Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

WEDNESDAY, 23 MARCH 1988

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Mr SPEAKER (Hon. L. W. Powell, Isis) read prayers and took the chair at 2.30 p.m.

PETITIONS

The Clerk announced the receipt of the following petitions—

Installation of Traffic-lights at Corner of Colburn Avenue and Redland Bay Road, Victoria Point

From **Mr Clauson** (935 signatories) praying that the Parliament of Queensland will ensure immediate installation of traffic-lights at the corner of Colburn Avenue and Redland Bay Road, Victoria Point.

Road Bridge to Russell Island

From **Mr Clauson** (482 signatories) praying that the Parliament of Queensland will provide for a road bridge linking Russell Island and the mainland to ensure increased productivity and employment.

Increased Education Funds, Redland Bay State School

From **Mr Clauson** (16 signatories) praying that the Parliament of Queensland will ensure an increase in education funds especially in relation to the Redland Bay State School.

Introduction of Poker Machines

From **Mr McPhie** (26 signatories) praying that the Parliament of Queensland will not introduce poker machines.

Extension of Drinking Hours

From **Mr McPhie** (44 signatories) praying that the Parliament of Queensland will not increase existing drinking hours.

Bundaberg Child Health Centre

From **Mr Campbell** (60 signatories) praying that the Parliament of Queensland will increase staff at the Bundaberg Child Health Centre.

Teacher Aide Hours

From **Mr Littleproud** (115 signatories) praying that the Parliament of Queensland will reverse the Budget decision on cut-backs in teacher aide hours.

Entry into Australia of Italian MP, Ms Staller

From **Mr Gately** (264 signatories) praying that the Parliament of Queensland will take action to prevent entry into Australia of Ms Staller, an Italian MP.

Petitions received.

PAPERS

The following papers were laid on the table—

Proclamation under the Public Service Act 1922-1978

Orders in Council under—

Financial Administration and Audit Act 1977-1981

Breakwater Island Casino Agreement Act 1984

Primary Producers' Organisation and Marketing Act 1926-1987

Regulation under the Public Service Act 1922-1978 and the Public Service (Board's Powers and Functions) Act 1987

Rules under the Casino Control Act 1982

Report and Supporting Papers of the Royal Commission into Grain Storage, Handling and Transport.

MINISTERIAL STATEMENT

Level of Industrial Disputes

Hon. V. P. LESTER (Peak Downs—Minister for Employment, Training and Industrial Affairs) (2.34 p.m.), by leave: Queensland had the lowest level of industrial disputes in Australia for the 12 months ended October 1987. In that period Queensland lost 91 days per 1 000 employees—the lowest of any State. Those figures, compared to——

Mr Milliner: Are you counting Russ Hinze?

Mr LESTER: I thought that this would be something that all honourable members could celebrate together.

The figures for other States are: South Australia, 96; Tasmania, 160; Western Australia, 243; and Victoria 258. And why was the New South Wales Government defeated on Saturday? The figure for New South Wales is 333 working days lost per thousand employees. Overall, 76 500 working days were lost in Queensland, which is only 5.5 per cent of all working days lost in Australia although Queensland has 16 per cent of the total population of Australia.

This figure shows that the Queensland Government's policies are working better than the policies of any other State Government. It will be more attractive for manufacturers to move their operations to Queensland, particularly when this figure is backed up by the lowest workers' compensation premiums in Australia. The Government's general industrial policies will increase employment, so let us work together and make sure that these good figures continue.

MINISTERIAL STATEMENT

Mr V. Moss, All Refrigeration Service

Hon. V. P. LESTER (Peak Downs—Minister for Employment, Training and Industrial Affairs) (2.36 p.m.), by leave: My second ministerial statement is not quite as pleasant as my first.

I wish to draw to the attention of the House the activities of Victor Moss, who is the owner-manager of All Refrigeration Service, located at 24 Juliette Street, Annerley.

Mr Burns: He's been around for 15 years. You've never done anything about it. It's an indication of your failure to control that bloke. He's been doing that for 15 years.

Mr LESTER: The honourable member for Lytton is dead wrong.

There have been 67 complaints lodged with the Consumer Affairs Bureau concerning unsatisfactory dealings with this man in the last two financial years. Additionally, a number of complaints have been lodged with the Small Claims Tribunal during the same period. The majority of these complaints concern either the non-supply of new refrigerators or the late return of refrigerators placed with Mr Moss for repair. In all instances the consumers have been required to pay cash amounts of up to $1,370 in advance and have had to wait an average of 6 months for delivery.

Since the early seventies Mr Moss has received several warnings from the Consumer Affairs Bureau. He tends to comply for several months until complaints again begin to

emerge. Mr Moss has avoided being publicly named during the past two years by resolving complaints as soon as the complaint comes to the bureau's attention. However, as soon as one complaint is resolved more are received.

Mr Moss is currently in breach of an agreement made with the Consumer Affairs Bureau in October 1987. He has previously operated under the names Refrigerator Repairs and Maintenance Company, D.J.'s Appliances, and D.J.'s Trade-in Centre. Based on Mr Moss' track record, which was mentioned in the 1972-73 and 1982-83 Consumer Affairs Bureau annual reports and the growing number of complaints over the past two years, consumers should be warned not to deal with All Refrigeration Service in the future. That is why I have taken the step of bringing this matter to the attention of the Parliament, so that the public knows once and for all not to deal with this person.

MINISTERIAL STATEMENT

Consumers' Privacy Rights; Junk Mail

Hon. P. J. CLAUSON (Redlands—Minister for Justice and Attorney-General) (2.39 p.m.), by leave: Following the State Government's release of a Green Paper on the Invasion of Privacy Act 1971-1981, the Privacy Committee has examined the submissions which addressed that part of the Green Paper on unsolicited advertising material commonly referred to as junk mail.

The committee has prepared guide-lines to cover consumers' privacy rights in the distribution of unsolicited advertising material, which I have endorsed. These guide-lines are also supported by the Australian Direct Marketing Association and the Retailers Association of Queensland Ltd. The guide-lines highlight the accepted procedures that retailers and direct marketers will adhere to, as well as giving details of how consumers may stop further deliveries of unsolicited advertising material. The guide-lines also cover details about consumer complaints and where they should be directed.

Copies of the guide-lines may be obtained by writing to the Secretary, Privacy Committee, GPO Box 1601, Brisbane, 4001, or during office hours from either the 1st Floor, State Law Building, Corner George and Ann Streets, Brisbane or any courthouse in country areas.

Other issues such as credit information, territorial privacy, licensing procedures and sanctions, to mention a few, are the subject of discussions between the Privacy Committee and interested groups and I look forward to receiving the committee's recommendations in the near future.

I commend the Privacy Committee for the way this matter has been resolved and I am confident that the approach which has been developed will meet with success. However, both I and the committee will keep the implementation of the guide-lines under review.

MINISTERIAL STATEMENT

Auditor-General's Report on Aboriginal and Island Councils

Hon. R. C. KATTER (Flinders—Minister for Northern Development, Community Services and Ethnic Affairs) (2.41 p.m.), by leave: Some media reports about the latest statement from the Auditor-General on the accounting procedures of Aboriginal and Islander communities have been less than fair to people, most of whom have been working hard and trying hard to do the right thing.

Whilst it is accurate to say there have been problems, a considered reading of the report would elicit a more optimistic response to the remarkable improvements recorded by the communities. The Auditor-General himself said that the audits revealed a noticeable overall improvement in the performance of the 15 mainland councils. Whereas in the previous six months 11 councils received qualified certificates, in the current

period only four were in that position, the rest having resolved their difficulties. I must add that they encompassed some 20 000-odd of the 23 000 people living on the communities. Of the 3 000 people living on the islands, the same number got qualified statements as detailed in the previous report.

The progress made in this regard has been truly remarkable. Some time ago I predicted that, unless accounting procedures became more rigorous, the councils would face the ultimate penalty—an administrator.

In his report the Auditor-General emphasised that his comments should not be construed as criticism of the councils. He described them as generally co-operative and added—

> "These latter audits revealed a noticeable overall improvement in the performance of the 15 Aboriginal Councils and this was reflected in a lower level of qualified audit certificates (four in respect of the five month period compared with ten for the previous period). The overall position with Island Councils remains essentially the same . . .
>
> I think it important that, at this point, I stress that my comments should not be interpreted as a criticism . . . at all times, responded in a positive and constructive way to audit representations and such improvements as have been achieved are due in no small measure to the increased activities of departmental officers in the provision of assistance and guidance . . ."

I emphasise to the House that no public moneys have gone astray or have been disclosed as going astray in the Auditor-General's report. In nearly all instances the problems relate to the operations of the beer canteens. This means the moneys are community funds, not tax-payers' money. Of course, the canteens are not controlled by the Government in any way, shape or form, nor does the Government wish them to be.

I am talking about a new system of self-management. My department intends to get an outside leading accountant to advise on an acceptable program and then to have that program agreed to by the relevant councils. If that is not adhered to, under a monthly checking, the council's performance would be referred to Cabinet and the position of that council considered.

I plead with people to understand the difficulties of some of these people moving from a primative, bush existence, where many had parents who could not read or write, to implementing sophisticated, modern-day, Government accounting standards demanded by everyone in the House. I plead for the patience of people in this House and refer to the production figures from these areas to prove the incredible success story that has been achieved with self-management in these areas.

PRIVILEGE

Rezoning Application by Mr T. Paulsen; Release by Minister for Local Government of Information to Member for Callide

Mr CAMPBELL (Bundaberg) (2.45 p.m.): I rise on a matter of privilege. Last week in the House, the member for Callide asked a question on notice of the Minister for Local Government in which reference was made to representations made to the Minister regarding a rezoning application on behalf of Mr Paulsen of Bundaberg.

I spoke to Mr Paulsen, who advised me that he had not made representations to any National Party State member—particularly the member for Callide—in this matter.

The Federal member for Hinkler, my constituent, the Local Government Minister and his department knew of those representations. The question is: who provided the information to the member for Callide concerning this private correspondence to the Minister? The logical conclusion is that the Minister or his department leaked that private information to the National Party back-bencher.

Mr AUSTIN: I rise to a point of order. From the member's explanation so far, I fail to see that he is attempting to explain anything personally at all.

Mr Stephan interjected.

Mr SPEAKER: Order! The member for Gympie.

Mr Palaszczuk interjected.

Mr SPEAKER: Order! The member for Archerfield.

At this stage I cannot see the matter of privilege that the member for Bundaberg is raising. Would he please explain how he thinks his privilege or the privilege of the Parliament has been violated?

Mr CAMPBELL: The matter affects the privilege of all members of the Parliament, as we can no longer be assured that personal correspondence from members to Ministers will be treated with respect and trust. A great breach of confidentiality has occurred.

Mr SPEAKER: Order! The matter that the member is raising does not appear to me to be a matter of privilege. He is obviously making a personal explanation.

An Opposition member: A matter of propriety.

Mr SPEAKER: A matter of propriety is different from a matter of privilege. I am concerned with the privileges of the Parliament. If the honourable member still feels that it is a matter of privilege, I suggest that he see me privately later. He will then have the opportunity of raising it in the Parliament at a later time.

Mr CAMPBELL: Mr Speaker, I seek leave to make a personal explanation.

Mr Veivers interjected.

Mr SPEAKER: Order! The member for Southport.

PERSONAL EXPLANATION

Mr CAMPBELL (Bundaberg) (2.47 p.m.), by leave: I refer to a question asked last Thursday in which the answer referred to me regarding representations made by the Federal member. In those representations, leaked private confidential correspondence was given to a National Party back-bencher. I believe that was a misuse of personal correspondence between a Minister and a constituent.

Mrs NELSON: I rise to a point of order. I cannot find what Standing Order this type of explanation comes under in terms of a personal explanation.

Mr Scott interjected.

Mr SPEAKER: Order! The member for Cook.

Mrs NELSON: The member for Bundaberg has not yet raised any matter that relates to a personal explanation from him. He is speaking about a member of another Parliament. I would like to know when he is going to make a personal explanation.

Mr Palaszczuk interjected.

Mr SPEAKER: Order! The member for Archerfield. If honourable members would be patient, they may find out how the member for Bundaberg is personally affected.

Mr CAMPBELL: In the reply to the question—in information that was provided from what I regard as being private and confidential correspondence—my name was mentioned in an attempt to embarrass me by insinuating that I was not doing my job. I found that offensive. Furthermore, and more importantly, the Minister has betrayed my constituent by attempting to embarrass me. Is that the Ahern Government's version of freedom of information?

QUESTIONS UPON NOTICE

1. Fitzgerald Commission of Inquiry, Allegations by Former Inspector A. Jeppesen

Mr GOSS asked the Deputy Premier, Minister for Public Works, Main Roads and Expo and Minister for Police—

"With reference to correspondence he received in 1986 from former Licensing Branch inspector, Alex Jeppesen, containing allegations of extensive police corruption which had been given to former Premier, Sir Joh Bjelke-Petersen, eight years earlier, and to statements made by him in October 1987 in which he said he had utmost faith in the acting Police Commissioner, Ron Redmond, whom he described as a long-standing friend of his family and a police officer of the highest integrity and achievement, and without canvassing any of the facts or allegations before the Fitzgerald Inquiry—

(1) Did he take the Jeppesen allegations seriously?

(2) If, at that stage, he did not feel confident in raising the claims with the then Commissioner, did he raise the claims with Mr Redmond as a person he could trust implicitly and, if so, what were the results of that approach?"

Mr GUNN: (1 and 2) The matters the honourable member has raised were, I understand, the subject of a Supreme Court writ. Mr Jeppesen has apparently given evidence at the commission of inquiry concerning these issues, and in the circumstances I do not propose to comment further. Information is to hand that Mr Jeppesen's representations of 27 August 1986, through his legal advisers, have been referred to the office of the commission of inquiry.

2. Wildlife in Brisbane Forest Park

Mr FITZGERALD asked the Minister for Environment, Conservation and Tourism—

"As the Brisbane Forest Park is an enormous park area at Brisbane's doorstep, what efforts have been made to make sure that wildlife is conserved in the face of such heavy visitation and a nature-based recreation destination is maintained by his departments?"

Mr MUNTZ: Brisbane forest park is 25 000 hectares in area and is visited by over 1.6 million people each year. It is true that the park is enormous and that it is very popular, both with local visitors and tourists. No other capital city in Australia has on its doorstep a park as large as Brisbane forest park.

There seems to be confusion in the minds of some people about who is responsible for operating the park. I want to make it absolutely clear that the park was an initiative of this Government and that its management is a responsibility of this Government.

The Brisbane forest park is a recreational haven for the citizens of Brisbane and surrounding areas. A drive through the park any week-end reveals the extent of the usage of the park. Family groups make great use of the facilities provided for their enjoyment and recreation at the various recreation areas and look-outs in the park.

The park authority has embodied in its Act a charter to conserve the park environment. Careful planning and extensive research has ensured that the wildlife within the park is protected.

Having regard to the detail in the balance of the answer, I seek leave to have it incorporated in *Hansard.*

Leave granted.

The authority has funded major studies into the floral, faunal and cultural resources of the park. Commencing in about 1982, major surveys were commissioned into reptile, bird and

aquatic life in the park. In more recent years, a number of research grants have been allocated to fund work on—

- The effects of bush fires on small mammals;
- Birdlife in Lantana thicket undergrowth;
- Surveys on platypus and bat populations in the park; and
- An entomology survey.

A major botanical study of the park was carried out by the authority in 1981 and 1982 and ongoing projects have been undertaken since then.

This work has included—

- The identification of rare and endangered species, and species of local or regional significance;
- The likelihood of damage to plant species from recreational use; and
- The effects of fire on the forest and the regeneration of the forest after the completion of work associated with road building and the construction of power-line easements.

The information gathered is fed into the planning process to ensure that forest areas in the park are protected.

The authority has developed a planning process that includes the use of computers to assist in decision-making. The computer enables the planning staff to quickly handle very large amounts of information relating to any particular site.

Another advantage of the use of computers is that changing policies of land use can be fed into them without the need for major replanning work. The cost savings are obvious.

Prior to undertaking any new developments, the authority undertakes environmental surveys and also consults with officers of the Queensland National Parks and Wildlife Service and Department of Forestry for specialist advice.

A key element in the compatibility of resource protection and recreation use is the design of facilities. Recreation areas, if sensitively designed and managed, can withstand high levels of use without significant environmental damage. Any members who have visited Brisbane forest park could support my comments.

Public education is another important part of park management and resource protection. Brisbane forest park places considerable priority on education—about one-third of the total budget is allocated to public information and education. Through programs such as Go Bush, Bush Ranger tours and school education programs, the authority is developing environmental awareness in the community. This awareness will lead to more appreciative use of park environments.

3. Transfer of Sergeant R. Metcalfe from Cairns to Woolloongabba

Mr BURNS asked the Deputy Premier, Minister for Public Works, Main Roads and Expo and Minister for Police—

"With reference to the compulsory transfer of Sergeant Dick Metcalf from Cairns Police to Woolloongabba following the laying of three minor departmental charges for late correspondence by Superintendent Dorries—

(1) Did the transfer come through, as claimed in *The Cairns Post* of 22 March, just after Metcalf gave evidence to the Fitzgerald Inquiry about the alleged improper and illegal activities of Superintendents Dorries and Farrah?

(2) Do such minor departmental charges involving late correspondence normally involve a small fine and do staff shortages in the Police Department mean that this is a very common problem throughout the system although in this case the Department is unusually willing to pay the thousands of dollars in transfer costs in what appears to be an attempt to make an example of Metcalf?

(3) Is he also aware that Metcalf is a highly respected Police Officer in the Cairns district, having helped set up the Juvenile Aid Bureau, the Police Youth Club and the Blue Light Disco and is a member of numerous community groups and that this transfer against his wishes seems to be nothing more than an act of vindictiveness by Dorries following Metcalf's evidence to the Fitzgerald Inquiry?

(4) As he is on record as saying police witnesses appearing before the Fitzgerald Inquiry would not be harassed or face departmental victimisation, will he investigate this highly suspicious transfer?"

Mr GUNN: (1 and 2) The Acting Commissioner of Police has advised me that Sergeant Metcalfe signed a misconduct and punishment sheet on 15 March 1988 to the effect that he has reserved his right of appeal against his conviction and punishment in relation to those matters under the Police Act and Rules. In all fairness to the sergeant, I do not propose to comment on the issues at this time. All issues relating to the police investigation into the breaches of the Police Act and Rules committed by the sergeant have been referred to the commission of inquiry.

(3) Yes. I understand that Sergeant Metcalfe is a well regarded police officer at Cairns and does have an involvement in youth and community activities.

(4) See (1 and 2).

4. Brisbane River Committee

Mr STEPHAN asked the Minister for Environment, Conservation and Tourism—

"With reference to the establishment by State Cabinet of the Brisbane River Committee in 1986—

(1) With what mandate was it endowed?

(2) What are its aims and objectives?

(3) How effective has that committee been in carrying out its directive to promote a floral waterway for Brisbane?"

Mr MUNTZ: Having regard to the significance of question 5, I table the answer to question 4 and seek leave to have it incorporated in *Hansard.*

Leave granted.

Whereupon the honourable member laid on the table the following document—

Answer—

(1 & 2) In April 1986 the Queensland Government established the Floral Waterway Advisory Committee to investigate and co-ordinate the beautification of the river banks. As Expo approached, it became apparent that increased involvement was necessary from a Government point of view as to the future direction and uses of the Brisbane River.

The Brisbane River Committee was therefore formed by Cabinet, under the original chairmanship of Mrs Leisha Harvey. Since her elevation to Cabinet, Mrs Harvey has been replaced by Mrs Beryce Nelson, Member for Aspley who has continued the Committee's role which is to:—

- advise State Cabinet on decisions which will have a direct effect on the River;
- liaise with development companies with a view to planned strategies for the River;
- co-ordinate River beautification projects.

The Committee's area of responsibility extends from the Apollo Ferry at Hamilton to the Six Mile Rocks at Yeronga.

(3) I believe the Brisbane River Committee has been most effective in its activities to beautify the Brisbane River. Major tree plantings have been instigated at St. Lucia and Kangaroo Point. Major riverside developers have been guided by the Committee to provide a co-ordinated landscaping theme for individual building projects on the river and the Committee has approached individually more than 300 private residents living on the banks of the lower Brisbane River encouraging them to participate in its "Plant a Tree" scheme.

In all of these plantings, costs to the State taxpayer have been minimal as the Committee seeks and enlists the support of many community groups when conducting tree plantings on the river banks.

The river has the potential to be not only a transport corridor but a means of access to and sightseeing of the major attractions of the City, including Expo, the spectacular river bends and the tranquil green banks of the upper reaches such as Lone Pine.

The good work of the Committee will be taken up by private enterprise as the tourist industry realises that the Brisbane River has great potential for even more activities. We, as a Government, must ensure that along with such increased useage, the River's majesty is not placed in jeopardy.

5. World Heritage Listing, Effect on New South Wales Elections and Queensland Local Government Elections

Mr STEPHAN asked the Minister for Environment, Conservation and Tourism—

"What effect did the anti-World Heritage opposition have on New South Wales State seats in the recent State elections and Local Government elections in Queensland?"

Mr MUNTZ: The New South Wales election result was a disaster for the ALP in every seat where forestry was an issue. North Queensland timber communities had undertaken a massive letter-writing campaign in key New South Wales marginal seats and the outcome was massive swings against the Unsworth Government in all seats where letters were directed.

Senator Richardson's determination to throw north Queensland workers out of a job for the sake of a deal with southern yuppies is politically incompetent. Responsible Ministers in the Federal Government have to take action to stop Richardson being influenced by a loud-mouthed, minority group of environmental zealots.

The former Labor Government in New South Wales locked up productive rainforests in the north and south of that State. It paid dearly for this madness. There was an anti-Labor backlash in the northern seats of Ballina, Lismore, Murwillumbah, Northern Tablelands and an equally strong backlash in the southern seats of Bega, Monaro and Burrinjuck where two Ministers were unseated.

The unemployment impact of conservation decisions was delayed until recently. However, when this impact became obvious, traditional Labor supporters turned away in their thousands. In 22 New South Wales electorates covering the timber industry, the ALP suffered swings of up to 20 per cent against it. The timber industry campaign has been a decisive success, while the environmental lobby's campaign has been a total failure. Labor had lost in every seat targeted by the timber industry. There is a message here for the north Queensland ALP members of this Parliament.

It is obvious that the rats are scrambling off and deserting a sinking ship—Brown, Young and Cohen, to name but a few. Mr Hawke is on his way out, and Warburton is gone. They have all read the message. Labor members and candidates face the same fate in Queensland. Members of the Opposition face the same fate unless they wake up to themselves.

While the Queensland Government is prepared to work with responsible conservationists, it rejects outright the extremists of the environmental lobby whose fodder is jobs and whose radical policies place at risk the future economic well-being of Queensland. This selfish and greedy minority failed in its attempt to determine the future of politics in New South Wales. These people who treat the constitutional rights of the States, the principle of private ownership and control of land and the rights of the individual as irrelevant or of no importance will properly face the wrath and indignation of the common citizen. Radical environmentalists last week-end cost Labor government in New South Wales.

Senator Richardson's strategy is unacceptable to the Australian electorate. There was an overall 10 per cent swing to conservative politics in New South Wales, but a 20 per cent swing in timber areas. Senator Richardson is now trying to pass the buck by turning on the gun lobby, just one area that created the avalanche of protests against Labor. He still will not face the fact that the people of Australia are right and that he is wrong.

The extent of the environmental lobby's failure is indicated by the following facts—

- The environment group polled only 1.3 per cent in the Legislative Council—considerably less than other independent groups.
- Its efforts resulted in a disaster for the ALP in south-east New South Wales, where the ALP lost heavily over national park decisions in Albury, Burrinjuck, Bega and Monaro.
- The marginal coalition seat of Goulburn, which is near Canberra, has been converted into a safe coalition seat.

The environmental lobby has been shown as electorally insignificant.

The environmental lobby claimed that the election would be seen as a referendum on their policies. The result shows that the public rejected their extreme policies. While Labor chased middle-class greenie voters, it lost traditional support. Opposition members know that, too.

Nick Greiner personally thanked timber communities for their vital support. Before he claimed victory on Saturday night, he contacted a survival group in the Eden-Monaro district to congratulate them on their efforts. The timber-workers in that district had been involved in widespread TV advertising, mass rallies, letter-box dropping and manning of polling booths. The local communities had been joined by the National Forests Protection Society.

Turning now to the effect of World Heritage listing on the municipal elections in far-north Queensland, the outcome was that the New South Wales result was repeated.

In Cairns, World Heritage listing was not an issue during the Cairns campaign, and that has been readily admitted by the new Mayor.

In Mulgrave, the status quo remains. The Mulgrave Shire has been strongly opposed to World Heritage listing from the beginning.

In the Douglas Shire, Councillor Tony Mijo was returned as chairman. He is totally opposed to World Heritage listing. The position is largely the same as it was before the election.

All tableland shires remain totally opposed to World Heritage listing. In the Mareeba Shire, the ALP lost one sitting councillor and another is in dire straits, with the result dependent on a handful of postal votes.

The Atherton Shire remains opposed to World Heritage listing, as do the Eacham and Herberton Shires.

In Johnstone Shire, all five ALP councillors who supported World Heritage listing were removed. The council's stance will change significantly at its next meeting. That is an important and significant result. The ALP councillor who stood for the chairmanship of Johnstone Shire received a dismal 14.5 per cent of the vote. He was pro-World Heritage listing. The returned chairman received 68.8 per cent of the vote.

In Cardwell Shire, the status quo remains. The council is opposed to World Heritage listing.

It is difficult to gauge swings in the voting patterns as some ALP members ran under a deceitful disguise as Independents. However, it is true to say that north Queenslanders made it abundantly clear they have had enough of the Hawke centralist Government and their Labor boot-lickers in Queensland.

Mr John Gayler needs a swing of only 2 per cent to lose Leichhardt in the next Federal election. He realises that defeat is inevitable and has already thrown in the towel. He has calculated that he is entitled to the golden handshake this term—not many people know this—and he could not care less about not standing or being defeated at the next Federal election. Labor will simply nominate another faceless member for Leichhardt at the next election. The fate of Mr Bill Eaton, the member for Mourilyan; Mr Keith De Lacy, the member for Cairns; the Townsville nobodies, Smith and

McElligott; and north Queenslanders Scott, Smyth and Casey, is inevitable—they are doomed to defeat at the next State election.

Opposition members interjected.

Mr MUNTZ: Opposition members should transpose the New South Wales results.

The conservative steamroller is on the move. It flattened Labor in New South Wales and side-swiped it in Victoria and Western Australia. The same will happen in South Australia this Saturday. I forecast that those results are the beginning of the end for Labor. Senator Richardson must now realise that he cannot treat people, particularly those in north Queensland, with the contempt and disdain with which he has treated them, and Opposition members must realise that that is quite true. He has two alternatives: he can either see sense immediately, by withdrawing nomination of north Queensland rainforests under World Heritage listing, or have the ALP thrown out of office around Australia as a result of incurring the wrath of the average Australian.

Mr SPEAKER: Order! I call the member for Broadsound.

Mr HINTON: I was just waiting for the noise to die down. I ask question No. 6. However, the Minister is absent, so I will put that question on notice.

Mr SPEAKER: Order! The honourable member for Broadsound is not controlling the Parliament. If he would sit down and listen occasionally, he might know what is going on.

6. Strategic Plan, Livingstone Shire Council

Mr HINTON asked the Minister for Local Government and Racing—

"With reference to the Livingstone Shire Council's strategic plan which is currently being processed by the Department of Local Government—

(1) What stage has this process reached?

(2) When will the strategic plan be ready for display for public comment?"

Mr AUSTIN: On behalf of my absent colleague the Minister for Local Government and Racing, the answer is as follows—

(1) The council has submitted to my department for examination a substantial number of proposed changes to the town-planning scheme, including a proposal to implement a strategic plan. The changes are wide-ranging and need to be properly assessed, particularly in the context of the whole of the town-planning scheme documents.

(2) The review of the documentation referred and discussions with the council are likely to take some time and, having regard to current resources within the Department of Local Government, it is not possible at this time to estimate the likely public exhibition date of the proposed amendments.

The honourable member may rest assured that my department will expedite the matter.

7. Reconstruction Program, Dingo-Mount Flora Road

Mr HINTON asked the Deputy Premier, Minister for Public Works, Main Roads and Expo and Minister for Police—

"What reconstruction program and emergency repair program can be implemented on the Dingo-Mt. Flora Road, which has been severely damaged by heavy traffic diverted down that road through closure of the Bruce Highway by the flooding associated with Cyclone Charlie?"

Mr GUNN: Flood damage to the Dingo-Mount Flora road has been inspected by Main Roads Department officers and estimates of the cost of repairs made.

An additional $174,000 has already been allocated to enable works in the Nebo and Broadsound Shires to be put in hand, and these works have already commenced. Further funds will be made available if required.

Planning works are complete for widening and reconstruction works on this road north of the Mackenzie River. Estimates and works priorities have been prepared as part of preparation for the 1988-89 works program.

8. Establishment of Shopping Centre at Deagon Race-track

Mr WHITE asked the Minister for Local Government and Racing—

"With reference to the concern expressed by Redcliffe traders and residents, and to the representations made by myself in respect of a proposed shopping centre on the Deagon racetrack—

(1) Is this matter under consideration as a ministerial zoning by the Government?

(2) If not, will the Government support such a proposal as indicated by media speculation attributed to the Brisbane Amateur Turf Club and his predecessor, Mr Hinze?"

Mr AUSTIN: On behalf of my colleague the Minister for Local Government and Racing, the answer is as follows—

(1) No.

