, in accordance with the Education Act, comprises the following members:—

(a) Four representatives of the Department of Education:—

Mr. C. Gilmour (Chairman), Director-General of Education;

Mr. R. Wallace (Deputy Chairman), Director of Technical Education;

Mr. P. Tait (Secretary), Supervisor, TAFE Operations;

Mr. T. Robertson, Staff Inspector, Special Education Services.

(b) One representative of the University of Queensland:—

Dr. H. Thiele, Director of Student Counselling.

(c) Two representatives of the secondary schools and TAFE colleges:—

Mr. K. Maynard, Principal, Bremer State High School;

Mr. P. Burroughs, Principal, Gold Coast College of TAFE.

(d) Three representatives of industrial unions of employees:—

Mr. L. Wockner, Secretary, Railway Salaried Officers' Union of Queensland;

Mr. K. Cumiskey, Assistant Secretary, Printing and Kindred Industries' Union;

Mr. B. Nutter, Secretary, Professional Officers' Association.

(e) Three representatives of industrial unions of employers:—

Mr. R. Bechly, Manager, Personnel and Industrial Relations, Castlemaine Perkins Ltd.;

Mr. C. Smith, Queensland Manager, Dunlopillo Sleepmaker (Division of Dunlop Australia Ltd.);

Mr. A. Braby, Queensland Manager, Mutual Life and Citizens Assurance Co. Ltd.

(2) All present members of the board were appointed for a term of four years in April 1979. Members who have never served on the board before are Messrs. Tait, Maynard, Burroughs, Nutter, Bechly and Smith. Two members of the board, namely Mr. Gilmour and Dr. Thiele, were first appointed in 1964; three members, namely Messrs. Wallace, Wockner and Cumiskey, were first appointed in 1974; and

the remaining two members, Messrs. Robertson and Braby, were first appointed in 1975.

(3) During the past 12 months, the Board of Adult Education met four times. The dates of the meetings and the respective attendances of members are as follows:—

Date	Number of Members Present
18 May 1978	9
27 July 1978	6
26 October 1978	6
26 April 1979	6

(4) Concerning the recurrent expenditure allocation to purely Adult Education activities during the last three years, the following figures will provide some enlightenment:—

	1976-77	1977-78	1978-79
	\$	\$	\$
Salaries ..	404,394	439,000	456,560
Contingency expenditure ..	409,206	373,308	386,350
Fee receipts ..	38,212	313,196	539,500
Special grant	11,610	..
TOTAL ..	\$851,812	\$1,137,114	\$1,382,410

It should be noted that no separate expenditure figures could be derived in the time available for the extension programmes operated at the Gold Coast, Mareeba and Gympie. The expenditures incurred at these centres are included in the bulk figures quoted for technical and further education in answer to (5). It should also be noted that approximately \$100,000 is spent annually in connection with Aboriginal education programmes, a fair proportion of which may be classified as Adult Education activities.

(5) The Budget allocations to meet technical and further education recurrent expenditure during the last three years were as follows:—

1976-77	1977-78	1978-79
\$23,319,555	\$26,170,504	\$31,062,876

It should be noted that these allocations do not include expenditure incurred with activities that were formerly classified as Adult Education, except for the Gold Coast, Mareeba and Gympie, as mentioned earlier.

(6) Prior to the integration of the adult and technical education sectors in January 1977, there were 16 field officers, one seconded officer for Aboriginal and Islander extension programmes and one supervisor. Since that time, an assistant supervisor was appointed, as well as two field officers to oversee the operation of the Mareeba and Gympie centres. The Aboriginal programmes gained two Aboriginal field

officers. It should be noted that senior college staff, particularly at country centres, increasingly participate in the affairs of the extension programmes.

(7) The level of staffing in technical and further education, excluding Adult Education staff, during the last three years was as follows:—

	1976	1977	1978
Head Office staff ..	159	152	158
Full-time teaching staff	877	1,016	1,088
Non-teaching support staff	575	601	630
Total	1,611	1,769	1,876

(8) The proportion of Adult Education teaching load performed by technical teachers during the past 12 months in each college district is listed below:—

District	Percentage of Adult Education Teaching by Full-time Teaching Staff (1978)
Metropolitan	39.7
Moreton (Ipswich and Gold Coast)	0.1
Wide Bay (Bundaberg and Maryborough)	8.4
Rockhampton	5.3
Mackay	12.7
Townsville	11.9
Cairns	7.1
Mt. Isa	0.0
Toowoomba	18.0

11. BOHLE PLAINS AREA, TOWNSVILLE; GOVERNMENT LAND AND FLOOD-MITIGATION SCHEME

Dr. Scott-Young, pursuant to notice, asked the Minister for Lands, Forestry and Water Resources—

(1) How much land is owned by the Department of Lands in the Bohle Plains area in Townsville?

(2) Does the department intend to sell this land to developers or itself develop it?

(3) Has any consideration been given to setting up a locally controlled trust on the Bohle River to investigate and implement flood-mitigation schemes and, if so, will he give consideration to the implementation of a headworks charge on all subdevelopment, to be held in trust for future flood mitigation?

Answers:—

(1) The Bohle Plains area comprises mainly three pastoral holdings totalling about 6 424 ha and four reserves for various purposes totalling about 499 ha. No part of the area is actually in the hands of the Crown.

(2) Any development of this area depends on considerable investigations by my department and negotiations with the Thuringowa Shire Council and other bodies. Any planning for urban Crown development is still in its infancy. However, although it is expected my Department of Lands would be primarily involved in any such development, I would see room for private enterprise also to participate.

(3) Discussions were held about two years ago between Thuringowa Shire Council and the Queensland Water Resources Commission concerning flood-mitigation problems and flood-plain management along the Bohle River. The council is aware of the provisions of the River Improvement Trust Act which provides that a river improvement trust may be constituted only upon the application of a local authority.

The lands which it is proposed to include in the river improvement trust area would also be indicated in the application by the local authority. If the application is endorsed, the Governor in Council, by Order in Council, would constitute a river improvement area.

Thuringowa Shire Council have made no application in respect of the Bohle River area.

The source of funds for a trust is in general limited to the raising of loans by debenture for the construction of works of river improvement, and these in turn are repaid by a rating over the whole of the river improvement area.

No provision exists in the legislation for charges on a subdivision to be raised for future river-improvement and flood-mitigation works.

12. FINANCE FOR ROSS RIVER DAM

Dr. Scott-Young, pursuant to notice, asked the Deputy Premier and Treasurer—

When formulating and planning the forthcoming Budget and preparing submissions for the next Loan Council discussion, will he give attention to the urgent need for finance to fund the last stage of the Ross River Dam, as Townsville is again faced with a short supply of water and will have to place restrictions on the use of water for domestic and industrial uses?

Answer:—

Completion of Stage II of the Ross River Dam is one of a number of projects for which the State has sought funds from the Commonwealth Government under its National Water Resources Program and the State is presently awaiting a decision by the Commonwealth in regard to funds to be made available under the programme.

13. TOILET FACILITIES AND DRAINAGE, FRESHWATER STATE SCHOOL

Mr. Tenni, pursuant to notice, asked the Minister for Works and Housing—

When will (a) the toilet facilities be upgraded and (b) drainage works be carried out at the Freshwater State School, as both these jobs should be treated as very urgent and should be completed before the next wet season?

Answer:—

(a) Planning of a new amenities block at the Freshwater State School is in hand, but commencement of this job will be subject to the availability of funds for works of this nature next financial year.

(b) A preliminary report by the district office indicates that the drainage works are of a magnitude that requires further technical investigation, and this is being arranged.

14. OAK CREEK CAUSEWAY, COOK HIGHWAY

Mr. Tenni, pursuant to notice, asked the Minister for Local Government and Main Roads—

When will the causeway at Oak Creek on the Cook Highway between Mossman and Cairns be brought up to a flood level in line with the new Kamerunga Bridge to make a flood-free road for the people north of Oak Creek, and what is the estimated cost of this crossing?

Answer:—

Because of the need to utilise all available rural arterial funds on higher priority work elsewhere on the Captain Cook Highway, Kennedy Highway and Rex Range, the honourable member will appreciate that it has not been possible to include this project in the tentative programmes for the next few years.

Further consideration will be given to the proposal when the level of funding in the new Commonwealth Act is known after June 1980.

A very rough estimate of the cost would be about \$100,000.

15. NEWSPAPER PRICES IN FAR NORTH QUEENSLAND

Mr. Tenni, pursuant to notice, asked the Premier—

(1) Is he aware of the unrealistic prices now being charged for newspapers in Far North Queensland? For example, "The Courier-Mail" in Brisbane costs 12c and, prior to the Ansett mail plane discontinuing its service, the northern population paid 25c for that paper and, now that papers are sent as normal freight, these people are charged 32c per paper, which I believe is exploitation.

(2) What action will be taken to assist the people of Far North Queensland to overcome this present exploitation?

Answer:—

(1 & 2) When Ansett Airlines discontinued its air freight service to the North, "The Courier-Mail", in order to satisfy its northern customers, was forced to employ an air charter service. I understand that this new service added 70 per cent to the original Ansett cost.

I have been informed that T.A.A. is investigating the operation of a freighter service which would cater for the general freight and newspaper requirements of North Queensland.

16. SCHOOL PLANNING, DAISY HILL/ SLACKS CREEK AREA

Mr. D'Arcy, pursuant to notice, asked the Minister for Works and Housing—

What stage has been reached in the planning for a State primary school and a State high school in the area south of Daisy Hill and Slacks Creek, and is it expected that these schools will be opened for the 1980 school year?

Answer:—

My Department of Works has not been requested to proceed with the planning of a new primary school in the area south of Daisy Hill and Slacks Creek to open for the 1980 school year.

A new high school is at present under construction at Shailer Park and it is anticipated that this school will open at the commencement of the 1980 school year.

17. LABOR LAWYERS' ASSOCIATION

Mr. Goleby, pursuant to notice, asked the Premier—

(1) Is he aware of the recent formation in Brisbane of a Labor Lawyers' Association with the declared aim of promoting

the Labor Party and its policies, against those of the Government?

(2) Does he share the concern of other members of this House and sections of the community at this intrusion of party politics into the State's legal system?

(3) Does he believe that this impugns the public reputation and standing of the legal profession generally and that it could damage public confidence in the political impartiality and integrity of the legal fraternity and, by professional association, even the judiciary?

(4) Bearing in mind the public's entitlement to ready access to politically-unbiased, impartial legal advice, can he ensure that a full list of all office-bearers and members of the recently-formed Labor Lawyers' Association is tabled in this House, and published in the public interest?

Answer:—

(1 to 4) I am aware of the reported formation of a Labor Lawyers' Association. I was rather surprised to see the formation of this type of organisation in such a profession, as was reported in the media. I do not know the membership of the association and have not inquired, because I am not particularly interested in the A.L.P. philosophy. I suppose each one of us would have a pretty good idea of what might be the aims and objects of the association, but I could not outline what they are.

18. EFFECT ON SCHOOL CONSTRUCTION OF REDUCTION IN COMMONWEALTH FUNDING

Mr. Goleby, pursuant to notice, asked the Minister for Works and Housing—

In view of the Commonwealth cuts in education spending, as stated in "The Courier-Mail" on 6 June, will the cuts affect in any way the number of school buildings or the standard of construction?

Answer:—

Even if there should be a marginal reduction of the Commonwealth funds allocation, my department expects that the construction targets generally will be met, mainly as a result of improved cost control and construction economies which were able to be achieved in the school construction programme.

19. EFFECT OF CHARGES AGAINST RAILWAY EMPLOYEES

Dr. Lockwood, pursuant to notice, asked the Minister for Transport—

(1) Was a railway employee convicted in the Toowoomba Magistrates Court on

14 May of theft not involving the Queensland Government Railways, and fined \$50?

(2) What legal provisions determine if a railway employee's resignation can be accepted or must be refused pending outcome of police charges?

(3) Does a railway tribunal impose a fine or is it mandatory that this former railway employee be automatically penalised by approximately \$2,373.60 reduction in severance pay, being the cash value of 14 weeks' lost long service leave?

(4) Is there any right of appeal?

(5) Can the Railway Department impose a penalty of the order of \$2,000 on employees who do not have accumulated long service leave?

(6) For what other offences are there mandatory penalties of over \$2,000?

Answers:—

(1) Yes.

(2 to 6) Because of the peculiar responsibility attaching to the Commissioner for Railways as custodian of his customers' goods and the consequential importance of ensuring that it be seen that the commissioner does not knowingly retain in his employ persons convicted of theft, in the application of such a policy, it was decided in June 1944 that any railway employee convicted of theft or of having in his possession goods suspected of having been stolen would be dismissed from the service. This policy has been reaffirmed by successive Governments, the most recent decision in this regard being that embodied in Cabinet Decision No. 27008 of 5 September 1977.

A railway employee dismissed by the commissioner following a conviction on a charge of theft or associated offence has a right of appeal by memorial to the Governor in Council in terms of section 17 (4) of the Railways Act 1914-1978.

20. IMMUNISATION OF CHILDREN

Dr. Lockwood, pursuant to notice, asked the Minister for Health—

(1) Is he and the Health Department concerned at the increasing percentage of children in Queensland and Australia who have no effective immunity against rubella, tetanus, whooping cough, diphtheria and poliomyelitis?

(2) Is the department planning a campaign to alert parents to the increasing risk of epidemics of these preventable diseases?

(3) Will the warnings and advice be prepared in all languages necessary to motivate all migrant and Australian-born families?

Answers:—

(1) Yes.

(2) The Division of Health Education and Information of my department distributes pamphlets on immunisation to all sections of the community, particularly through doctors' surgeries, schools, chemist shops, country shows and the divisions of the department working with the community. These pamphlets are also available to anybody on request. As well as distributing informative pamphlets on individual diseases stressing the need for immunisation, the division distributes a general immunisation pamphlet which gives the recommended schedule of primary immunisation in accordance with the recommendations of the National Health and Medical Research Council. The Division of Public Health Supervision distributes these vaccines to local authorities and to private medical practitioners and the local authorities hold regular clinics and organise local campaigns. The Divisions of Health Education and Information and Community Medicine recently conducted a campaign in the Darling Downs area encouraging immunisation.

(3) My department produces the pamphlet on general immunisation in the following languages as well as English: Vietnamese, Spanish, Italian, Czechoslovakian, Yugoslavia, Greek, Albanian, Chinese, Maltese, Finnish, Hungarian, French, German, Polish.

21. DISCIPLINE IN HIGH SCHOOLS

Dr. Lockwood, pursuant to notice, asked the Minister for Education—

(1) Has there been a discussion between the Queensland Teachers' Union and the Queensland Education Department regarding high-school discipline?

(2) If so, what recommendations have been reached and when will they be implemented?

Answers:—

(1) A committee of the Department of Education and the Queensland Teachers' Union has carried out an investigation of procedures relating to discipline in secondary schools. In an initial submission to the Director-General of Education, the committee made several recommendations. The director-general has requested that certain aspects of those recommendations be reconsidered. That reconsideration is proceeding with the full support of the union and is almost complete.

(2) It is anticipated that the final recommendations of the committee will be submitted to the Director-General in the near future and that appropriate action will be taken on them without delay.

22. TRAVEL CONCESSIONS FOR UNEMPLOYED PERSONS

Mr. Davis, pursuant to notice, asked the Minister for Transport—

(1) Is he aware that some State Governments are allowing travel concessions to unemployed persons?

(2) Has he investigated the proposals and will he consider having the scheme introduced to the Queensland railways?

Answers:—

(1) No.

(2) It would not ordinarily be regarded as a function of the Railway Department to subsidise such a scheme.

23. WINDSOR, WILSTON AND FERNY GROVE RAILWAY STATIONS

Mr. Davis, pursuant to notice, asked the Minister for Transport—

In view of the electrification of the railway system between Darra and Ferny Grove, which is shortly to be completed, will he indicate what plans are envisaged for the maintenance, upgrading or rebuilding of the Windsor, Wilston, and Ferny Grove stations?

Answer:—

There are no plans for the upgrading or rebuilding of the Windsor and Wilston stations in the immediate future. All available funds are being allocated to electrification works and more urgent ancillaries associated with the urban public transport improvements programme.

It is agreed that there is a need for upgrading Ferny Grove station and it is hoped that funds can be made available to undertake this work within the next two years.

It is Railway Department policy to provide a reasonable standard of maintenance at all stations, consistent with economy.

24. REGENT THEATRE DEMOLITION; SAFETY REGULATION BREACHES

Mr. Davis, pursuant to notice, asked the Minister for Labour Relations—

(1) Is he aware that during the demolition of the Regent Theatre, the "Save the Regent" Committee submitted complaints

to his department regarding construction safety regulations and, if so, what action has he taken to institute proceedings against the offending parties for the particular breaches?

(2) Is he also aware that the six months requirement pertaining to prosecution procedures has almost lapsed and, if so, does he intend at this late stage to carry out his responsibilities and launch prosecutions against the offending party or parties?

Answers:—

(1) I have received two communications from the "Save the Regent Campaign" concerning the demolition of parts of the Regent Theatre at some time on the week-end of 9 and 10 December 1978. The first of these letters followed upon a letter I had received from the member for Salisbury on this matter.

The Chief Inspector of Construction Work was not notified of demolition work carried out at the Regent Theatre on the week-end of 9-10 December 1978 and consequently the prescribed fee was not paid. A notice of intention to commence notifiable work dated 11 December 1978 was received from F. A. Pidgeon & Son of 21 Fenton Street, Fairfield, involving construction work which commenced on 12 December 1978.

The complaints have been investigated by an inspector of construction work.

As the legal position of ownership of the property or which party could be deemed a constructor was far from clear, the matter was referred to the Solicitor-General. His advice upon prosecution proceedings is expected in the near future.

(2) For the information of the honourable member, section 71 of the Construction Safety Act provides for proceedings to be commenced at any time within one year after the complaint arose or within six months after the matter of complaint comes to the knowledge of the chief inspector, whichever period is the later to expire. As the complaint arose on 9 December 1978, this matter will not be out of time until 8 December 1979.

25. MORETON REGION GROWTH STRATEGY; PREFERRED REGIONAL GROWTH STRATEGY

Mr. Innes, pursuant to notice, asked the Premier—

(1) Was the Moreton Region Growth Strategy Investigations report, including the Preferred Regional Growth Strategy, referred to an inter-departmental committee of State public servants to consider the report and make recommendations on same?

(2) If so, who were the members of this inter-departmental committee and what departments, authorities, commissions, bodies, etc., were represented?

(3) Did this inter-departmental committee make any recommendations either to the Minister for State development, the Co-ordinator-General or any of the members of Cabinet?

(4) What were these recommendations?

(5) What is the present status of the Preferred Regional Growth Strategy and the Moreton Region Growth Strategy Investigations report, and have they been adopted as Government intention?

(6) Has the Preferred Regional Growth Strategy provided the basis for Commonwealth infrastructure funding?

(7) Has consistency between local authority policy plans been achieved through the Moreton Region Growth Strategy Investigations, more particularly the Preferred Regional Growth Strategy?

(8) Has the Preferred Regional Growth Strategy provided the basis for the planning and co-ordination of Government bodies?

Answers:—

(1 & 2) Yes. This committee consisted of representatives of the Departments of Co-ordinator-General, Treasury, Transport, Primary Industries, Local Government, Main Roads, Railway, and Mapping and Surveying, and the Land Administration Commission, with contributions from the Metropolitan Transit Authority, Valuer-General's Department and the Queensland Housing Commission.

(3 to 8) The report of the committee has been distributed to concerned departments. Although the Moreton Region Growth Strategy Investigations report has not been adopted formally by the Government as a statement of policy, nevertheless some departments, some local authorities, and groups of local authorities have used the report as a guide for planning.

Copies of the Moreton Region Growth Strategy Investigations report were made available in bulk to the now defunct Cities Commission; it is not known to what extent existing Commonwealth agencies have used the report.

26. PROTECTION OF GOLDEN OR WELSBY WALLABIES

Mr. Innes, pursuant to notice, asked the Minister for Culture, National Parks and Recreation—

(1) What action is being taken by his department or, to the knowledge of his department, by police, local authorities

or others to prevent the further slaughter of the tame but rare Golden or Welsby Wallabies, which has now been reported on two occasions within a few weeks on South Stradbroke Island?

(2) Will further declaration of national or environmental parks be warranted in this area to preserve this species?

Answers:—

(1) It would prejudice the success of the investigations now under way to disclose the details thereof. However, my Director of National Parks and Wildlife assures me that adequate steps are being taken.

(2) Consideration is being given to the establishment of a national or environmental park on South Stradbroke Island.

27. DRAINAGE WORK IN HALF-MOON CREEK FISHERIES HABITAT

Mr. Warburton, pursuant to notice, asked the Minister for Maritime Services and Tourism—

(1) With reference to substantial drainage work that has been carried out in the Half-Moon Creek fisheries habitat reserve number 14 on the northern beaches side of Cairns, which I am reliably informed did not have local authority approval, by what authority was the work carried out?

(2) What was the purpose of the drainage work and who met the cost of that work?

(3) Has any investigation been carried out into the extent of the damage, the justifications for it, and the possible effects on the functioning of the habitat and, if so, what action is proposed as a result of the investigation?

(4) If no investigation has as yet been instigated or completed, will he take appropriate action and give an undertaking that any person or persons who have acted illegally in this matter will be dealt with under relevant State laws?

Answers:—

(1) Ministerial approval was granted for limited work to be carried out.

(2) The purpose of the work was for flood mitigation and was carried out by the applicant, Mr. W. Hearl.

(3 & 4) The Queensland Fisheries Service is presently investigating reports that work carried out has exceeded that for which approval was given. A decision will be made concerning any action to be taken following the conclusion of such investigation and receipt of the report thereon.

28. DAMAGE TO PUBLIC PROPERTY BY
DEMOLITION OF GOVERNMENT
BUILDINGS

Mr. Warburton, pursuant to notice, asked the Premier—

(1) With reference to the recent demolition of the Bellevue Hotel building and the building that stood at the corner of Grey and Melbourne Streets, both of which were State Government-owned, is he aware that in both cases thousands of dollars worth of damage was done to Brisbane City Council traffic-light controllers and other services?

(2) Will he ensure that moneys payable to the demolition contractors are withheld until such time as the contractors make good the payment for damage?

(3) Appreciating that public money has been used to install the traffic-light controllers and other local authority services damaged during demolition of State Government-owned buildings, will his Government undertake to see that any further contracts or agreements contain provisions ensuring that the cost of damage to public property is met immediately, so allowing an early resumption of services in the public interest?

Answer:—

(1 to 3) In each instance referred to by the honourable member, the contractor was required under the general conditions of contract of the Department of Works to take out a public liability insurance policy to cover reimbursement for proven damage caused during demolition. Settlement of any claims is a matter for the contractor, his insurers and the claimant.

29. HOLDING HOSPITAL FOR SANDGATE

Mr. Warburton, pursuant to notice, asked the Minister for Health—

(1) With reference to the State Government's promise to construct a 40-bed holding hospital in the Sandgate area, what progress has been made at this stage?

(2) Considering the fact that a new "Eventide" complex is presently under construction on land at Brighton that is ideal for hospital and nursing home purposes, will he investigate the possibility of the holding hospital being built as an adjunct to the new "Eventide" complex, so enabling the utilisation of existing staff and facilities?

Answer:—

(1 & 2) Investigations are still continuing to determine the most suitable location and site for the hospital referred to by the honourable member.

30. ORPHEUS ISLAND OYSTER LEASES

Mr. Row, pursuant to notice, asked the Minister for Maritime Services and Tourism—

In view of his reply to my question on 5 June regarding oyster leases on Orpheus Island, will he take the necessary action to ensure that oyster-bed leases that have not been renewed are properly terminated and that trespass signs erected during the validity of such leases are subsequently removed by, or at the expense of, the previous leaseholders, so that tourists and picnickers are not unnecessarily restricted or embarrassed?

Answer:—

All relevant licences have been properly terminated. Outdated signs will be removed at the earliest practicable opportunity.

31, 32 & 33. ADMINISTRATION OF
HOUSE-BUILDERS' REGISTRATION AND
HOME-OWNERS' PROTECTION ACT

Mr. Austin, pursuant to notice, asked the Minister for Works and Housing—

(1) How many of the companies that have been registered under section 27 (3) of the House-builders' Registration and Home-owners' Protection Act 1977 were registered under the Builders' Registration Act 1971-1973 after the commencement of the House-builders' Registration and Home-owners' Protection Act 1977?

(2) With reference to Claim 88 of the Act, how does the House-builders' Registration Board determine that persons who seek registration under section 27 (3) will not perform building construction in relation to dwelling-houses only?

Answers:—

(1) Eighty-six.

(2) The House-builders' Registration Board does not determine such matters.

Mr. Austin, pursuant to notice, asked the Minister for Works and Housing—

(1) With reference to section 27 (2) (b) of the House-builders' Registration and Home-owners' Protection Act of 1977, what resources does he consider sufficient to trade as a house builder?

(2) What was the resource requirement for registration HB 09744?

(3) Does the board consider each application in accordance with the Act or does it use its own criteria for acceptance, thus bypassing an Act of this Parliament?

Answers:—

(1) The Act requires such matters to be determined by the House-builders' Registration Board when examining the particular circumstances of a house builder.

(2) Information provided at the time of registration satisfied the House-builders' Registration Board.

(3) The board considers each application for registration in accordance with the Act and uses the discretionary powers afforded to it by the Act.