(2) Any proposal submitted to me for the rezoning of land in relation to the project in question will be considered on its merits, but I can assure the honourable member that I will be seeking to ensure that it be dealt with as an application to the Brisbane City Council in the normal manner in the first instance.

9. Cost and Sale of Q-Net

Mr MILLINER asked the Minister for Industry, Small Business, Communications and Technology—

"(1) Since the commencement of the Q-Net Service, how much has been received from each department for using the Q-Net system?

(2) What has been the total cost of (a) establishing the Q-Net Facility, and (b) the annual operation cost of the Q-Net facility?

(3) Will further subsidy be paid to the successful tenderer and, if so, how much per annum?"

Mr BORBIDGE: (1) Since the inception of Q-Net, departments have been undertaking pilot projects to evaluate the technological and economic advantages of satellite telecommunications. No charges have been levied on departments for these pilot projects. However, from the commencement of the 1988-89 financial year, all departments will pay for the use of this service.

(2) (a) The total cost to date in establishing a Q-Net facility has been $14.6m, covering the physical assets, operating expenses and Aussat transponder rental.

(b) Annual operating costs amount to $3.6m per annum, which covers staff costs, maintenance of equipment and licence and transponder rental charges.

(3) No subsidy will be paid to the succesful tenderer for Q-Net. The State will pay a facilities management fee for services rendered in the telecommunications arena, in the same way as it would pay for any other services obtained.

QUESTIONS WITHOUT NOTICE

Police Complaints Tribunal; Offer of Reappointment to Judge Pratt

Mr GOSS: In directing a question to the Premier and Treasurer, I refer to media reports in December last year and January of this year in which he was quoted as saying that he was seeking legal advice as to whether or not the Government could stand down Judge Eric Pratt from his position as Chairman of the Police Complaints Tribunal.

I refer also to further reports in today's media regarding Judge Pratt's position, in particular, the Premier's disclosure that Cabinet accepted and received legal advice to the effect that Judge Pratt should not be reappointed, and that that legal advice was received by Cabinet prior to the Minister for Police writing to Judge Pratt and inquiring as to his availability for reappointment.

I ask the Premier and Treasurer: how does he justify any inquiry as to Judge Pratt's availability for reappointment in the light of Cabinet's prior receipt of legal advice specifically recommending against reappointment? If he cannot justify the approach by the Police Minister, Mr Gunn, to Judge Pratt, is it not simply a question of gross ministerial incompetence requiring firm action in the form of a removal of the portfolio from Mr Gunn and its transfer to a capable, competent and full-time Minister for Police?

Mr AHERN: The sequence of the honourable Leader of the Opposition's question is in error. The plain facts are that legal advice was sought from the senior counsel representing the State Government before the Fitzgerald inquiry, Mr Callinan, in respect of a generality of issues in relation to the appointments to statutory authorities of people who were the subject of allegations before the Fitzgerald inquiry. That advice was received. In summary, it simply says, firstly, in respect of a District Court judge, that that is a matter for the Attorney-General and for the Chairman of the District Courts; and, secondly, in respect of statutory authority positions——

Mr Goss: You got specific advice on Lyons and Pratt, it says here.

Mr AHERN: I am endeavouring to answer the question.

For the information of honourable members, I point out that the honourable Leader of the Opposition has wrongly placed the sequence of some of these matters.

Mr Goss: I have quoted you from the media. Are you saying the media are wrong?

Mr SPEAKER: Order! The Leader of the Opposition!

Mr AHERN: The honourable member has asked me a question and I am putting the whole question into context.

Mr Goss: Give us the dates, then.

Mr SPEAKER: Order! The Leader of the Opposition has had a chance to ask the question. The Premier is endeavouring to answer it.

Mr Gately: He thinks he is running the whole place.

Mr SPEAKER: Order! The member for Currumbin!

Mr AHERN: In respect of the appointments to statutory authorities—the advice simply is that a person should not be stood down from his position on a statutory authority unless the allegations bear some specific relationship to the duties of the particular person on that statutory authority. That is clear enough. In that respect the Government has accepted that advice.

In respect of the Police Complaints Tribunal—it is the general view of myself, the Attorney-General and the Police Minister that, having regard to all of the issues surrounding the Fitzgerald inquiry, it would be inappropriate to appoint Judge Pratt to the Police Complaints Tribunal in the future when his current position on it expires. I think that is a view which is reasonable in the circumstances.

In February this year the Minister for Police simply wrote a letter to the retiring Chairman of the Police Complaints Tribunal, as I understand he is required to do—

Mr Gunn: Under the Act.

Mr AHERN: —under the Act, to inquire as to his availability for appointment so that that advice can be given to Cabinet at the appropriate time when these matters are under consideration. I understand that in reply to that matter—in fact, I have a copy of that letter with me—Judge Pratt indicated his unavailability for the position, and so the whole matter is resolved. It is reasonable. All issues have been dealt with appropriately, and the honourable member is trying to stir up an issue for which there is no foundation. I have acted properly, the Attorney-General has acted properly and the Police Minister has acted appropriately in the situation.

Fitzgerald Commission of Inquiry; Superannuation Pay-outs to Police Officers, Politicians and Public Servants

Mr GOSS: In directing my second question to the Premier, I refer to his statement on TV news reports last night that he was now considering legislative action following information sent to him by me on moves by the New South Wales Government in 1983 to stop full superannuation pay-outs to police officers who were the subject of corruption investigations. I ask: can the Premier give this House and the tax-payers of Queensland an unequivocal guarantee that legislation to stop full superannuation payments to police subject to Fitzgerald inquiry investigations will be introduced and passed by the end of the current sittings, which is expected to be on 21 April? Can the Premier state that such legislation will encompass the withholding of full superannuation pay-outs to members of this Parliament and public servants subject to serious allegations before the Fitzgerald inquiry?

Mr AHERN: As I indicated yesterday, the whole matter is under examination at present. When Cabinet and the parliamentary National Party are ready to make an announcement in respect of legislative proposals, an appropriate announcement will be made.

World Heritage Listing of North Queensland Rainforest Areas

Mr FITZGERALD: In directing a question to the Minister for Northern Development, I refer to the answer given by the Minister for Tourism earlier this afternoon. I ask: is there any indication of public reaction to the Federal Government's imposing its will on the rights of land-holders in north Queensland? Have any indications been given recently in relation to this matter?

Mr Scott: This will be a beauty.

Mr KATTER: I will not repeat the very excellent exposition of figures given by the Minister for Tourism, but I must bring to the attention of the House the latest polling figures from the local government elections in north Queensland. There were a number of local authority areas in which the World Heritage listing was a very big issue. One of them was Innisfail. For the edification of the House, I point out that in a previous election the ALP team in Innisfail got 60 per cent of the vote and captured almost every position on the council. In the most recent election, according to the latest polling results that I received this morning, the entire ALP team in Innisfail has been wiped out and the ALP vote had fallen from 60 per cent to 14.5 per cent.

In the Ingham area, one of the NFF organisers of opposition against the World Heritage listing won the chair of the Hinchinbrook Shire Council. That was another major victory for those who are opposed to World Heritage listing.

I must respond to the rather stupid interjection made by a member of the Opposition. Of course, most of the interjections of Opposition members are stupid.

Mr SPEAKER: Order!

Mr KATTER: I withdraw that remark.

In relation to the Atherton results—Councillor Waugh is a very good friend of many Government members and, although we are deeply aggrieved by his defeat, the person who opposed him wrote the strongest answer to a questionnaire that was sent out by the organisation opposed to World Heritage listing. The person who beat Councillor Waugh was probably the person most strongly opposed to World Heritage listing in north Queensland, judging by the answers to the questionnaires put out by the group opposing World Heritage listing.

The ALP likes to think of Townsville as its heartland. In the most recent elections, the National Party vote increased from 29 per cent to 52 per cent, the number of non-Labor councillors went up from three to four and the very outspoken Mayor, who achieved some type of prominence as the only member of a local authority area in the whole of north Queensland who has not opposed the World Heritage listing, witnessed his vote drop a massive 8 percentage points from 49 per cent to 41 per cent.

I deeply regret that the National Party did not have a team in Townsville for the election. If the party had contested the election, the National Party candidates would have won. Mr McElligott is 1 per cent behind in the polls and is very silent today.

In his answer my colleague also made reference to other figures concerning seats in New South Wales in which the results were contingent upon policies relating to the listing of national parks in that State. Some of those seats were in red-hot Labor areas and had been held by Labor for over 50 years. I refer specifically to the seat of Burrinjuck. Every single one of those seats has been lost by the Labor Party in swings ranging from nearly 10 per cent in Burrinjuck to nearly 30 per cent in Bega. If those swings are transposed into north Queensland, the honourable member for Cairns has lost his seat, the honourable member for Mourilyan has lost his seat, the Federal member for Leichhardt, Mr Gayler, has most certainly lost his seat, and the honourable member for Thuringowa has lost his seat.

If the Opposition and its Canberra colleagues persist with the World Heritage listing, there will be a growth in the number of people on this side of the Chamber.

Surveillance of Gamblers at Jupiters Casino; Casino Control Division

Mr BURNS: I have a question without notice for the Minister for Police, who is probably prepared for this question because a few of his officers will have been telephoned about it today. I refer to today's *Courier-Mail*, which reports his answer to a question asked yesterday in this Parliament which claimed that the Prime Minister had won $12,000 during a recent visit to Jupiters Casino. I ask: does the Minister, or did he, have a formal arrangement with the Casino Control Division to inform him about prominent people who legally gamble at the casino? If so, will he provide this House with a list of names of persons who have been reported to him by members of the Casino Control Division, or is he only going to name selected persons? I also ask: does the management of the casino warn gamblers that they are being observed, that their activities may be reported to the Queensland Police Minister and the National Party and that their names may be published in the press, as happened today? Is he aware that this disclosure of the names of decent people who are gambling at places which are set aside for that purpose by the Government and who are being spied upon will cause severe damage to the Gold Coast and to the credibility and economic viability of both the Gold Coast and the Townsville casinos?

If the Minister does not have a formal arrangement with the Casino Control Division to report to him, will he tell the House how he came to receive this information, the name of the person who supplied him with that information and the reason why this information was so clumsily used by him in this House yesterday for political purposes?

Mr GUNN: If the honourable member says he has never used anything for a political purpose, that would be the joke of the week. At that time I referred to, the Casino Control Division came under my portfolio. It is absolutely necessary that that division perform its role of watching gambling, watching for laundered money and watching for the type of people who are gambling.

Mr Goss: Come off it!

Mr GUNN: Of course it is. Does the Leader of the Opposition not know that? I would not pay him with Monopoly money for his services as a solicitor. He is the Leader of the Opposition. The next time he is down there, I will take him up onto the catwalk and show him what the division does. It looks over all of the people who are gambling, including myself if I am there.

On 30 September 1987 the Honourable the Prime Minister, Mr Hawke, was present with Mr Kornhauser, as I stated previously, in the high-rollers room.

Mr Burns: Who reported it to you?

Mr GUNN: I could not tell the honourable member that, but every second person saw him there.

Mr Burns interjected.

Mr SPEAKER: Order! The member for Lytton has asked the question. Would honourable members please keep quiet and listen to the Minister's answer? The honourable member will have an opportunity to ask a further question, if he wishes to.

Mr GUNN: It is not unusual for items of more than usual interest at the casino to be brought to my attention. It was part of my portfolio and I make no apologies.

A. J. Bush and Sons Pty Ltd Plant at Murarrie

Mr BURNS: I do not think too many high-rollers will go to that casino again now that they know that the Minister is being told about them.

I have a question without notice for the Premier. I remind him of his visit to the Lytton electorate some time ago when he was reported in the following way: "Stench must go: Ahern". In February 1987 he inspected the A. J. Bush meat-rendering plant at Murarrie and promised a firm timetable for works to reduce the foul smells from the plant by up to 95 per cent. Does the Premier remember his promise that he would give the plant until the end of April 1987 to rectify the problem or face Government prosecution? Is he aware that the foul and rotten odours still cause major problems for residents of the north and south side of Brisbane, many of whom live miles from the plant, and that the plant is adversely affecting the State's tourist industry, because tourists in tour buses that use the Gateway Bridge to travel between the north and south coasts are subjected to repeated trips through the smells that make the passengers sick? As the work that has been done in the plant has failed to control the odours, will the Premier keep his promise and act to assist with the establishment of a high-technology plant that is far removed from the metropolitan area and the residential suburbs of Brisbane?

Mr AHERN: Honourable members will be aware of my commitment to the matter. On two occasions I visited the plant to look at the problem. On the first I ascertained the extent of it and on the second I inspected the extent of remedial works that had been undertaken. On the second occasion I observed extensive works that had been undertaken, involving the expenditure of at least $1m, in minimising odour problems at the plant.

The plain facts are that in recent times at this, the end of the season, the problem still remains.

Mr Burns: It hasn't improved—not a bit.

Mr AHERN: Yes, it has, and it has been brought to my attention, too. It has improved enormously. In fact, I was greatly pleased to receive a number of letters of thanks from a whole range of people saying that things had improved dramatically as a result of the remedial work that had been undertaken.

I know that there is a problem at the plant at the moment. That has been referred to the Minister for the Environment for consideration and action. That action will be undertaken.

Brisbane Broncos; Criticism by Mr R. McAuliffe

Mr LANE: I have a question of the Minister for Land Management relating to the operations of the Lang Park Trust, which operates under legislation of this House that charges the trust with promoting the good of Rugby League. With that in mind, I ask the Minister: has he seen comments in the *Cairns Post* and the *Courier-Mail* in which the trust chairman, former Labor senator, Ron McAuliffe, attacks the highly successful Brisbane Broncos team and the officials? Does he beleive that it is consistent with his position as trust chairman to behave in a manner that can be described only as extraordinary by publicly attacking the first Brisbane team to enter the Sydney competition and a consortium that is paying substantial rent and other charges to the trust? Is he aware of the strong support that has been given to the Broncos by the people of Queensland and, indeed, by the Premier of Queensland, as is evidenced by the record television ratings the Bronco games have received? Will he now intervene to require the trust to support the Broncos as well? In view of the fact that McAuliffe has admitted accepting a lucrative offer to be chairman of the unsuccessful Jeans West consortium and has displayed an obvious bias and prejudice against the Broncos because that consortium's win deprived him of that offer, does the Minister agree that McAuliffe, in his dealings with the Broncos consortium, is in a position of a conflict of interest? If the Minister does agree, does he have power to remove McAuliffe as chairman of the trust to overcome this conflict so the trust can get on with the job of promoting the game of Rugby League and helping the Broncos build on their successes so far? Finally, will he table in the House the last annual report of the trust, a copy of its agreement with the Bond Brewing company and its agreement with a Sydney advertising company, which gives that company total control over ground advertising at Lang Park for what I am told is a very lucrative commission?

Mr GLASSON: Regrettably, I am aware of the comments that were published in the *Courier-Mail* that resulted from a meeting held in Cairns last Sunday night. Those comments were made by Mr McAuliffe, who was responding to questions that were asked.

I am also aware that a certain amount of animosity was quite evident between the Brisbane Rugby League and the Queensland Rugby League over the formation of the Broncos. I believe that came to light. Regrettably, what was published in the *Courier-Mail* was not the entirety of what Mr McAuliffe said. That is quite common in media reports; the whole facts are not published.

The Minister for Sport, Mr Littleproud, took the opportunity to be present at a meeting of the trust to hear both sides of the story. At the conclusion of that meeting, we thought there would be better goodwill from both factions. Regrettably, that does not appear to be the case.

On Monday morning, I met the Chairman of the Land Administration Commission, Mr Baker, who is the Lands Department representative on the Lang Park Trust. He assured me that, on his return to Brisbane, he would speak to Mr McAuliffe. He did that. Mr McAuliffe told Mr Baker that what was stated were his private views and that what appeared in the *Courier-Mail* was not the whole story. Like the member for Merthyr, I hope that the people of Queensland will support the Broncos, who have entered the Sydney Rugby League competition, and that they will take great pride in their success, which will be to the benefit of the game of Rugby League. The Government wishes the Broncos every success in their venture down south. I believe that the animosity has been displayed because of a personal vendetta and personal jealousy. For the good of the game, I hope that those sentiments will be buried and that the Lang Park Trust will work for the good of Rugby League, which is why it was set up.

As to the tabling of the last report of the trust—it will be my pleasure to table it tomorrow morning.

Fitzgerald Commission of Inquiry; Reliability of Police Evidence in Courts

Mr INNES: In directing a question to the Minister for Police, I deliberately do not ask for any specific response to any specific allegation; that is a matter for Mr Fitzgerald. However, I refer to the spectacle in the Fitzgerald inquiry of senior police officer after senior police officer alleging not that criminals are fabricating charges against police officers, not that police officers are fabricating charges against criminals whom they believe are guilty, but that other police officers are attempting to fabricate charges and evidence against them for a variety of motives. I refer to the statement from the detectives' member on the Queensland Police Union that juries are rejecting police evidence. I ask: is it not clear that we have both a crisis and the reason for a crisis relating to the reliability of police evidence? Can we let a single day go past without an immediate attempt to combat that which will destroy the fabric of our criminal justice system?

Mr GUNN: I took this matter up with the Attorney-General. He assured me that none of the Crown prosecutors had complained to him about this matter. At present, the honourable member may be jumping at shadows. If a problem exists in that area, I am sure that the Attorney-General will know very quickly.

Investigation into Police Administration and Legislation by Consultants

Mr INNES: I direct a further question to the Minister for Police. I read and hear media reports that he is proposing to retain consultants to investigate the administration and the legislative surrounds of the operations of the police. I ask: what aspects of legislation is he proposing to ask consultants to look at?

Mr GUNN: I would expect them to look at the Police Act generally and to some specific portions of the Police Act. The investigation is necessary. It has been confirmed by Cabinet. I expect it to be put in place towards mid-April. Several consultants have expressed interest in the investigation. Within the next week or so, the Government will arrive at a conclusion on the consultants to be retained.

Growth-feeding of Livestock in North Queensland

Mr GILMORE: I ask the Minister for Northern Development, Community Services and Ethnic Affairs: is he aware of recent developments to establish a feedlot at Mareeba to allow for the growth-feeding of livestock in north Queensland? Can he assist with the future success of that and other similar ventures by helping to secure cheap sources of cattle fodder? I ask that question with particular reference to the extremely high costs of transport from fodder sources and to market as a result of the vast distances to be traversed in the gulf and southern peninsula regions.

Mr KATTER: Few members of this House have worked harder, longer or more uncompromisingly to help their area than the honourable member for Tablelands has on the issue of the reopening of the Mareeba meatworks. It is an unfortunate fact of life in north Queensland that nearly a thousand jobs were lost through the closure of the Mareeba and Mount Isa meatworks. One of the major reasons for those closures is that, because of the monsoonal season, the killing season lasts only seven to eight months.

If I were to delineate the problems that are experienced in the economy of north Queensland, I would say that this is probably the greatest problem. One of the great break-throughs has been facilitated by the excellent work done by the Minister and his Department of Primary Industries in finding out that bagasse from the sugar cane mills can in fact provide an excellent stock fodder at the quoted figure of $56 a tonne, which produces weight gains in excess of 0.5 and 0.6 of a kilogram per day.

On the face of it, it appears to be a very attractive approach to the major economic problem in north Queensland. Owing to the work and the initiatives undertaken by the honourable member, one of the mills in north Queensland has stated that it will be building a plant this year for this year's killing season. The Government hopes that

there will then be a great supply of cattle available to the lot-feeding establishment in Mareeba, which the honourable member also played a great role in getting reopened.

So the scene is set. I do not want to raise anyone's hopes at this stage. However, most certainly the cattle will be available for some meatworks operator to utilise in the reopening of a works in that area.

I must state that the savings on freight on feed stock alone would be some 90 per cent, and because very small weaner cattle would be sent down, the cost of freighting cattle to Mareeba could, on average, be cut by as much as 50 per cent.

So the position is that production could be increased by 20 per cent, annual losses of 5 per cent could be eliminated completely, and the meatworks killing season could be extended to 11 months of the year, which would make our meatworks competitive. The Government hopes for the reopening of three or four meatworks in north Queensland.

Complaints by Prisoners at Brisbane Prison

Ms WARNER: I ask the Minister for Corrective Services and Administrative Services: is he aware of and has he read the written statements that have been given to the media—and, I understand, to him—by Gary Gray, Frank G. Post, Neville Lea Couper, Michael Roy Meredith and a considerable number of other people—I think that the Minister will be aware of the statement to which I refer—who are all prisoners in Boggo Road gaol?

Will the prisoners who made those statements be invited to give evidence before the commission and will their safety be ensured, both before and after giving evidence?

Mr COOPER: I thank the honourable member for her question. I take this opportunity of congratulating her on her promotion. I welcome the honourable member to the world of prisons——

An honourable member interjected.

Mr COOPER: Strangely enough, I enjoy the portfolio, and I am sure that the honourable member for South Brisbane will find satisfaction in being the Opposition spokesman, provided that she adopts a very responsible attitude, which I am quite sure she will.

In answer to the honourable member's question—as far as these statements are concerned, I am aware that the honourable member refers to the *7.30 Report.* I happened to appear on that program. I happened to receive the documents to which the honourable member refers. They happened to fall off the back of a truck——

Ms Warner: Did they?

Mr COOPER: Yes, they did.

I have had those documents examined. There are about 20 complaints in all. I am aware of the prisoners concerned. My department examined those complaints. Any allegations—and I emphasise the word "allegations"—of bashings, misuse of firearms and so on were referred to the police.

Any suggestions that pertained to the committee of review that were made—and, in case the honourable member did not know it, they were made—have been referred to the committee of review. In addition, any other complaints—and there were other complaints—have certainly been investigated by my department.

In relation to the part of the honourable member's question regarding retribution or whatever it was—no retribution has been carried out in Brisbane Prison. The prisoners have the right, as have all people involved in the prison system, to make submissions to the committee of review. That has been widely advertised. The honourable member herself has received a copy of the terms of reference.

Ms WARNER: I thank the Minister for his answer. I look forward to hearing the evidence of those prisoners——

Mr SPEAKER: Order! The honourable member will ask her second question.

Kennedy Committee of Review into Prison System, Terms of Reference

Ms WARNER: I direct a further question to the Minister for Corrective Services and Administrative Services. I ask: will the Minister enlarge the terms of reference of the commission of review into corrective services to specifically include the shooting incident that occurred at the Brisbane gaol on 13 February 1988? In addition, thus far has any action been taken by the Minister's department to examine the allegations against officer Ryan, who allegedly was responsible for the shooting on that date?

Mr COOPER: All allegations of misuse of firearms, including the specific case to which the honourable member referred, are always investigated very thoroughly. It would be quite easy for me to obtain a copy of the report that was prepared following the investigation into that particular incident.

As to widening the terms of reference of the committee of review to include specific complaints such as the one referred to by the honourable member—I point out that the committee was not set up for that purpose. The committee was established to examine the entire prison system. It is conducting a complete overhaul of the prison system. There is already in place a mechanism for grievances to be heard. Complaints can be made to a visiting magistrate or direct to a superintendent. That mechanism is in place. If the present mechanisms need improvement, that will be a matter for the committee of review. If it is proved that the system in place at present is not working, it is within the terms of reference of the members of the committee to come up with another grievance system that will work.

Ms Warner: What about that particular shooting incident?

Mr COOPER: I have already answered that part.

Police Complaints Tribunal; Offer of Reappointment to Judge Pratt

Mr WELLS: In directing a question to the Deputy Premier, I refer to his leader's response a few moments ago to the Leader of the Opposition's question as to why the Deputy Premier wrote to Judge Pratt. I further refer him to his loud interjection during that response in which he said that he wrote to Judge Pratt because he was required to do so under the Act. Is the Deputy Premier aware that the only section of the Police Complaints Tribunal Act requiring him to write letters is section 6 (1) and that that section only requires him to write to the police union? Would the Deputy Premier therefore advise the House as to which section of which Act he imagines obliged him to write to Judge Pratt?

Mr GUNN: My information was that section 6 (1) was the section under which I was required to write not only to Judge Pratt but also to Mr Heiner, Mr Chant and all the other members of the tribunal. That was duly done. I did that to ask them whether they were available. As far as the tribunal is concerned, the final decision is made by the Governor in Council.

Police Complaints Tribunal; Offer of Reappointment to Judge Pratt

Mr WELLS: In directing a question to the Premier, I refer him to his response to the question from the Leader of the Opposition in which he adopted the interjection of the Deputy Premier, "Under the Act". I ask the Premier: is he familiar with section 6 (1) of the Police Complaints Tribunal Act? Will he confirm now that that section of that Act does not oblige the Deputy Premier to write to anybody other than the Police Union; and will he explain how all those implausible explanations of the Deputy Premier are being put up?

Mr AHERN: This is a very fine point.

Opposition members interjected.

Mr AHERN: I realise that some considerable time of the Parliament must be occupied in deciding whether there should be some courtesy letter written to the chairman of the Police Complaints Tribunal prior to the expiration of his appointment, which is, I think, 21 April, to see whether he is available or not. The plain facts are that it is common courtesy and usual practice for persons appointed as members of statutory authorities to receive a notice from the Minister responsible asking whether they wish to continue. Whether or not it is under section 6 of the Act just does not matter as far as I am concerned. If the Honourable the Minister for Police says that, I believe him. I realise that it is a question of enormous import! It is something that on this day we have to occupy the people's Parliament of Queensland with in order to try to establish it beyond reasonable doubt!

Mr Goss: You misled the House.

Mr AHERN: What a nonsense!

Mr Goss: You said it was required under the Act.

Mr AHERN: The people out there want to know who is going to be appointed to the Police Complaints Tribunal. As far as this Government is concerned, someone entirely appropriate will be appointed after April. That is all that the people of Queensland need to know.

It is a decision that will be made by Cabinet at the appropriate time. Those people who are reading the legislation should read out that particular section.

I ask the honourable member for Murrumba: is it not an issue for the Governor in Council to determine? If it is, will he say so?

Mr SPEAKER: Order! I point out to the Premier that this is not a debate.

Mr AHERN: Mr Speaker points out that this is not a debate. My question is rhetorical.

The central issue is: who appoints the Police Complaints Tribunal? The answer to that question is: the Governor in Council, which is advised by Cabinet.

Mr Goss: You misled the House. You have been caught out.

Mr AHERN: What a nonsense! There has been no misleading of the House at all. It is a quibble, a nonsense and a fine point.

The only issue of all of the issues that are important to the people of Queensland in relation to the economy is: what is happening to the ALP in this country; what is happening to Labor Governments around the country; and what is happening to the employment of people? Yet the only issue that the Leader of the Opposition can pick up is a very fine legal point which only a barrister with his qualifications would bring up. It really does not matter.

The people of Queensland want to know who is going to be appointed to the Police Complaints Tribunal. The plain fact is that the right person is going to be appointed by Cabinet, which will advise the Governor in Council.

Mr WELLS: I rise to a point of order. Mr Speaker, I draw your attention to Standing Order No. 68. The Premier just asked me a question. Standing Order No. 68 says——

Mr SPEAKER: Order! The honourable member for Murrumba would have the opportunity if I had called upon him. However, I have not. I call the honourable member for Cooroora.

Science Education

Mr SIMPSON: I ask the Minister for Education: is he aware of an editorial that appeared in the *Australian* a short time ago which stated that science education in this nation has "slipped dramatically"? As many readers, parents and students would be alarmed by that article, can the Minister inform the House how the standard of science education in Queensland compares with that of the other States?

Mr LITTLEPROUD: I also read that editorial and I can understand that the science teachers of Australia in particular would be upset by such an editorial. That very same article referred to an organisation called the International Association for Evaluation of Educational Achievements, which undertook a study of attainment and attitudes in science and is now realising some of its findings.

That editorial went on to point out that the performance of our children in terms of attainment and achievement in science rates extremely well in the world. The students in only two or three developed countries in the world have performed better.

The study revealed that, in Australia, 14-year-old children in Queensland perform best of all and are second only to the Australian Capital Territory. In the 10-year-old category, Queensland children studying science performed above the national average. Children leaving school at Year 12 also performed as well as children in Canada, the United States of America and places such as Hong Kong and Singapore, even though our schoolchildren exit Year 12 at 17 years of age and over and many of those children to whom they are compared do not finish their secondary schooling until 18, 19 or 20 years of age.

Effect of Labor Party Policies on New South Wales State Election and Local Authority Elections

Mr SIMPSON: I ask the Premier: following the overwhelming defeat of the ALP in the New South Wales State election last Saturday, is there not a message that the ALP's high-tax, centralist policies, together with rural opposition to the Heritage Bill and gun legislation, helped throw Unsworth from office? Will the Premier have discussions with the new coalition Government in New South Wales to help restore the rightful importance of the States and stop the Hawke Government's quest for Big Brother centralist control from Canberra?

Opposition members interjected.

Mr AHERN: I can well understand members of the Opposition in this place not wanting to hear this question asked and not wanting to hear it answered, either. The plain facts are that the results in New South Wales last Saturday—and the results across Australia—were disastrous for the Australian Labor Party. A whole range of issues are involved in that. It is entirely appropriate that some of those issues be addressed in this House. I have my own theory. I think it simply has to be understood that across the board Labor has lost touch with the common people in this country. That is the group of people that the Australian Labor Party set out to support and represent in this country, and finally the common people said, "We don't think you are doing the job for which you were elected." That is the summary of the position.

The honourable member for Cooroora rightly points out that on this occasion many components are involved. One of them was World Heritage listing and the whole issue of conservation generally. It has been taken away from the people who have the jobs and put into the suburbs of Sydney and Melbourne, where it is a peripheral issue. On this occasion the people who have the jobs and who have traditionally voted Labor deserted Labor in their hundreds. In some electorates 20 per cent swings occurred. One has only to speak to persons in local authority areas to know that is a very serious issue as far as they are concerned, and one which they will not easily forget.

A number of other issues are involved, too, including guns. At the present time some enormous backflips are occurring throughout the country in relation to gun legislation.

There is the central issue in relation to the economy, which must be understood as well. Australia is simply importing more than it is exporting and the Federal Government and the Labor Governments throughout the country are ignoring that central issue. That is perceived by the majority of people today, and massive swings have occurred in the electorate. That is one of the matters that are central to the issues which effected a change of Government in New South Wales last Saturday.

I believe that the State election in New South Wales was a watershed election and that, as a result of it, substantial changes will occur down the track. I have telephoned Mr Greiner and offered him my congratulations and support in respect of mounting a future campaign across Australia to bring these issues to the forefront and to the attention of people everywhere. The effects will be felt across Australia for a very long time.

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

CHIROPRACTIC MANIPULATIVE THERAPISTS ACT AMENDMENT BILL

Second Reading

Debate resumed from 16 September 1987 (see p. 2658).

Mr COMBEN (Windsor) (3.50 p.m.): The Opposition supports the Bill. I indicate immediately that the Opposition also supported the original Bill when it was introduced in June 1979. This afternoon, I am indebted to my colleague, the former Opposition spokesman on Health, Mr Ken McElligott, for notes and information that he has supplied to me concerning this Bill. He has undertaken a great deal of research into this matter.

Queensland was the last of the Australian States to pass legislation covering the registration of chiropractors. The legislation arose from the need to exercise a degree of control over manipulative therapy, which was already very widely accepted in the community. It was accepted that many Queenslanders had come to depend on chiropractors. The Government considered it necessary to legislate to ensure that they were registered and that their qualifications and practices could be controlled.

Reference to *Hansard* reports in June 1979 shows that in the debate on the original Bill, quite a heated exchange took place involving, in particular, the former member for Townsville, Dr Norman Scott-Young, who was moved to say—

> "This is complete and absolute bunkum. Here we are, a group of so-called intelligent elected members of this community, sitting down to legislate and to give the act of legality to a practice or cult that is completely unscientific in basis."

Dr Scott-Young also said that if he had known that it was Liberal Party policy to register chiropractors, he would not have stood for election as a Liberal in 1973 and at later elections. I should add that Dr Scott-Young did not have much longer to go as a Liberal, because he lost his seat in 1983.

Mrs Nelson: Only a decade.

Mr COMBEN: It was four years later.

Mr D. D. Palmer discovered the chiropractic principle in 1895 in the city of Davenport, Iowa, where he founded the profession and the Palmer College of Chiropractic to teach the new science. Osteopathy, in contrast, was founded by an American physician, A. J. Still, in 1874. Although medical knowledge has increased profoundly since then, the basic ideas on osteopathy, as enunciated by Still, continue to apply.

The definition of "chiropractic" and "osteopathy" have varied over the years and in different parts of the world. An extract from the prospectus issued by the Sydney College of Osteopathy is worth quoting—

> "Over the years the principles of osteopathy and chiropractic have diverged at different rates in various parts of the world. In America, for example, most States accept osteopaths as medical practitioners and consequently the osteopathic course

has, of necessity, become medically oriented. In England also there are two osteopathic factions—one of which is medical and one non-medical.

Here in Australia, osteopathy has followed the non-medical pattern and has remained close to Dr Still's original concept. Consequently in Australia, probably more than in any other country, the ties of osteopathy and chiropractic are strongest. Whereas chiropractors are primarily concerned in spinal adjustments and their effect on the nervous system, osteopathy (while fully embracing the chiropractic concept) also places emphasis on the soft tissues of the body and the harmonious interplay between man and nature."

Mr Gygar: This is marvellous!

Mr COMBEN: This is good environmental stuff. I am all for osteopaths and chiropractors.

Despite the grave misgivings of Dr Scott-Young, concerns expressed by some sections of the medical profession prior to the introduction of the original Bill have been proved largely groundless. A glance at the yellow pages of the Brisbane telephone directory—which would probably be more interesting reading than this—shows approximately 81 chiropractors listed. Incidentally, only one osteopath is similarly listed, which raises a question about the title of the Bill to which I will now refer.

Debate on the original Bill met with general agreement in the Parliament on all matters except its title. Dr Scott-Young argued that the Bill could simply have been entitled the Chiropractic Bill and in that argument he had the support of the Labor Party, whose excellent spokesperson at that time, Mr Bill D'Arcy, said—

"We think it is crazy that the Act is to be known as the Chiropractic Manipulative Therapists Act. That has a double meaning. Chiropractors have been called that for a long time in Queensland. We know what is meant when we see advertisements about chiropractors. As the honourable member for Townsville has pointed out the term 'manipulative therapist' refers largely to the physiotherapist within our society. I think that this is confusing not only to the people involved but also to the public."

The Labor Party still agrees with that view. The Opposition can truly say today, "We told you so." Dr Scott-Young voted with the ALP in division to drop the words "manipulative therapists" from the title of the Bill back in June 1979.

This amending Bill achieves the very purpose that the Labor Party attempted to achieve in 1979. Therefore, even eight years ago the National Party was saying, "We are right. We are not interested in decent government and real consensus or consideration of proper reforms and proper amendments."

It is worth mentioning that the then Minister for Health, Sir William Knox—and no-one other than he—stated—

"I am quite sure that the title will not be a major worry when it comes to the relationship between the practitioners and their patients."

The Opposition is still not happy with the title of the Bill and especially with the way in which chiropractors and osteopaths are linked throughout the Bill as if they are one and the same.

Although, as I said earlier, the difference in Australia is relatively minor, I understand that there are a small number of osteopaths in Queensland who are not and should not be called chiropractors. They are graduates of the International College of Osteopathy in Sydney and members of the United Osteopathic Physicians Guild. The differences in procedures used by the two are significant. There is nothing wrong with linking the two in the same Bill, but it is erroneous to join the two in the definitions, for example. This point is perhaps best illustrated in the conditions for registration, which require a person to be fit to practice as a chiropractor and an osteopath. At least some osteopaths would not claim that they are competent to practice as a chiropractor, and nor would they

want to. In all other Austalian States there is provision to register osteopaths quite separately from chiropractors.

I wish to read to the House two letters received from osteopaths. The first is from the United Osteopathic Physicians Guild addressed to my predecessor, Mr Ken McElligott, who was the Opposition Health spokesman.

An Opposition member: He did an excellent job, too.

Mr COMBEN: Yes, an excellent job.

The letter is from D. S. Moor who is a committee member and acting secretary of the United Osteopathic Physicians Guild and part of the letter states—

> "We are very concerned however that the amendments to the Act should place Osteopaths on an equal footing with Chiropractors in legislative terms, as in other states.
>
> We wish to point out strongly that chiropractic and Osteopathy are not one and the same although our similarities far outweigh our differences. This is evidenced by the fact that there exists at the Phillip Institute in Victoria a Bachelor of Applied Science degree course in Chiropractic. These are separate courses and the graduate receives his or her degree in either Chiropractic or Osteopathy, not both. Similarly, in New South Wales the Higher Education Board has accredited a course in Osteopathy and a completely separate course at a different institution in Chiropractic, and graduates from these courses are afforded equal rights to registration.
>
> Clearly a Chiropractor is not an Osteopath (or vica versa) unless he or she has undergone the relevant training, and the Queensland legislation does not reflect this fact. For a Chiropractor to be automatically registered as an Osteopath does not necessarily reflect the practitioner's training and is misleading to the public.
>
> We therefore respectfully suggest that the distinction be drawn between the two professions in the forthcoming legislation and that the words 'Chiropractor and Osteopaths' be amended to Chiropractor or Osteopath.
>
> We believe it is in the interests of the osteopathic profession and the public in Queensland to have osteopathic representation on the Chiropractors and Osteopaths registration board as exists in other states. The representative should be nominated by the Australasian council of registered Osteopaths which is composed of the United Osteopathic Physicians Guild and the Australian Osteopathic Association, and is the only organization to represent Australia's osteopaths."

That is one letter. The Opposition received a copy of a letter from the Australian Osteopathic Association addressed to the Minister for Health and Environment, the Hon. M. J. Ahern, from Kevin Sturges, the President of the Australian Osteopathic Association. That letter states—

> "The new amendments will affect the practise of Osteopathy in Queensland and, therefore, the Australian Osteopathic Association would like the Minister to take the following information into account when debating the amendments in parliament.
>
> The Australian Osteopathic Association and the United Osteopathic Physicians Guild have recently formed a national Osteopathic body called the Australian Council of Registered Osteopaths. The Australian Council of Registered Osteopaths represents the vast majority of registered Osteopaths in Australia. We are, therefore, somewhat disturbed that amendments to the above act are being considered without prior consultation with representatives of either the Australian Osteopathic Association or United Osteopathic Physicians Guild.
>
> The Australian Osteopathic Association and United Osteopathic Physicians Guild would recommend certain changes to the proposed amendments in order that Osteopathy is not discriminated against in Queensland. Osteopathy and Chiropractic are separate professions and should, therefore, be identified as such in any new regulations. I would point out to the minister that a government accredited and

funded B.Science degree course in Osteopathy is conducted at Phillip Institute of Technology and is distinct from the Chiropractic course.

The Australian Osteopathic Association and United Osteopathic Physicians Guild would suggest that an appropriate change to, the amendments proposed, be simply substituting 'or' for 'and' in the title 'Chiropractors and Osteopaths'. We are strongly opposed to dual registration, under the terms of the act, as a Chiropractor and Osteopath unless the practitioner holds accredited qualifications in each discipline. I believe, from previous discussions with the federal executive council of the Australian Chiropractic Association, that the Australian Chiropractic Association is strongly opposed to the possibility of dual registration unless dual qualifications are held.

Finally, we request that any proposed changes to the act should include Osteopathic representation on the registration board."

The Opposition believes that the views expressed by those two organisations are very reasonable. The Opposition is also not convinced about the proposed definition of "chiropractic" and "osteopathic", as has been indicated in those letters, which is the same as the definition of "chiropractive manipulative therapists" in the principal Act. The committee of inquiry into the registration of chiropractors conducted by the New South Wales Parliament in 1974 considered no fewer than 14 definitions extracted from legislation in other Australian States and from some overseas countries. It is my impression that any one of those definitions would be preferable to the one under consideration today.

I am not certain that protection to clients can be given by including in the definition a description of the types of manipulation that will be permitted. The Opposition will, however, be satisfied with an assurance from the Minister that she has again looked at the adequacy of the definition. The Opposition would also appreciate advice from the Minister on whether her advisors have considered the implications of last year's court case concerning Mr Edward Veltheim. Honourable members will recall that in August last year he was released from gaol after being convicted of the indecent assault of five women. The Court of Criminal Appeal eventually dismissed the charges. Mr Justice Kneipp said in his reasons for judgment in that case that the court was not concerned with the question of whether the procedure involved was of any medical value or whether it should in any circumstances be carried out by persons other than doctors.

It is of great concern to the Opposition that in that case it would seem that a very strict legalistic interpretation of the elements of the crime that was sought to be proved resulted in someone being freed after a jury had convicted him of indecent assault. The intimate details of the form of manipulation carried out will be well remembered and would be abhorrent to most members. The trial jury had heard that Veltheim had claimed that certain internal manipulation was a cure for a variety of complaints of the back, lower abdomen and hips. One woman was being treated for a bad knee following a skiing accident.

Mr Justice Kneipp said that there was a body of evidence from doctors and chiropractors that the procedures were of no value, but it was clear that Veltheim felt his procedures were and are appropriate and effective. The judge said that the case for the Crown was that each assault was unlawful because the consent was obtained by fraud.

It seemed clear that by the time of the trial each of the five women had formed the belief that the treatment was not bona fide medical treatment but there was some other motive—obviously, the women would believe of a sexual nature—for the adoption of the procedure. In each case the evidence was that the consent was given at the time because the woman believed that the treatment was bona fide.

There has to be some form of treatment for potential clients of chiropractors in this State. I appreciate that it is a difficult case. Perhaps the lawyers allowed that person to be acquitted of the specific charges without considering the concept of justice in the

broader sense. However, it is a case that the Minister and her advisers should be examining.

The final matter to which I refer is the use of X-rays by chiropractors. The New South Wales inquiry found that many chiropractors possessed their own X-ray machines and that they invariably took full X-rays of the spinal column. The inquiry reported that there was evidence to suggest that patients could be exposed to excessive radiation.

In the 1974 debate on the Queensland Bill, Dr Scott-Young expressed grave concern and in fact accused the Government of giving to chiropractors the right to expose people to an overdose of radiation and burn them up. Dr Scott-Young said—

> "The spine cannot be X-rayed by a single shot without giving excessive doses of radiation."

Dr Scott-Young accused chiropractors of always taking X-rays of the spine, in contrast to the medical practitioners who, he said, used X-rays only when all other means of diagnosis had failed.

I am aware that the registration of chiropractors has allowed them to refer patients to radiologists. I am not aware whether that is done in all cases. I would be grateful for advice from the Minister on that matter also.

In conclusion—the Opposition will not oppose the legislation, but it has considerable reservations about the juxtaposition of chiropractic and osteopathic practitioners when the evidence and the practice in other States indicates that they should be separated into different categories and callings.

Mrs NELSON (Aspley) (4.09 p.m.): I join with the other member in the debate in support of the legislation. I wish to place on record my particular support for a number of clauses of the new Bill. Proposed new section 18, which is the one that brings to an end the grandfather clause that was in the original Act, will remove the entitlement of people previously able to register without appropriate qualifications. I am very pleased that that grandfather clause is being removed from the Bill.

Mr Lee: It's been there a long while.

Mrs NELSON: Yes. I am glad that it is going. I applaud the Minister for that move.

I am also very pleased with proposed new section 19, which fine tunes the existing legislation to protect Australian chiropractors from overseas practitioners flooding into the country and being allowed to register. It provides for provisional registration. It also provides for substantial practice and skills to be proved before people can formally register and practise in the State. I am particularly pleased with those two provisions of the Bill. The Minister has my full and strong support for the Bill.

I take up one matter that was raised by the member for Windsor. Although the honourable member was correct in his comments about chiropractors and osteopaths, I think some problems could arise if the Act were to be titled "Chiropractors or Osteopaths Act". That would probably be even more ambiguous than the title "Chiropractors and Osteopaths Act". That is a matter for the department to consider.

I am afraid that the honourable member's suggestion, instead of helping matters, might lead to more confusion. I believe that the definitions will be adequate. However, I do agree with the honourable member that in the future there may be a need to separate registration boards and so on. At this point I do not think that that is necessary.

I want to add to some of the comments that were made by the member for Windsor in relation to the use of irradiation equipment by licensed operators, many of whom are chiropractors, in the State.

Just over 2 000 pieces of equipment are registered and in use in Queensland for the purposes of diagnostic irradiation, but there are only between 400 and 500 qualified personnel—that is, properly qualified personnel—using those pieces of equipment. Another

1 500 pieces of irradiation equipment are used under licence throughout this State. I want to raise a number of issues in relation to that.

Some amendments were made to one of the Health Department regulations which removed the need for direct supervision of people using such equipment. I express very strong concerns about that. I do not ask the Minister to respond to that in her reply. However, I do ask her to examine that change to the regulations which removed the words "direct supervision" and substituted the words "by direction". There is a world of difference, in terms of the use of irradiation equipment, between "direct supervision" and "by direction", because of reports that the staff in chiropractic clinics, and not always the chiropractor, are taking X-rays. That is unfortunate.

A number of chiropractors in Queensland do have radiographic skills. I am aware that many of them would argue very cogently that their training programs include adequate preparation to enable them to use irradiation equipment. However, honourable members should briefly consider the skills required of people who are doing this work professionally, that is, both radiologists and radiographers.

To become a qualified radiologist in Australia is a process that involves approximately 13 years. It requires a medical science degree, one year's practice as a resident, another two years after that and four years as a registrar. If all the college of radiography exams are passed—and, because the standards are very high, that is a very difficult task in this country—the person is then allowed to practise as a radiologist.

In Australia, under existing laws, radiologists are entitled not only to diagnose procedures and films—I suppose, for want of a better word—taken as a result of X-ray procedures, but also to perform procedures themselves.

The other group of people who do most of the work—and this is the 400 or 500 people registered and working in this State—are radiographers. Radiographers also have to matriculate. They then undergo a three-year diploma course at an institute of technology or other suitable institution in Australia. The course is highly technical and scientific. According to my research, in the last three years in this State, students have had to attain TE scores of between 950 and 970 to get into radiography and certainly up to 980 to get into medicine.

I am concerned that there are too many people without appropriate skills irradiating large numbers of people. I have raised this matter before in this Chamber when the now Premier was the Minister for Health. I have also approached the Minister on behalf of the Institute of Radiography, which is very concerned about the matter and would like to see some changes in procedures adopted in relation to applications for licences and the requirements for people to be given licences.

Lest honourable members are of the view that these are vested interests—if they are, they are correct vested interests—I refer them to a 1985 report from the National Health and Medical Research Council, which contains recommendations for minimising radiological hazards to patients. Clause 83 of that report, which deals with the qualifications of operators, states—

> "It is recommended that all users of medical X-ray equipment and radiopharmaceuticals have an appropriate level of training and qualification . . . Persons undertaking this training should be allied health professionals such as nursing staff or medical practitioners. Medical practitioners are recommended to avail themselves of the training courses such as that provided by the Royal Australian College of General Practitioners."

We must be practical about this. Many people live in rural Australia—in country towns and provincial cities—where no radiologist or qualified radiographers are available. Programs must therefore be provided for other allied health professionals so that rudimentary radiation procedures can be undertaken. Those programs ought to be limited to rudimentary radiation procedures.

Chiropractors are a different group altogether because they have a very strong perception of their approach to the spine and the use of radiation as a tool in their

diagnosis. Norm Scott-Young was right when in this House he said that very high doses are given when spinal X-ray procedures are carried out. They are very substantial doses. To obtain adequate representations of the spine and its functions it is necessary to take between four and six representative figures of the spine in different positions. If people are being irradiated regularly and later in their lives require treatment for other disorders requiring radiation, quite a significant risk is involved.

The international radiation protection report deals with protection of the patient in diagnostic radiology.

Mr Comben: Do you support what I said?

Mrs NELSON: Yes, very strongly. If the honourable member had been listening, he would have heard me say that about 15 minutes ago.

The report of Committee 3 of the International Commission on Radiological Protection highlighted certain matters. Its recommendations, which apply to national Governments, state—

> "Each appropriate national body should give due consideration to the content and extent of its programs for the training and continuing education of radiographers."

The report refers to nurses and their involvement in rudimentary X-ray procedures or radiological examinations.

An area that has fallen right outside the proper control of the Health Department, which I believe is a matter that requires urgent attention, is the large number of chiropractors who regularly irradiate patients for the purposes of diagnosis. I will not buy into the argument about whether 13 years of training for a radiologist is equivalent to the chiropractors' degree of training and diagnosis. That is a separate issue and an argument that the chiropractors and the radiologists can have between themselves.

Our society should not be allowed to be irradiated unnecessarily—certainly not on a frequent basis. Governments should set standards and monitor safety. These days, Governments need not play a prominent role when procedures can be done better by the private sector. However, the setting of standards and monitoring of safety is a fundamental role of the Government. I would be very pleased if the Minister would investigate the way in which standards are set, licences are issued and training programs are prepared and monitored for the relevant people using licensed equipment in this State.

I have great pleasure in supporting the Bill.

Mr SHERLOCK (Ashgrove) (4.20 p.m.): In joining in this debate, I congratulate the Minister on her appointment as Minister for Health. The Health portfolio in the Queensland Government is a large responsibility that requires perhaps a higher priority, certainly in budgetary terms. I wish the Minister well in this first piece of legislation that she has steered through this House.

The honourable member for Aspley gave us a long dissertation on radiography. I generally support her comments in that regard. The honourable member for Windsor—the newly appointed Opposition Health spokesman—has obviously done a crash course on chiropractic. Chiropractic and osteopathy are disciplines that are experiencing growing pains. That is evident in this review of the legislation.

In 1979, when the Honourable Sir William Knox, the then Minister for Health, introduced the Chiropractic Manipulative Therapists Bill to provide for the constitution of the board, the establishment of the register and the regulation of the practice of chiropractic manipulative therapy, it was recognised that chiropractic was here to stay. It is widely recognised in the community that therapy does some good, and there is visible evidence to support that.

The general feeling at the time of the introduction of that Bill—and I believe it is a feeling that is still held—was that it was a good thing to regulate the practice. The Act was generally accepted by chiropractors and the medical and paramedical professions.

Alternatives to medicine have always presented a threat of quackery to the community. There is no doubt that, some time ago, there was a threat that quackery could have been introduced into the field of chiropractic, but that was headed off by the introduction of the legislation in 1979. Now, almost a decade later, we are older and wiser, and chiropractors themselves will assert that "quackery" is largely a term of the past.

Chiropractors in Australia are somewhat heterogeneous in the diversity of their training and currently they are registered by recognition. However, as chiropractors continue to be registered, as educational standards increase and as standards of discipline mature, quackery will certainly fall by the wayside. The removal of the grandfather clause from this legislation will certainly help in that regard.

I wish to lead honourable members through the major objectives of this Bill, which I believe are: to delete certain words and insert others—in short, to deal with and come to grips with the terminology of the discipline; secondly, to deal with training, qualifications and registration; and thirdly, to introduce conditional registration, which the honourable member for Aspley has spoken about.

Firstly, dealing with the deletion of the words "manipulative therapists" from the Act and inserting the word "osteopaths"—it may be useful to consider those terms, what we understand by them and what is understood by different practitioners in this field. For example, the medical profession, physiotherapists, chiropractors and osteopaths have different concepts.

Firstly, the Australian Medical Association directory for 1987-88 states as policy—

> "The Australian Medical Association maintains that a medical practitioner should at all times practice methods of treatment based on sound scientific principles, and accordingly does not recognise any exclusive dogma such as homeopathy, osteopathy, chiropractic and naturopathy."

It states further—

> "The Association is opposed to the provision of benefits for services provided by the practitioners of exclusive dogmas . . ."

No doubt some members of the medical profession would be opposed to the registration of osteopaths. Recently, one writer in newsletter No. 489 of the Queensland branch of the Australian Medical Association said—

> "Chiropractic was described to the Second Report of the Medicare Benefits Review Committee (Layton Committee) by the National Chiropractic Consultative Committee as 'a system which corrects biomechanical functional articular disrelationships in the musculo skeletal system, allowing the physiological manifestations of that disrelationship to return to a normal homeostatic state'."

Those are big words. However, the writer says—

> "The problem for a medical practitioner with this definition is what is meant by 'a system' and exactly what is a 'biomechanical functional disrelationship' and has one ever been seen and identified. In fact, in my view, these terms are what cause most of the problems for patients who are treated by chiropractors and medical practitioners at the same time. The language is totally different, and thus non compatible, between the two groups."

The writer also says—

> "The second Layton Report recognises this by classifying chiropractic services into 'type M' concerned basically with disorders whose symptoms are mainly pain either of a spinal origin or closely related areas, and 'type O' services concerned with treatment of organic or visceral disorders such as peptic ulcers, hypertension or diabetes."

There is no doubt that this definition differs from the definition applied by the chiropractor and, indeed, the osteopath who would describe his treatments for pain of a spinal origin as chiropractic whilst the treatment of visceral and associated disorders as osteopathy.

I turn now to the matter of manipulation and I will refer to the same AMA newsletter. The writer of the article says that the British Medical Association has recently published an interesting report on alternative therapy. It points out quite clearly that orthodox medicine looks on manipulation as but one therapeutic action amongst a range of treatments available to patients with musculoskeletal disorders, of which analgesics, physiotherapy, injections, rest, or surgery are also options. He says also that many theories have been put forward as to why manipulation does relieve pain, in certain circumstances. So far, these are only theories. The problem with most published studies on manipulation is that they are based on the patient's subjective perception of pain relief. While the basic aim of all therapy is to relieve the patient's suffering, manipulation will only be fully accepted when it has a more scientific basis.

The Layton committee and, before it, the Webb committee have recognised the need for more research into manipulation in their recommendations. Layton also recognises the difficulty in devising a suitable methodology for further research into chiropractic. At a later stage I will say more about research.

A statement from the British Medical Association's report under the heading "The Manipulation Dilemma" seems to put manipulation into perspective. It says—

> ". . . but it must be emphasised that we have found no evidence that the manipulation has effects other than the relief of pain. For this reason we can detect no substance in the theory that advances manipulation as a system of healing."

That is one medical practitioner's view of the disciplines that are referred to in this Bill.

Miss Gwendolen Jull, senior lecturer in the Department of Physiotherapy at the University of Queensland, wrote an article for the journal *Australian Family Physician* in November 1985, which provides an overview of the background of manipulative therapy within physiotherapy in this country. I refer honourable members who have an interest in that particular article to her statements which, in part, are—

> "Treatment of musculoskeletal disorders by passive motion has always been an integral part of physiotherapeutic management. However, acceptance and application of manipulative therapy were slow to develop in the earlier part of this century when scientific knowledge was less advanced and rituals and dogma were the foundation for its use."

Miss Jull also states that the first textbook on manipulative therapy by an Australian physiotherapist was published in 1964. She says—

> "Due to the insight of physiotherapists such as Mr Geoffrey Maitland Australia was soon recognised as a world leader in orthodox manipulative therapy."

The Manipulative Therapists Association of Australia is a national subgroup of the Australian Physiotherapy Association, formed in 1965. The primary aim of the Manipulative Therapists Association of Australia has been to ensure the delivery of the highest quality therapy to patients with musculoskeletal disorders. It also provides continuing education programs and fosters research to develop and validate manipulative therapy on sound scientific grounds.

Under the heading "The scope of manipulative therapy", Miss Jull says that this therapy is a valuable treatment for the mechanical disorders of the musculoskeletal system. In accord with orthodox medical philosophy, physiotherapists do not consider manipulation a panacea or an alternative form of health care. There are definite indications and contra-indications for its use. Musculoskeletal system problems often present as painful movement disorders. They are aggravated by mechanical overload, movement and certain postures. Those disorders are eased by rest and alternative posture and often by manipulation. However, gentle care is necessary for conditions such as irritation or compression of the spinal nerve or root, while for other conditions, such as inflammatory diseases—for example, arthritis or spinal pain associated with malignant and neurological bone disease—manipulative therapy is contra-indicated.

Miss Jull goes on to state that treatment by a manipulative therapist is governed and directed by a detailed assessment and movement analysis to demonstrate the physical manifestations of the patient's problem and the indications for, or limitations to, its management. Treatment very much depends on the findings in those circumstances.

Thus, physiotherapists limit their treatment to musculoskeletal conditions and are not involved in treating diseases such as diabetes and migraine. However, it is generally understood that manipulative therapy and physiotherapy treatments for conditions such as headache, which mimic migraine, can and do produce some good results.

The position of the physiotherapists is that manipulative therapy is a well-established part of physiotherapy procedures for musculoskeletal syndromes. Manipulative therapy is taught as part of the undergraduate curriculum at the University of Queensland. It is also planned that a post-graduate teaching program will take the form of a coursework master's program. The master's program was approved by the university senate some time ago. However, the program has received no funding at all. Physiotherapists find that situation very frustrating. They have been seeking funding for implementation of the coursework master's program for over a decade. The lack of a master's program places physiotherapy graduates at a disadvantage because, to receive extended training in manipulative therapy, they must travel interstate. Competition for places in those courses is quite fierce.

It has been brought to my attention that the New South Wales Chiropractors Registration Board has recommended to the New South Wales Health Minister that the board should have the power to accredit physiotherapists and medical practitioners who wish to provide spinal manipulative therapy. The Queensland Branch of the Australian Physiotherapy Association has expressed deep concern over the possibility that similar action might be taken by the Chiropractic Registration Board of Queensland. The fears held by physiotherapists are very real. I suggest to the Minister that that is not the path to take in Queensland.

Spinal manipulative therapy has been an integral part of physiotherapy practice for many years. Manipulative therapy is being taught at the University of Queensland, at post-graduate levels, and also at the physiotherapy school at the Curtin University, at the Cumberland College of Health Sciences, at the South Australian Institute of Technology and at the Lincoln Institute of Health Sciences. These courses are tertiary accredited programs that are funded by the Federal Government. The continued accreditation and funding of these courses is witness to their quality.

Australia is recognised internationally as a world leader in undergraduate and post-graduate education in manipulative physiotherapy. That is in evidence not only in international educational leadership and clinical standards but also in the field of research into spinal pain and its diagnosis and management.

An ever-increasing number of spinal pain sufferers are seeking manipulative therapy treatment from physiotherapists as first-contact practitioners. Despite the increasing number of manipulative therapy treatments being given by physiotherapists, to date there has been no successful malpractice action brought against a physiotherapist.

The attitude to the Australian Physiotherapy Association is that it would be quite inappropriate for any State Government to limit the scope or practice of a physiotherapist by some form of restrictive legislation. However, it is the task of State registration boards and professional bodies to ensure that practitioners are practising in a manner that is consistent with their educational, ethical and safety standards. I support the physiotherapists in that view. In summary, the physiotherapists would generally support the dropping of the term "Manipulative Therapists" from the title and references in this Bill associated with chiropractic.

I offer the honourable members the definition of "chiropractic" and "osteopathy" that appears at page 30 of the handbook of the New South Wales branch of the International Colleges of Osteopathy—

> " 'Chiropractic' means the system of palpating and adjusting the articulations of the human spinal column by hand only, for the relief of nerve pressure.

> 'Osteopathy' means the adjustment by hand only of the bones or soft tissues of the human body for the purpose of curing or alleviating any disease or abnormal condition of the human body."

I draw the attention of the House to the words "adjustment by hand" as being the central part.