Mr. Austin, pursuant to notice, asked the Minister for Works and Housing—

With reference to his answer to part (3) of my question of 4 October 1978, how do directors' indemnities assure the board that a private company has the financial ability to trade as a house builder?

Answer:—

Where the financial resources of a company are considered by the board to be barely adequate for the purpose intended, directors' indemnities are sought as a means of providing additional security for the board should insurance claims subsequently result and it is found that the funds of the company are insufficient to cover the losses.

QUESTIONS WITHOUT NOTICE

ESSENTIAL SERVICES LEGISLATION

Mr. CASEY: I preface a question to the Minister for Labour Relations by referring to threats in recent weeks from the Government of bringing down tough new legislation, possibly by recalling the House during the parliamentary recess, against trade unions in the electricity industry in South-east Queensland. In these circumstances, I ask: Is the Minister aware of agenda item No. 113 for the Liberal Party State conference in the next few weeks for the Lilley area which, of course, includes part of the electorate of the Health Minister, which lays the blame for unrest on the South East Queensland Electricity Board because of its failure to introduce an effective industrial relations programme? Will the Minister, before drafting legislation that will only provoke and increase confrontation that will tend to disrupt services to consumers, first have discussions with the board with a view to determining an effective industrial relations programme which the Lilley area of the Minister's own Liberal Party feels is urgent and essential in the interests of workers, management and the public?

Mr. CAMPBELL: The matter referred to by the honourable gentleman has not yet been considered by the appropriate body and I do not intend to anticipate any result.

RISE IN ELECTRICITY CHARGES

Mr. CASEY: In directing a question to the Minister for Mines, Energy and Police, I draw attention to his answer yesterday to the member for Nudgee that the relatively new South East Queensland Electricity Board made \$21,400,000 profit in its first year of operation. I now ask: Is he aware that in the recent debate on the transfer of the water-supply rights from the Brisbane City Council to the Government's water board, the Local Government Minister used the fact that the council could profit from the enterprise as a point of criticism, asserting that it meant that water could be supplied cheaper to consumers? In view of the Local Government Minister's argument, how can the Minister for Mines, Energy and Police now justify a further 10 per cent rise from 1 July in electricity charges when the Government's board, which took over the service from the Brisbane City Council, is already profiting by more than \$20,000,000 from its consumers?

Mr. CAMM: I indicated that that figure was the published one; the auditor's figure was far lower in regard to profitability. Some boards do make profits from the charges that they levy but such profits are automatically distributed and reallocated throughout the electricity system.

Mr. Casey: Were the board's accountants wrong?

Mr. CAMM: If the honourable member reads my answer of yesterday, he will understand that the figures quoted by the honourable member on the Opposition side of the Chamber were wrong.

BURDEKIN DAM SCHEME

Mr. CASEY: In directing a question to the Premier, I draw attention to the irresponsible inconsistency of the Minister for Primary Industries (who is, unfortunately, overseas) and, as a result, the Government also in relation to the construction of the next stage of the Burdekin Dam scheme. I now ask: Is the Premier aware that, while the Minister for Primary Industries said in Mackay for northern consumption on 23 May that the State Government had a commitment to the Burdekin project, the Minister for Primary Industries was still being reported in many newspapers, including "The Cattleman" on 28 May, and in many other Queensland newspapers, as describing it as the impossible dream?

In view of the Premier's sudden statements on the Burdekin the week after my announcement that a Labor Government will proceed with the next stage, will the Premier now declare which of the two contradictory versions is correct, the one made in Mackay on 23 May or the one made in "The Cattleman" on 28 May?

Finally, as a step towards higher ministerial standards and honesty, will the Premier reward the Minister for Primary Industries for either his inconsistency or his deceit in this matter by sacking him from Cabinet?

Mr. BJELKE-PETERSEN: Mr. Acting Speaker, it would be interesting to know who makes the decisions on the other side of the House and how they are applied, as so much confusion comes from the Leader of the Opposition and his supporters. The honourable gentleman ought to know that decisions on very important matters are made, of course, by the Government as a whole and by the Cabinet particularly. No Minister, even myself, can go round saying this or that, or implying this or that. The matter referred to by the honourable gentleman has been Government policy for a long time. We have spent approximately \$10,000,000 on the Burdekin in working towards this objective over many years.

Mr. Casey: But the Minister for Primary Industries called it an impossible dream.

Mr. BJELKE-PETERSEN: If the Leader of the Opposition were thinking about building the dam, I would say that it would be an impossible dream. We, as a Government, have acted responsibly all along the line. We have demonstrated that we are going to proceed with it. Just next week the Prime Minister is coming to inspect the new site for the Burdekin Dam. The Prime Minister, together with my colleague the Deputy Premier and Treasurer, will meet a deputation in Townsville.

Mr. Casey: You are changing direction.

Mr. BJELKE-PETERSEN: We have not changed direction. Unlike the Opposition, we do not change direction. The Leader of the Opposition should realise that he cannot gain much political kudos on this matter. I am sorry for him, but he cannot do so.

AIR TICKETS FOR MEMBERS' SPOUSES

Mr. BOURKE: I preface a question to the Deputy Premier and Treasurer by referring to the statement he made to the House this morning about a report in "The Courier-Mail" that the use of air tickets for wives of members has been illegal. I now ask: has it been illegal for a wife or husband to accompany a member on a ticket issued at Parliament House for this purpose? If that is so, in natural justice how can the situation be remedied both for the past and the future,

if that should be necessary? How many members are involved? How long has this situation existed? Are Cabinet Ministers involved? Have the proper procedures been carried out by Cabinet in the past in granting such entitlements to members? Are any Cabinet Ministers involved in this alleged abnormality regarding air travel for wives?

Dr. EDWARDS: I did not say that anything was illegal. I was drawing attention to the article concerning a matter that was being investigated at the present time relative to the wording of the appropriation approved by Cabinet and, indeed by Executive Council, to enable members' wives to travel to and fro when attending official functions, and also for members' wives who are entitled to a certain number of trips in accordance with the decision. Under that appropriation, this matter is presently being considered. It may well be that a legal technicality is being investigated at the present time.

FRATERNISATION BY LEADER OF THE OPPOSITION WITH SENATORS KEEFFE AND GEORGES AND Mr. HUGH HAMILTON

Mr. GUNN: I ask the Premier: Is he aware that the Leader of the Opposition, although he says that he does not support the radical Left-wing element of the Labor Party, was fraternising with Senators Keffe and Georges and the Building Workers' Union State Secretary, Hugh Hamilton, at the wharries hall, at what was supposed to be a publicity exercise?

Mr. BJELKE-PETERSEN: The Leader of the Opposition may think it is a laughing matter, but he launched a book that condemns himself. That shows just how much he is in the grip of the Left-wing-controlled unions. The Leader of the Opposition can be seen at almost any time of the week marching or associating with these people. He can be seen at any time amidst Communist flags and what-not, but never have we seen the Australian flag at such a gathering—not once. In spite of all that the Leader of the Opposition says and in spite of all his attempts to confuse people, he is still hand in glove with these people; he cannot dissociate himself from them. The Leader of the Opposition is very anxious to draw attention from himself, but he can never get away from the Communists, the radicals and the Civil Liberties people. They are round his neck like a rope, and ultimately they will hang him.

LOCAL GOVERNMENT WATER-SUPPLY SUBSIDIES; JULIUS DAM PROJECT

Mr. BERTONI: I ask the Deputy Premier and Treasurer: Which local authorities have received a 50 per cent subsidy from the State Government for urban water supplies, including construction of dams, in the past 10 years? What are the guide-lines under the

State subsidy scheme for local authorities under the heading "Water Supply"? What criteria did the Government apply to the Julius Dam project? What was the recent decision by Cabinet on financial assistance to the Mt. Isa City Council for the Julius Dam project? If the answer to the final question is in the negative, is the Deputy Premier and Treasurer prepared to give further consideration to making available financial support in the light of special circumstances that exist in the area?

Dr. EDWARDS: This is the last day of sitting for a short time and as the honourable member wished to have this question answered, I appreciate his advising me of it this morning. As a result, I have a reply that I think will be of some assistance to him.

The first part of his question related to the local authorities that had received a 50 per cent subsidy from the State Government. This information is not available at this stage, but I will advise the honourable member by letter as soon as it is provided.

The honourable member asked me in the second part of his question about the guidelines. There is a list of guide-lines. Under the State's approved subsidy scheme, the rate of subsidy approved for water supplies is as follows—

	Percentage
(a) New complete water-supply schemes	50
(b) New complete water-supply schemes, including reticulation (where no head-works are involved)	33½
(c) Major augmentation at source of supply, development of supply from a new source and works involved in delivering increased supply to existing system, but not including reservoirs, treatment works and reticulation (that is, the approved scheme under which the Mt. Isa programme was funded)	33½
(d) Filtration plant (initial installation)	33½

The third part of the question related to the criteria for the Government allocation of funds. The total final cost of the programme has been assessed at \$30,700,000. Mount Isa Mines Ltd. has contributed on account of the mine approximately \$13,200,000. The mine's contribution to the city council has been \$1,790,000, making a total contribution by the mining company to the development of Lake Julius of almost \$15,000,000. The State subsidy of 33½ per cent amounts to \$4,000,000. The special subsidy approved by Cabinet, following the representations of the honourable member over a long period,

accounted for an additional \$2,030,000. The Water Resources Commission has contributed in the vicinity of \$5,420,000 for spare capacity, which was raised by the deputation that saw the Premier and me recently.

In the final analysis, Mount Isa Mines Ltd. has contributed \$14,990,000; the State, through its various authorities, has contributed \$11,420,000; and the Mt. Isa City Council's responsibility is only \$4,240,000. Of course, in the last financial year the council did not allow for any repayment in its budget. I am sure that that attitude is certainly not appreciated by the people of Queensland, when the Government has gone out of its way to supply a large amount of money towards the project.

In reply to the last part of the question—the Premier and I saw His Worship the Mayor (Alderman Born), Councillors Coughlan and Price, and the honourable member following his representations to us. We took a submission to Cabinet. In view of Government assistance in the vicinity of \$11,500,000, which I have already mentioned, the \$15,000,000 given by Mount Isa Mines and the development required throughout the rest of the State—and honourable members know full well the enormous commitments of the Water Resources Commission—Cabinet's previous decision that no further contribution be made by the State was reaffirmed. I have advised the council accordingly.

I place on record the tremendous amount of work that has been done by the honourable member in his representations on this matter.

Mr. Fouras: That won't save his bacon.

Dr. EDWARDS: It is all very well for honourable members on the other side of the House to interject. Their colleagues in that area—the Labor aldermen—went to the people of Mt. Isa saying, "We pledge that there will be no contribution by the people of Mt. Isa towards the repayment required of the council." If that is not an irresponsible statement, I do not know what is.

It seems to me that members of the Opposition, and indeed the people of Mt. Isa, are unaware of the enormous contribution that has been made, firstly, by the Government, secondly, by Mount Isa Mines and, thirdly, by the honourable member in his representations for the area. His continued representations have produced beneficial results for the council, in that we have contributed an additional \$2,030,000 and the Commonwealth Government has made additional finance available to it as a special project to the extent of \$1,075,000. It is about time that the council in Mt. Isa, under Labor domination, accepted its basic responsibility and lived up to it, instead of putting that responsibility back onto the Government and the honourable member.

I can assure the people of Mt. Isa that they have been treated very fairly. Their council has been irresponsible in the way in which it faced up to its budget responsibility last year and indeed this year. The council has no alternative but to wake up to itself and realise that it, like every other local authority in the State, has a responsibility. So also has every community. This should not be forgotten by the people of Mt. Isa—indeed, by all the people of Queensland.

WESTERN PASSENGER TRAIN SERVICES

Mr. BERTONI: I have a question without notice for the Minister for Transport. I supplied him with a copy of it so that he could prepare an answer. My question is as follows—

(a) Is he aware of the proposed changes to timetables of long distance train passenger services on the Mt. Isa-Townsville and Cairns-Brisbane lines, to become effective on 18 November 1979?

(b) Does he realise that at least one of the Mt. Isa-Townsville passenger services has no immediate connection with interstate services, thus imposing further financial burden by way of food and accommodation for western travellers?

(c) Is he aware that parents with children have to wait up to six hours in Townsville on Sunday night for a southern connection?

(d) What is the estimated cost to the department by way of extras for continuous time payable to conductors, air-conditioners, and griddle car attendants?

(e) What discussions were held with people at Mt. Isa and western areas regarding the proposed changes?

(f) Will the Minister give an assurance that adequate discussions will be held with the western people and the chamber of commerce in each area before implementation of the proposed rescheduling of train services?

Mr. TOMKINS: I thank the honourable member for Mt. Isa for the question and, because we will not be sitting next week, I thank him for giving me prior knowledge of this question. I have been able to prepare a reply for him as follows—

Mr. Scott: Why couldn't you write to him?