Chiropractors and osteopaths seek the removal of the term "manipulative therapy" because it differentiates between the chiropractic and osteopathic profession and medical manipulative therapy, physiotherapy and physical therapy, etc. The House has already heard that the physiotherapists do not mind. Chiropractors see themselves as prime contact, diagnostic practitioners and there is a difference between what chiropractors and medical practitioners do. These days ergonomics is very much a part of chiropractic work, along with rehabilitation work, and I am personally pleased to see that being introduced. In the old days the emphasis was more on spinal manipulation and not much on rehabilitation.

A Queensland student entering the chiropractic profession has two options. Firstly, he or she can study for a Bachelor of Science degree with an anatomy major at the University of Queensland and attend the college in New South Wales for a post-graduate course in either chiropractic or osteopathy. Alternatively, a student can attend the Philip Institute in Melbourne for a five-year course which gives him a degree in science and the osteopathy or chiropractic qualification.

Perhaps a larger aspect of chiropractic is involved in these changes to the Act, and there are some who believe that the course the profession is taking both in Australia and overseas is not necessarily the way to go. In parts of Europe and North America chiropractic is a branch of medicine. For example, in Canada the universities of Saskatchewan and Toronto include chiropractic within the ambit of the orthopaedic sector. There is a view emerging in Queensland that chiropractors' training should be based in a university. It is interesting to note that there are two schools of chiropractic in New South Wales and at the Philip Institute in Victoria. The general parameters are that one course serves 20 million of the population, so that there are enough schools of chiropractic and osteopathy in this country to cover the whole of the Pacific basin.

Some chiropractors see that there is a need for a research-based chair at a university. There is no research of any great import currently being carried out into chiropractic in this country. Griffith University in Queensland has expressed interest in creating a school of post-graduate studies and is looking at taking chiropractors in the research field only, rather than into the basic teaching field for practitioners. Areas of research would encompass spinal research and spinal pain. The standard of chiropractic in this country in these areas is equal to any in the world. I understand that Griffith University is introducing a post-graduate masters degree for chiropractors who wish to work in research areas and this in time may lead to a doctorate of philosophy in the discipline.

I turn now to the original Act. The word "chiropractic" was inserted in front of "manipulative therapy" without any attempt being made at a definition of "chiropractic". Today there have been references to the 1979 debate. The practitioners in Queensland are a heterogeneous group and rather diverse in their background. They were legislatively sanctioned by the original legislation. However, the profession has been somewhat divided and has in fact at least two professional associations. Many definitions of the word "chiropractic" restrict the discipline to manipulation of the vertebral column. This is certainly so, for example, in the consideration of workers' compensation claims, which is an important practical area.

There is a difference of opinion regarding the use of the term "osteopath". One view is that if one scratches the surfaces of the Australian osteopath and chiropactor, one finishes up with the same practitioners who have been trained at virtually the same schools. However, the osteopath in the United States, for example, is a different practitioner, and I believe that the honourable member for Windsor referred to this. The osteopath in the United States is one who works generally within the discipline of medicine, tends to stay within the discipline in family practice and is often based in

country communities. There is a growing emergence of this type of practitioner in Australia.

On the other hand, the chiropractors say that in Australia the reality is that a chiropractor and an osteopath are virtually synonymous. It is interesting to note that, for example, in other States and in the Northern Territory separate legislation exists for chiropractors and osteopaths, although they are administered under one Act and by one board. In South Australia osteopaths are considered to be part of the practice of chiropractors. That is the same in New South Wales and in the ACT.

This view is not shared, as the House has already heard, by the United Osteopathic Physicians Guild, which, I understand, has written to a number of members in relation to the Bill. The guild seeks an amendment to the Bill to replace the phrase "chiropractor and osteopath" with the words "chiropractor or osteopath".

I wish to quote the guild's claim as contained in a letter written to me. It states—

> "The creation of a title 'chiropractor AND osteopath' to describe and register a person who is only competent in one of these fields is against the publics interest. Those people who seek osteopathic care in strong preference to chiropractic will be disadvantaged. Genuine osteopaths may also be disadvantaged in informing the public of the service they provide."

That sort of statement in particular reflects the growing pains of what is a burgeoning discipline. I think honourable members would agree that registration has been a good thing and that an updating of this legislation is quite timely.

I will touch now only briefly on the other major objectives of the Bill. The second objective I mentioned was that the legislation introduces a new section 18, which deals with qualification and registration and allows the board to establish a list of prescribed qualifications in Australia that entitle a person to be registered. The new section also removes the grandfather clause, as has been mentioned. After almost a decade, this is a very good thing and certainly shows the maturity of the discipline.

The third major objective was referred to by the member for Aspley and relates to conditional registration, which provides for a registration period of 12 months and that persons possessing overseas qualifications have the opportunity for full registration thereafter, depending upon the production of evidence of substantial practice in Queensland. The new section 19 further allows the board to require applicants with overseas qualifications to undertake an examination, if necessary. I believe that this part of the Bill is broad enough to provide flexibility within the profession while maintaining the standards that we have been seeking.

I wish to make some other brief statements. Section 32 of the Act will be repealed and replaced with a new section 32, which has the object of preventing medical practitioners and physiotherapists from advertising as chiropractors and osteopaths. This part of the Bill is a non-event, because many physiotherapists, and medical practitioners in particular, claim that they would not want to use these terms in practice. However, for the sake of clarity, it is probably fair enough to repeal this part of the legislation at this time.

In the second-reading speech the then Minister, now Premier, Ahern, referred to further amendments to the Act being discussed within the profession. I ask the Minister to clarify what those further discussions and further amendments are and what has been alluded to in that speech. Are they, for example, about the rights of chiropractors or osteopaths to incorporate in the same way as medical practitioners and members of the dental profession have been able to incorporate? I understand that the legal aspects of that are being looked into, at least by the profession.

I trust that this dissertation has helped honourable members understand the background to the Bill. It is very timely indeed that, after 10 years of regulating a practice that has been around in society for a long, long time and is in local communities and used by many of us either in conjunction with the medical profession or indeed as a first-contact practice, these revisions be made. I am quite comfortable, as the Liberal

Party is, to leave the terminology of the Bill as it is. I summarise that by saying that I think we are seeing the growing pains of the discipline and that in the fullness of time those things will be resolved within the discipline itself, which is where they should be resolved. The Liberal Party supports the Bill.

Hon. L. T. HARVEY (Greenslopes—Minister for Health) (4.45 p.m.), in reply: I thank honourable members for their contributions to the debate on the Bill. In answer to the Opposition spokesman on Health, I point out that the proposed title gives recognition to both groups. Osteopaths will not be disadvantaged by the legislation. The Bill will give them recognition. As we feel that the provision is sufficiently flexible, no change to the membership is proposed. The definition has been examined and it is adequate. The case referred to by the Opposition spokesman is currently being investigated by the board.

X-rays are controlled by the Radiation Advisory Council. The Medical Board has not taken a position on the referral to radiologists by chiropractors, but has left the matter to be decided on each individual case. I believed that I have answered the queries of the Opposition spokesman.

I thank the honourable member for Aspley for her interesting comments. She has demonstrated that she has a clear understanding of the intent of the Bill, an extensive knowledge and interest in medical issues, particularly relating to radiologists and radiographers, and a commitment to having improvements made in that area.

The meeting between Mrs Nelson, me and members of the Institute of Radiography was a fruitful one. The requests that were put to me at the time will be examined seriously with a view to addressing the concerns that were expressed.

I take Mrs Nelson's point about unnecessary irradiation of patients. It is a serious matter. I also take into account her comments about the need for standards and safety procedures to be established. I will certainly continue discussions with Mrs Nelson and members who are interested in this particular area.

I thank the member for Ashgrove most sincerely for his congratulations on my appointment to the Health portfolio and for the obvious depth of research that he carried out. I assure him that the department recognises well the role of physiotherapy. There is nothing preventing manipulation by physiotherapists. No moves are being made in Queensland to interfere with that. Perhaps he could pass that information on to the people who have expressed concern to him.

I note that the definition of "chiropractic and osteopathy" means the manual mobilisation of the joints of the vertebral column.

I take the point of the member for Ashgrove about the "and" and the "or". That point was also raised by the Opposition spokesman. It refers to the American example, which is entirely different from the Queensland situation. Because those disciplines are so close, we do not want two separate registers. However, the Bill recognises that they are different operations. The Government is satisfied to leave that provision as it is.

I thank honourable members for their contributions to the debate and I commend the Bill to the House.

Motion agreed to.

Committee

Hon. L. T. Harvey (Greenslopes—Minister for Health) in charge of the Bill.

Clauses 1 to 6, as read, agreed to.

Clause 7—

Mr SHERLOCK (4.51 p.m.): Section 7B of the original Act describes the membership of the board. I think during the second-reading debate the member for Windsor referred to the presence of an Osteopathic Guild member on the board and made the point that that would ensure good liaison between the osteopathic profession and the board.

I understand that the guild is the largest organisation of registered osteopaths in Australia, with members on boards in other States—for example, New South Wales—and the Northern Territory.

My purpose in speaking to this clause is to pass on the thoughts of the guild to the Minister and to ask her to take them into account.

Mrs HARVEY: I will respond briefly to the honourable member's comments. The Government believes that the membership is already sufficiently flexible. However, I will take into account those suggestions for the future.

Clause 7, as read, agreed to.

Clause 8, as read, agreed to.

Clause 9—

Mr SHERLOCK (4.52 p.m.): Clause 9 repeals certain sections of the Act and deals with qualifications for registration and training.

I am speaking again on behalf of the Osteopathic Guild, which seeks to have the International Colleges of Osteopathy in Sydney included in the register of training institutions. That is the institution that most Queenslanders are likely to attend for osteopathic training.

The guild, with my support, seeks to have that college included in sections 18(2) and 19. I draw that to the Honourable Minister's attention.

Clause 9, as read, agreed to.

Clauses 10 to 16, as read, agreed to.

Clause 17—

Mrs HARVEY (4.54 p.m.): I move the following amendment—

"At page 7, after line 36, insert—

'(b) to chiropractic manipulative therapist shall be read as a reference to chiropractor and osteopath.

18. Table of amendments to references. The Principal Act is amended by omitting from each provision specified in the first column of the following table the expression or expressions (wherever occurring) specified in the corresponding position in the second column and'."

It was always the intention of the Government to include these words. Their exclusion was the result of an error on the part of the Government Printer.

Amendment agreed to.

Clause 17, as amended, agreed to.

The TEMPORARY CHAIRMAN (Mr Burreket): Order! The question is, "That clause 18, as read, stand part of the Bill", since which it has been proposed to amend the clause at page 7, line 39, by inserting—

"**18. Table of amendments to references.** The Principal Act is amended by omitting from each provision specified in the first column of the following table the expression or expressions (wherever occurring) specified in the corresponding position in the second column and".

Mr COMBEN: I rise to a point of order. Mr Temporary Chairman, you said, "The question is, 'That clause 18, as read' " and then you referred to the words to be added. There is no clause 18 in the Bill. It must be done by using a different form of words. You have to add words.

The TEMPORARY CHAIRMAN: Order! There is no point of order. Those four lines to which the honourable member referred were omissions from the Bill. That was

explained by the Minister. Clause 18 was originally part of the Bill. We are now inserting those four lines into the Bill, which the honourable member has in front of him.

Amendment agreed to.

Clause 18, as amended, agreed to.

Clause 19—

Mrs HARVEY (4.58 p.m.): I move the following amendment—

"At page 12, omit lines 14 to 27 and substitute—

'

TABLE

Provision of Principal Act	Amendment
section 25 (3) paragraph (c)	Omit the expression "$1 000" and substitute the expression "$2 000"
section 30 (1)	Omit the expression "$500" and substitute the expression "$1 500"
section 33 (1)	omit the expression "$200" and substitute the expression "$1 500"
section 34 (1)	omit the expression "$1 000" and substitute the expression "$2 000"
section 38 paragraph (i)	omit the expression "$500" and substitute the expression "$1 500"

'."

The amendment proposed by the Government on the basis of legal advice replaces the penalty unit provisions with monetary penalty provisions.

Amendment agreed to.

Clause 19, as amended, agreed to.

Bill reported, with amendments.

Third Reading

Bill, on motion of Mrs Harvey, by leave, read a third time.

REAL PROPERTY ACTS AMENDMENT BILL

Second Reading

Debate resumed from 16 March (see p. 5276).

Mr BRADDY (Rockhampton) (5.02 p.m.): The Bill now before the House relates to some fairly minor amendments to the Real Property Act. At the outset, I indicate that the Opposition supports the proposed amendments to the legislation.

The Bill enables the Titles Office to take advantage of the provision for the use of a document exchange through the lodgment of documents, which is currently available to the legal profession. That is an efficient use of resources, which the Opposition clearly supports.

The other aspect of the legislation relates to the surveying of land and the placing of land on single titles, which the Opposition supports also.

This is an opportunity to consider matters of policy in relation to real property and land in the State of Queensland. I refer particularly to the continuing growth in Australia—and more particularly in Queensland—of the sales of land to foreigners. The question

must be asked: what is the Government doing about this? We are approaching the Easter break, and we have heard nothing more from the Government about a foreign land register. The introduction of such a register has long been advocated by the Labor Party as the Opposition in this House in an attempt to maintain accurate records and to keep a check on the sale of land—real property in particular—to people who have no interest in Australia other than to purchase land in Queensland at the cheapest price possible.

Not so long ago when the drums were beating to drum the then Premier of Queensland, Sir Joh Bjelke-Petersen, out of office at the National Party conference, one of the drums that was being beaten very loudly was a proposal from the rebels that there would be a foreign land register in this State. In fact, newspaper reports at that time stated that that was the case.

I turn now to an article that appeared on page 5 of *Queensland Country Life* of 12 November 1987, which stated as follows—

> "Strong National Party support for the establishment of a foreign land register in Queensland triggered a mixed reaction from the rural industry.
>
> A resolution calling for the introduction of the register received almost unanimous support at last week's National Party conference in Townsville, despite long standing opposition by Premier Sir Joh Bjelke-Petersen."

At the time a great play was made that this would be one of the reforms that would be quickly advanced by this Government. On page 8 of the *Courier-Mail* of 7 January 1988, the following remarks were made in an article by Peter Trundle—

> "A likely change will be a register of foreign landowners, a move Cabinet approved while Sir Joh was away, but which it rescinded when he returned. Dr Coaldrake gives a reminder that the introduction of such a register was sought at the November National Party conference."

It is now March 1988. That great move that was made by the National Party in the absence of the former Premier, and which was rescinded in the usual way by its bowing to his wishes, is heard about no more. Where is this land register? As I said, the National Party, when it was attempting to drum up support from Queenslanders for the removal of its erstwhile hero, made great play of it.

The hero has gone, yet Queensland still has a flood of foreign purchasers. I refer to the 1986-87 report of the Foreign Investment Review Board. One of the items set out in that report is Table 11.4, which details foreign investment in rural land, by location of expected investment, 1985-86 and 1986-87. The table sets out various items such as the States, the number of proposals, the area involved and the consideration involved. It is interesting to see just how much of Queensland is being alienated by people who are not in fact residents of this country. For the year 1985-86, with a total of 13 proposals, Queensland was third-highest on the list. Those proposals concerned rural land. However, in terms of area, Queensland had by far the largest quantity. In that year the proposed acquisition of rural properties in Queensland by foreigners was 685 000 hectares. The next highest was Western Australia with 212 000 hectares. The amount involving Queensland was three times as much as the second-highest State. However, in terms of consideration, the value of the land involved in Queensland was $17.1m, compared with $10.5m in New South Wales. New South Wales was proposing to alienate only 11 000 hectares for $10.5m, whereas Queensland was alienating 685 000 hectares. Obviously, considering the consideration involved, much of Queensland was being alienated to people whose first allegiance was by no means to this country.

I will now refer to 1986-87. Queensland had the third-highest number of proposals, and in that year 215 000 hectares of land was proposed to be acquired by people of foreign citizenship. That year the consideration was $36.2m. That relates to rural land.

As the National Party belatedly recognised at its conference late last year, the people of Queensland and Australia have real concerns about foreign ownership of Australian land. For many years it has been said—and originally rejected by the National Party—that overseas land cannot be bought by Australians in a similar fashion. The Japanese

are certainly investing heavily in this country. However, the same provisions are not available to Australians who want to invest in Japan. It is this ability to exchange that has really been the basis of international law. It is on that basis that treaties are usually made. It is certainly suggested by the Opposition that the time is long overdue for Australia to step in and actually do something in relation to this.

Tonight, I question what the Ahern Government is doing. It took the National Party many, many years to accept that a foreign land register should be kept for Queensland. To date, nothing has been heard about that proposal since the Ahern Government commenced its administration. All honourable members know is that there is a National Party resolution, but we are not interested in that. I would be pleased if, in the course of his reply, the Minister for Justice and Attorney-General could give an indiction of what controls, if any, are about to be established in Queensland in respect of real property and leasehold land, and whether any advance at all has been made into the provision of a foreign land register or control over foreign land-ownership.

Much of the Foreign Investment Review Board's information is not good enough. Sometimes it does not state how much of the investment is undertaken in conjunction with Australian citizens. It is really only a half-hearted indication of what the realities of these proposals are in Queensland. Nevertheless, merely by looking at the board's information, I can tell the quantity of rural land that was alienated in the period 1985 to 1987. It is a matter that has caused me considerable concern because in excess of 900 000 hectares changed hands in a period of two years for a comparatively small amount. One wonders how long that type of action can continue without its being to the detriment of the people of this State.

Similarly, the figures that indicate foreign investment in urban real estate make one anxious about whether the Government has any real concern about the issue, besides trying to advance its own political purposes. I refer to the *Australian Financial Review* of 3 September 1987 at page 3, which contains an article indicating where all the Japanese money is going. The article analyses what is occuring in Queensland and states that in Cairns, plans were under way to build a $200m hotel at Palm Cove after the purchase of 210 hectares for $24m. At Townsville, Kumagai Gumi holds a share in the $60m Sheraton Breakwater Casino Hotel development. In Repulse Bay, which is in the Whitsunday group, unknown Japanese investors have proposed a $250m resort. The article goes on to list other areas in Queensland that are the subject of foreign investment and states as follows—

> "Yeppoon: Iwasaki Sangyo Aust Pty Ltd has completed a 402-unit resort development at a cost of $80 million and is planning a 300 room hotel.
>
> Sunshine Coast: Kumagai Gumi is head contractor on the $120 million Hyatt Coeur De Leon health resort. Kawasaki Steel recently injected $43.5 million into the project as first entry into Australian property market.
>
> Brisbane: Kumagai Gumi is financial backer for the $350 million Central Plaza office retail project in Brisbane CBD.
>
> - Daikyo Kanko spent $85 million for a 90 per cent share in the Sheraton Hotel.
> - Kumagai Gumi was involed with Thiess Watkins Pty Ltd in an office development at 200 Mary Street, sold late last year for $27 million.
> - Nayama Gumi has bought the Sunnybank Shopping Centre for $18 million.
>
> Gold Coast: Matsushita Investment and Development Co Ltd purchased 200 ha and plans to progressively develop a $700 million development.
>
> - EIE Corp Ltd holds 50 per cent equity in the $200 million Bond Corp private university.
> - C. Itoh holds a 40 per cent stake in the $100 million Hospital of Excellence at Tugun.
> - Kumagai Gumi is backing the $70 million 408-room Holiday Inn Hotel.

- Daikyo Kanko through Daikyo Aust Ltd has opened the $65 million Gold Coast International Hotel along with a $30 million golf course.
- The Nara Group has a 50 per cent interest and is funding the construction of a $60 million hotel in a joint venture with Seaworld Property Trust."

Mr Gately: Aren't all these projects creating employment?

Mr BRADDY: The article countinues—

"• Carringbush Pty Ltd and Kumagai Gumi are joint developers of a $35 million shopping centre. Carringbush has indicated an intention to buy out Kumagai's share on completion.
- Kumagai Gumi, AGC Ltd and Concrete Constructions are in a joint venture for a $22 million townhouse development at Runaway Bay.
- Tobishima has a 50 per cent share in the CM Group which bought the Scarborough Fair shopping centre for $55 million. The company also holds an option on an adjoining block of land and is planning a $200 million retail development.
- Daikyo Kanko has a 20 per cent stake in the Jupiters Trust, which owns the $180 million Jupiters Casino and Hotel.
- Kumagai Gumi involved in $85 million commercial development.
- Kokusai Motor Cars Co Ltd bought the Ramada International Hotel at Surfers Paradise for $50 million.
- Westmark Corporation Ltd sold the 100 ha Surfers Paradise International Raceway to an unknown Japanese investor for $8.5 million.
- Japanese company Pacific Atlas (Aust) Pty Ltd is planning a hotel and retail development with Daikyo Kanko at Surfers Paradise on the land bought for $11 million. Development cost unknown."

No-one here in the Opposition or in Australia is against sensible and sound development. We have to make sure that this State is not participating in an era in which land is sold at what are on the world market very cheap prices so that an extensive part of Queensland's real estate is owned by people who owe no allegiance to this State or this country.

I have been listening to the interjections from the honourable member for Currumbin. I am aware that there are many people like him who would sell anything to enable Japanese development to take place in this State. I am suggesting that this Government, faced as it is with this enormous growth of foreign investment, particularly from Japan, treats the question of a foreign land register as a matter of urgency, that guide-lines be laid down and that there be an understanding of how much land is being alienated. The Opposition is not asking that there be a prohibition on the sale of land to people from Japan or any other foreign country. What the Opposition is asking is this: that everyone knows how much land is being alienated; that there be reviews; and that some attempt be made to keep the sale of land within the bounds of reality, so that the resource of land in Queensland is not something that is alienated to such an extent that it is not comparable with the sovereignty of the Queensland people in the State and country in which they live.

One has become accustomed to the honourable member for Currumbin interjecting in this place and speaking without thinking very clearly about what he is saying, and one has become accustomed to some of the nonsense that from time to time he tables in this House. Surely even he would understand that as a sovereign people, Queenslanders are entitled to keep control of their land and know precisely what will happen to it. I presume that is why the members of the National Party at their conference finally agreed with the Labor Party that a foreign land register should be established. The sale of the land continues in Queensland. It grows apace and there is still no legislation before this House that will establish a foreign land register and implement controls to ensure that

the sale of land to Japan and other foreign countries is in the interests of Queenslanders. Queenslanders must not behave like people from a Third World country and lie down on their backs and say, "Tickle our tummies, do what you like, take our land at any price. We do not care how much you take as long as you build a few hotels and a few golf courses." If that is the attitude of the honourable member for Currumbin towards the people who live on the Gold Coast, God help his constituents!

The Opposition wanted the Government to be sensible, and, finally, some of the members of the National Party—if not the member for Currumbin—agreed with the Opposition and resolved at the National Party conference to establish a foreign land register. The Opposition says again to the Government—as it has been saying for many years—that it must not fool around with the land and be so concerned about small amendments to the Real Property Act, important as they might be. They have their place, but the big picture is what the Opposition is concerned about.

A person does not have to be very astute—even the member for Currumbin would be aware of this—to know that in recent years an enormous number of sales of land to the Japanese people have taken place. If these sales are to continue at the pace at which they have occurred in the past five years, there is no doubt that there will be serious concern about where Queensland is going in relation to the ownership of land.

It is a very important question and it is a question, therefore, that the Government must finally answer. I suggest that the Government must tell us here in the House and tell the people of Queensland what it intends to do about a foreign land register, what that proposal will mean and what restraints, if any, will be imposed on a foreign land register. Or will the Government allow the land to be alienated and leave it to the Commonwealth Government, under its foreign-investment guide-lines, to restrict purchases by foreigners of land in this country that are not in the interests of Queensland or Australia.

Mr Gately: How many other States have got a register?

Mr BRADDY: This is the State where the pressure is on. A person does not even need to be astute to know that. If one looks at where the purchases are going on, one sees that the pressure is on in Queensland.

This is the State where there is most interest, particularly by the Japanese people. Even the member for Currumbin would be aware of that. It is a matter of extreme concern. The figures that are available in the report of the Foreign Investment Review Board show that Queensland is where the action is and that, whilst the other States may have the opportunity to take more time to consider their position, that is not the case in Queensland. This State does not have the luxury of any more time. Even the National Party finally woke up to that in 1987.

It is now March 1988 and it is about time that the new vision-of-excellence Government had some vision on the alienation of Queensland land, stepped in, drew up the guide-lines, drew up the legislation and put it before the House for consideration. It is not a small matter; it is not a pin-pricking matter about which we are concerned; it is a matter of real concern. Even the people who reside on the Gold Coast and who slavishly follow the thinking of the member for Currumbin will one day wake up to themselves, realise just how much of the Gold Coast area is being sold out to Japanese interests and realise that ultimately in 10, 20 or 30 years, we might have little control over our own land in our own country. If the member for Currumbin and others like him were to look at some of the other parts of the world where land has been alienated without concern for the local interest, they might wake up to themselves.

There are people like the member for Currumbin who will sell out this country for money. "Money and jobs", they say, but really it is money that they want. As long as there are the cranes on the skyline, it does not matter really who is benefiting from the sales of land. The cranes on the skyline—they have always been the criteria and the guide-lines for people like the member for Currumbin and the former Premier. Of course, that is not the answer for Queenslanders and Australians. We need a foreign land register;

we need the legislation; and we need this Government to take its responsibilities seriously and to bring in legislation, as even the National Party conference asked it to do.

Mr INNES (Sherwood—Leader of the Liberal Party) (5.25 p.m.): The legislation before the House contains three fairly simple amendments, all of which originate from the practising profession. They are all totally practical in their intent and relate to ease of administration and cost-saving. They are therefore supported by the Liberal Party.

Probably the most practical in its direct impact is the document-transfer system which, although it looks least consequential, is that which will give the greatest use in the majority of cases. Despite the octopus of Australia Post, people have found that the transmission of such things as documents can be done by private enterprise quickly and more cheaply. The system is used particularly by lawyers and by other people who have a need to transfer documents of some importance with speed. They take the document to a central depositing place, put it in a pigeon-hole for a particular part of the country and it is delivered within 24 hours either by vehicle or by plane and vehicle to the pigeon-hole in the exchange at the place nearest to the place of business of the recipient. It is very much used and very important in a world in which transactions frequently involve vendors and purchasers and people in diverse parts of the State.

The advertising of transmissions by death is a clear cost-saving. The other proposal is a practical one that deals with special circumstances that occur when a watercourse is within the boundaries of a deed of grant. The Liberal Party supports the principle and the practice involved in the legislation.

I will comment briefly on the points raised by the honourable member for Rockhampton. The Liberal Party also believes that there should be a land register. Perhaps the Minister for Justice can indicate the progress that has occurred in centralising records relating to land dealings in this State. The computerised information that allows one to check out fully the publicly required information about any parcel of land should be readily available.

In Queensland, one sometimes felt that the move towards centralising all records has been impeded to some extent by people wishing to hide information about transactions involving blocks of land so that the extent to which transactions relate to foreign ownership or, indeed, to dealings by particular people is not known. There is no excuse today why information about a commodity of such value and a commodity that can be so gravely affected by a variety of Government-controlled factors—everything from the price of the last sale, to easements, to impediments imposed by Crown authorities, to zoning or whatever—should not be freely available. It would be a matter of enormous utility in the modern world to have that information freely available.

However, that is not enough. It is desirable to know the rate at which our land is being bought by people overseas. At the same time, we have to develop some logical discipline and determine what we might do with that information if we receive it, apart from the question of being a stickybeak. It is relevant and valid to say that we want to know the places to which our land is alienated. It is also relevant to know the attitudes and policies of countries that might own that land. There is a certain old-fashioned biblical virtue in the sayings about an eye for an eye and a tooth for a tooth. If people who come from countries that do not allow foreigners to own land in those countries want to acquire land in this country, they can be subjected to special rules.

It is not enough to cash in on the emotion that is clearly there in relation to land, because land is a special commodity. We do not want to feel like strangers in our own land. Nevertheless, we must determine, to some extent, what we will do with the information if we discover that the land is being overwhelmingly bought by people, such as the Japanese at this point in time. Some conditions of ownership will be required. The sorts of things that the Federal Government did in relation to residential ownership were a legitimate response. They may not have been the perfect response, but they were a legitimate response to the prevention of a certain economic pressure in Australia, that

of enormously increasing residential land values because of the power of the yen and the enormous economic might of Japan.

Both pieces of information are required, and there is an obligation on the Government to make some determination or to start to formulate some ideas about the policies that might be developed to deal with that information, depending on various things that might be revealed. On behalf of the Liberal Party, I will deal with such concepts in more detail at a later date, because they are matters about which my party is concerned, in relation to both freehold and what might be done with leasehold.

A very special situation exists in relation to leasehold. It is a reasonable act of Crown jurisdiction by the Government of Queensland, on behalf of the people of Queensland, to attach conditions to leasehold land which it might not impose upon freehold land.

The Liberal Party believes it is important to have the information. However, it is equally important not just to ride on the jingoistic back of some sense of alienation but to think what might be done with the information when it is obtained. That is a debate about the Land Acts and perhaps belongs to another day.

In the meantime, I ask the Minister to inform honourable members as to the rate of progress in centralising land information and establishing a central registry that would allow people to discover quickly the extent of foreign ownership and the implications of foreign ownership, whether there are multiple ownership situations and complicated or extensive financial transactions involved in the ownership of land.

Hon. P. J. CLAUSON (Redlands—Minister for Justice and Attorney-General) (5.32 p.m.), in reply: I thank honourable members for their support for this legislation.

I note some of the comments made by the member for Rockhampton and also the member for Sherwood in relation to the establishment of a foreign land register. I found some of their comments extremely interesting.