Mr. Wright: It is a misuse of question-time.

Mr. ACTING SPEAKER: Order! It is my decision and nobody else's whether there is a misuse of question-time. Constant asides from my left are starting to become a little more than disconcerting and annoying. I am asking for greater restraint in the Chamber for the remainder of question-time.

Mr. WRIGHT: I rise to a point of order. A report was given to me and, I believe, all other honourable members which gave the directions one should follow in asking questions in the House. I believe that it came originally from the Clerk of the Parliament. It clearly sets out that we are not to ask in-depth questions requiring information that the Minister may not have access to or have at his fingertips. I believe this question is an abuse of the direction. That is a personal opinion. I naturally acknowledge your view, Mr. Acting Speaker, but I believe that it is wrong that members should use this House on the very last day of a sitting to gain political advantage in their own electorates.

Mr. Bertoni interjected.

Mr. ACTING SPEAKER: Order! The honourable member for Mt. Isa knows that he should not use a microphone in that way. The Minister will proceed with his answer to the question.

Honourable Members interjected.

Mr. ACTING SPEAKER: Order! I have just made an appeal for more decorum in the Chamber. I am asking members to contain themselves.

Mr. TOMKINS: The answer is as follows—

(a) Yes. I released a Press statement on the matter on 28 May and in this connection would explain that the overall improved services proposed will provide an extra "Sunlander" per week and two extra "Capricornians" and are in keeping with the promise made by the Honourable the Premier in his policy speech prior to the December 1977 State election that air-conditioned passenger services would be upgraded.

(b) Yes; but the number of passengers utilising the "Inlander" service, who make connections with the southbound "Sunlander" and then in turn connect with the interstate service from South Brisbane, is very small compared with the overall patronage afforded the "Sunlander" services.

(c) Yes; the alternative to the 4½-hour delay in Townsville is a later departure than 10 p.m. from Mt. Isa, which is considered undesirable.

(d) The extra cost in this regard will be more than offset by the increased revenue received.

(e) No such discussions were held as the major alterations were in respect of the "Sunlander" service, and the "Inlander" alterations were necessary to retain connection with the "Sunlander" service. I would refer the honourable member to my comment in paragraph (b) in relation to patronage on the "Inlander" services. Any minor disadvantages that may occur as a result of

the "Inlander" alterations are more than offset by the overall improvement proposed for the "Sunlander" and "Capricornian" services.

(f) I would also like to inform the honourable member that an officer of the department will be in the district next week to confer with people about these services. He will determine whether any changes are in fact necessary.

SOLAR-HEATING INVENTION BY LITTLE BROTHERS

Mr. BERTONI: In asking a question of the Minister for Mines, Energy and Police, I refer to an article that appeared in "The Courier-Mail" of 4 June headed, "State to look at the use of solar energy". The article contained comments by the Minister regarding the Queensland Energy Resources Advisory Council and his wish to install solar hot-water systems throughout country areas for testing purposes. Will the Government now give consideration to the solar tracking system invented by the Little brothers, who for some months now have been trying to obtain development funds from the Government?

Mr. CAMM: This is one development that we will be looking at because, when I last visited Mt. Isa, the honourable member was good enough to have these two inventors bring their machine round to me so I could have a look at it. It is a rather ingenious invention, which uses the expansion and contraction of air to activate some valves and a diaphragm to turn the curved reflector so that it is always at the optimum position to take fullest advantage of the sun's rays. I think in answer to a question yesterday the Treasurer said that if an application for assistance is made to the Department of Commercial and Industrial Development, we will look at it very closely indeed. Certainly from my department's point of view, we think it has a tremendous future in solar hot-water systems.

VIETNAMESE PROFESSIONAL FISHERMEN

Mr. SHAW: I ask the Minister for Maritime Services and Tourism: Is he aware of complaints from professional fishermen that Vietnamese commercial fishermen are fishing in protected waters and taking undersized fish and crabs and generally ignoring regulations applicable to the fishing industry? As many professional fishermen believe that these illegal activities will seriously affect future catches, will the Minister take action to ensure that these fishermen are not permitted to break the law by using the excuse that they do not understand the language? What qualifications are required of applicants for commercial fishing licences?

Mr. ACTING SPEAKER: Order! I regret that the Minister is not in the Chamber at the moment. Does the honourable member wish to place his question on notice?

Mr. SHAW: I will proceed to another question without notice. Perhaps if he comes back I can ask the question again then. I ask the Minister for Education a question. Oh my God, he is not in the Chamber either!

Sir William Knox: Ask a health question.

Mr. SHAW: If I had known the Minister would be here, I would have prepared one.

Mr. ACTING SPEAKER: Order!

CHANGES IN TRAFFIC REGULATIONS

Mr. SHAW: I ask the Minister for Transport: With reference to the changes to the regulations covering the right of way at "Stop" signs, will the Minister advise what will be the situation at intersections that presently have "Stop" signs facing all streets? Will the Government conduct a study, or assist some other competent body such as the Brisbane City Council, into the effects of the Government's changes to these regulations? Will the Government agree to assist local authorities to finance road and traffic sign alterations, which have become necessary because of the new regulations?

Mr. TOMKINS: The position is that the Department of Transport is assembling material for an education campaign prior to the introduction of the new right-of-way rule. It is proposed to launch this campaign a week before the introduction of the rule on 1 July, and it will run until a week after it. I think the best thing I could do would be to forward the material we have to the Brisbane City Council so it can also use the material prior to the introduction of the rule. The material has all been assembled and is ready to go out. I will take steps to have the material forwarded to the council.

FUEL-EFFICIENT VEHICLES

Mr. ELLIOTT: I ask the Premier: In view of limited, uncertain and increasingly expensive fuel supplies will he lend his support to ensure that Australians have the opportunity to purchase the most fuel-efficient and inexpensive cars that it is possible to purchase and maintain? For example, the Daihatsu Charade, the most economical petrol-engine car in this year's Total Economy Run, is being prevented from being sold in Australia because of the quota system.

Mr. BJELKE-PETERSEN: The Government is very conscious of the need to conserve fuel. We have always been very interested in this matter. We are buying more

and more four-cylinder cars for the Government. We are gradually switching over to that area. In this way I believe that we can save quite a deal of the valuable commodity known as fossil fuel.

I would also remind the honourable member that the whole situation has changed dramatically since yesterday, because there is no limit to the amount of hydrogen fuel that can be generated. I believe it will not be very long before we will be completely independent, if we wish, of overseas supplies of oil and fuel. I think that this is a very important consideration in the situation in which we now find ourselves.

MEDIA REPORTS ABOUT THE LEADER OF THE OPPOSITION

Mr. TURNER: I direct a question to the Premier. Following the statement in the news media last week that the Premier some 18 months ago had approached the then independent member for Mackay, now the Leader of the Opposition, to join the National Party, and his reported reply that he would keep his options open, will the Premier indicate if this reported meeting did in fact take place, and if the media's reporting was correct?

Mr. BJELKE-PETERSEN: I did see that report in the media. Of course, it is a flight of fantasy in the minds of some people. I do not know whether the Leader of the Opposition did say that he would keep his options open. It was jolly lucky for everybody that he went the way he did, because that is the way in which he has always been orientated. He went back to his own home. Naturally, members of the National Party would never dream of inviting him to join the party, let alone have him in the party. So the report was completely untrue.

Mr. CASEY: I rise to a point of order. I completely deny that at any stage any approaches in this matter were ever made to me. One has to be choosy sometimes.

Mr. ACTING SPEAKER: Order!

MT. ETNA BAT CAVES

Mr. FOURAS: I ask the Minister for Mines, Energy and Police: Is he aware that the Mines Department sent two letters to speleologists who are lobbying for the preservation of the Mt. Etna Caves and bat populations, advising that limestone deposits in departmental area 30D have been held in reserve for the Central Queensland Cement Company? Is it true that the company has not applied for leases or mining rights over this area situated on Limestone Ridge, which is adjacent to Mt. Etna? Is it normal practice within the Mines Department to hold mineral deposits in reserve for companies that have not applied through normal channels for legal rights to mine these

deposits? Can he assure the House that his department is not engaged in giving what appears to be blatant favouritism to Central Queensland Cement? Does he consider it environmentally responsible to allow Central Queensland Cement to expand its mining operations on the highly cavernous northern face of Mt. Etna to include the caves containing limestone deposits nearby in area 30D, including Olsen's tourist caves?

Mr. CAMM: Obviously someone has given the honourable member a screed and he knows nothing about it. When he talks about mining Mt. Etna alongside Olsen's Caves, he indicates that he does not have a clue just where these two areas are.

In the first part of his question he asked whether I was aware that letters had been sent from the department. The only letters for which I am responsible are those that are sent out over my signature. Of course, other letters are written by different people in the department, but the letters that are sent out over my signature are my responsibility. I can assure the honourable member that no letter has been sent out over my signature indicating that any area is being held in reserve for any specific company.

I have made a Ministerial statement on this matter in this House. I have made quite clear the Government's position on Mt. Etna. Mt. Etna was held under lease, as was Limestone Ridge. The company concerned agreed to forgo 30 000 000 tonnes of limestone so that we could make a decision as to where it could mine. It was considered that the caves system at Limestone Ridge had more potential tourist attraction than the Mt. Etna region. It was decided to allow the company to mine the Mt. Etna region and reserve the Limestone Ridge area, including Olsen's Caves, so that we can have those as a future tourist attraction.

LISTING OF MT. ETNA CAVES IN REGISTER OF THE NATIONAL ESTATE

Mr. FOURAS: I ask the Premier: Is he aware that the Federal Government has included the Mt. Etna Caves area in its interim list of sites to be recorded in the Register of the National Estate? Is he aware that the Queensland Co-ordinator-General lodged an objection to the permanent listing of the Mt. Etna Caves in the register? Did he direct the Co-ordinator-General to lodge this objection?

Mr. BJELKE-PETERSEN: I refer the honourable member to the earlier statement by the Minister for Mines, Energy and Police.

AUDITOR-GENERAL'S REPORT ON MEMBERS' AIR TRAVEL; SPECIAL LEGISLATION TO ESTABLISH GUIDE-LINES

Mr. KATTER: In view of the absence of the Deputy Premier and Treasurer, I direct a question without notice to the immediate past Treasurer, the present Minister for Health.

Mr. ACTING SPEAKER: Order! The Minister is answerable only for his present portfolio. The honourable member may continue.

Mr. KATTER: In view of the report in "The Courier-Mail" this morning, I raise the matter of the Peel report and refer to the Auditor-General's basic proposition contained therein that the only proper authorisation for members' air travel was that of Cabinet approval. I now ask: Does the Government now have the benefit of further legal opinion from senior counsel indicating that the only proper legal and constitutional authority for the expenditure of Crown money (where it is not covered by special statute) is that of the Crown itself acting through the Governor in Council by Order in Council?

Further, could this therefore mean that in the past all parliamentary expenditure related to members' air travel not just that listed under the names of the 23 members or former members of this Parliament in Mr. Peel's report, has been outside the law? Does the opinion also indicate that the air travel undertaken in good faith by the wives of members, with Cabinet authority only, for the last 10 years or so has been entirely outside the law, and was not even covered by a Vote under the Legislative Assembly Estimates, and is probably still outside the law?

In view of this, is the Government currently examining a proposal to correct these oversights by special legislation, which could include the establishment of firm legal guidelines for the future?

Sir WILLIAM KNOX: The Treasurer is at a meeting of the Executive Council, and I am not in a position to speak on his behalf other than to say that, as we all recall, in the Peel report recommendations it was suggested that this Parliament regularise the arrangements. In the course of that certain deficiencies have been discovered, which need attention. At the moment the Government is looking at those matters. I am not able to give an opinion on them, but they are being examined.

SOLAR ENERGY RESEARCH

Mr. KATTER: I ask the Minister for Mines, Energy and Police: Would the Minister consider financing a trial by the solar energy research team at the Queensland University to provide a source of power of 3 kVA or more to generate electricity and thus provide hot water for isolated families such as railway maintenance men and those on Gulf cattle stations, as these people at present either have no electricity or have to pay upwards of \$3,000 a year for fuel-powered diesel generators as opposed to a particular device that would cost in the vicinity of \$4,000?

Mr. CAMM: Yes. My department will look at any application for assistance for research work into the generation of cheap electricity by making use of the sun's rays. However, it must always be recognised that as well as utilising the sun's rays as the source of power, there must also be an alternative stand-by system in order to ensure an effective supply of electricity. Whether it pays to spend \$3,000 or \$4,000 for an alternative generating system to be brought into operation only when the sun is behind a cloud, or in the evening when the batteries might go flat, is debatable. The Government will look at any application that is made for research into matters such as solar energy.

VOTING RIGHTS FOR NON-NATURALISED RESIDENTS

Mr. R. J. GIBBS: I ask the Minister for Justice and Attorney-General: Is he aware that some State Governments are now allowing voting by non-naturalised residents in local government elections? If so, has the Government considered this matter, and if so, is there a likelihood of such voting rights being introduced in this State?

Mr. LICKISS: No, I am not aware of the proposition the honourable member has put to me, but I will have the matter investigated.

AVAILABILITY OF MINISTERS DURING QUESTION-TIME

Mr. R. J. GIBBS: I ask the Premier: As there are only seven Ministers present this morning to answer questions from the Opposition, would he undertake to provide a written list to the Leader of the Opposition prior to the commencement of the next session so that Opposition members can frame suitable questions to Ministers who will be in attendance in the House?

Mr. BJELKE-PETERSEN: I am sure that the honourable member would by this time know that on every Thursday at 12 noon sharp there is an Executive Council meeting. The honourable member should also know that if the Minister to whom he wants to address a question does not happen to be in the Chamber he can put his question on notice or he can perhaps ask another Minister if he is able to answer it.

Sir William Knox: He can also write a letter.

Mr. BJELKE-PETERSEN: He can also write a letter and as well there are fairly good telephone facilities available if he wants to know something urgently.

NATURAL RESOURCES SURVEILLANCE PATROLS; IWASAKI TOURIST PROJECT

Mr. R. J. GIBBS: In directing a question to the Premier, I draw his attention to a

Press report headed "Joh Fights Patrol Cut-backs" in which he was quoted as saying—

"Australia has been described as a mouse that could not roar in a world beset by aggressive nations who see the international game as one of gobbling up valuable resources."

The Premier then expressed concern about resources, particularly in the North Queensland region. How would the Premier equate such a statement to the media with his support for Mr. Iwasaki's project at Yeppoon?

Mr. BJELKE-PETERSEN: I think the honourable member is very confused when he relates Mr. Iwasaki's project at Yeppoon to the other matter raised in his question. He fails to see, with his short vision, the job opportunities that the Iwasaki project will create for many people and the great wealth that will be brought to Queensland with consequent benefits for many, many other people.

This question once again demonstrates that the Opposition cannot claim that it represents the working people by trying to find jobs for them. The members of the Opposition and people associated with the A.L.P. are the greatest knockers in history. Whatever project is proposed, they knock it. That is why, of course, they are where they are in this Parliament.

ROYAL COMMISSION FINDINGS ON EFFECT OF OIL ON CORAL AND MARINE LIFE

Mr. WARNER: I ask the Minister for Mines, Energy and Police: In view of the worry being expressed by many electors about drilling for oil on the Barrier Reef and the resultant damage that an oil spill could have, would he comment on the findings of the royal commissions into exploratory and production drilling for petroleum in the area of the Great Barrier Reef, and especially on the effects that oil would have on coral and other marine life?

Mr. ACTING SPEAKER: I would remind the Minister that he is not required to comment on anything. Ministers are asked to answer for their own administration.

Mr. CAMM: The question comes within my responsibility because the Mines Department, with the Premier, was responsible for initiating the Barrier Reef royal commissions. Might I say that the majority decision of the commissioners was that drilling for oil could take place on the Barrier Reef provided certain conditions were complied with, and such things as tidal currents and prevailing winds taken into consideration. However, a minority decision was submitted by the chairman, who indicated that he would like to see more research work done before permission was given for any drilling.

As far as the effects of oil on coral are concerned, there is still a difference of opinion amongst world experts on the effect

of crude oil on the growth of coral. Experiments conducted by Mr. E. M. Grant, evidence of which was given to the commission, indicate that no major damage is caused to coral by the application of crude oil. We have further evidence of that in the coral islands in the Pacific, especially in the Truk Archipelago. Warships that were sunk in the area are still seeping oil and there is tremendous growth of coral right up to and around those warships. Apparently the coral has not been damaged to any degree at all by the oil that is seeping out. No-one has said categorically that oil will not affect coral; however no-one yet has come up with definite proof that crude oil does kill coral.

PERSONAL EXPLANATION

Mr. INNES (Sherwood) (12.18 p.m.), by leave: I rise to explain a matter of a personal nature arising out of question No. 17 in today's Notice of Questions, which was asked by the honourable member for Redlands. I do this with regret, after asking the honourable member to consider withdrawing a part of his question.

In part (2) of that question the honourable member stated that he shared the concern of other members of the House at the intrusion of party politics into the State's legal system arising out of the formation of the Labor Lawyers' Association.

He went on in part (4) of his question to ask for an assurance that a full list of all office-bearers—

Mr. Bjelke-Petersen: Mr. Acting Speaker, is this a matter for a point of order? There is no need for the honourable member to defend the A.L.P. Who is he—

Mr. ACTING SPEAKER: Order! I am listening with some interest to determine whether it is a personal explanation. The honourable member should come to that very quickly.

Mr. INNES: The honourable member was seeking an assurance that a full list of all office-bearers and members of the recently formed Labor Lawyers' Association would be published. The honourable member started part (4) of his question with these words—

"Bearing in mind the public's entitlement to ready access to politically unbiased, impartial legal advice . . ."

As a member of the House sitting on the same side as the honourable member for Redlands, and as a lawyer, I wish to categorically dissociate myself from any attitude revealed in the question or suggestion that members of the Labor Lawyers' Association would fail in their professional obligation to give unbiased or impartial legal advice, however misguided they are in their involvement in politics. I also wish to dissociate myself from any call for the tabling of a list of members of that association, or

any committee of the Labor Party or any other party. The public spokesmen for such groups can be judged on their own public performance. It is a matter of grave concern that an honourable member on this side of the House should pose a question in a manner—

Mr. ACTING SPEAKER: Order! The honourable member is now moving away from a personal statement. He will keep his explanation on a personal basis.

Mr. INNES: I accept your ruling, Mr. Acting Speaker. I have made my point.

JUSTICES ACT AMENDMENT BILL

SECOND READING

Hon. W. D. LICKISS (Mt. Coot-tha—Minister for Justice and Attorney-General) (12.22 p.m.): I move—

“That the Bill be now read a second time.”

The object of this Bill may be simply stated as the prevention at an early stage of proceedings on a private complaint of an indictable offence which is an abuse of process or is frivolous or vexatious.

The Bill will give an opportunity to a defendant to apply for a determination at the outset of the proceedings as to whether the private complaint is one of substance and should proceed to be heard and determined on its merits. The determining authority under the Bill is a stipendiary magistrate. The complainant and the defendant will have a right of appeal to a Supreme Court judge if he or she is dissatisfied with the decision of the magistrate.

A good deal of serious consideration was given as to who the authority would be to determine if a private complaint on an indictable offence is an abuse of process or is frivolous or vexatious. In the previous Bill, the Attorney-General was the first choice but for unknown reasons the media and some minority groups in the community found this to be unpalatable.

Serious consideration was given to a Supreme Court judge being made that determining authority. After considering all relevant factors, the stipendiary magistrate was chosen to decide the issue.

It was felt that what was needed most was a simple and inexpensive proceeding to determine before the real proceedings began whether the private complainant had a grievance which he was entitled to bring before the court and whether he was bringing that proceeding in good faith.

Another important consideration was that the proceedings had to be heard with reasonable expedition and not left to lie for an inordinate period of time.

It must be remembered that outside Brisbane there are only two centres where Supreme and District Court judges are centred. As against that, there are 31 centres outside Brisbane where stipendiary magistrates are stationed.

Supreme and District Court judges do visit some country centres on circuit, whilst stipendiary magistrates pay visits to the more remote centres at more regular intervals.

I find the allegations of the honourable member for Rockhampton that were fully reported in the media this morning most disturbing. He stated, “The magistracy in Queensland is open to political manipulation.” What a shocking statement! What a shocking indictment of the honourable member for Rockhampton! His statement must make every decent-minded citizen in Queensland feel very uneasy about receiving fair and proper treatment in our court proceedings.

Mr. Casey: How many appeals have some of these magistrates had against their decisions?

Mr. LICKISS: Is the Leader of the Opposition supporting the statements made by the member for Rockhampton?

Mr. Casey interjected.

Mr. LICKISS: The Leader of the Opposition is not prepared to answer.

Mr. Casey interjected.

Mr. ACTING SPEAKER: Order! Will the Leader of the Opposition please come to order.

Mr. LICKISS: I have no hesitation in absolutely rejecting the statement of the honourable member for Rockhampton. Stipendiary magistrates in Queensland are, and must be, independent of political influence. It is absolutely essential that in the public administration of justice there must be absolute confidence in the integrity and impartiality of the bench. It is of fundamental importance that justice not only should be done but should manifestly and undoubtedly be seen to be done.

Let me make my position quite clear. I have the fullest confidence in the stipendiary magistrates of this State to carry out their judicial functions in a fair, independent and proper manner and most certainly free from any direction or interference. It may be that the honourable member was reminiscing about the time when his party occupied the Treasury benches.

The procedure contained in the Bill for regulating the proceedings on a private complaint were spelt out in considerable detail on the introduction and will not be repeated here by me.

One important provision worthy of mention in the Bill is the mandatory provision for security of costs for the defendant on the dismissal proceedings and for the appellant on the appeal proceedings against the decision of the magistrate on the application for dismissal. Under the Bill, the proceedings on the application for dismissal of the private complaint and on the appeal from that decision will be heard in camera.

In addition, there will be no publication of the making of the private complaint or the proceedings before the stipendiary magistrate or before the judge of the Supreme Court on the application for dismissal of the complaint, unless and until it can be established finally that the complaint will not be dismissed on the ground that it is an abuse of process or is frivolous or vexatious.

The Bill also provides that, if the complainant does not proceed with due diligence, the magistrate may, upon an application made on due notice, dismiss the complaint for want of prosecution. The new procedure will not apply to a private complaint of an indictable offence charging a person with an offence of which injury to the person or property of the complainant is an element. The new procedure will also not apply to, nor will the leave of the Attorney-General be required for, the hearing and determination of a private complaint of an indictable offence which may be dealt with summarily, made before the commencement of this Bill, which charges a person with an offence of which injury to the person or property of the complainant is an element.

This Bill does endeavour to strike a sensible balance between the rights of a private complainant who desires to prosecute a genuine grievance and the rights of a defendant who needs to be adequately protected from prosecution of a frivolous or vexatious complaint.

Mr. WRIGHT (Rockhampton) (12.28 p.m.): Last night I presented the views of the Opposition. I elaborated on many of the matters that surround the introduction of the amendment. I noted at that time that the Opposition acknowledges the advantages of an improved approach to dealing with private complaints—or private prosecutions, as they are commonly called—that are deemed to be vexatious or frivolous.

I make the point now that I commend the Law Society and the Bar Association for their application to duty. I am not pleased with some of the criticism that emanated from the legal profession when the matter first became public. I am questioning still the reasons why certain persons, one person in particular, made such criticism. It may well be that he was then, and is still, put out by the way the Government—in particular, the Minister for Justice—handled the in-depth recommendations that were made following the criminal law inquiry by showing them off to a lesser departmental committee, from which we have never heard.

That may be the reason why he made those remarks, some of which I challenge to this day, especially in regard to security of costs. However, be that as it may.

The Bill before us maintains the original principles. The Minister said in his remarks yesterday that the Bar Association is not very pleased about the retention of the concept of security of costs. The Opposition is pleased that he has ensured that it “shall”, not “may”, be available to the defendant. I do note that in one instance it is “may”, but that is not of any importance.

The Bill introduces new concepts, such as the hearing of matters in camera and rights of appeal so that the matter may go to a Supreme Court judge in chambers. There are a number of very acceptable protections, such as that a hearing shall not proceed unless a summons is served on the defendant within 14 days of the date set for the proceedings, so that he at least knows what is going on and the matter cannot be heard without his knowledge. The defendant has a right to obtain written particulars of the charge in the complaint. Surely these are basic legal rights.

The complaint lapses if those particulars are not supplied. That will overcome the delay mechanism that has often been part of legal processes in Queensland. If that information is not supplied, the private complaint shall be struck out and there shall be no further proceedings.

There is the right of application by the defendant for an order that the complaint be dismissed on any of the grounds that the Minister enunciated—that it is an abuse of process, frivolous or vexatious. Again I note that the application can be made orally or in writing. This is a worthwhile provision. It is something that can be done immediately so that application can be made.

The requirement concerning security of costs is the real protection for the defendant. There are many cases in which a person can be taken through the courts knowing that he is innocent and knowing that he has no real charge to answer, but he must nevertheless defend himself at major financial personal burden.

The provisions are also such that, if there is noncompliance by the complainant with the requirements within a reasonable time, the complaint is struck out. So again the delay mechanism is overcome.

The other protection is the hearing of the application for dismissal in camera, but the onus is on the defendant to prove that the complaint is frivolous, vexatious or an abuse of process. My first thought was that the onus of proof ought to be on the complainant, but I can see that if a person is moving for dismissal there has to be a responsibility on him to give good cause.