As both honourable members are well aware, the National Party has in fact adopted as part of its platform the policy of setting up a foreign land register. I am unaware as to whether the Liberal Party has adopted such a policy as part of its platform. However, it was interesting to hear the incumbent Leader of the Liberal Party say on this occasion that the Liberal Party supports this particular arrangement.

It was also interesting to hear the member for Rockhampton talk about a foreign land register in Queensland when none of the other States in Australia have seen fit to set up a foreign land register.

I am not saying that that is either a good thing or a bad thing. What I am saying is that it is interesting that the mainland States of Australia—the majority of which were Labor States until last Saturday—have not chosen to set up a foreign land register of the type sought by Mr Braddy——

Mr Braddy: They have not got the problems that we have.

Mr CLAUSON: Quite frankly, I have not come across many problems in Queensland.

I think the difficulty that the honourable member has to overcome is that Queensland happens to be advancing at a greater rate than the other States, notwithstanding the fact that Australia does have a Federal Labor Government that is slowly falling into disrepair and causing the nation to go down the tube with it.

It was interesting to note the member for Rockhampton's comments in relation to the Foreign Investment Review Board. That particular organisation was set up by the Federal Government ostensibly to control the flow of foreign funds into Australia.

That is quite interesting because Mr Keating, the "world's greatest Treasurer", so acclaimed by his colleagues—and there is nothing like a bit of self-praise; but it is certainly no recommendation—said that he wanted to encourage the flow of foreign

funds into Australia on the basis that it would assist in overcoming the balance of payments problem.

I find the statement made by the honourable member for Rockhampton to be extraordinarily contradictory. On the one hand he says that the Queensland Government should set up a foreign land register and, on the other hand, he supports Mr Keating and his crew, who suggest that it is great to have a heap of funds coming into Australia from overseas for investment purposes. He cannot have his cake and eat it, too. He certainly has to come to grips with the fact that Mr Keating has stated that we are living in a banana republic.

The honourable member said that Australia should not lie down like some Third World country and have its belly tickled. I suggest to the honourable member that the Treasurer of this great nation of ours has recognised that Australia is approaching banana republic status and that he wants foreign investment to come into this country to make sure that the balance of payments debacle over which he has presided since his appointment as Treasurer is redressed somewhat by foreign investment in this country. That is quite extraordinary.

I ask the honourable member why he has such a racist bent against the Japanese people. Although he referred to other foreign countries, he concentrated his attack on the Japanese people. I wonder whether, if he was a member of this Assembly just after World War II, he would have objected to the Americans sinking a lot of funds into this country. That occurred just after World War II, continued well into the sixties, and is still continuing. America allows Australians to invest in that nation. The Japanese have money and are prepared to invest in our nation, which is struggling under the irons of the Federal Labor Government at present, notwithstanding the dreadful debacle that is occurring in Canberra on the economic front.

Dealing further with Mr Braddy's comments—it is extraordinary that no other Labor Government in Australia has in fact set up a register of foreign land-ownership. For the edification of the honourable member for Rockhampton and the honourable member for Sherwood, I point out that Mr Glasson, the Minister for Land Management, is actively considering how a foreign land-ownership register could be set up. In all the circumstances, the Queensland Government is certainly honouring its obligation to the people of Queensland by ensuring that our economy continues to be the strongest-growing economy of those of all the States of Australia. The Queensland Government is also ensuring that the interests of every Queenslander and Australian are adequately protected.

The honourable member for Sherwood would be well aware that the computerisation program that has been put in place in the Titles Office will certainly improve land information services greatly. The Government has put its money where its mouth is and attempted to move down the track of technology. The Government itself is looking at ways and means of collating information from all the land information services to ensure that members of the public in Queensland have that information at their fingertips.

I commend the Bill to the House.

Motion agreed to.

Committee

Hon. P. J. Clauson (Redlands—Minister for Justice and Attorney-General) in charge of the Bill.

Clause 1—

Mr INNES (5.40 p.m.): I wish to respond to some statements that were made earlier. If one is going to be patronised, I prefer to be patronised by somebody who is in a position to do so. The incumbent Liberal Leader will speak to the recumbent, perhaps somnambulant, Attorney-General. If he had been here for more than three minutes, he would know that on regular occasions the Liberal Party has enunciated its

policy of establishing a register of foreign ownership of land and, as a matter of urgency, has tried to move a motion for a debate on that matter. I thought that I had dealt with the matter without showing any personal rancour towards the Attorney-General. If he wants to start something, I am quite prepared to carry it on.

This is becoming a tedious habit. Let us deal with a little bit of personal response, and I will leave it at that. I wish to make it perfectly clear that the Liberal Party has repeatedly raised the issue of a foreign land register, and we are not doing anything for the first time today.

Mr BRADDY: I can only agree with the honourable member for Sherwood, that this recent habit of the Attorney-General of being personal in his remarks is something that should be drawn to his attention.

The Attorney-General has been in this Chamber a relatively short time. When he was a back-bencher, he distinguished himself by making perhaps two or three very short speeches which revealed that he knew his place, which at that time was very modest.

Honourable members are aware that the honourable member came into this Chamber after the National Party inveigled him into joining it a very short time before the Redlands by-election. It appears that he owes his place on the front bench to the fact that he was the only legally qualified person in the National Party at that time and that Mr Goss was giving the National Party a hard time. The honourable member's second major qualification was that he had a Danish grandfather. If the honourable member is going to come into this Chamber and patronise honourable members, he needs a few more qualifications than that.

Mr CLAUSON: I rise to a point of order. I suggest that the honourable member should be invited to confine his remarks to the clause under discussion.

The TEMPORARY CHAIRMAN (Mr Burreket): Order! I have given both the Leader of the Liberal Party and the honourable member for Rockhampton equal opportunity to speak to clause 1. The comments of both honourable members were irrelevant to the Bill.

Mr BRADDY: I wish to continue.

The TEMPORARY CHAIRMAN: Order! The honourable member has had sufficient time to speak to clause 1. If he wishes to speak to another clause, he may do so.

Mr BRADDY: I wish to continue on clause 1.

The TEMPORARY CHAIRMAN: Order! Clause 1 deals only with the title of the Bill. Nothing that the honourable member has said can be related to the title of the Bill.

Mr BRADDY: There is a long-standing practice in this Chamber that, on clause 1, honourable members are allowed to speak about a wide range of matters that have arisen during the course of the debate. I wish to reply to certain matters that were put to me by the Attorney-General. He accused me of being a racist, and I wish to reply to that. I know that he is very sensitive and he cannot take it when he gets it back.

The TEMPORARY CHAIRMAN: Order! I have made my decision. If the honourable member wishes to speak to any of the clauses of the Bill, he may do so. We are now discussing the title of the Bill. The remarks that have been made by both the Leader of the Liberal Party and the honourable member for Rockhampton were irrelevant to the title of the Bill.

Clause 1, as read, agreed to.

Clauses 2 to 4, as read, agreed to.

Clause 5—

Mr BRADDY (5.44 p.m.): Clause 5 deals with the necessity to advertise title when title is complete. If we are concerned with advertising title, we should also be concerned as to where the deeds of grant and the certificates of title ultimately will lie.

One of the matters that were raised by the Attorney-General in his patronising and undistinguished remarks was the question of why I was concerned about the Japanese. If the Attorney-General had been able to listen with any intelligence to my speech, he would have heard the long list of Japanese purchasers of Queensland property which I read out. I would not care whether those purchasers were Japanese, Iranian, Irish, American or Canadian; what has been clearly shown—particularly during my speech—is that an inordinate amount of land has been purchased in this State by Japanese interests. Japan does not allow Queenslanders and Australians to similarly purchase its land. People of intelligence and goodwill become concerned about those things.

The one question that the Attorney-General did not answer in his patronising tirade was: what is this Government doing about the foreign land register, and what will it do to ensure that matters are kept under reasonable control? We could do with fewer of the sorts of remarks that the Attorney-General made about individual personalities in this place and with more remarks about what he is doing as an Attorney-General in a Cabinet which has received a request from his own party to do something about foreign land, but about which to date he has failed to do anything. We are not interested in his opinions about people's personalities and their intelligence, which are the sorts of remarks that he has been making in this place since this session of Parliament resumed.

What we are interested in is knowing what he intends to do about placing genuine and reasonable restrictions on the ownership of land. We are not interested in racism. We are interested in retaining our land at a reasonable level of Australian ownership and in having an Attorney-General who will take an intelligent interest in the matter. That is what I seek from this Attorney-General.

Mr CLAUSON: This is quite extraordinary—most extraordinary. The honourable member is obviously very sensitive about his earlier unguarded remarks about the Japanese race. The fact of the matter remains that the Japanese happen to be very good allies of this country.

Mr Prest: Since when?

Mr CLAUSON: For a very long time. The Japanese have shown faith in this country when other races, which should have put their faith in the country, have refused to do so. Notwithstanding that, they have continued to invest in this country. The honourable member may be sensitive about those remarks. They are certainly not meant to be taken personally, although he seems to be so thin skinned that he has done that. The fact of the matter is that the Japanese are prepared to put their money where their mouth is. I would suggest to the honourable member that the amount of money that those people are placing in Queensland is not inordinate, and he should be grateful that in the area in which he lives they are investing money, creating jobs and providing capital for this nation, as well as an opportunity for themselves.

Clause 5, as read, agreed to.

Clauses 6 to 9, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

JURY ACT AND OATHS ACT AMENDMENT BILL

Second Reading

Debate resumed from 16 March (see p. 5277).

Mr BRADDY (Rockhampton) (5.50 p.m.): At the outset, I indicate that the Opposition supports the modest proposals that are set out in the Bill. Amongst other things, the Bill seeks to remedy the payment of inordinate amounts of overtime to police officers who, in the course of their duties, assist court bailiffs throughout the State.

It is important that the people who serve in the courts and on juries—the lay citizens who are called on to give service to their State—receive adequate and complete protection. However, it is proper and right for the Government to ensure that protection is not provided at the expense of the other people in this State to any inordinate degree. In other words, the cost of looking after juries and the courts in this State should be kept within reasonable bounds.

I note that, by this legislation, the Government sets out to remedy several anomalies. At present, it appears that when a police officer has been sworn in to safeguard a jury and the jury has not reached a verdict, that police officer must stay on duty. Prior to introduction of this amending legislation, a police officer would not be able to leave the jury, although in the normal course of events he would be able to leave any other duty and hand over responsibility to another police officer. At present, a police officer must continue in his place, which necessitates the payment of overtime. Clearly, that is a technicality; but it is a pity that the anomaly continued for so long before attempts were made to change it. That the Government is now moving to remedy the situation certainly calls for congratulations from the Opposition.

Members of the Opposition can foresee no difficulty whatsoever in amendments that set out to enable police officers to hand over responsibility for guarding a jury to properly qualified people. Indeed, the proper course is that the Government ought to ensure at all times that police officers are used to best advantage.

In recent years in Queensland—and I suppose elsewhere in Australia—a good deal of debate has taken place about police officers being used to carry out clerical duties. All honourable members would be aware that Queensland has fewer police officers per head of population than any other State of Australia. Obviously, anything that can be done to make sure that, as far as possible, police officers go about their duties as police officers would be welcomed by the Opposition. In its way, therefore, this legislation attempts to rationalise what police officers are about in the course of their duties, and the functions they should properly carry out.

The legislation also deals with oaths that are required to be taken by people who are responsible for juries. The Oaths Act will be amended to enable subsequent police officers to assist bailiffs in the performance of their duties. The Opposition supports that aspect of the legislation also.

However, one has to look again to determine what this Government is all about. Is this Government more concerned about fixing up small anomalies of this type—such as the care of juries—than it is about getting to the heart of the jury system, the judicial system and the police control system in this State? I suggest to the Attorney-General that dealing with minor matters is the sign of a break-down of a civilised State, especially when forms and rituals become more important than the truth and realities that lie behind them.

One can only be concerned about a State that is anxious to introduce legislation to fix only form and procedure and that sets out who can take oaths or who can be seconded to look after juries. Although everything looks good on the surface, at the same time there is a state of rottenness lying underneath. Therefore one has to consider the role of juries in our legal system in Queensland and to what extent the people of Queensland are concerned about the system of trial by jury of this State. They are matters of very serious concern to those people who seek to protect the jury system and who believe that the jury system is one of the great bastions of democracy.

If one is really concerned about protecting the jury system, rather than merely the forms and rituals of the system, one must look at the state of the evidence which is put before the jury to find out whether in fact jurors have respect and regard for the system in which they serve. There are several matters of real concern on that aspect. The time is long overdue when we, as a community, should look at those who are serving on juries, how many people are available to serve and how many are exempt from service. The jury system is supposed to guarantee a person trial by his peers, and one's peers are supposed to be one's equals. There are many people who are now exempt from

service on the jury system, and many of them for good reason. They are in positions of trust or authority and it would not be proper for them to serve. Through the care which had been taken to exempt people, we have perhaps gone too far so that there are too many people who are not eligible to serve on a jury. There is no longer a trial by one's peers, but rather trial by a small section of eligible people in the community. I suggest to the Government that the time has come for it to look very carefully at how many people are eligible, the categories of those people and how many people juries can be drawn from.

There is an even more serious concern relating to the people who come to the courts as jurors. How much respect do they have for the legal system, the prosecution and the police who are responsible for bringing people before them to be tried? One of the important duties of any Government is to ensure that the system is protected and that, when the jurors are finally chosen, instead of being concerned about which oath of office is given to the bailiff or the policeman—or whether a policeman can hand over to another policeman or policewoman in the middle of the night when the jury is still out—it is concerned about whether the state of the prosecution case and the credibility of prosecution witnesses is protected to the extent that is possible and reasonable. It is not the role of the Government, or that of the Director of Prosecutions or any Crown prosecutor, to ensure that only people whom it absolutely and entirely believes and trusts can come before juries to give evidence. That is not possible in the ordinary state of human affairs. What is possible is that the system which sets up the trial process that goes before a jury is as good and as beneficial as possible.

Sitting suspended from 6 to 7.30 p.m.

Mr BRADDY: The realities are that the jury system really depends on a whole host of factors—not only the quality of the jurors but also, more importantly, the quality of the legal system and the police system before which the juries have to make their decisions. It is in this area that the Opposition has had considerable trouble over the past 20 years and longer in the State of Queensland, because unfortunately the State has a most discredited system. Therefore we in this Parliament have much to apologise for to the jurors and citizens of this State. Whilst the Parliament has to apologise, the Government should be hanging its head in shame.

I suggest that the State has this discredited system because many signs that things should have been righted were ignored. In recent times one subject has been canvassed a little in this Parliament. The Leader of the Liberal Party put considerable effort into it, and I must agree with him. I am referring to the fabrication of evidence and to verballing. Allegations about this have been made in the Fitzgerald inquiry, but they have been made for many years in this State. It was an open scandal amongst the legal profession about how bad verballing was. The legal profession had a great deal of regard for many of the police officers of this State, particularly at junior levels, but open contempt was expressed for many of the more senior officers. Unfortunately, in many instances that contempt has proved to be justified. In some instances, unfortunately, courageous and honest officers, even at senior level, did not receive the notice and the promotions that they deserved.

When these scandals were discovered—when police were caught verballing and fabricating evidence in very serious cases—what did the Government do? It did then what the Premier is doing now. It appointed committees. It established the Lucas committee of inquiry, which found that throughout Queensland police had a widespread practice of fabricating evidence on which juries were to make a decision. That was found to be not so in isolated instances; there was widespread fabrication of evidence. The Lucas report gave ways of remedying the problem. It suggested that the audiotaping and videotaping of evidence would go a long way towards restoring the credibility of police officers and that the jurors of this State—the citizens of this State— could then have confidence in the quality of the evidence that was put before them.

To the everlasting shame of the Government and many of the Cabinet Ministers who served in that Government, to the present day not one recommendation from the

Lucas report has ever been put into practice. Now, of course, we hear the Government's protestations as to what it intends to do with police, police evidence, fabricating and verballing, but to date there has been nothing—no action. The Government stood by and allowed the jurors of this State to have, time after time, defence counsel put to them, "How can you believe the prosecution? How can you believe the police? They are verballing again." The Government washed its hands of that. Down through the years the administrations have been a collective Pontius Pilate. It is over a decade since the Lucas report was handed down, but nothing has been done.

What the House has before it tonight is an amendment to fix up the minor machinery of dealing with jurors, but nothing to fix up the great scandal and evil of police who have continued to verbal and to fabricate. Now the Government is running around the State taking the credit for the Fitzgerald inquiry. Why was nothing done when the Lucas report was delivered? A retired superintendent of police served on that inquiry; he was one of the signatories to the report. The man who was appointed by the Government as the Director of Prosecutions was a signatory to that report. A very able and senior judge was a signatory to that report. Nothing was done.

Now we are at the stage at which we have to fix up how policemen and bailiffs are given oaths when put in charge of juries. What about the juries themselves? How can people who are selected to serve on juries in this State have any confidence when defence counsel rises in the court and says, "This man has been verballed. He has been bricked."? The Government must take the responsibility ultimately for that. It has known of those evils for years and it has done nothing to date to remedy them. The collective Pontius Pilate act now is, "We are going to do something about them."

Today in this place the Police Complaints Tribunal was raised. The Premier said that the only reason that Judge Pratt was written to was to inquire whether he wished to apply again to serve as Chairman of the Police Complaints Tribunal, because, under the Act, the judge had to be written to. We know that that is arrant nonsense. We know also, of course, that the Premier made that statement after what would not be the most helpful interjection that he has ever received from the Deputy Premier. He suggested that under the Act he was required to do it. That letter was sent at about the same time as the Premier stated publicly that the Government did not wish to keep the Police Complaints Tribunal going in its present form, and certainly that Judge Pratt was not a person who would be serving again.

One can give little credibility to senior Government Ministers in this State who make those statements. The Premier and the Deputy Premier have been discredited on that matter. Not only have they served in a Cabinet that for years did nothing about the fabricating of evidence—although they had a report that told them what to do about it—what is more, having served in a Cabinet that had serious doubts put before it about the operations of the Police Complaints Tribunal, it is only now that we are told that something is being done. Furthermore, when Ministers are caught out, they attempt to hide behind the law by suggesting that the legislation of this Parliament required them to do something which in fact the legislation did not require.

The citizens and jurors of this State are entitled to look at the Government and say, "You have let us down very badly. You have not protected us from dishonest and fabricating police officers, although you had the opportunity to do so. You did not protect us, although there was a host of evidence from the legal profession, from the Parliament and from the media which clearly indicated the level of scandal and shame that the police force had fallen into in this State."

The senior Ministers who have served for those years in the Government while that has occurred—not all of them in the present Cabinet are in that category, but many of the senior Ministers are—owe an enormous apology to the people of Queensland. That apology has not been forthcoming. There is no real explanation why for years they did nothing about the Lucas report recommendations. However, now we have the crocodile tears, and Ministers saying, "We have only just found out. Now that we know, we are going to do something about it." One of the first things done is that the Deputy

Premier and Minister for Police writes to Judge Pratt and invites him to apply again for the position of Chairman of the Police Complaints Tribunal.

Mr Gunn: No. I asked him if he was available, and it has been done for years.

Mr BRADDY: I stand corrected.

Although under no legislative duty to do so, the Minister wrote to the Police Complaints Tribunal, which unfortunately the Government had found to be discredited, and asked Judge Pratt if he was available to serve. Then, to compound the injury, he tried to mislead the House by suggesting that he was required to do so.

Mr Gunn: Oh rubbish!

Mr BRADDY: Today I heard him say, "Under the Act we were required to write." That is nonsense and misleading. At best, it is grossly negligent; at worst, it is something far worse than negligent. Nothing was done over all those years. The Minister for Police served in that Government.

It is suggested that the Opposition is trying to raise the dead. Indeed, the issue is not dead at all. The verballing and the fabricating had not been remedied by audiotaping and videotaping. The attention of the Queensland public has been drawn to another case over which this Government is running away from its responsibilities because again there could be a scandal concerning the jurors of Queensland. I refer, of course, to the Finch case.

There were two matters of concern in the submission that recently went before the Attorney-General and the Government. One was whether Finch was innocent or guilty of the crime with which he was charged, and the other, equally or perhaps more importantly, was the conduct of the Queensland police force. That submission raised matters which ultimately do not go to the question of whether Finch was guilty or not guilty but do go very much to the administration of the police force in Queensland. It is that area in which the Opposition is seeking an inquiry in particular.

There were matters in relation to which a signed statement, a proof of evidence, was available to suggest that a crime which was committed in this State—the serious crime of arson—could have been prevented by the Queensland police force. A named person of good reputation was prepared to give a statement, which the Attorney-General has, that he nominated the time, the place and the date on which an arson of a public building would take place. He named the police officer whom he told. Yet the arson occurred at the time, the place and on the date nominated. The crime was not prevented. The miscreants were not apprehended. If that does not raise serious questions about the administration of the Queensland police force, I do not know what does.

That is only one matter that appears in that submission. It does not relate directly to the innocence or guilt of James Finch but it does relate to the Queensland police force and, therefore, to the confidence that the people of Queensland and the jurors of Queensland can have in the administration of justice in this State.

What do we have? We have a Government that refuses to debate the matter in this Parliament. We have a Government that refuses to institute an inquiry into these very serious matters but suggests that they can all be fixed up by an application for a pardon.

A pardon application ultimately has no relevance to the fire-bombing of the Torino night-club and restaurant, because it has never been suggested by the Crown that Finch and Stuart were involved in that. Finch was not even in the country when that incident occurred. It was only a matter of days prior to the Whiskey Au Go Go bombing. Yet there was an allegation by a person of good reputation who signed his name and who said, "I told the police officer that it was about to happen. I told him when it would happen and where it would happen." Consternation! The fire-bombing of Torino's still occurred.

That is contained in the submission that went to the Attorney-General and the Premier, and they have said that they do not find that worth investigating. They have

said that they are not sufficiently concerned that police officers could be informed of a serious crime in advance, fail to prevent it, and fail to arrest anybody. They still say that it does not matter, that all this can be fixed up by a pardon application by James Finch.

I suggest that it is a smoke-screen. The reality, of course, is that this Government, having been scarred badly by what turns out to be serious problems in the Queensland police force, is not prepared to face up to further problems and do something about them.

Mr Austin: What about your mates in New South Wales?

Mr BRADDY: I am dealing with what occurs in Queensland. There is the usual smoke-screen from members such as the Minister for Finance, talking about other States. Let the Liberal Party in New South Wales and the National Party in New South Wales—which, by the way, was involved in the most vivid corruption under the Askin Government—deal with their problems now that they are in power. I wish them all the very best. I hope that they clean up the corruption in New South Wales.

What has happened in New South Wales does not excuse the National Party Government in Queensland. I am interested in Queensland. I am interested in obtaining for Queensland a police force that will give honest evidence before the juries of Queensland. What has happened in New South Wales, Victoria, Nicaragua or anywhere else should not be raised by the Queensland Government; it is merely a smoke-screen. The members of the Queensland Government should speak up for themselves and defend what they have done and what they have not done in this State. Members of the Opposition are not here to defend anything or anybody in New South Wales. That is not my concern. I am not concerned whether the Liberal/National Party Government of New South Wales under Askin was as corrupt as people say it was. There has been some corruption in New South Wales. At least in New South Wales under a Labor Government a Labor Minister was arrested, tried and sentenced. Mr Deputy Speaker, could you imagine any members of the Queensland Cabinet arresting any of their colleagues and trying them? The members of the Queensland Cabinet are good at creating smoke-screens.

Many senior Ministers of the Queensland Government served during the terrible years during which fabrication of evidence and verballing occured.

Mr Austin: Sub judice.

Mr BRADDY: So what do we have?

Mr Austin interjected.

Mr BRADDY: Somebody said "sub judice". Government members are very sensitive.

Mr Burns interjected.

Mr DEPUTY SPEAKER (Mr Booth): Order! Continual cross-firing will not be allowed.

Mr BRADDY: Some Government Ministers have been members of this Assembly for many years. There are new Ministers——

Mr Burns interjected.

Mr Austin interjected.

Mr DEPUTY SPEAKER: Order! Honourable members will desist from that type of behaviour.

Mr BRADDY: There are new Ministers in the Queensland Government who have not served for as many years as others have. So the onus is now on the new Ministers to do something.

Members of the Opposition are sick of hearing promises about a new Police Complaints Tribunal and about the Government's doing something about verballing and fabrication of evidence. The Opposition wishes to see some action. Instead of action, a piece of minor legislation relating to the administration of oaths of police officers is introduced. That is something that must be done, but the people of Queensland demand a lot more. Before the Fitzgerald report is handed down, a lot can be done. The longer that the Queensland Government delays doing something, the greater the shame and the tradedy that will be visited upon the people of Queensland.

Members of the Government may believe that it is perfectly all right to cause delays and for them to think that they will get away with it by procrastinating and by suggesting to the Parliament of Queensland that they have to write to Judge Pratt to ask him whether he is available for reappointment, when in fact there is no need to do so. Members of the Government may think that that type of smoke-screen will not be noticed. I suggest that it has been noticed, it is being noticed and that the price will be paid by the Government.

If the members of the Queensland Government have visited upon the citizens and the jurors of Queensland the shame that they have visited upon themselves by their neglect of duty over many years, I ask them finally to restore some honour to themselves and to the Parliament that they are supposed to serve by doing something instead of just talking. They should not run away from evidence that a night-club is about to be bombed and not do anything about it. They should face up to their responsibilities and, even belatedly, do something in this place to restore some honour to the system so that when jurors serve in the courts of Queensland they can look a police officer in the eye as he gives his evidence and think, "There's a pretty good chance that he might be telling the truth."

Until those reforms are introduced, how many police officers will be treated with contempt by the jurors of Queensland merely because they are police officers? It has reached a disgraceful stage in Queensland. The Queensland Government has an enormous obligation that at present is not being met.

Mr INNES (Sherwood—Leader of the Liberal Party) (7.50 p.m.): The mechanical problem addressed by the Bill is simple. The Liberal Party readily supports the amendment relating to the swearing-in of a new police officer to look after a jury, which will fit in with the realities of shift work and prevent the problems of overtime. Because it seems to be so elementary, one wonders why it was not done before. It is perhaps a hangover from the days when jury trials were less onerous. The length of time during which juries deliberate nowadays seems to be increasing as the complexity of crimes and the number of accused persons increases. The Liberal Party very readily welcomes and supports the simple amendment.

This debate provides the opportunity to say a few words about a matter that I have been pursuing. I do not set myself apart from other members of the legal profession or, indeed, the honourable member for Rockhampton. It is perhaps natural that lawyers will be more preoccupied with the issue of juries, evidence, the testimony of police officers and its reliability. Honourable members may say, "So what?"

There is a general view that all of this crime business is too messy; that it involves people who somehow must be responsible for their own predicament. On occasions I have defended people who were not from the lowest socio-economic group; who did not have pages of criminal convictions. There could well be occasions when, through an unfortunate set of circumstances—whether it be youth and alcohol; whether it be cutting across the wrong side of a particular policeman who, through anger or whatever else, has a set against somebody—people with otherwise unblemished reputations face serious charges. I have defended people who really were entitled to a totally fair go in the assessment of their cases; cases in which young persons—perhaps with university degrees or in their final year of doing a university degree—were facing the make-or-break situation in which a criminal conviction would cut off two-thirds of the options or, depending on

the degree, perhaps more of the options that were available in life for a particular occupation. I am not speaking about something that is of unreal and academic interest.

A trial before a jury for an indictable offence is a serious matter, and the conviction carries serious consequences. Conviction of many indictable offences involves debarring from employment in the public service and a variety of occupations.

In the end, I suppose that society will be judged by the way in which it conducts itself in regard to criminal matters. It does not matter how rough justice is around the world; there seems to be, in some international sense, some idea of fair play—some idea of due process, as the Americans would call it—that a person should not be slotted away without being charged—and in our system we prefer charges that are neutral rather than politically motivated—and without a proper and fair trial and a right to be heard. That is really what we are discussing tonight.

The jury is a pillar of our criminal justice system. It does work. As I have said before in this House, there are some judges who I would not like to come across, particularly at the end of a difficult session, because they become inured to the volume of crime that goes before them.

As a barrister, I find that it is possible to make distinctions between clients. Of course, one gets the hard cases, a fair cop and a fair conviction. There are also the genuine cases in which one believes that the client not only tells one that he is innocent but is actually innocent. There are such cases.

All members of Parliament probably see at the lower end of the criminal scale those minor offences that are dealt with in the Magistrates Court. In those cases, honourable members might arrive at some sense of conviction. They might know the accused person, his parents, some of the circumstances of the case or a reference point that makes them believe that that person is entitled to the benefit of the doubt.

Mr Hayward: You must be very disappointed that some judges make directions to the juries.

Mr INNES: The judges are entitled to comment. They are supposed to direct a jury only on the law. If they do not do that, an appeal can be lodged against any subsequent conviction. They are entitled to make comments on the facts, and sometimes they can be a bit heavy on that. However, they are entitled to direct only on the law, and if they are wrong in those directions an appeal can be lodged.

Verballing—the fabricating of evidence—is a very serious matter. The consequence of a verbal is that the policeman makes himself judge and jury. He says to the accused person, "I think you are right for the offence. I am going to fabricate the confession." He has delivered himself into the role of judge and jury. As far as the policeman is concerned, the accused person is guilty and he will invent the evidence to make sure that a conviction is obtained. People speak about lawyers and their attitude. Unless his client has said so, no lawyer is entitled to suggest to a police witness that the police witness is lying. A lawyer is not entitled to put to a witness that he is lying unless he has received instructions to that effect. A lawyer is not entitled to attack a prosecution witness and put to him a set of facts unless he has instructions to do so. The role of the barrister or the solicitor is not that of a judge and jury. A barrister has an ethical obligation, if he is offered a normal or standard fee, to take a case, if it is to be heard in a court in which he normally practises, and to put forward his client's case as though the person had the legal training to put his case forward in his own words. In short, that is the lawyer's obligation. Such a system allows somebody who might be socially beyond the pale, somebody who has committed some atrocious crime, at least to go to court and put his case forward. After due process, he may be convicted, but not because nobody will handle his case.

Everyone knows of classic cases in which things have gone terribly wrong; of cases in which people have confessed to crimes that they clearly have not committed and are later found not to have committed them. On a prior occasion in this House I cited a

notorious murder in the United States for which hundreds of confessions were made. It was a horrendous crime involving chopping up bodies and putting them into parcels. There are psychiatrically bent people and others in all sorts of disturbed conditions.

The fundamental sin is that the policeman becomes judge and jury. That is one reason why police officers should not fabricate evidence. There are even worse reasons why people fabricate evidence. People can do it maliciously, not merely because they have a feeling that a person has committed a crime. They actually wish to do harm to the person accused.

Some 11 years ago the Lucas inquiry, which was a mixture of an experienced defence barrister, an experienced detective and police administrator and a Supreme Court judge, found that in Queensland some police would not verbal at all under any circumstances. The inquiry also found that another significant group of policemen would verbal or fabricate evidence if they believed the person to be guilty of the crime, and others who persistently randomly verballed with no excuse at all. Those findings were made 11 years ago.

The inquiry found that in one case it was proved that the police had concocted evidence to convict an SP book-maker and, in a sense, worse than that, they had conspired together with the police prosecutor, who was supposed to have a more neutral role, to overcome deficiencies in the evidence and to fabricate further evidence in the presentation of their case.

Later in the same year, another lengthy trial was conducted. A full investigation of the Southport case did not take place until the end of that lengthy trial. The trial I am referring to was the trial of Jack Herbert. The Herbert trial is fascinating because it presaged current events. It is timely to recall that it involved allegations that Herbert had attempted to bribe a police officer. The defence was that he did not bribe; that he had offered the money to inculpate the prosecuting police officer, who was really the corrupt police officer. Tapes that were never contested revealed that some policemen were trying to bribe other police officers. Tapes were used in that case. Isn't it fascinating that, when the police want to get something on a policeman, they use tapes? In that case, the tapes were not contested.

The scenario was not that innocent police were involved. The question was: who were the corrupt police officers? What a pretty picture! What a lovely state of affairs! No suggestion of innocence on the part of the police officers was made; it was a question of which side was corrupt. On the criminal standard of proof—which is proof beyond all reasonable doubt—sufficient doubt was raised for Herbert not to be convicted.

What does one find in 1988? I see a picture being painted of an appalling scandal for a modern society because, week after week, witness after witness—all senior police officers—alleges that other senior police officers have fabricated very serious criminal charges. Senior police witnesses have raised the criminal involvement of fellow policemen who have attempted to fabricate evidence to have a person penalised, if not convicted, because of involvement in a crime. Apparently this happens merely to impede promotion, or merely to secure promotion or transfer. What an unbelievable scene.

Senior detectives who are at the forefront of the fight against crime in this State are riddled with corruption. They are prepared to lie and raise the most grave, horrendous and untrue allegations against fellow police officers. They are also prepared to engage in the fabrication of evidence. They are prepared to cajole or conspire with other police officers to create evidence against other police officers.

I am not referring to allegations made by criminals who are trying to affect the reputation of worthy police officers. I am not talking about police officers who have revealed that they have fabricated evidence against people whom they believed were guilty. I am talking about the thin blue line; the people at the centre of the police force who hold some of the most senior and sought-after positions in the police force. I am not talking about only one senior officer. There must be dozens of them now who, throughout a whole variety of allegations and in dozens of situations, have alleged that

dozens of other police officers have told lies and raised allegations of the commission of serious criminal offences against them.

The scenario is mind-boggling in its immensity. If police officers are prepared to lie about their fellow police officers and if police officers of the rank of inspector, superintendent and sergeant will lie and allege conspiracies that are aimed at perverting the course of justice in investigations of theft or arson, what hope does a member of the public have who happens to cross their bows, get in their way when they have had an off day or interfere with their criminal commercial activities? The scene is unbelievable. Frankly, what is even more unbelievable—and I emphasise "unbelievable"—is that the Government demonstrates a lack of urgency of commitment in doing anything about it.

Today I raised this matter in a fair question to the Minister and honourable members might appreciate that, because of my background, I do not make allegations unless I have been informed by people whom I believe to be reliable and credible. I do not make allegations in this House against people and I do not make statements unless I have some basis or reason to back them up. I have said in this House before, and I say it again: prosecuting counsel for the Queensland Crown, that is persons employed by the Director of Prosecutions in this State, have told me that juries are throwing out cases which are dependent upon the verbal testimony of police as to confessional evidence. In addition, I have been informed by totally reliable and extremely senior and experienced defence barristers, who have an obligation to act on instructions, that they are finding that their clients—who the defence barristers might fear are putting a tall story across—are having their tall stories readily believed and accepted by juries. Defence barristers are finding that juries are almost unanimously refusing to convict whenever an allegation is raised that the police are verballing defendants. I have made that statement in the House before. Is that just my statement?

Frankly, this morning the Minister made a pathetic response to my question, which did not do him any credit. I ask him to seriously talk with an extensive number of people. Detective Sergeant John O'Gorman raised the matter himself in public; detectives are sick of having their testimony thrown out and sick of the allegations of verballing. The detectives themselves are sick of it and are calling for tapes to be used. Why are tapes not being used?

I find the suggestion of another overseas trip to look at the matter totally unsatisfactory. In the Lucas report even the technology of 11 years ago—and things have advanced since then—detailed in three pages the type of equipment which was specified as necessary to achieve audio-taping in the smaller police stations and audio-visual taping in the main police stations with a major CIB unit. In addition, the report set out the requisite security devices, such as the timing mechanism to be included in the corner of every videotape and dual taping where there was only an audio tape-recording system. In addition, a procedure was recommended to be set up which involved giving copies of the tapes to independent persons. It was all set out in the report under A, B and C. At that time there had been experiments with taping overseas and that information was taken on board by the Lucas inquiry.

In 1977, before the Lucas inquiry was established, the police in Queensland involved in the Herbert trial and the Southport case used tapes in both those trials. The fraud squad in this State customarily uses tape-recording. Indeed, it is the practice of police officers investigating police officers—when they are not doing it clandestinely—to use tapes. If police officers give the courtesy of using tapes to other police officers and they give the courtesy of using tapes to white-collar criminals, why not give the same courtesy to the rest? My information is that for the last three to four years the Victorian police force homicide section has been using audio-visual tapes. Why is that not done in Queensland?

A special problem has been identified in Queensland: elements of the Queensland police force habitually verbal. That was found to be the case 11 years ago. Today, 11 years later, some of the most senior and experienced police officers in this State regularly tell lies about each other, accuse each other of horrendous crimes and try to fabricate

evidence about each other. That is leaving the public aside. If they are prepared to do this to their brother officers—and they are supposed to be a brotherhood—what will they do if they think that somebody might be right or they might not like somebody from the outside world?

This is an astonishingly serious matter and it is absolutely unsatisfactory to say that the question will be looked at and that there will be another overseas trip. In 1978 Mr Lickiss went overseas and looked at tapes. How many more junkets and joy-rides will there be? I suspect I know the reason why the Government is putting it off. It is part of the reason why this morning I raised the question about consultants being appointed to inquire into the administration of the Queensland police force. Anybody who looks at the evidence before the Fitzgerald inquiry would have to concede that the administration is a shambles. The consultants will also look at the department's finances. It is a shame that people who are paid to have the political oversight have to call in third parties to look at the finances.

There is also the suggestion that the consultants will look at the legislative structure. That is a matter on which I wish to comment briefly. The legislation that governs the acts of the police force is not simple administrative law; it is not something for administrative consultants to come in and tinker with. It is not for people who draw nice little pyramids and organisational flow-charts on paper to inquire into legislation. Those laws that the police operate under are laws that over the ages have tried to find a balance between the rights of the individual and reasonable powers for the police to use to uphold the law. Essentially they are about people's rights. There is no administrative consultant, no consultant into organisational matters, who can tell me or a variety of other people in the House more about the rights of people and the rights relating to the criminal justice system than we already know. Consultants are not trained—they are not qualified—to tell us something about the rights of people. We in this place should make the laws of this State; we should be the group who have the oversight of those matters.

What is the real story? I suspect the real story is that the Queensland Police Union is prepared to have tapes and it has told the Minister for Police of that. However, the union has also said that it wishes its members to be given the other increased powers that the Lucas inquiry recommended. That inquiry recommended that powers of detention be given to the police force—I think it was 24 hours on the say-so of an inspector—to allow for the questioning of a suspect. But the police know that at this point in time that will be opposed vigorously certainly by anybody who has had anything to do with civil rights or the law. What people will reasonably say now is that police, or many of them, cannot even be trusted with the powers that they have now, so who would consider giving them increased powers? Let us see them properly use the powers they have before they are given any further powers.

Eleven years ago Mr Sturgess had a particular view. He thought that, because police felt confined by the principles of the law, the system tended to put strains on police that caused them to verbal. The revelations of the Fitzgerald inquiry suggest something far more serious. Such an abandonment of any known civilised standard by so many policemen can be described only as rottenness and corruption. That is not an attack on the whole police force. Hundreds of police out there are utterly embarrassed by the whole, sick mess revealed by the Fitzgerald inquiry. But at the core of it the police in the elite squads have for years so clearly been at a basis of systematic corruption and forgetfulness of their obligations that they are beyond redemption.

Mr Comben: Have you referred to juries at all?

Mr INNES: Yes, of course I have. I am talking about verballing and juries not accepting evidence obtained by verballing. If the honourable member had come in a little earlier rather than waltz in half way through my speech and open his mouth, he would have understood that.

Mr Gygar: If you had been faster off the mark last night, Pat, we might have heard you then.

Mr INNES: Yes, that is right.

One of the answers—although perhaps it is not a total and complete answer—to this question of verballing is the introduction of tapes. The impetus to introduce tapes was provided by the Lucas inquiry. The police will not get additional powers as well. Perhaps the Minister for Justice can advise the Minister for Police that he should not attempt to give to some consultants some sort of half-baked recommendations that somehow will get him off the hook with the police union, which has him sandwiched. The police union will not get for its members increased powers, but police can certainly have the tape recording and audio visual recording that will help to reinforce the credibility of the honest policeman and policewoman. The likely result of taping is that there will be far more convictions because the person who does confess will find himself unable to go back on his confession. Because that evidence will be devastating, there will be far shorter trials. That has been found to be the case in a number of trials involving police officers, where the evidence has not been questioned.

In short, the issue of juries is a live one. It is the effect that this publicity is having on juries that I am talking about. The way to restore the credibility of policemen in the face of the jury is to introduce tapes immediately, as recommended by the Lucas inquiry.

Sir William Knox: Immediately.

Mr INNES: Immediately. It cannot wait any longer. The honest police deserve every known support to restore their credibility. Indeed, innocent people deserve the benefit of the presence of tapes to be allowed to protest their innocence.

Mr BURNS (Lytton—Deputy Leader of the Opposition) (8.16 p.m.): The points made by both speakers tonight in relation to verballing and the effect that it has on juries are important. When people read about cases such as the Finch case, they are concerned that a person could possibly be gaoled for life and not have committed the crime. I suppose that every member of Parliament would be approached by people who attend his office and say, "I didn't do it. I am not guilty." Sometimes a relative claims that the person is not guilty and puts his case forward. At the same time the member finds that the court has decided that the person is guilty and that he should go to gaol. Many times one questions in one's own mind whether the police have been handling the case properly or not.

As a result of what has occurred in the Finch case and in the Fitzgerald inquiry, something has to be done. As the previous speakers—particularly Mr Braddy—have said, the Finch case especially worries many people, but the Fitzgerald inquiry is the proof of the pudding about their concern at the way in which the police have handled evidence.

When the Lucas inquiry was completed in 1977, I was the Leader of the Opposition. The Opposition made demands at that time and said that it would support the Government in the implementation of those recommendations for video and audiotaping of confessions. At that time, Mr Justice Lucas recommended that it should cost approximately $3,000 per police station to do the job. Now we are talking about far more than that.

The Government is considering another investigation. Judge Pratt travelled overseas to investigate the equipment. Mr Gunn travelled overseas once, and he is going back with Mr Redmond. How many more visits will be required before a videotaping arrangement can be set up in each of the major police stations in the State?

I wish to address the reasons for this Bill. In his second-reading speech the Minister said that the police officer who guards the jury during a normal shift is entitled to the payment of overtime at the end of his rostered shift. He said that the budgetary constraints of the Police Department are such that the payment of overtime should be

avoided when possible. That is the reason that the legislation has been introduced. When the policeman finishes his shift, the department does not want to pay him overtime. Therefore, it wants to swear a new policeman in to perform the next shift.

In that case, I wonder why a policeman guards the jury? A policeman receives training at the police academy about police operations and the law and then spends time as a trainee on the job. When he becomes a fully trained constable or a sergeant, we sit him outside a jury room—juries used to be taken to Lennons Hotel; I do not know where they are taken now—and he stays there and guards the jury for the night. Why could we not employ security guards who are untrained in the law but capable of defending people who are under attack to perform those duties? When police are in such short supply, why do we use policemen in that capacity?

Some time ago, when I was in Townsville inspecting police stations, the roster policeman said to me, "Look, I could save six or seven policemen a day when the court is in session. I have to send a policeman to each of the courts as an orderly. When I get a trainee and he does not know the system, I have to send him over with a senior fellow so that he can learn the system." Police stations are short of policemen and unable to man foot patrols, yet they have to provide policemen to sit for hours in the courts and guard jurors at a time when people are complaining that they cannot get policemen to protect them and to attend their homes when crimes have been committed.

The Minister for Police himself has admitted that no more overtime money is available for this year, that the budget has been spent——

Mr Gunn interjected.

Mr BURNS: That is all right.

The situation at present is that police stations are closing on the week-ends because of the lack of money for overtime. Police stations are closing at night in the suburbs. On Saturday afternoons no-one can get a policeman.

In one instance of a break-and-enter in the Cannon Hill area, a policeman came from Oxley—from right across the other side of town. Women have rung the police station at Windsor at 4 o'clock in the afternoon and it has been shut, and a policeman has had to come from town at 8 o'clock that night to listen to their complaints. People are complaining that when they ring up to report break-and-enters, the police are telling them, "We will be out there in three or four hours." The fingerprint man has to come the next day to take the fingerprints because there is just so much crime in the suburbs and on the streets and so few policemen to do the job.

In the Premier's own area of the Sunshine Coast the policemen are saying that in places such as Pomona, Cooroy and the rural areas in the hinterland, no overtime allowances will be paid until after June. Some of them say, "We will be able to open the police station once every fortnight on a Sunday." That is the arrangement in Queensland. This State has a shortage of policemen. I am not making that up; it is a matter of public record. Statements appear in the local newspapers and the *Sunshine Coast Daily.*

The Cattlemen's Union and others have been to see the Minister because the stock squad in Mareeba——

Mr Gunn: They wrote to me.

Mr BURNS: They wrote to me, too.

They wrote to the Minister because the stock squad was unable to patrol the whole of the gulf.

This National Party Government is supposedly concerned about the farmer and the grazier. A policeman was kept in Mareeba. He was unable to leave Mareeba. He could not be paid travelling time and overtime. That meant that he could not travel to

those far-flung areas. Queensland is a cattle-duffers' paradise because of the Minister's failure to administer his department properly.

The Minister represents country people. In country towns that have only one policeman, when he goes on his holidays for four or five weeks, the Government cannot replace him for that time. The Minister has handled the financing of the department so badly that nobody can be sent to replace that policeman. Under this National Party Government, these one-policeman towns are left without a policeman to maintain law and order in the community.

This Government says that it has to gerrymander the boundaries to protect country people. It cannot protect country people with its own police force! The Queensland police force is 1 200 policemen short; overtime is short; and travelling allowance is short.

That brings me to one of my favourite topics—the water police. The Government had to sell the Vedette because for 20 months it did only 20 hours' work. The Government could not afford to run it. It did not have the staff. That boat could not go out on the week-end because the Minister had so badly administered the department that there was no money for overtime. There was not even enough money for fuel——

Mr Gunn: You can have it as a bream boat; that's all it's fit for.

Mr BURNS: I hope all honourable members present heard that offer. I have just got a new bream boat named Vedette. I accept the Minister's kind offer. The Minister has not been able to flog it off because of the sort of money he is asking for it.

This Bill is an admission of what people in the community have been saying for years, that is, that the Minister has badly handled this department. This State is short of police officers. No overtime is available to put police into the suburbs in the evenings and on the week-end at the coast. No travelling allowances are paid so that country policemen can be sent out into the areas where some assistance is really needed in relation to cattle-duffing. The Minister for Justice has said that that is the reason why——

Mr Clauson: I'm still here.

Mr BURNS: I want to refer also to the jury system in Queensland. I am worried that the little ordinary fellow in the street suffers most of the penalties entailed in serving as a juror. At present in Queensland, there are 1 693 520 people on the roll, yet only 642 338 are eligible for jury service. In Queensland, 1 051 182 people are exempted from jury service. So there are more than 600 000 people who are eligible to perform jury work and more than 1 million who are exempted from such work.

The list of persons exempted from jury service extends to a page and a half of the Act. The first group that is exempted are those who were not born in Australia. Aliens can own our land, but they do not have to serve on juries. Other persons exempted are members of the Executive Council, members of Parliament, judges and members of the Land Court, ministers of religion, officers of the Salvation Army who are lawfully authorised to celebrate marriages, monks, nuns and other members of the religious community, barristers-at-law, solicitors, conveyancers, officers of Her Majesty's navy, army or the air force, medical practitioners, dentists, pharmacists, chemists, nurses, nursing aides, physiotherapists, members of the Queensland Ambulance Transport Brigade, university professors and lecturers, registrars of universities, inspectors of schools, schoolmasters, schoolteachers, directors, principals, registrars and academic staff of colleges of advanced education, principals, secretaries and instructional staff of rural training schools, permanent heads within the meaning of the Public Service Act, persons employed in the Justice Department, persons employed in the Prisons Department, persons employed in the Police Department, masters and crews of vessels actually trading, and pilots duly licensed, mining managers, engine-drivers, officers of Parliament, and household officers and servants of the Governor. The chairman and other members of the TAB are exempted from jury service. Other persons exempted are officers of the

Ombudsman and members of local authorities. No-one elected last Saturday has to serve on a jury. Exemptions apply to commercial travellers actually employed as such, journalists—those persons in the gallery—bona fide actually employed in court reporting, and buyers, managers and other persons who, by reason of their employment in a primary industry, are frequently required to travel outside the relevant jury district. In addition, the Act lists another half a page of persons who are exempted from jury service.

The ordinary little fellow, who does not belong to a profession that can arrange with the Government to be placed on the exemption list, is called up regularly for jury service. If he is a battler looking for a job, his chances of finding employment are altered because he is called up for jury service. A student who is working his way through university will have his study periods affected by jury service. Today, many court cases take much longer than did cases in the past. When I talk about people serving on juries, I always remember the Russell Island case that lasted for more than 15 months. Other cases have lasted for lengthy periods. The period of jury service is not always only a couple of days.

Members of the Government talk about small-business people. If a person operating a business has one offsider who is called up for jury service—I know of people who have been called up for jury service three times—the boss does not have the money to engage another person to take over the duties of his offsider. The small-business person loses the services of that offsider. The decision to call up his offsider can cripple his business.

I would like to know how the jury call-up system works. If the jury selection system is based on the electoral roll, it can be seen that many of the occupations of persons listed on the roll were occupations that they had when they were enrolled at the age of 21. I would like to know what you were on for when you were originally on the roll.

Mr SPEAKER: Order!

Mr BURNS: I am sorry. I would like to know what he was on for.

Mr SPEAKER: Order! The honourable member will refer to the particular person by his title.

Mr BURNS: The Minister for Police, Main Roads and other lurks and perks.

Mr Gunn interjected.

Mr BURNS: I gave you your right title.

Mr SPEAKER: Order!

Mr BURNS: The Minister will find that, when they were originally enrolled, many people stated their occupation as labourer or student. Those persons who have remained in the same place have never changed their occupation as listed on the electoral roll.

Who decides the occupations that are placed on the list of exemptions? How is the system worked out? Why are some people called up regularly for jury service while others never seem to be called up? How does the system really work? I have examined the legislation and I cannot find an explanation of how the jury draw is conducted and how the jurors are selected.

It is wrong for the Government to be selling lists of jurors to defence counsel and allowing police to harass neighbours to check on people who will serve on juries. Such checks are in fact made. A list of the people who are due to come up for jury service is handed out. The police go to the neighbours and say, "Look, that Tom Burns—what is he all about? Does he like the police? Has he ever been convicted for driving offences?" They ask those sorts of questions. In some cases they do not say that they are asking those questions because the neighbour is going to be on a jury, so the neighbour will say, "He is a great sort of shyster, that bloke; the police have been looking for him and they have been asking questions about him." That is neither fair nor reasonable.

If a jury is going to be recognised as an impartial body, I do not believe that the police should be able to check those people out beforehand so that they can say to the Crown prosecutor, "Stop this bloke. He doesn't like the police." In fact, the advice I give to young fellows who do not want to serve on juries is, "Tell all of your neighbours that you hate the coppers." In that way, when the police go and ask their neighbours what those people are like, word gets back and those people are never called up for jury service again. That is the end of it. That is the system. As soon as those people front up to the court, the Crown prosecutor will object to them because the police have told him, "Keep him off the list. He is not on our side."

That is an unfair and unjust system. Defence counsel at the private bar have a lot of money to spend on checking out prospective jurors. To a certain degree, they can manipulate a jury because they can make certain that they get the type of people that they want on that jury, or they can object to the people that they do not want on it, and that is wrong.

It is wrong to have a restriction so that only 600 000 out of approximately 1.6 million people are available for jury service. All of the people in the professions that I have listed are never represented on a jury. All of them are exempt. Therefore, if I am asking for a group of my peers or a representative group from the community, I cannot be guaranteed that they will be called. If one of the people on this list is to appear before a jury, he knows that there is no chance that any member of his profession who knows how he thinks, knows how he works and knows the system under which he lives will appear on the jury when his case is heard. The system is clogged with people who are getting themselves off the list. It is extremely easy for them to do so.

Why should the chairman of the TAB and members of the TAB Board be exempt from jury service? Give me a reason why they should not serve on a jury. I suppose, in the case of old Ted Lyons, he should have appeared before a jury.

The facts of life are that there is no reason why people such as that should not be required to serve on a jury. The system is unfair and unjust. It is the average working bloke who appears on a jury. This list of exempt people does not include fitters and turners, labourers, boiler-makers, and cleaners.

Mr Austin: Electricians.

Mr BURNS: Electricians, radio technicians, security guards, fishermen and cooks—do we see them on the list? No! They are the types of people who have to serve on juries. It is the old battler who carries the load. All of these silvertails and permanent heads——

Mr Braddy: Give them the numbers.

Mr BURNS: I have already been through that. How many more times do I have to go through it? Was the honourable member not listening to me?

For the benefit of the honourable member for Rockhampton—642 338 people are eligible for jury service out of a total on the roll of 1 693 520. In other words, 1 051 182 people are exempt from jury service. That is wrong.

I thank the Minister for Justice for admitting that the reason for the proposed amendments to the Act is that the Government does not have sufficient money to pay police overtime. Those were the Minister's words. Does he want me to read them back to him? He knows that they are there. That is the sort of admission that I have been waiting for from other Government Ministers.

The Minister for Police must do something about the law and order problem in our community. We have to do something to make certain that the police administration can send policemen to areas where people are in need—to break and enters and thefts from cars. The growth industry in Queensland today is building security fences and doors for people so that they can protect themselves from the criminal element that is taking over the streets.

Hon. P. J. CLAUSON (Redlands—Minister for Justice and Attorney-General) (8.35 p.m.), in reply: I am pleased that, towards the end of his speech, the honourable member for Lytton did recognise that this was my piece of legislation.

Mr Burns: I was the only one who spoke on it.

Mr CLAUSON: I thank all honourable members for their contributions to the debate. It is a fairly simple and straightforward piece of legislation. In fact, it arose from a request by the Chief Justice. That is why the Bill is before the House tonight. I am pleased to see that the Government is attempting to cut the cost to the tax-payer of looking after juries.

Motion agreed to.

Committee

Clauses 1 to 6, as read, agreed to.

Bill reported, without amendment.

Third Reading

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

MAIN ROADS ACT AMENDMENT BILL

Hon. W. A. M. GUNN (Somerset—Deputy Premier, Minister for Public Works, Main Roads and Expo and Minister for Police) (8.38 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill to amend the Main Roads Act 1920-1985 in certain particulars."

Motion agreed to.

First Reading

Bill presented and, on motion of Mr Gunn, read a first time.

Second Reading

Hon. W. A. M. GUNN (Somerset—Deputy Premier, Minister for Public Works, Main Roads and Expo and Minister for Police) (8.39 p.m.): I move—

"That the Bill be now read a second time."

On certain particular heavily trafficked roads such as the South East Freeway it can take a significant time to remove from the road or its environs vehicles which are damaged, disabled or abandoned. Such vehicles frequently create considerable delays in traffic, diversion of driver attention and consequent increase in congestion and accident probability.

Currently there are no provisions under the Main Roads Act that empower the Commissioner of Main Roads or a person authorised by him to remove disabled vehicles that could constitute a hazard. This Bill seeks to give the Commissioner of Main Roads that authority.

Under the proposed new section 11 (c)—removal of stationary vehicles and animals from motorways—provision is made for—

the removal of vehicles or animals to places of safe keeping or with the consent of the owner/driver to some place adjacent to the motorway where it can be located by the driver or owner;

the means by which the owner is notified of such action and by which the vehicle is to be returned to the owner's possession;

the commissioner to have the power to recover the costs from the owner of the vehicle which has been removed;

the disposal of a vehicle which has been removed and for which, after due process of inquiry, no owner or responsible person has been located; and

the proceeds of sale to be applied in payment of expense of sale, disposal, removal and the balance in favour of the Main Roads fund.

Currently, the authority rests with the police under sections 44(1) to (6) of the Traffic Act for registered vehicles, and for unregistered or abandoned vehicles, the local authorities have power of removal under section 44(7) of the Traffic Act.

This new provision in the Main Roads Act is limited to motorways which are typically heavily trafficked roads where the removal of immobilised vehicles is of paramount importance. On other roads, the power of removal will remain with the police or local authority.

In proposing an amendment to section 11C, it is also necessary to propose a new section of the Act, which would be section 38A. This proposed new section—protection for liability—will provide just that, for damages that might be sustained by vehicles being moved or stored.

The intent of this proposed new section is to provide the Main Roads Department with protection in line with settled practice to relieve governmental authorities of liability in law for acts and things done by them in a bona fide manner and without negligence.

I commend the Bill to the House.

Debate, on motion of Mr Burns, adjourned.

TRAVEL AGENTS BILL

Hon. V. P. LESTER (Peak Downs—Minister for Employment, Training and Industrial Affairs) (8.42 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill to provide for the licensing of travel agents and for other purposes."

Motion agreed to.

First Reading

Bill presented and, on motion of Mr Lester, read a first time.

Second Reading

Hon. V. P. LESTER (Peak Downs—Minister for Employment, Training and Industrial Affairs) (8.43 p.m.): I move—

"That the Bill be now read a second time."

The purpose of this Bill is to provide for a system of licensing and regulation of travel agents that will be administered by my Consumer Affairs Bureau.

The need for legislation to regulate the operation of travel agents in this State is twofold. Firstly, it is important that the financial rights of consumers who deal with travel agents are protected. These are the people who suffer the losses when an agency collapses or when mismanagement occurs. Consumers run the risk not only of losing large amounts of money, but also of having travel plans totally disorganised, or, worse, of becoming stranded overseas with no-one willing to honour the bookings and other arrangements that the travel agent has made for them. They need the protection that this legislation can provide.

Secondly, the travel industry in Queensland is in need of protection. The Governments of New South Wales, Victoria, South Australia and Western Australia have established a National Travel Compensation Fund, supported by respective travel agency licensing regulations. Tasmania has already introduced appropriate legislation and will follow suit.

The aim of the fund is to ensure that compensation is available for travel consumers within the participating States in the event of the failure of travel agents to meet their commitments.

It is felt that travel agents in this State could be severely disadvantaged if Queensland travellers were encouraged to take their business to southern States where legislation providing access to the National Travel Compensation Fund was in place. Such loss of business is already occurring on the Gold Coast.

The proposed legislation to license travel agents is necessary if participation is to be obtained in the National Travel Compensation Fund. The compensation fund is administered through a board of trustees consisting of Government, industry and consumer representatives. Queensland will be represented on this board by two additional members; one from Government and one from industry.

Travel agents will be admitted to the fund when they have satisfied the trustees that they have ongoing financial resources that will allow them to carry on business in a proper manner. The Bill proposes that every individual and corporate travel agent operating in Queensland will be required to obtain a licence.

There will be exceptions from the licensing rule, in particular those agents whose business is conducted solely within Australia, and the annual turn-over of which does not exceed $30,000 in value. Employees of licensed travel agents will not be required to hold a licence in their own right.

In addition to being admitted as a contributor to the Travel Compensation Fund, applicants will be required to satisfy the Commissioner for Consumer Affairs that they are over 18 years of age, hold the prescribed qualifications, are likely to carry on business honestly and fairly, and otherwise are fit and proper individuals to hold a licence. The Bill provides the right of appeal to the Minister against the decisions of the commissioner. However, if the Minister does not wish to determine such an appeal, the applicant may lodge an appeal with the District Court.