There is a deterrent to the defendant's applying for dismissal without good grounds. This is where the point concerning costs

arises. Costs may—I stress “may”—be awarded against him, so the person who deserves to be taken through the courts will not simply move for dismissal just to hold up the proceedings. He will face the cost factor here. Instead of its being placed on the complainant, it is being placed on him.

A further protection is an additional right of appeal for both the complainant and the defendant. So justice is being done. This appeal can be made to a Supreme Court judge in chambers if there is dissatisfaction with the decision arising from the initial hearing. Again, security for costs will be required of the appellant. If one looks at this carefully, one finds that it has a dual advantage—an advantage to the complainant and an advantage to the defendant in the original complaint, as either could find himself in the role of the appellant or the respondent.

A third protection is that publication is prohibited of matters pertaining to the private complaint until it has been established that the complaint will not be dismissed. I note, too, the fines of up to \$1,000 for a corporation and up to \$200 or six months' imprisonment, or both, in the case of contravention by an individual. Again, they are worthy protections.

The fourth protection is that a complainant must proceed to prosecute the complaint with due diligence. Naturally, this is a discretionary matter, but again and again it gives that protection and overcomes the delay processes that are so often used. If due diligence is not the character of the complaint and the process, it may be struck out for want of prosecution. Then costs can be awarded.

I am pleased to note the clarification of the definition of “private complaint” in the latter part of the Bill. It states clearly that it does not include complaints against police or public servants acting in the execution of their duty.

I note also, in the first provisions of the Bill, that private complaints charging a person with an offence involving personal injury or the destruction of property will be exempted. I was of the opinion that they were covered in the earlier Bill. There was some concern over that.

Mr. Lickiss: As the law stands, they are covered.

Mr. WRIGHT: I thought so. One of the reasons why I said I supported the matter in the first instance was that I believed that if a person was personally injured, or there had been some destruction of property, he was not bound to come to the Minister for Justice to have his discretionary power determined.

There is a need for clarification of some of the other matters. The main matter comes back to the provisions that refer to who shall decide applications for dismissal.

The Opposition supports the general provisions of the Bill. I think I have made that clear. It ought to restore public confidence in this Parliament, and its members individually, that may have been lost because of the issue that developed around the original amendments to the Justices Act.

No doubt it will be said that having the matter heard in camera is a protection for the individual, but is it a real protection for the community to ensure that justice is done? The Minister went to some pains to say that this is what it is all about—to ensure that justice is not only done but is seen to be done.

The main objection to discretionary power being in the hands of the Attorney-General centred on political reasons. For a start, he is a political being, a political personality. I am looking aside from Mr. Lickiss at the moment and looking purely at the office he holds. The Attorney-General is open to some political pressure and there could be manipulation. It was being said that justice might not be seen to be done because, after all, the person holding that office is a member of a political party.

Mr. Lickiss: Wouldn't you say that if an Attorney-General allows himself to be persuaded on a political basis, he should immediately resign?

Mr. WRIGHT: Yes, I think that is so. But, unfortunately, in the processes of the Parliament of Queensland that is not always the done thing. In the Federal sphere it seems that if a person does contravene what is expected under the normal system—the ministerial responsibility requirement—he shall resign. But that does not necessarily happen in Queensland. It may well be that you, sir, would quickly resign.

Mr. Lickiss: I can assure you that it would happen in my case.

Mr. WRIGHT: All right. I am not casting doubts or aspersions on the Minister; I made that clear in the introductory debate. He and I can argue and have our blues within the Parliament, but I also hold him in a certain respect. I do not intend to be casting aspersions that he has abused the discretionary powers that he already has, and would have had under the amendments contained in the previous Bill. But let us keep in mind that the Minister for Justice in this Parliament is a member of a political party. He is not only subject to the desires of his own political party within the Parliament and in an administrative sense, but he is also a member of Cabinet—and Cabinet solidarity is well known. Everyone knows, too, that within this system all National and Liberal Party Ministers are appointed by the Premier, so it could well be said that they are subject to manipulation, pressure or advice in certain ways by the Premier.

I can accept that, in view of the public criticism, that there is a need for some change, but if we are going to change,

which is what this Bill is all about, let us be sure that we select the best alternative. I realise that there is a choice. The Minister again pointed out that the Bar Association and the Law Society considered that those matters should be heard by a Supreme Court judge. But how could there possibly be a system of appeal to a Supreme Court judge in chambers when another Supreme Court judge had heard the matter in the first instance? So there was a difficulty there. Appeals would probably have had to be made to the Full Court. That was not wanted because of the cost and delays involved, and also the time-consuming characteristics of the legal process. The Opposition cannot, however, accept that the only solution is to allow magistrates to hear these applications for dismissal.

The Minister took me to task because I made certain statements about the magistracy in Queensland. Whether he likes to accept it or not, appointments of magistrates in this State are political appointments. Admittedly, it depends on what is meant by "political appointments". They are appointments in which the Cabinet and the Minister himself have a say, either directly or through the Public Service Board. Not only are they politically appointed, but there is no right of appeal against those appointments under the new regulations. So if a clerk of the court who has served for many, many years throughout the State wants to appeal against an appointment, he cannot do so. There has been some criticism that this removal of the right of appeal opened the way for jobs for the boys. Whether or not it was jobs for the boys, it certainly maintained the principle of political involvement in decisions as to who shall be members of the magistracy in this State.

I make the point that it is not only a matter of political involvement in appointments. When it comes to promotion, again "the Government" has a role to play, be it through the Government, the Minister or the Public Service Board. There are levels of promotion, and a magistrate realises, unlike others within the judiciary, that his advancement depends upon political decisions. One therefore looks very closely at appointments and promotions.

Whilst there has been a real endeavour by the vast majority of magistrates to maintain independence, there has been criticism of them. There have been criticisms by senior police officers, judges, solicitors and members of the community, especially those affected by their decisions. We have to consider the sort of criticisms made and the concern that was expressed—admittedly, in some cases, political concern—over the swift manner in which the *Plunkett v. Petersen* case was disposed of at magistrate level. There has also been criticism of decisions brought down, rulings made, and penalties imposed by magistrates on those involved with the march law. I can give some examples of people who have gone before

a magistrate and been fined \$50. Other people going through have been fined far more than that. This is just not on.

There has been the criticism, too, that whilst an increasing number of magistrates have legal qualifications, others do not. I have heard it said in this House that one of the reasons for allowing other people to enter the magistracy from the Crown Law Office and from other areas within the Public Service is to raise the standard, the expertise of the magistracy in this State. I suggest that because of the criticism, because of the *Plunkett v. Petersen* case, and because of the sorts of decisions that magistrates have given on march-law offences or contraventions of the Traffic Act, it cannot be guaranteed that there is total public confidence in allowing a magistrate to have the discretionary power in this area.

Our role here as parliamentarians is to take note of what was said before and, in respect of applications for dismissal, remove the power not partly, but completely from the political arena. This is not what the Government is doing when it proposes that magistrates should have this power.

I recall some years ago that a previous shadow Minister for Justice spoke about magistrates using the rule of thumb in determining fines to be imposed. I heard a story in an electorate near mine about a police officer handing up a piece of paper to the magistrate, telling him what the person charged should "cop". I know such instances would be isolated. In my own area the magistrate is Mr. Loane, and he seems to be a man of great ability, discernment and expertise in his field, and I have met other magistrates, too. So I do not wish to blanket all magistrates in saying that they are not doing the right thing. But there has been criticism. Because of the way in which they are appointed and promoted, they are involved, in a way, in the political arena. So it has to be ensured that everything is above-board when these hearings are held. Total doubt must be removed.

The final alternative, therefore, that I put to the Assembly is that applications for dismissal be heard by a District Court judge in chambers. In his second-reading speech the Minister said that there were only two areas outside Brisbane where District Court judges are stationed, and I accept that. He went on to say, I think, that there were 39 magistrates districts throughout the State, but there are numerous places where there are no magistrates. The people there have to wait for the circuit magistrate to come to their areas. So, really, that is not such a weighty argument. That can be balanced against the number of private prosecutions or complaints that have been made in the past.

Some days ago I asked the Parliamentary Library how many prosecutions or complaints it knew of. One person who had some knowledge in the matter said that he knew of three or four. It could be that the Minister and his advisers are able to say that

there have been far more than that. Are we as parliamentarians going to destroy what could be a very reasonable concept simply because we believe that a tremendous burden or work-load might be placed on District Court judges because of an increase in the number of private complaints? I do not think that that is the sort of consideration to which we have to give our attention at this point.

District Court judges are more independent than magistrates. Yes, it can be clearly said that they are politically appointed, but I think that only one District Court judge—I cannot think of his name at the moment—has been appointed to the Supreme Court. Again the Minister can contradict me if I am wrong there. Appointments of District Court judges to the Supreme Court are extremely rare. So a District Court judge is not after promotion to the Supreme Court. He has nowhere to go. Therefore, I believe that he would be totally independent.

As to costs—I asked some barristers what costs would be involved. Assessed on the present scale of fees, the costs would be about \$64 if a barrister were to appear. They might increase to about \$100 if a solicitor were also involved. I think that the normal application fees are about \$1.25. So we are not talking about massive costs. The issue would be so important to the complainant that the \$100 would be well spent.

District Courts are very efficient, and I am sure that the Minister will support that view. I am told that District Court judges sit in chambers every Friday morning, so there would be access for the parties involved to the District Court judges. They are highly respected in our community. They are highly qualified. They are beyond political manipulation, and that is the essence of my point. I accept the geographical difficulties, but I do not believe that they are major.

The most important consideration here is that there have not been many private prosecutions. There have been very, very few. I am confident that the District Court judges could handle the number of complaints that would come before them. I believe District Court judges, having the expertise, the legal knowledge and the broad general knowledge that they have gained over many years, would be the ideal people to carry out this role under the Justices Act.

The main advantage is that this discretionary power would be given to a highly qualified person who has the confidence of the public. And most importantly, that would make this Bill totally free of politics. This discretionary power would be removed completely from the political arena.

I give notice that at the Committee stage I intend to move an amendment to bring about the proposal I have been espousing.

Hon. W. D. LICKISS (Mt. Coot-tha—Minister for Justice and Attorney-General) (12.45 p.m.), in reply: I never cease to be

amazed at some of the statements made by the honourable member for Rockhampton. Whilst I could go on and defend the magistrates—and they are certainly worthy of defence against some of the statements made by the honourable member—I prefer to let the public at large judge its attitude towards the Magistrates Court service in this State as against the defence I have made on their behalf. Quite frankly, all I can say is that I do not think the public for one moment share the views of the honourable member for Rockhampton. I am sure the magistrates would be absolutely amazed at the utterances he has made, and I believe that the statements he has made are certainly not worthy of him. Nevertheless, he has formed an opinion about the Magistrates Court service in this State. As far as the Government is concerned, it is a very valuable service and a very efficient service.

The Queensland Bar Association and the Queensland Law Society have discussed this matter with me, and they felt that the magistrate was the appropriate starting point for determination of these matters. With the volume of support in the community for the Magistrates Court service, and the support of the legal fraternity, who seem to have been making pronouncements about this matter, I feel that the Government's decision to provide the machinery through the Magistrates Court service is one that will be readily accepted by the public generally and those who are involved in the dispensation of justice in this State.

A number of matters were raised by the honourable member. On the question of costs he said that in one provision of the Bill relating to the giving of security for costs the word "may" is used and not "shall". Security for costs is mandatory on the application for dismissal before a magistrate. I draw the honourable member's attention to the new section 102C (2). Security for costs is mandatory on the appeal before the Supreme Court. I refer the honourable member to the new section 102D (3).

Mr. Wright: Refer to 102C (5).

Mr. LICKISS: We are talking about whether it should be "shall" or "may" in relation to security for costs. It is mandatory in both instances, both before the magistrate and before the Supreme Court.

The honourable member went on to work out, as it were, some of the reasons why the existing legislation was under attack. He referred to one particular member of the Bar, and suggested that the grounds for his attack on me and the legislation were based on another issue under discussion. I think the honourable member mentioned the Criminal Law Inquiry report. The honourable member suggested that that attack on me was because of his not liking the way in which I may have dealt with that report.

Mr. Wright: I just wondered why he got so personal about you.

Mr. LICKISS: As honourable members know, many of the recommendations have been implemented, are being implemented or will be implemented. If the honourable member is right, and that ulterior motive was why he decided to attack me on the present issue, then the measure of the man should be left to the public to judge. I would not make that assumption, but if that is the assumption that readily comes to the mind of the honourable member and others, well, who am I to judge?

I now turn to the suggestion about the political appointment of magistrates. Magistrates are appointed and promoted by virtue of recommendations made by a committee. The committee usually comprises the Chairman of the Public Service Board, the Chief officer of the department and another. Quite frankly, the Minister is not involved in the appointment or promotion of the officer concerned. As to the question of appointments to the Supreme Court and the District Court—if the honourable member wants to take the matter to its logical conclusion, because the appointments are made by the Governor in Council on the recommendation of the Executive Council, under those conditions they must be deemed to be political appointments. Therefore, I do not see the logic of the honourable member's argument.