Compensation by the fund will be extended to those people who have suffered loss because of the failure of a travel agent to carry out his contractual obligations properly. In the past, agency failures have left consumers with little chance of recovering their money. This legislation will ensure that there are safeguards against consumer and industry losses in the future. It will also help to build public confidence in an industry that contributes significantly to the economy of Queensland by promoting professionalism in the management and marketing of travel agency services.

I commend the Bill to the House.

Debate, on motion of Mr Milliner, adjourned.

WORKERS' COMPENSATION ACT AMENDMENT BILL

Hon. V. P. LESTER (Peak Downs—Minister for Employment, Training and Industrial Affairs) (8.48 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill to amend the Workers' Compensation Act 1916-1986 in certain particulars."

Motion agreed to.

First Reading

Bill presented and, on motion of Mr Lester, read a first time.

Second Reading

Hon. V. P. LESTER (Peak Downs—Minister for Employment, Training and Industrial Affairs) (8.49 p.m.): I move—

"That the Bill be now read a second time."

The Queensland workers' compensation system has contributed to the State's growth by providing business with the overall lowest workers' compensation costs in all Australia. Injured workers have benefited and continue to benefit from enhancements to compensation payable for injuries.

The Queensland legislation and system generally is continually being reviewed and improvements ensure that Queensland continues to provide the most effective and efficient workers' compensation scheme in Australia. The primary objective of the proposed amendments is to provide greatly enhanced benefits to the dependants of fatally injured workers and additional benefits to permanently injured workers not already provided for in the table of injuries contained in the Act. At present a sum of $50,470 is paid where a dependant is wholly dependent on a deceased worker. This sum is indexed and aligned to movements in the State guaranteed minimum wage and has increased from $47,000 since the 1983 amendment to the legislation. All other amounts in the legislation are similarly indexed. Furthermore, if a totally dependant spouse or de facto has a child or children, additional lump sums and weekly benefits are payable.

The proposed amendments presently before the House provide for an increase in benefits for fatal claims from $47,000 to $72,000 to a person wholly dependent on a deceased worker. This amount compares more than favourably with most other States and, in fact, is the third highest provided for by any legislation throughout Australia.

The proposed amendments will also increase other benefits in respect of fatal claims, namely—

- minimum lump sum payable increased from $7,820 to $12,000 after deduction of previous compensation paid;
- minimum lump sum payable where dependants are partially dependent increased from $6,850 to $10,500; and
- amount payable to the parents of a person under 21 years of age and leaves no dependants increased from $3,030 to $8,100.

It is proposed the table of injuries also be extended to include lump-sum disability payments for loss of taste, loss of taste and smell, loss of genital organs, severe bodily scarring and loss of bodily function. The maximum amounts payable are expressed as a percentage of the maximum compensation payable for non-fatal injuries.

I am pleased to be able to state that, through effective management of the scheme, it will be possible to introduce these significant amendments without alteration to the existing rates of premium paid by employers.

The assessment of the degree of severe bodily scarring and loss of bodily function will be the reponsibility of expert medical boards. Medical boards constituted in terms of the Workers' Compensation Act have been operating very successfully for over 20 years. A medical board is composed of three independent specialists selected from appointed panels of specialists.

It is further proposed that the medical board established under section 14A of the Act to assess severe facial disfigurement will have an enlarged role to assess the degree of both severe facial disfigurement and severe bodily scarring.

Compensation for severe bodily scarring is being proposed as honourable members will be well aware that such injury can create a life-time of mental anguish. It is considered to be a disability deserving of additional compensation. The same is true in respect of disabilities of loss of taste, loss of taste and smell and loss of genital organs.

As I mentioned previously, it is proposed that the assessment of the degree of loss of bodily function for the determination of an injured worker's disability entitlement will be performed only by medical boards.

The assessment of permanent disability under loss of bodily function will allow medical boards greater flexibility to assess work-related impairment to parts of the body not covered by the table of injuries. The type of injuries to be assessed under loss of

bodily function would be, for example, spinal conditions and disabilities involving bodily organs. Assessments will not be made under loss of bodily function where the injury is already covered by the table of injuries.

The amendments also propose that the wording of the present Act be changed to clarify the responsibilities of medical boards for the determination of the degree of incapacity attributable to an injury.

The rehabilitation of injured workers is a major facet of the Queensland workers' compensation scheme and the progress made in the rehabilitation field is the envy of other Australian States. Queensland can rightly claim to be the leader in Australia in the rehabilitation of injured workers back into the work-force. The amendments propose that occupational therapy expenses incurred on behalf of an injured worker be paid as a treatment expense in the same manner as medical treatment. Occupational therapy costs were previously paid as part of rehabilitation expenses. However, prior approval of the board had to be obtained before these expenses could be incurred. The changed provision will provide for the recognition of occupational therapy in the primary stages of treating injured workers. This will assist with the earlier rehabilitation function.

The present legislation and the administration by the board promotes safety in industry by providing financial incentive by way of merit bonus discounts to employers who are successful in achieving safety at their work places. Employers can earn up to a maximum of 50 per cent reduction in assessed premium by way of merit bonus. The proposed amendments will enable the provision of an advisory service to assist employers in identifying unsafe systems of work.

The proposed amendments will allow the board to undertake a major new initiative aimed at reducing the incidence and cost of occupational injuries. Investigations have already commenced into the establishment of a claims experience advisory service that will provide accident profiles drawn from claims statistics. This service and the information provided will greatly assist employers to target problem areas and provide an ideal base for the implementation or design of safety programs; thus providing benefits by increased safety for workers, improved merit bonus pay-outs and continued workers' compensation fund and premium rate stability or indeed reduced premiums for specific classifications.

The amendments also propose that the chairman of the board will be a person nominated by the Minister. It removes the restriction that the chairman will be the Under Secretary, Department of Industrial Affairs. This will provide flexibility with future nominations for chairmen, who need not necessarily be the Under Secretary.

Further, it is proposd that the Act be amended to allow the board to recover a debt in any civil court rather than the present limitation of the Magistrates Court. This will permit the board to take action in the appropriate court, depending on the extent of the debt to be recovered.

The opportunity has been taken to make a number of minor amendments to the wording of the Act for consistency and to facilitate administration.

I commend the Bill to the House.

Debate, on motion of Mr Vaughan, adjourned.

PETROLEUM ACT AMENDMENT BILL

Hon. M. J. TENNI (Barron River—Minister for Mines and Energy) (8.58 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill to amend the Petroleum Act 1923-1986 in certain particulars."

Motion agreed to.

First Reading

Bill presented and, on motion of Mr Tenni, read a first time.

Second Reading

Hon. M. J. TENNI (Barron River—Minister for Mines and Energy) (8.59 p.m.): I move—

"That the Bill be now read a second time."

The Petroleum Act 1923-1986 provides for the regulation and control of petroleum exploration and production within Queensland and, in addition, it includes provisions for the licensing and regualtion of oil and gas pipelines.

I am sure that all honourable members are fully aware that our petroleum pipelines play an important part in encouraging the search for oil and gas and the utilisation of indigenous petroleum for the development of industry in this State.

Because of the long distances separating Queensland's oil and gas-fields from the main markets, and the fact that limited throughput restricts the number of pipelines which can be supported economically over those distances, there is a need for Government control in the pipeline industry.

In recent times, a number of situations have arisen when disputes might have been avoided or dealt with more effectively if the reserve powers of the Government were strengthened.

The purpose of this Bill is as follows—

- Firstly, to establish a pipeline tribunal to deal with transportation charges and other pipeline matters referred to it by the Minister.
- This tribunal will cover both oil and gas pipelines.
- Secondly, to define in more detail the powers of the secretary for mines and the Minister for Mines and Energy so that the construction and operation of the Government's natural gas pipeline to Gladstone can proceed efficiently.
- Thirdly, to clarify the obligations of pipeline-owners to operate as common carriers, to provide adequate capacity and to be licensed.

Clauses 3 to 5 of the Bill provide for the establishment of the pipelines tribunal. It is proposed that this tribunal will consist of one or more suitably qualified persons, nominated at the discretion of the Minister and appointed by the Governor in Council. It is further proposed that the tribunal, which will have the power of a commission of inquiry, will be a standing body but will only meet as required by the Minister.

Staff support facilities, research and record-keeping will be provided by the Director-General of the Department of Mines. The proposed role of the tribunal will be to advise and make recommendations to the Minister. For that purpose it will undertake investigations, as required by the Minister, into the operation of oil and gas pipelines, transportation charges, common carrier matters, pipeline capacity and arrangements for expansion, and related matters. Under the Bill, the Governor in Council will have the necessary power to determine the outcome.

The concept of the tribunal closely follows that of the Gas Tribunal, which was included in the Bill to amend the Gas Act, recently passed by this House. I emphasise that the roles of both tribunals are consistent and complementary.

The second purpose of this Bill is to clarify some of the details of the powers of the Secretary for Mines. The existing sections 7, 8 and 54A of the Petroleum Act give the Minister for Mines and Energy, acting as a legal entity in the form of a corporation sole referred to as "the Secretary for Mines", the power to own the pipeline on behalf of the Crown and enter into contracts with private organisations for its construction and operation. Those powers require an Order in Council to be invoked and that action has already been taken in the case of the State gas pipeline from Wallumbilla to Gladstone. It also gives the Minister other functions as a corporation. In the course of building the State gas pipeline, it has become apparent that its construction and operation will be facilitated by a number of minor amendments to the Petroleum Act.

The Bill incorporates proposals presented by the Solicitor-General for this purpose and these appear in clauses 6 to 9. The Solicitor-General has suggested that clarification and detailing of the powers of the Secretary for Mines is desirable. He has indicated that the provision of explicit power to the Secretary for Mines to enter upon land and take action before the formal taking of the land, under the provisions of the Acquisition of Land Act, is appropriate.

The Petroleum Act already empowers the Governor in Council to grant such powers to a licensee, but it does not explicitly nominate the same essential power for the Secretary for Mines. This power is necessary to avoid the situation where one property-owner might otherwise halt construction of a pipeline which is several hundred kilometres long.

The Solicitor-General has also considered that the limitation of the liability of the Secretary for Mines for injury to person or property should be to the same degree as now applies to the Co-ordinator-General under the State Development and Public Works Organization Act.

In the course of amending those specific provisions of the Act, it has been found necessary, at the same time, to reword certain provisions which apply to pipeline licences in general, and to distinguish more clearly the respective roles of the "Minister" and "the Secretary for Mines" as they now appear in the Petroleum Act.

The third purpose of the Bill is to amend the common carrier provision and a number of other incidental provisions. Under the existing Petroleum Act, a licensee becomes a common carrier only after an order to that effect by the Governor in Council. Because of a number of situations encountered in recent years with licensed pipelines, it is desirable that all such pipelines be classified as common carriers with certain obligations being placed on the owners. The Bill provides for all privately owned pipelines running outside a petroleum lease to be licensed.

The matter of increasing the capacity in a licensed pipeline to meet the demand, either by the installation of compressors or by looping, in other words duplicating sections, of pipeline, has been closely studied in consultation with the Parliamentary Counsel and with other legal advice.

In view of the practical difficulties of meeting all circumstances by legislation, it is considered that questions of capacity should be dealt with in individual licences, where the relevant rights and obligations will be detailed but with the right of the pipelines tribunal to inquire into matters of performance and of the Government to resolve any conflicts. These matters are dealt with in clauses 10 and 11 of the Bill.

In clause 12, the Bill allows the Secretary for Mines to resume land required for petroleum pipeline purposes and clause 15 makes it an offence to interfere with works or prevent access to sites lawfully occupied under the Act.

In clauses 13 and 14, minor drafting amendments are made.

I wish to advise honourable members that, in addition to the amendments to the Petroleum Act provided in the Bill, the Government is also undertaking a review of the whole Act. The aim of this wider review will be to ensure that the resources of this State are explored and developed at a rate and in a manner which will provide the maximum incentive to industry and be of lasting benefit to all Queenslanders. It is, however, considered essential that the amendments contained in the Bill be passed without delay.

I commend the Bill to the House.

Debate, on the motion of Mr Prest, adjourned.

SURROGATE PARENTHOOD BILL

Hon. P. R. McKECHNIE (Carnarvon—Minister for Family Services and Welfare Housing) (9.06 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill to proscribe surrogacy in relation to child bearing and for related purposes."

Motion agreed to.

First Reading

Bill presented and, on motion of Mr McKechnie, read a first time.

Second Reading

Hon. P. R. McKECHNIE (Carnarvon—Minister for Family Services and Welfare Housing) (9.07 p.m.): I move—

"That the Bill be now read a second time."

The purpose of the Bill is to make all arrangements relating to surrogacy illegal in Queensland. This is a subject which all honourable members would know has been debated publicly for some years, and I therefore do not propose to place all of its pros and cons before the House. However, the decision to legislate has not been taken lightly, and the Bill follows very thorough inquiries and lengthy consideration of all of the issues.

It will be recalled that in 1983 the Government appointed Mr Justice Demack to inquire into the laws relating to artificial insemination, in vitro fertilisation and other related matters. Pursuant to the report of the inquiry, it was decided that the Bill should be introduced and that the Minister in charge of family services should administer it.

It is the strong belief of members of the Queensland Government that to use or to pay another human being to reproduce is the ultimate in dehumanisation. We are of the opinion that a baby must not be treated as a commodity to be purchased. It must not be the subject of traffic in any form. We also have all seen the traumatic events of legal battles that have developed over this matter in other countries, and we do not wish this to happen in Queensland over human life.

The piece of legislation that I am introducing is quite simple. Under its terms, it will be illegal to enter into surrogacy arrangements, arrange a surrogacy service or to advertise surrogacy services. The legislation will also ensure that surrogacy contracts or agreements are not enforceable.

In conclusion, I pay tribute to my predecessor, Mrs Yvonne Chapman, who piloted the Bill through its early drafting stages.

I commend the legislation to the House.

Debate, on motion of Mr Prest, adjourned.

STATUS OF CHILDREN ACT AMENDMENT BILL

Hon. P. J. CLAUSON (Redlands—Minister for Justice and Attorney-General) (9.09 p.m.), by leave, without notice: I move—

"That leave be granted to bring in a Bill to amend the Status of Children Act 1978 in certain particulars."

Motion agreed to.

First Reading

Bill presented and, on motion of Mr Clauson, read a first time.

Second Reading

Hon. P. J. CLAUSON (Redlands—Minister for Justice and Attorney-General) (9.10 p.m.): I move—

"That the Bill be now read a second time."

On 8 February 1983, the Queensland Cabinet approved the appointment of six people to constitute a special committee under the chairmanship of the Honourable Mr Justice Demack, a judge of the Supreme Court of Queensland.

One of the terms of reference was for the committee to examine, report and recommend upon the procedures and guide-lines for artificial insemination and in vitro fertilisation in Queensland, and whether procedures and guide-lines should be provided for in legislative form or otherwise, or in any way altered or amended.

The committee considered the legal issue of determining the relationship to a child conceived by artificial methods of those involved in its conception and gestation and the legal status of the child. It also considered the rights of custody and duty of maintenance of children conceived by artificial methods.

The committee adopted the widespread acceptance of the view that when a child is born as the result of the artificial insemination of a married woman with the semen of some person other than her husband, and her husband consented to this procedure, the child should be treated in law as the legitimate child of the parties to that marriage and should not be treated as the child of any person other than the parties to that marriage.

The proposed Bill adopts the above recommendations of the Demack report. A retrospective application of the Bill is necessary to confer legal status upon a child born or conceived from artificial conception procedures prior to the commencement of the Act.

The principal Status of Children Act was brought into operation in January 1979. The broad aim of the Act was to remove the legal disabilities of children born out of wedlock.

Prior to the passing of the Act in 1978, illegitimate children were unable to inherit property under certain testamentary dispositions where legitimate children were members of the same family.

At present, if a child is born as a result of artificial conception, that is, where the mother is inseminated with donor semen, the donor is the biological father of the child, and the husband of the mother is the social father of the resulting child. The proposed Bill makes the necessary changes to place the husband and wife in the position of being the legal parents of the child born of those procedures.

The Bill proposes that a new part be inserted into the Status of Children Act, titled "Part III—Parentage of Children". There is an interpretation provision which includes in the term "married woman", a woman living with a man on a bona fide domestic basis—a more precise reference to a de facto relationship.

One reason for including a relationship of this nature is that children born out of wedlock by natural conception are treated legally in the same manner as legitimate children. Another is that it is considered desirable that siblings, regardless of any accident of birth, should be treated with equal legal status. For example, it would be most undesirable if a de facto couple bore two children, one by natural conception and the other by artificial insemination, and those siblings were of a different legal status.

Where a party to a de facto relationship is still legally married to another person, then a reference in the Bill to a husband or wife does not include that other married spouse.

The proposed Bill applies to pregnancies resulting from procedures carried out within or outside of Queensland. In the case of artificial conception by the use of donor semen, the Bill provides that the husband shall be presumed to have caused the pregnancy and to be the father of the child born from that pregnancy. The producer of the semen is presumed not to be the child's father. The presumption of law is to be irrebuttable where the consent of the husband is obtained.

In the case of in vitro fertilisation, the ovum used is that of the woman, but it is fertilised with donor semen outside the woman's body and an implantation procedure is then used to allow the embryo to develop to its term. As previously, the very same presumptions—that the husband caused the pregnancy and is the father of the child—apply.

Another situation for which the proposed Bill makes provision is where donated male and female genetic material is used; that is, the ovum may be from another woman while the semen is from a man who is not the woman's husband. The consent of the husband is central to the application of the irrebuttable presumption in all three instances. The parties to the marriage shall be presumed to have produced the genetic material, caused the pregnancy, and to be the parents of the child born as a result of the artificial conception procedure. It is proposed, similarly, that the man and woman who produced the donated genetic material shall be presumed not to be the parents of such child.

The proposed Bill removes all the rights and liabilities of a semen donor where the man is not married to the woman or where the consent of the husband is not obtained and unless it is otherwise agreed that the rights and liabilities conveyed to a man on marriage to the child's mother only date from when he becomes that woman's husband.

The remaining proposed amendments are consequential to the re-arrangement of the Status of Children Act.

As a result of the presumption provisions, a child resulting from artificial conception is a child of the marriage, and therefore the social father, who now by legal presumption stands in the place of the biological father, may legally be registered as the father of the child.

Artificial insemination by donor semen has been used as a means of overcoming problems of infertility for about 18 years. More recent advances have included successful pregnancies, resulting from in vitro fertilisation and children who are the product of the donation of ova.

This is an important Bill dealing with the legal status of any child in our community who has been born into a family, regardless of the method of conception. The Bill ensures that legally, all such children will be born equally and will be presumed to be the children of both of the social parents, that is, the mother who bears the child and her husband. It also ensures that the anonymous donors of genetic material will in no circumstances be regarded in law as fathers or mothers and the ensuing rights and liabilities that such would entail.

I commend the Bill to the House as one deserving the full support of all members.

Debate, on motion of Mr Braddy, adjourned.

QUEENSLAND INSTITUTE OF MEDICAL RESEARCH ACT AND ANOTHER ACT AMENDMENT BILL

Second Reading

Debate resumed from 11 November 1987 (see p. 4046).

Mr COMBEN (Windsor) (9.17 p.m.): Tonight, the Queensland Institute of Medical Research Act and the Hospitals Act are being amended, and I will be referring substantially to both of those Acts. The first Act to be amended is the Queensland Institute of Medical Research Act 1945-1984. This Act has a special significance to the ALP members of this House, because it was conceived originally by Mr Ned Hanlon, who was Queensland's Minister for Health in the early forties, and it was brought into being during the term of his Premiership.

It is interesting and instructive to read the Act's preamble. These days, preambles are not often included in Acts. The preamble, which is clearly indicative of what was sought at that time to be set out as an institute in Queensland, reads—

> "Whereas it is considered that a system of research in medical science, particularly in relation to diseases peculiar to Queensland, is an essential factor in and towards the betterment of the health and the general wellbeing of the people of this State:
>
> And whereas for the purpose of providing for a system of such medical research on a sound basis it is desirable that an institute, called 'The Queensland Institute of Medical Research,' should be established and maintained:".

It is a good concept, and I do not think that any person concerned with the public well-being of the health of this State could ever disagree with it. When the institute was established, some small controversy attached to it as very little money was available for such an establishment. However, in the years since its conception, which is now just over 42 years ago, it has obviously found its way into the hearts of Queenslanders, and it serves a good purpose.

The Opposition obviously supports the legislation inasfar as it does a lot to make it much easier for the Queensland Institute of Medical Research to raise money. That is particularly what this Bill sets out to do. At the time when the Bill was introduced, the then Minister for Health said—

> "In particular, new financial provisions will have the effect of making the institute a statutory body for the purposes of its financial functions."

What he was saying in actual fact was that previously the institute was unable either to enter into a range of arrangements or to maintain money raised on its own account. However, a statutory body under the Statutory Bodies Financial Arrangements Act in this State can maintain its own finances and keep to itself anything which is of great financial benefit to it, thereby putting it on an entirely different footing. It is an example of privatisation of health in this State. Although the Opposition has no problems with the concept of extra funding, it is concerned that the research may now not concentrate on diseases peculiar to Queensland, as the preamble to the original Bill said; now the Bill will amend that to read "diseases of particular significance to Queensland".

Over the last five to 10 years, a major change has taken place in the thrust of activity engaged in by the Queensland Institute of Medical Research. It has gone from an institute that was concerned with tropical medicine to an institute that is now known for its work in cancer research.

The annual report makes very interesting reading. Although I had not examined the report in depth before the Bill was presented, I actually enjoyed reading about the advances that have been made. The director's report, in referring to the need to take a hard look at medical research in Queensland, contains one sad sentence. The sentence reads—

> "While there are groups doing outstanding work, the opportunities and facilities are far fewer than should exist for a community of this size."

The effect of that statement is that the Government is underfunding the Queensland Institute of Medical Research. This Bill, despite its noble intentions of making it easier for the institute to raise money, merely paves the way for privatisation of the institute. The Government is saying, "We are not going to give you the money. You can go and gather it elsewhere."

As the Minister's advisers would know, during the last year the Queensland Institute of Medical Research Council established a working party on medical research in Queensland, under the very capable chairmanship of Dr Peter Livingstone, to examine ways of expanding and enhancing research opportunities and output. Although the working party's mandate did not focus entirely on QIMR, to some extent it went beyond QIMR to take into account the community of the State as a whole. It is sad that honourable members have to regard this Bill in the context of insufficient funds being made available for research at present.

The working party's deliberations are still in progress, but its very operations represent a landmark in the history of medical research in this part of Australia. Individuals and institutions have come together to hold discussions and make plans in a way that has not previously occurred. There is clear evidence of desire and intent to collaborate and to rationalise resources in a very constructive way that will greatly enhance research capacity and the application of research output towards the improvement of health care. The council looks forward eagerly to the outcome of the working party's deliberations.

As the Minister is well aware, the QIMR has participated in a number of formal agreements to create Saramane Pty Ltd, which is a company that has been established to work towards a molecular vaccine against malaria—one of the world's major infectious diseases. Queenslanders can be very proud that the institute is having an impact on medical research. It is, however, unfortunate that it has not had the resources that it should have received or the desired impact on medical research.

The second-reading speech made by the previous Health Minister contains a reference to a lack of resources for the institute. It reads, in part—

> "The Queensland Institute of Medical Research is an important part of the health service of Queensland, not only undertaking medical research itself but also contributing to research in hospitals and universities."

I take up the matter of research that is conducted in universities and the position of the University of Queensland medical school. Only 10 days ago, Professor John Hamilton, the head of the Newcastle university's medical school, visited Brisbane. He is also chairperson of the Australian Medical Council accreditation committee. During his visit, he spoke to faculty staff and put forward a fairly depressing position. He had a number of criticisms to make about the medical school. He said that the school could not obtain adequate expertise in a range of areas, especially pathology, and that there were problems with curriculums and standards of teaching. He observed that there was a major fight between pre-clinical and clinical staff.

When I raised these matters, Professor John Biggs, who is dean of the medical school, said that any suggestions that the school would close at the end of five years were "alarmist, irresponsible and ignored the normal process of re-accreditation". He went on to state that although medical student training was the first priority, "no matter what compromises had to be made in other areas because of difficulties such as staffing, inadequate funding or accommodation", quality would be maintained. The difficulties that he mentioned are precisely the problems being faced by the Queensland Institute of Medical Research.

Professor Biggs went on to state—

> "There were significant difficulties for the Medical School in two areas for which the university had been seeking to resolve with the State Government for some years.
>
> One problem was difficulties recruiting top quality staff when the university could not match either the hospital system or the private sector in salary.
>
> The other was insufficient integration with the State hospital system in clinical aspects of medical training."

Those are the same problems as are being faced by the Queensland Institute of Medical Research and which are intrinsically bound up with the close liaison that the institute has with the university and the university has with Queensland's major teaching hospitals. These problems have to be addressed by the Minister very quickly. There is a need for proper funding and supervision of the standards of the medical school, as there was with the institute.

The Opposition hopes that there will not suddenly be some kind of privatisation of the medical school in the same way as there is a privatisation of the Queensland Institute of Medical Research. It is being thrown out. It is like a child who has been growing up for 42 years and suddenly finds it has to stand on its own two feet. It is a fairly hard system that would allow that kind of thing to happen to the medical school also. I hope that at this stage the Minister is having discussions with people such as the dean, Professor John Biggs, and will do something to resolve the State Government's tardiness in its approach to the real problems, and that the Government will put real funding into the Queensland Medical School.

I turn now to the amendments to the Hospitals Act and raise with the Minister—because the Opposition has so few opportunities to raise health issues in this House—the matter of one patient in the Bundaberg hospital. That patient is a 66-year-old man

who, on 7 July 1986, was driving a vehicle along the Bruce Highway in the vicinity of Gympie when he was involved in a motor vehicle accident. It appears that the accident was caused by that person's suffering a mild stroke.

Immediately following the accident he was admitted to the Gympie Base Hospital and was then taken to Maryborough hospital, in his home town, where he remained for a week. After he regained consciousness at the Maryborough hospital he was transferred to the Bundaberg Base Hospital, where he underwent a series of operations. The first operation was approximately three weeks after the accident and was a bone graft of his right fibula.

Approximately five weeks later, when the dressing from that operation was changed for the second time, he noticed that his leg was wasting and that the bandage was loose to the extent that he was able to get his hand under the bandage to scratch. On one occasion at about the same time, he had been pushed out into the sunshine to get some sun and he saw a blue fly come out from under the bandage. As the fly was coming out of the bandage he said to Dr Darly, who was standing at the foot of the bed, "Look at this." The doctor said nothing. About five or six days later he could feel movement under the bandage and he noticed grubs crawling out of the bandage and lying on the bedsheet. The patient called the sister and showed her. She went and got the doctor and another doctor who cut the bandage off his leg and cleaned the wound. He could not see what was being done to the wound. I think if I were he I would be fairly happy that I could not see what was going on.

Mr Simpson: That is what they did during World War I.

Mr COMBEN: So the honourable member is advocating that for modern twentieth century medical care in Queensland?

Mr Simpson: That sounds like what the Labor Party does.

Mr COMBEN: The Opposition is raising the matter because it is disgusted and revolted by it.

That was the first of this gentleman's problems. Government members seem to think that there is nothing wrong with that and everything is fine. However, after noticing various dark stains, etc., having the wound re-bandaged and other wounds that were not healing, he had all sorts of problems with infections. I have several pages of comments. Honourable members will recall that he was admitted on 14 July 1986. Just on 3½ months later the Bundaberg hospital report states—

> "He was readmitted on 5/11/86 when on removal of portion of the plaster of paris a purulent wound infection diagnosed. He was discharged on 8/11/86 with dressings. He presented to Fracture Clinic on 20/11/86 where he complained of continual hip pain."

Until that time his femur had been badly broken but no-one had said anything to him about the hip pain that he had continued to complain about.

Mrs Nelson: What has this to do with QIMR?

Mr COMBEN: It has everything to do with the Hospitals Act, which the Bill amends. If the member for Aspley had read the Bill, she would know that is the case.

As I am discussing the Hospitals Act, I will discuss the Bundaberg hospital. The report continues—

> "Unfortunately X-ray disclosed a missed fracture dislocation of the femoral head. This was treated with crutches and non-weight bearing."

That elderly gentleman went into hospital; 3 weeks later he is fly-blown; 4½ weeks later he is diagnosed as having a fracture of the femoral head. Dr Donald Watson, a noted orthopaedic surgeon in this State and a man who is highly respected by members on both sides of the House, said some many months later, after examining the gentleman—

> "The fact that the wound became fly-blown sounds and is indeed, revolting."

He did say that there are times when that happens, but he also said—

> "The delay in diagnosing a fracture dislocation of the hip is another matter. It is true that in the presence of multiple injuries sometimes the lesser injuries pass unnoticed. However a fracture dislocation of the hip is a fairly formidable situation and it is a matter which requires explanation as to how it came to be missed for four and a half months. There must have been a good deal of handling of the limb and there was at least one occasion when under anaesthetic the knee and foot were manipulated."

As the doctor says, it is a matter that requires explanation as to how it came to be missed for 4½ months. I say to the Minister that something must be seriously wrong at the Bundaberg hospital. Obviously inappropriate care has been given to a patient. I have never raised with the Minister the various cranks who have complained to the Opposition about all sorts of health care. However, this one is so much worse. It involves two major problems.

Mr Hamill: The member for Cooroora had his lobotomy there.

Mr COMBEN: Yes, he did indeed. He does not even know what a lobotomy is, so he is not complaining.

This intelligent man knew what was going on around him. He could see that he had a fly-blown wound and then found out months later that he had another major fracture. No-one can have confidence in a regional hospital such as that. I know of a range of problems at the Bundaberg Base Hospital and no-one can have faith in the standard of care at a hospital such as that.