An Opposition Member: Not for promotion.

Mr. LICKISS: That is the honourable member's opinion, but there are promotions within the ranks of the court service, as he knows. Again I would like to make the Government's position quite clear: there is no political intrusion into the functioning of the court system or the system of justice in Queensland at any level. I make that position patently clear to the Opposition. However, if one notes the influence that it has had on the honourable member for Rockhampton, that may not have been the case under the former Labor administration. I could go on referring to other matters raised by the honourable member, but certainly, by comparison, the system now is much better than it was under Labor.

The honourable member for Rockhampton has given notice that he proposes to move an amendment, a copy of which I have before me. The Government's policy and the action now being taken is supported by the hierarchy of the Barristers' Association and the Queensland Law Society.

Motion (Mr. Lickiss) agreed to.

COMMITTEE

(Mr. Miller, Ithaca, in the chair)

Clauses 1 and 2, as read, agreed to.

Clause 3—New ss. 102A to 102H—

Mr. WRIGHT (Rockhampton) (12.53 p.m.): I have enunciated at some length why the Opposition is prepared to take the second alternative, that is, that the discretionary

power on application for dismissal be exercised by judge of the District Court in chambers. The Minister says in reply that he cannot accept my accusation or my concern over the magistracy. Might I remind him very quickly of the Plunkett case, might I also remind him of the fines imposed by magistrates on charges arising out of the march law. A colleague of mine has just brought to my notice the case in which a magistrate in Mareeba was told to put the lid on an issue that involved a member of Parliament on the Government side. I think it was an issue involving drugs, and it also related to a policeman who shot himself. Therefore, I again urge the Minister to look very carefully at the role of magistrates in this State.

I am aware, too, from my own knowledge, that magistrates were involved in discussions with the Public Service Board and the Department of Justice about the removal of rights of appeal. So they do have some involvement in the political arena.

Mr. Wilson: How many judgments by magistrates have been set aside?

Mr. WRIGHT: Numerous judgments have been set aside. At the second-reading stage I made the point that there has been constant criticism. It has become the done thing to appeal from decisions of the Magistrates Court because people do not accept the decisions, but many of the appeals are not upheld.

The point is that the Opposition prefers to have the decision-making power given to a judge of the District Court. I do not intend to go through all the reasons for that. I simply move the following amendment—

“On page 2, line 41, omit the words—

‘Stipendiary Magistrate’

and insert in lieu thereof the words—

‘Judge of the District Court in Chambers.’”

Hon. W. D. LICKISS (Mt. Coot-tha—Minister for Justice and Attorney-General) (12.55 p.m.): Mr. Acting Speaker—

Mr. R. J. Gibbs interjected.

Mr. LICKISS: When the honourable member is here a little longer, he will know the ropes better.

Mr. R. J. Gibbs interjected.

Mr. LICKISS: If the honourable member sat on his brains, he would really do better.

I think we have narrowed this down to a very serious stage so far as the utterances of the Opposition spokesman for justice are concerned. Not only has he in general terms branded the Magistrates Court service as being political, but he has now given instances of where that applies. If my memory serves me correctly, the person involved in the Plunkett case to which he referred was

the Chief Stipendiary Magistrate. I hope that the media will report suitably that the honourable member is accusing him of political patronage. I hope it will be noted, for what it is worth, that that is the official attitude of the Opposition towards the Magistrates Court service of this State. I hope that the Leader of the Opposition, who is in the House, will be proud of the representations made by the A.L.P. in this matter. It is disgusting that it should take place in this Assembly. The very basis of our parliamentary system is the upholding of justice in the State. Today, the Magistrates Court service, which in one form or another processes about 90 per cent of the matters coming before our courts, has been subjected to severe criticism by Opposition members. I hope the public generally will note, with utter disgust, the attitude of the Opposition to our Magistrates Court service.

I repeat that the Government of the State has every confidence in the impartiality of the Magistrates Court service, which functions in the interest of justice and in the interests of the State.

Mr. Jones: The Premier directed Ham Spicer to put the lid on it, and you attempted to—

Mr. LICKISS: I refer to the empty vessel from Cairns—

Mr. Jones: You can do what you like.

The TEMPORARY CHAIRMAN (Mr. Miller): Order! The honourable member for Cairns will come to order.

Mr. LICKISS: I hope that the honourable member will be quiet while I am discussing this very serious matter.

Whether it be referred initially to a judge of the District Court or to the Magistrates Court service, the Government is providing a right of appeal to a Supreme Court judge in chambers. A necessary inbuilt requirement in terms of a right of appeal is contained in this legislation.

For the reasons I advanced earlier, and the reasons I have now given, the amendment moved by the honourable member for Rockhampton is not acceptable.

Mr. LANE (Merthyr) (12.58 p.m.): While I am sure that Opposition members have some basic goodwill in this matter, the point is escaping them that it would be quite improper for the first hearing to be before a judge of any superior court, and for the matter to go back to the Magistrates Court. If after the first hearing before a magistrate it was decided that the prosecution was not an abuse of the process—that because it was not frivolous or vexatious it had validity and should go forward—it would go to a Magistrates Court for committal purposes. It would not be appropriate for a preliminary hearing to determine whether

a prosecution was valid or not to go to a District Court judge if it then had to go back to a magistrate. At the committal proceedings a magistrate might feel he had a responsibility to commit irrespective of the evidence put before him. He might find that he had some sort of instruction from the District Court judge (as proposed by the Opposition) that placed a burden on him to commit. He may feel that the judge's decision implies something more than just being non-vexatious, non-frivolous or not an abuse of the process.

Mr. Wright: Don't you have complete confidence in them, either? You tend to be doubting their independence.

Mr. LANE: Whose independence?

Mr. Wright: You tend to be doubting the independence of the magistracy by saying they will be influenced by District Court decisions.

Mr. LANE: Of course they will be. They could be influenced by District Court decisions. Therefore, we should not take the risk. It is proper to go before a magistrate, then a magistrate and then to a judge; not a judge, to a magistrate and back to a judge. The Opposition's proposal is rather ridiculous. Of course, we could not support it.

Hon. W. D. LICKISS (Mt. Coot-tha—Minister for Justice and Attorney-General) (1.1 p.m.): Mr. Miller—

The TEMPORARY CHAIRMAN (Mr. Miller): I call the honourable the Minister.

Mr. R. J. Gibbs: The Lane side-step.

Mr. Lane: You didn't side-step fast enough.

Mr. R. J. Gibbs interjected.

The TEMPORARY CHAIRMAN: Order! The honourable member for Wolston will come to order.

Mr. Lane: On the football field.

Mr. R. J. Gibbs interjected.

The TEMPORARY CHAIRMAN: Order! I do not intend to be ignored by any member in this Chamber. I called order. I called the name of the member for Wolston. He is not in his correct seat. I do not intend to be ignored, even at this late stage of the sitting.

Mr. LICKISS: It is unfortunate that, as Minister for Justice and Attorney-General, I have to hear in this place such disparaging remarks made of the magisterial service. It is significant that, for obvious political reasons, the Plunkett case was raised by the honourable member for Rockhampton. I was not going to comment on a number of matters related to that case. However, when casting aspersions on the Chief Stipendiary Magistrate, in his comparison between the

magisterial service and the District and Supreme Courts of our State, and in his accusation that political patronage must have persuaded the then Chief Stipendiary Magistrate to act—

Mr. Wright: You said that.

Mr. LICKISS: The honourable member said it.

Mr. Wright: You are saying it, and I am pleased you are agreeing.

Mr. LICKISS: The honourable member for Rockhampton was the one who raised the case. I just want to make this point. If he claims that the Chief Stipendiary Magistrate was so wrong and was motivated by political reasons in his handling of the Plunkett case, I ask the member for Rockhampton to explain why that decision was upheld by the Full Court of Queensland.

Mr. TENNI (Barron River) (1.3 p.m.): In rising to speak to this clause, I indicate that I support the Minister. However, after listening to the honourable member for Rockhampton I wish to protect the magistrates of this State. I am somewhat astounded that the honourable member would make that type of comment. I refer to the comments about the magistrate in Mareeba, who is a very honest and well-liked citizen of that town.

Mr. Casey: A member of the National Party.

Mr. TENNI: It is dreadful that the honourable member for Rockhampton would embarrass or try to shock the people of Mareeba—Labor supporters as well as National and Liberal Party supporters—by deliberately making statements denigrating that man's character.

The comment was made that the magistrate at Mareeba is a member of the National Party. To the best of my knowledge, he is a member of no party. To be honest, I would not know, but he is certainly not a member of the National Party and surely he would have sufficient brains not to be a member of the Labor Party. He is a man who represents the town in a fine, upstanding way.

It is shocking for the member for Rockhampton to state that the magistrate put the lid on a case in Mareeba or in any town that he visits. He travels right throughout the Gulf area. He serves the people in a proper and orderly manner that upholds the dignity of the court. I wish to make the people aware of the statement made by the member for Rockhampton and the interjections that have been thrown across the floor by the members for Cairns and Archerfield. They are disgraceful and disliked, and they will be disowned by the entire population of the area covered by that man's magisterial jurisdiction.

Mr. CASEY (Mackay—Leader of the Opposition) (1.5 p.m.): I have a few remarks to make, perhaps occasioned more by what the Minister has said than by anything else.

What we are looking for here, particularly because of the controversy that has surrounded this measure, is the fairest possible means by which we can now proceed to clarify the matter in the public mind.

There is no question about that. The honourable member for Rockhampton is referring to what is in the public's mind on this issue and as far as magistrates are concerned. I think that the Minister would be the first to concede, from the statistics that would be available to him in his department, that there are far more appeals against magistrates' decisions and far more appeals upheld than there are appeals against decisions of District Court judges. District Court judges, by tradition, law, legislation and everything else, are seen by the community to be a long way above the political or any other spectrum. Consequently, it is necessary that we place this legislation in that area. It is most important.

We are talking about the concern regarding statements by magistrates. The Minister is concerned about some of the things that they say about some aspects of the administration of his department. I can well recall a magistrate in the North stating in a case that he would not accept the signature of a justice of the peace, despite the Justices of the Peace Act and the Justices Act and the efforts that are made by the Minister, his department and members of Parliament to ensure that there are, in the community, people who are recognised as justices of the peace whose signatures can attest documentation or other matters. Yet a magistrate said that he would take no notice of the signature of a J.P.

Such things cause disquiet in the minds of the public. This matter should be placed in the hands of a District Court judge, not a Supreme Court judge. There is no way in the world that what the honourable member for Merthyr suggests would arise, that is, a District Court judge trying to direct or influence a magistrate in a case. All we are doing at this stage is seeking approval from a District Court judge in chambers to proceed with a case. That would be the only decision he would have to make at that stage. It would not go back to a District Court judge again. If it went to the Magistrates Court and there were problems there, it would go to the Supreme Court. We are looking at an area of the law that would be more neutral than any other area covered by this legislation. That is why the Opposition has adopted this approach.

Hon. W. D. LICKISS (Mt. Coot-tha—Minister for Justice and Attorney-General) (1.8 p.m.): I want to make a few remarks. It is patently clear that the Opposition realises the position it has been backed into by the honourable member for Rockhampton, who maligned the Magistrates Court service. The Leader of the Opposition now wants to pour a little oil on troubled waters

by saying in effect, "Our real opposition to the system is that we feel it might be better in the District Court."

The Opposition made it crystal clear that, in its view, the Magistrates Court service in this State is under political patronage. Let Opposition members deny that. The honourable member for Rockhampton appeared in headlines last night saying that magistrates are subject to political patronage.

Mr. Wright: It will appear in "Hansard".

Mr. LICKISS: The Leader of the Opposition, realising the very awkward political situation that the A.L.P. Opposition has been manoeuvred into, is now trying to pour oil on troubled waters. He will not get away with it. As the honourable member for Rockhampton said, it will appear in "Hansard", and I am more than ready to rely on the record.

[Sitting suspended from 1.9 to 2.15 p.m.]

Mr. WRIGHT (Rockhampton) (2.15 p.m.): Prior to the luncheon recess the Minister for Justice endeavoured to cast aspersions on me and to cause a split between the Leader of the Opposition and me on the attitude of the Opposition on this matter. I congratulate him for his effort, but unfortunately he failed. I say that because if he bothers to read the speech I made in the introductory debate and the one I made today he will see how I emphatically stated that the vast majority of magistrates endeavoured to maintain independence. The Minister went on, however, to question the desirability of transferring this responsibility to the District Court, and when that challenge is made one has to mention the reasons for public doubt.

I made the point that there has been constant criticism by senior members of the Police Force—and the Minister cannot deny that—and by judges, solicitors and members of the community. I have here a "Courier-Mail" article of 3 February 1979 headed, "S.M. bans evidence on police suicide". The library has not had the chance to classify all such matters, but I am told, and I completely depend on the correctness of the information given to me, that there has been a lot of criticism of magistrates. The Minister cannot simply present this aspect of the judiciary as lily-white. We realise that they are human beings. We realise that because of their method of appointment and their reliance on the Government for promotion they are open to political manipulation, and that is the point I made.

A Government Member: Oh, you're backing away.

Mr. WRIGHT: I am not. I intend to carry on.

As for the Plunkett-Petersen case, my comment was that it was disposed of in a way that created some concern. The Minister went on to say that the appeal to the Full Court was upheld, and I do not deny

that, but that does not discount the claim I made. I note that the honourable member for Barron River jumped to his feet and attempted to support the magistrate in the area. The honourable member for Cairns did mention to me that there were grave doubts in the Mareeba area about the O'Connor case. The criticism has been made that the magistrate did put the lid on the issue. If the Minister wants to regard mention of those cases as general criticism, that is up to him, but the point is that we are trying to achieve public confidence. We are trying to establish a principle here, and that is that the decision-making power in determining an application for dismissal is given to a person who is out of the political arena. The Minister must admit that the criticism of him was that he is a political being.

Mr. Lickiss: Surely you don't compare yourself to the magistrates? You are elected by the people.

Mr. WRIGHT: I accept that, but as the Minister for Justice, and this was the original criticism, he is liable to be bound by the decisions of Cabinet. He is subject to appointment, promotion or rejection by the Premier, and so his whole future depends on a political decision.

Mr. Lickiss: It is not a parallel case.

Mr. WRIGHT: There is a parallel. One can draw an analogy here. But whether or not one accepts the degree of the analogy, the point is that we can remove the decision-making power completely out of the political arena. That is the reason for our amendment, not because we have grave doubts about every magistrate. The Minister himself said that there was a need for greater expertise in the magistracy in Queensland. I remember that in answer to a question from me in this Chamber the Minister said that there are reasons, and good grounds, for allowing officers of the Crown Law Office and other sections of the Public Service to enter the magistracy without having experience in the circuits. It has been suggested by other members that experience as clerks of the court only does not fit them to become a magistrate.

So we come to the final point, and that is the one made by the honourable member for Merthyr. He suggests that if we support the concept of District Court judges' having this power of decision, then the magistrate may be indirectly influenced by the decision whether or not the case should be dismissed as frivolous or vexatious. In part the honourable member is saying that it is possible—he is not saying it will happen—for a magistrate to be influenced by a District Court judge. If that is so, then I suggest, and I think with good reason, that it is possible for magistrates to be influenced, not necessarily by District Court judges, but certainly by the political instrument that controls this State—the Government and also the Minister for Justice. I believe it is true

that that has happened in the past. So we urge acceptance of our recommendation, in the first instance because we believe it is a better alternative and, secondly, because it will achieve public confidence, which was not in evidence when the previous legislation was presented, and which, in the eyes of the Opposition, is desirable.

Mr. JONES (Cairns) (2.20 p.m.): It was not my intention to take part in the debate, but the Attorney-General attacked me and cut me to the quick. He also attacked my party. Therefore, I rise to defend myself.

I draw attention to the fact that the member for Barron River was very quick to jump to the defence of Ham Spicer, the stipendiary magistrate in Mareeba. Is it any wonder that he did? An article in "The Cairns Post" of 26 October 1978 dealt with the death of a police constable on the transfer list and with the full inquiry into his death by the Police Department. That policeman, who, I think, was the director of finance on the campaign committee of the honourable member for Barron River at the last election, shot himself because of his alleged involvement in the drug scene. "The Cairns Post" of 7 February 1979, in an article headed "Tenni backs coroner over inquest ruling", states—

"Member for Barron River, Mr. Martin Tenni, has applauded the decision by Mareeba coroner, Mr. Spicer, S.M., to suppress evidence given during the inquiry into the death of a Mareeba policeman.

"Mr. Spicer ordered the suppression last Wednesday after finding the death of Sen. Constable John Connor, 36, to be self-inflicted.

"Mr. Tenni said Mr. Spicer was to be congratulated on his ruling . . ."

Mr. Wright: They did put the lid on it.

Mr. JONES: Of course they put the lid on it. It was undue influence on a stipendiary magistrate.

An Opposition Member: By the National Party.

Mr. JONES: By the National Party—by a very high member of the National Party. In fact, I am advised that the Premier rang the magistrate direct. I make the allegation quite clearly in this Chamber that stipendiary magistrates have been unduly influenced. I make no bones about it.

At that time the Leader of the Opposition called on the Minister for Justice and Attorney-General (Mr. Lickiss) to make public the details of the inquest. He said—

"The release of the evidence is necessary after the astounding action by Mr. Spicer in prohibiting its publication."

Who again jumped to the defence of the magistrate? The then chairman of the Mareeba Shire Council, Mr. Cedric Davies, who just happened to be the director of finance on the campaign committee of the member for Barron River. The members of the public have had their say. Mr. Davies is no longer the chairman of the Mareeba Shire Council. He is no longer in control of that council. Councillors who supported him were defeated at the local authority elections on 31 March this year. So the people's voice has again been heard about undue influence being exerted.

I just wanted to put the record straight. Because the Minister made disparaging remarks about me, I felt that I had to rise to correct the false information that he has put before the Chamber this afternoon.

Mr. Casey: Wouldn't you say that the member for Barron River is likely to face the same fate as his campaign director?

Mr. JONES: Indubitably. He is a gone coon. His campaign director has gone; he is on the list to go.

Hon. W. D. LICKISS (Mt. Coot-tha—Minister for Justice and Attorney-General) (2.24 p.m.): I again thank honourable members opposite for confirming the statements I made this morning about their opposition to the Magistrates Court service and their condemnation of it. What we have now heard is a further condemnation of the Magistrates Court service and certain magistrates who can be identified, and who, I am sure, will heed the remarks of the honourable member about their being subject to political patronage.

Before the luncheon recess I was pointing out the peculiar political predicament into which the A.L.P. Opposition had manoeuvred itself in this debate in its abject criticism of the Magistrates Court service and of the magistrates as a basis of its advocacy for the amendment to clause 3.

The honourable member for Rockhampton, in referring to the Plunkett case as an example, went to the extent of identifying the Chief Stipendiary Magistrate, Mr. Latchford, as one coming within the category of political patronage and having all the other faults attributed to the service of the magistrates. I again place on record that the decision of the Chief Stipendiary Magistrate, Mr. Latchford, in the Plunkett case was upheld by the Full Court of the Supreme Court, constituted by three Supreme Court judges, in that case the Chief Justice of Queensland and two other puisne judges.

That is the level of argument to which the Opposition stoops. I think the facts show the futility of its argument. Having a little

political nous, the Leader of the Opposition realised the tremendous damage that his colleague's utterances and condemnation of the Magistrates Court service had already done this morning to his party's standing in the community. He tried desperately, but with complete futility, to salvage the position. What right-thinking person could be persuaded to follow the Opposition's propositions based on a condemnation of a very valuable part of the system of justice in this State? If the honourable member for Rockhampton and the Leader of the Opposition were seriously considering a District Court judge as an alternative, one would have thought that they would have put forward a more reasoned argument rather than stoop to a cowardly personal attack on members of the Magistrates Court service who, as they well know, by virtue of their office, cannot reply to their criticism. Surely this is bordering on being a breach of privilege in the Assembly.

Mr. Wright: Who wrote that rubbish for you?

Mr. LICKISS: I don't need anyone to write for me what I want to say. The honourable member should well know that. Probably the pains of panic are now racking his frame.

The attack of the Opposition on the Magistrates Court system in Queensland is not only unbelievable, completely untrue and cowardly but also, under the circumstances, quite disgusting. I again place on record the utmost confidence and esteem of the Queensland Government in the Magistrates Court service, the District Court service and the Supreme Court service of our State, and the services rendered to our State by those various courts.

For the reasons already given, the amendment is not acceptable to the Government.

Mr. TENNI (Barron River) (2.28 p.m.): I wish to comment on the remarks made by the honourable member for Cairns. He said that the chairman of the Mareeba Shire Council, Cedric Davies, was my campaign finance director. I think those were the words he used. I make it quite clear that the chairman of the Mareeba Shire Council is still the chairman of the Mareeba Shire Council. I would like to call the honourable member a liar, but that is unparliamentary so I will just explain to the Assembly and the people of the Cairns electorate that the honourable member for Cairns has a terrible habit of telling deliberate untruths. The chairman of the Mareeba Shire Council, Cedric Davies, was not on my campaign committee, let alone my campaign director. He was the chairman of the Mareeba Shire Council prior to the last council election; he still is chairman of the Mareeba Shire Council, contrary to what the honourable member for Cairns said. The people of the Cairns electorate and

the people of my electorate would know that they should take the words uttered by the honourable member for Cairns as completely untrue, completely false and typical of the actions of the honourable member for Cairns.

Question—That the words proposed to be omitted (Mr. Wright's amendment) stand part of the clause—put; and the Committee divided—

AYES, 36

Ahern	Kippin
Armstrong	Lane
Austin	Lickiss
Bertoni	Lockwood
Bird	McKechnie
Bishop	Moore
Booth	Muller
Bourke	Neal
Camm	Newbery
Campbell	Porter
Edwards	Row
Elliott	Scassola
Goleby	Simpson
Greenwood	Tenni
Hartwig	Tomkins
Hewitt, N. T. E.	
Hodges	<i>Tellers:</i>
Innes	Turner
Katter	Warner

NOES, 19

Burns	Scott
Casey	Shaw
D'Arcy	Underwood
Davis	Warburton
Fouras	Wilson
Gibbs, R. J.	Wright
Hansen	
Jones	<i>Tellers:</i>
Kruger	Hooper, K. J.
Mackenroth	Vaughan
Milliner	

PAIRS:

Bjelke-Petersen	Houston
Wharton	Yewdale
Lec	Blake
Sullivan	Prest

Resolved in the affirmative.

Clause 3, as read, agreed to.

Clause 4, as read, agreed to.

Bill reported, without amendment.

THIRD READING

Bill, on motion of Mr. Lickiss, by leave, read a third time.

SPECIAL ADJOURNMENT

Hon. T. G. NEWBERY (Mirani—Leader of the House): I move—

“That the House, at its rising, do adjourn until 11 o'clock a.m. on a date to be fixed by Mr. Speaker in consultation with the Government of this State. Mr. Speaker shall, not less than seven days prior to the meeting date so fixed, give notification of such meeting date to each member of the House.”

Motion agreed to.

The House adjourned at 2.43 p.m.

BILLS ASSENTED TO AT CLOSE OF
SESSION

The following Bills, having been passed by the Legislative Assembly and presented for the Royal Assent, were assented to in the name of Her Majesty on the dates indicated:—

(8 June 1979)—

Real Property Acts Amendment Bill;
Trusts Act Amendment Bill;
Queensland Art Gallery Act and Other Acts Amendment Bill;
Libraries Act Amendment Bill;
Roads (Contribution to Maintenance) Act Amendment Bill.

(20 June 1979)—

Wivenhoe Dam and Hydro-electric Works Bill;

(20 June 1979)—continued—

Brisbane and Area Water Board Bill;
City of Brisbane Town Planning Act Amendment Bill;
Local Bodies' Loans Guarantee Act Amendment Bill;
Local Government Act Amendment Bill;
Medical Act Amendment Bill.

(26 June 1979)—

Gold Coast Waterways Authority Bill;
Clean Waters Act Amendment Bill;
Liquor Act Amendment and Liquor License Fees Adjustment Bill;
Money Lenders Act Amendment Bill;
Chiropractic Manipulative Therapists Bill;
Justices Act Amendment Bill.

 PROROGATION

On 5 July 1979 the following Proclamation was issued by His Excellency the Governor:—

A PROCLAMATION by His Excellency Commodore Sir JAMES MAXWELL RAMSAY, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Commander of the Most Excellent Order of the British Empire, upon whom has been conferred the Decoration of the Distinguished Service Cross, and Commodore in the Royal Australian Navy (Retired), Governor in and over the State of Queensland and its Dependencies in the Commonwealth of Australia.

[L.S.]

J. M. RAMSAY,
Governor.

In pursuance of the power and authority vested in me, I, Sir JAMES MAXWELL RAMSAY, the Governor aforesaid, do, by this my Proclamation, prorogue the Parliament of Queensland to Tuesday, the Twenty-fourth day of July, 1979.

Given under my Hand and Seal at Government House, Brisbane, this fifth day of July, in the year of Our Lord one thousand nine hundred and seventy-nine, and in the twenty-eighth year of Her Majesty's reign.

By Command, L. R. EDWARDS.

GOD SAVE THE QUEEN!