The patient in this matter has sought legal advice and legal aid. However, that has been refused. Unfortunately, the man has been through so much pain, so much trauma, so much confusion and so much sadness over this that he eventually asked to be transferred to Brisbane. That request was granted. The case conduct was so bad that one doctor up there who was asked to look at the patient's leg, etc., said that he would not do so. That is also contained in the statement. I deliberately have not put in the public record the patient's name. I am sure the Minister can get hold of that name. If not, I will supply it to her quite happily. I think he has been through enough. If this sort of thing is going on and if the standard of care is so poor, the State's hospitals need to be investigated.

I say again that the Australian Labor Party is pleased to be able to support the Queensland Institute of Medical Research in its diversifying role, in its push to obtain more funding and in its push to be part of what we hope is an expansion of medical research in this State, into high technology and into the various fields in which the institute has a tremendous amount of expertise. It is an institute with a world reputation. Unfortunately it is not supplied with sufficient funds to carry out its work. It is one of those great initiatives of a past Labor Government, and it is one that we will again support—and do so more actively than this Government—when we return to the Government benches. It is a great Queensland initiative. The Opposition will support the measures proposed in the Bill.

Mrs NELSON (Aspley) (9.35 p.m.): It gives me great pleasure to join in the debate and to support the Bill. It gives me personal pleasure to speak about the Queensland Institute of Medical Research. It is an organisation with which I have not had close contact in recent years. However, some years ago I was involved in one of its research programs. Professor Kidson is in the lobby this evening with Dr Livingstone. I would like to pay a tribute to the work of the institute and, in particular, to Professor Kidson. He is a most personable man. Anybody who comes in contact with him is enhanced by the experience. He is a very kind and good man. I am quite sure that I am embarrassing him terribly; however, I believe that these remarks should be on the public record. We have enough people in this House who are prepared to bash the medical profession and our hospital services; however, Professor Kidson is a man worthy of the highest honour. He certainly did some excellent work on a program with which he was involved with

university students. I would be interested to know the outcome of that research. I am confident that, in years to come, it will play a significant role in assisting in the diagnosis of one of our more common but no less tragic congenital disorders.

It is relevant to place on record some of Professor Kidson's curriculum vitae. In 1955, he was a graduate of the University of Sydney in medicine and science. He holds a PhD in molecular biology from the University of London and an MD in human population genetics from the University of Sydney. He is a specialist of world renown in genetics.

Mr De Lacy interjected.

Mrs NELSON: This is Professor Kidson, the Director of the Queensland Institute of Medical Research.

It would be remiss of me if I did not point out that Neville Wran holds a somewhat similar position in New South Wales as head of the CSIRO. I am delighted to see that the Queensland Government has as the head of these types of organisations renowned medical scientists who are valued in our community. I do not believe that words merely on the record can say how highly this particular institute is regarded by the people of Queensland.

The Bill will allow the institute much more flexibility in terms of management and fund-raising. It will enable the institute to address in a more modern way the needs of medical and scientific research.

One of the significant projects that the institute is involved in on a regular basis is research into skin cancer and colon cancer, which are two of the great killers in our society. I have grave concern about the Federal Government's apparent lack of understanding of the extent of the problem of skin cancer in northern Australia. The Federal Government has made significant cut-backs in the Medicare rebate for the treatment of such cancers. The only consequence of that is the death of citizens. It was cheapskating in the wrong place at the wrong time. The Federal Government will rue the day that it made those changes to the Medicare rebate system. Its action will lead to people leaving such cancers untreated until it is much too late. It will lead to a loss of an adequate database for research. I call on the Labor Party members in the House to lobby vigorously their Federal colleagues. I believe that it was a wrong move and one that ought to be reversed as soon as possible.

I will not go into detail about the work that the institute does on skin cancer, but it is certainly renowned throughout the world. The institute works very well with other institutions and organisations and it is highly regarded.

I will comment on a few of the remarks made by the member for Windsor about the Bundaberg hospital. The honourable member really enjoys dabbling in other members' electorates. He obviously does not even miss his own colleagues——

Mr COMBEN: I rise to a point of order. Any information that I might have provided this evening was supplied to me by my colleagues.

Mr DEPUTY SPEAKER (Mr Booth): Order! There is no point of order.

Mrs NELSON: I think that it is a case of, "Come in spinner".

It is a disgrace that the local member for an area, rather than going to the Minister privately about a matter concerning an individual patient, would sacrifice the reputation of the town and the reputation of the hospital, and create unnecessary anxiety and unrest in the minds of the residents of that town. If the honourable member is going to continue to be the Opposition Health spokesman, he will have to learn a few basic lessons about the Health portfolio, which he should have learned a few months ago. He has a great responsibility not to do the very thing he has done on a number of occasions already.

If a member is presented with individual cases, they should be taken to the Minister. Any Minister of any political party will deal with those issues privately. If a member is

presented with a major issue and cannot get satisfaction from the Minister, that member should then raise the matter in this Parliament.

The member for Windsor and the member for Bundaberg should both be ashamed of themselves because, on the whole, the Bundaberg hospital, like any other institution in Australia, has a tough job to do. Their Federal colleagues cut back funds to this State in an appalling fashion in regard to health services. If the honourable members have any complaints, they should direct them to Neal Blewett, because if anybody has blown the health system right apart in this country, it is him.

The Bill has my full support. I want to conclude by making a comment that I meant to make during the debate on the previous Bill, and that is to congratulate the honourable member for Greenslopes on her elevation to the Ministry. I hope that she holds that position for many years.

Mr SHERLOCK (Ashgrove) (9.42 p.m.): I welcome the opportunity of joining in this debate. The member for Windsor has again taken some licence during this debate by speaking about matters relating to the Bundaberg hospital. Of course, honourable members must take into account the fact that the member for Windsor is serving his apprenticeship as yet another Opposition Health spokesman in this Parliament.

The member for Aspley had some kind words to say about the Queensland Institute of Medical Research, its director, Professor Kidson, the chairman of its council, Dr Livingstone, and also the deputy chairman, Dr Wilkie. I support the fine work that they do.

The member for Aspley quite rightly drew the attention of the House to the great work that is being done by QIMR in the field of skin cancer. That work is world renowned. That brings to the fore the complete lack of funds provided by the Federal Labor Government through Medicare to fight skin cancer, which is particularly prevalent in Queensland and especially far-north Queensland.

Of course, Queensland leads the world when it comes to skin cancer. The key issue is detection at an early stage, which necessitates frequent visits to one's GP and one's specialist. People cannot do that in Queensland, because the ALP does not provide the funds through Medicare to enable people to do that. Queenslanders are severely disadvantaged in that regard.

I will return to the Bill. The original Queensland Institute of Medical Research Act was passed in 1945. It has not been addressed seriously since that time. The current thinking of the institute in moving away from public service type institutions to a body which involves more community and private input has not been addressed until now.

The institute, of course, was set up initially as an independent body, totally funded by Government, and has been seen as part of the Department of Health in Queensland. In fact, the institute has received substantial amounts of non-Government funds, so that 50 per cent of its funds now come from non-Government sources, which include grants from a range of bodies and major support from the National Health and Medical Research Council.

The attitude of the Liberal Party towards the proliferation of quangos is well known in this place. Of course, all honourable members are aware that this Bill creates another statutory authority. However, I believe that setting itself up as a statutory authority is probably the only way in which the institute can be efficient and cost effective, with the freedom to stimulate an industrial base. A public service Health Department has already demonstrated that that is extremely difficult indeed.

In recent times, Budget contraints have had an impact on the institute, which, honourable members have heard, receives a $1 for $1 grant from the State Government. However, in the last Budget if suffered a cut in real terms of 2 per cent. The challenge to the QIMR is to establish a position of leadership in medical research and to establish funds for equipment and maintenance so that it can keep pace with what is happening in the world. There was a time when funding for medical research per capita had

Queensland near the top of the list. That is not the case now. Victoria would be judged by most as being well ahead of Queensland, with 14 institutes connected with medical research, making it very competitive with a firm industrial basis.

Opportunities do exist for Queensland to be at the centre of the Pacific rim in terms of medical research. We are already working very closely and enjoying a high reputation with countries near Australia, such as French Polynesia and Papua New Guinea, and Asian countries, such as Thailand and Japan. That is important in achieving collaboration not only in medical research but also in industrial and trade relationships. I believe that Shanghai has a medical research group in the field of medical diagnostics, which, for example, could add much to the facilities in Australia.

It has been said that QIMR is the flag-carrier for Australia, and certainly for Queensland, in the international sphere at a time when high medical technonology needs to expand. Queensland needs to attract to this State top people from other countries. Queensland scientists already enjoy a very fine reputation overseas, particularly in research into cancer and infectious diseases.

I am told that the Queensland Institute of Medical Research will have a stand at Expo and that it will concentrate on skin cancer, especially melanoma—as honourable members know, the institute is a world-leader in that field—and also in mosquito vector control. The QIMR has a very firm orientation towards public health and preventive medicine. For example, work is being done on an Aboriginal child diet program. It has been demonstrated that feeding Aborinal children milk that has had lactose predigested may be an advantage in diet. That could have spin-offs in areas outside the medical field. The mind boggles at what it might mean, for example, to the dairying industry in Queensland.

By working with local authorities, excellent work has already been done in mosquito control. Honourable members have heard a great deal about the research work that is taking place with Ross River fever. The mosquito that causes Ross River fever also causes dog heartworm, which is of concern to many dog-owners who live in tropical areas.

At the other end of the spectrum, researchers at QIMR are collaborating with scientists in other parts of the world, so the work in that area is both local and global.

The thrust of the Bill is to produce a capacity for the export of greater medical technology and for the creation of an industry; but, of course, at the same time lives are being saved. Important research is being carried out on cancer of the bowel. I cite a simple example of malignant melanomas. Some tens of thousands of lives will be saved because of the key factor of early diagnosis and the excellent work being done in educating the community about sun care, to which I referred earlier.

The Liberal Party supports the proposal to place the new provision under the direct control of a statutory authority. It strongly supports the view that QIMR should be open to public scrutiny. Perhaps the introduction of a public accounts committee will help in that regard. The Liberal Party's stand in relation to a public accounts committee is well known. The Liberal Party is delighted that Mr White will play an important role on that committee.

During the past five years the institute has moved towards employing its staff on National Health and Medical Research Council terms, which are somewhat allied to the terms of similar appointments at universities, particularly in the areas of research, and, importantly, remuneration. If Queensland is to attract scientists with the status of professors in universities to projects in the Queensland Institute of Medical Research, the appropriate salary and conditions, including research availability, must be in place. Current thinking within the institute has been on public service terms. The changes in the legislation reflect the change in attitude here.

Traditionally, most of the funding is project based for periods such as five years; thus appointments to the institute are also for a tenure of five years. That means that

appointments are based on performance and there is quite a bit of healthy competition for positions. The changes in the legislation will only encourage that.

Appointments must be related to specific research projects, which is advantageous. The National Health and Medical Research Council is growing in stature. Although regarded by some people as a conservative body, the council has a very fine track record in research and the maintenance of standards. Because it adds to its credibility and reputation, it is in the interests of the Queensland Institute of Medical Research to have a closer association with the National Health and Medical Research Council.

The Liberal Party supports the proposed amendments to section 5 of the Act, which relate to the constitution of the Queensland Institute of Medical Research Council and allow for an additional two representatives on that council.

In the past, the institute has been a type of post-box to the Health Department. It is time for it to control its own affairs. As a statutory authority, the council will have direct control over its finances and, most importantly, will be responsible for them. The work that I have seen there has been very active, and QIMR has cut its cloth to suit.

A good example of that is the DNA synthesiser that I saw there recently, which was purchased at a cost of approximately $600,000 by three agencies. It is located at QIMR. That facility is used also by Griffith University and Queensland University, which both contributed towards its purchase. In return, the institute has access to other compatible equipment at those universities, which will prove to be worth while in the future.

The amendments to section 8, continued in clause 9, are necessary to bring payments to councillors into line with payments to members of the QIMR Trust. The amendments to section 8B relate to the membership of the trust, providing for an increase of five members to bring its membership to a maximum of 10, which seems to be desirable in order to bring the trust into line with the membership of other hospital foundations that were established pursuant to the Hospitals Foundation Act of 1982.

On another tack—those foundations are indeed burgeoning. Honourable members will recall that the QIMR Trust was set up primarily to manage funds that are made available from private trusts, as well as to manage moneys that are raised from public funding. It is hoped that the enlargement of the membership of that trust will attract senior and active businessmen, which will in turn attract a wider range of public funding for the research institute, rather than drawing upon State Government public sector funds. That is a desirable aim.

The Liberal party strongly supports this thrust. It is important that the QIMR has the ability to provide resources additional to those of Government. The expansion of the trust will allow the QIMR to employ people within the infrastructure that is important to sustain its research viability. For example, clerical, scientific and public relations staff will be included.

In the past, many people held the view that the Queensland Institute of Medical Research Trust was a steward of that money and not called upon to raise funds. I understand that the intention of this legislation is to rejuvenate the trust, which will actively seek financial support from various quarters. In fact, the trust now produces very fine public relations material for the institute. During my research on this Bill, I consulted reports of the institute going back to the late seventies. In terms of their presentation, those documents were fairly dull, although, to people who were interested in them, they were not dull at all. In contrast, the 1986-87 annual report of the institute is full of illustrations and is a very fine public relations thrust.

Because of those current arrangements, hospital foundations are able to attract high-profile public relations consultants who, in turn, produce some very fine material. As honourable members would be aware, the Queensland Institute of Medical Research will be in direct competition with them for funds.

I sound a note of warning to the institute, which is that it should remember that it is, first and foremost, a research institution and a development organisation, not an

organisation producing PR. However, it has produced very fine work, and that has been done within the department as it stands without any further assistance. It is to be congratulated upon that.

I now turn to the matter of hospital-based research. Some researchers in Queensland will say that, because of budgetary restraints, hospitals in this State have been starved of research funds. Support has been given to the QIMR. Research in hospitals has thus not been allowed to develop. Research has been undertaken in some of the country hospitals. Townsville Hospital is a good example of that.

One can build a strong case to support hospital foundations and diversified research with new ideas and new technology. For example, in the last decade a number of successful projects have come from hospitals or community-based foundations. Such work has occurred into liver transplants, and cornea transplants at the Princess Alexandra Hospital, and, of course, into bone marrow growth. Those facilities have been provided by the community directly, by appeal and by service clubs.

Not all scientists would support the objective to centralise research. However, there is a widely accepted school of thought that the critical mass of researchers is about 250, and some would hold up as an epitome of a superb institute of medical research the Walter and Eliza Hall Institute in Melbourne, which of course was established in earlier days with profits from Mount Morgan Ltd in central Queensland.

I understand that plans exist to build a new QIMR building adjacent to the Royal Children's Hospital at a cost of some $28m. The Liberal Party would generally support such a proposal, as the QIMR lacks space and is overcrowded. Some 160 people are working in a space that was created for 50. Very practical problems arise, such as the availability of lifts to carry not only people—and I have had personal experience of this—but also chemical reagents and sensitive microbiological material.

I understand that finances for the project are now coming together from a number of sources, including Suncorp. Queensland must be careful of the crane mentality. The cost of buildings—real estate—should never override the provision of adequate funds for the primary purpose of medical research and productivity. I seek from the Minister an assurance that there will not be a deprivation of those funds, which I understand are quite separate.

The amendments to the Hospitals Act 1936-1984 allow the boards to enter joint-venture arrangements for medical and scientific research. That is entirely desirable. Those agreements are dealt with under the proposed amendments to section 26 of the Hospitals Act. Joint ventures with hospitals will enable the development of a commercial relationship to transfer technology produced in Queensland to other countries and provide the basis for export. Very fine research is being undertaken in Queensland in areas at the leading edge of medical and scientific technology which would provide a much-needed export for the State.

I have some experience in the pharmaceutical industry, which trains scientists in this country to do very fine work of world standard. It is an enormously demotivating experience for our young scientists when they find that in this country nothing is being done in relation to drug research or the development of new drugs—or, indeed, that not very much at all is being done in terms of quality control. All of that work is done in North America and northern Europe. It is found that people who gain places in tertiary institutions and who, at an enormous cost to the tax-payer, are trained to high standards, are then shipped overseas to further their careers to make some contribution. A large part of the blame for that can be laid at the feet of the present Federal Labor Government which, through its national health scheme policies and other schemes, has done nothing at all to encourage drug research in this country. Medical research in this State and in this country should be nurtured.

Perhaps one of the best examples of a joint venture program is the tropical health research program that is being established in conjunction with the University of Queensland. $500,000 is being made available by the Commonwealth Government to move the

program from Sydney and establish it in Queensland. Because of the time constraints, I will mention only briefly other areas of research, development and marketing. Groups such as UniQuest at the University of Queensland and QIT Search at the Queensland Institute of Technology are gaining in terms of credibility. The public company Q.Lone, which undertakes contractual research for a fee, is aiming at scaling up its operations via technical productivity. All those organisations are carrying out very fine work.

My research on QIMR indicates that all is not entirely rosy. I know that the Minister will take this criticism in the way that it is intended. In recent times, the institute has scrapped some very good in-house studies that were bearing fruit. Examples of these were to be found in the area of research into measles and Ross River fever, which I mentioned previously. Some scientists believe that dengue fever was a missed opportunity for the Queensland Institute.

I looked into scientific productivity and the cost of operations for QIMR in the period 1969-87. The annual reports indicate that during that period the institute's budgets increased twentyfold. The institute increased funds from all sources from $300,087 in 1979 to $5,848,029 in the current year. I have made no attempt to index those figures. During that time, although the funds increased twentyfold, the number of papers and degrees published rose from 19 to 63 per year, which is a comparative effort of only threefold. When the number of publications to staff members was analysed as a ratio, it had decreased by a factor of 3 from 0.95 publications in 1979 per staff member to 0.37 at present. The annual cost per publication has increased from $15,794 to $92,825.

I acknowledge that those figures are not necessarily the criteria for productivity within the institute and that some would say that these comparisons may prove very difficult. Nonetheless, they are barometers, and they indicate that all is not well. I draw the attention of the institute and the Minister to them. I have no doubt that management in the institute will take my comments on board.

This legislation will improve the infrastructure of the research institute and allow it to operate in performance-oriented arenas, with staff under contract who are tied to projects that are important in the international research market-place. That will lead to better collaborative research worldwide because the research will be undertaken by people in collaboration with researchers from a variety of other disciplines. The institute should be able to practise medical problem-solving with an influx of research from other parts of the world, which can only be good for Queensland and for the institute. The Liberal Party supports the Bill.

Mr BURREKET (Townsville) (10.04 p.m.): I rise to support the Bill, which provides principally for a useful upgrading of the financial status and autonomy of the Queensland Institute of Medical Research, along with housekeeping provisions. While it is a simple Bill, it gives the House an opportunity to consider the use and effect of what has become an integral part of the Australian health research environment.

The institute was established in 1945 by the Hanlon Government, with the full support of the Nicklin Opposition. Its establishment followed the presentation to Cabinet of the Derrick report, by the committee headed by Dr Derrick of the Department of Health and Home Affairs. It is of interest to note the areas in which Dr Derrick saw a need for urgent research. They included—

Queensland fevers, including Q fever, scrub typhus, leptospirosis;

lead-poisoning—problems of diagnosis; after-effects; relation to high incidence of kidney disease among young people in Queensland;

virus diseases in Queensland—what pathogenic viruses are present; are certain unexplained deaths of children due to a virus;

an active program of clinical research;

the effect on health of individual processors;

the incidence of disease in relation to social and nutritional status;

the incidence of disease in relation to geographical districts and climatic influences in Queensland; and

certain tropical diseases in north Queensland.

Mr De Lacy: Don't read notes. Let the real Tony stand up.

Mr BURREKET: It is interesting to note the honourable members who are making comments about the reading of notes. I have been watching them all this week and 99 per cent of the members of the Opposition have been reading their speeches. I do not think that the honourable member really has grounds to comment about anyone else.

I would like to pay tribute to the whole history of the institution by examining some of its achievements in light of, and beyond, its original goals. The first point dealt with Queensland fevers. I note in passing that the Bill before the House amends the Act's preamble in regard to the fact that many diseases are not so much spoken of, but are particularly common in Queensland. Nonetheless, the Queensland message in the Act, as expressed by Mr Nicklin in 1945, is of the best treatment today, and this still finds expression in the work of this current Government. That message is one of recognition that Queensland is really the only State in the Commonwealth with a large population living in tropical Australia. In fact, north Queensland is one of the very few major settlements of persons originally of European descent and living a European life-style within the Tropics of Capricorn and Cancer. The advancement of specialist medical research is of special importance to the people of north Queensland. Queenslanders are, therefore, at the cutting edge of tropical medical research.

As honourable members will know, Ross River fever, or as it is sometimes called, epidemic polyarthritis, is a mosquito-borne virus, which, although profoundly a Queensland fever, is known to occur as far south as Victoria, as far west as the Northern Territory and as far north as Papua New Guinea. Of the 856 cases of Ross River fever diagnosed during 1986-87, 743 were from Queensland, 67 from New South Wales, two from the Australian Capital Territory, 22 from the Northern Territory, and another 22 from Papua New Guinea. In most of these cases, diagnosis was achieved through ELIZA, or enzyme linked immuno sorbent assway, which once again was the breakthrough of the Queensland Institute of Medical Research, and which has profound implications in the control of malaria and other viral diseases, which affect over 200 million people worldwide. I hope that other honourable members will be prepared to mention some of the current initiatives of the Queensland Institute of Medical Research, among which the melanoma research program and its world leadership of the urgent and almost desperate search for the malarial vaccines are some of the more commendable.

However recent Federal Government decisions have adversely affected the health problems of the people of north Queensland. I refer to the decision by the Hawke Government, through its Health Minister Dr Blewett, to collapse at Federal level the National Diseases Control Program and especially the vector control experiment in Townsville. The vector control program in Townsville involved catching, identifying and analysing the various variety of mosquitoes in that area, especially the mosquitoes that carried the Ross River virus and dengue fever.

Honourable members will most certainly not be unfamiliar with the fickleness of the Federal Government when it comes to program-funding. These programs are established in a blaze of publicity and glory and, as their novelty wears off, they are slowly starved of funds and then handed back to the States. This is what has happened with the vector control unit.

State Governments are accused by the newly disinterested Commonwealth of refusing to pick up the program. The Commonwealth then organises, through the trade-union movement, protests against the State Governments for not continuing with the projects. That has happened with education, child welfare and so on. Buried on page 68 in the Commonwealth Budget Paper No. 4 for this year, Treasurer Keating states—

"In 1983/84 the programme was expanded for the National Diseases Control Programme to control the Mosquito-borne diseases such as Dengue Fever and Ross

River Fever Virus infection. The Commonwealth Government has decided to curtail the Programme in 1987/88. It will be discontinued in 1988/89."

We people in the north who are being affected by all of these tropical diseases have relied very heavily on the Federal Government for its support. It initiated these programs in a blaze of glory. However, a couple of years down the track we find that the Commonwealth Government says to the State that it will no longer fund the program and that the State Government should pick up the tab and run with it. It is the people of north Queensland who are being affected by this attitude because tropical diseases are among the least known areas of medicine in the world. The vast population of areas such as Asia, south-east Asia, the islands up north, north Queensland and the Northern Territory are all being affected by diseases about which the medical world knows so very little. That is why it is important for the unit to continue its work. I cite the example of parts of Papua New Guinea, where only one out of six children survives. The other five die from some sort of virus or infection that is prevalent in tropical areas.

In northern Australia we are more fortunate because of our western civilisation and knowledge, which has enabled us to survive for a little longer. The medical world still knows very little about tropical diseases. I support strongly the effort by the State Government in continuing to fund this program.

When the Minister for Health was recently in Townsville, she spoke with the hospitals board and agreed to provide State Government funding for the Townsville medical unit, and support for the Anton Breinl Centre. I commend the Minister for her efforts in providing funds for that unit. I also commend her for the discussions she had at the James Cook University. I have nothing but very strong support for the proposals contained in the Bill. It is with that in mind that I cast my full support behind it.

Mr GILMORE (Tablelands) (10.14 p.m.): This will be a brief but most knowledgeable dissertation on the matter of medical research in Queensland to the present date. I wish to address the House on a couple of matters that the Bill will surely lead honourable members to consider.

Mr De Lacy: How do you and the Minister get on with respect to smoking?

Mr GILMORE: The Minister and I have agreed to disagree on the matter of the consumption of tobacco products, although I am quite sure that the consumption of tobacco products in southern States is fine.

Mr Comben: $450m a year you cost the Health budget.

Mr GILMORE: My dear boy, $1.5 billion comes to this country by way of taxes from the tobacco industry.

Honourable members interjected.

Mr DEPUTY SPEAKER (Mr Booth): Order! I have called the member for Tablelands and I suggest that he address the Chair and continue.

Mr GILMORE: I am not here this evening to discuss the question of the consumption of tobacco products; I wish to speak about malaria and other associated diseases that occur in north Queensland and that were discussed by the member for Townsville.

The second matter that I wish to discuss is the world leadership by the Queensland Institute of Medical Research in the pursuit of a malarial vaccine. Honourable members will be aware of a growing number of articles and professional publications addressing the issue of the growing crisis in Australian science. Honourable members will most certainly be aware of an article in a recent edition of the *Australian Way* and an article in the most recent edition of the *Bulletin* magazine entitled "The Lights Go Out on Australian Research". The problem seems to be two-headed: firstly, the matter of Federal Government expenditure and, secondly, the polticisation of the administration of science.

As Bruce Stannard of the *Bulletin* magazine said, Australian science has received a do-or-die ultimatum from the Federal Government: abandon long-term strategic and fundamental research and concentrate on strategic tactical research.

The Queensland Government has not been as short sighted as its Federal counterpart in funding research. During a time when the CSIRO has sustained cuts of 5 per cent, and at a time when State funding has been drastically cut, the institute has retained its funding at around $3m. This Bill paves the way for the institute to generate some funding of its own and should lead to even greater vigour in its task of providing a research base for medical science in Queensland. The second matter that I hope to bring to the attention of honourable members in respect of the Queensland Institute of Medical Research is its world leadership in research and the ever more urgent search for the malarial vaccine. Malaria is not a humorous topic.

Mr Comben: You've done that bit; that was your first page.

Mr GILMORE: Yes, I was aware of that. However, I just wanted to reiterate, because the honourable member usually does not listen, and certainly does not absorb.

Malaria does not belong solely to the times and places of previous ages. It is a crisis of the present day and the burden of perhaps 200 million people worldwide. Four to five million people per year contract this disease, and between 150 000 and 200 000 of those infections occur in Papua New Guinea, our nearest northern neighbour. Australians have a habit of becoming lax to the threat of disease. It may surprise some honourable members to learn that in 1986 five cases of locally contracted vivax malaria were reported in the Daintree/Cape Tribulation area.

The resurgence of this serious disease ought to bring home to all Australians—especially to the Hawke Government, which was responsible for the demise of the vector control program in Townsville—that the people of north Queensland are a tropical people susceptible to all the environmental hazards that a tropical climate brings.

Mr Comben: We suffer from malaria down here. You can catch malaria down here.

Mr GILMORE: The honourable member must have been in the tropics as well. I notice that he has a fungus on him. That is one of the symptoms of being in the tropics but leaving too soon.

The people of north Queensland, particularly those from the tablelands and the peninsula, whilst obviously loving that region, are nonetheless performing a service in both economic and national security terms. It is in the interests of all the Governments of the Commonwealth to see that the people of the tablelands and the peninsula are not exposed unfairly to a potential natural disaster.

For that reason, all Australian Governments, State and Federal, must work in conjunction with the Government of neighbouring countries to ensure the eradication of the terrible disease malaria.

I am sure that honourable members are aware that one of the principal strains of malaria, falciparum, is rapidly developing a resistance to its principal preventative, Chloroquine. Some authorities estimate that within five years no chemical defence will exist against that particular strain of malaria, exposing half the world's population to a plague greater than the AIDS virus represents.

Scientists from the malaria and tropical health programs within QIMR have mounted a two-pronged attack based on, firstly, vaccine development and, secondly, vector control, while contemporary means of diagnosis of those infections are being developed. As part of that program, scientists at QIMR are making progress towards a malaria vaccine as part of a joint Australian vaccine program.

Several antigens have been identified at QIMR and vaccine trials in monkeys will commence soon. I am quite sure that the member for Windsor will nominate himself for some of those trials. He certainly has the appropriate skull.

Mr Innes: Are you going to mention the research into natural control of mosquitoes at Coomera Island?

Mr GILMORE: No. I have left that to my colleagues.

For a vaccine or any other method of malaria control to be effective in highly malarious areas, cheap, simple and effective epidemiological surveillance methods are essential. In collaboration with workers in China, Burma, Thailand, Sri Lanka and Papua New Guinea, methods of detecting the presence of malaria are being developed and field-tested.

In order that this vital work may continue, and so that the Queensland Institute of Medical Research may continue as an example to all Governments of the sure method to avert the crisis in Australian science, this House must support the Bill. I fully support it.

Hon. L. T. HARVEY (Greenslopes—Minister for Health) (10.22 p.m.), in reply: I thank honourable members for their support of this legislation, which brings to fruition changes in the administration of the institute which have occurred in recent years with encouragement and support from my predecessors in the Health portfolio.

I would like to acknowledge the work of the late Dr Des O'Callaghan, who was, for many years, the representative on the QIMR council of the Mater Misericordiae Hospital. He was the chairman of the Act reveiw committee which formulated the principles that the Parliament is now enacting. Dr O'Callaghan died in January. Most honourable members will be aware of his important contribution to medicine in Queensland.

I will address my next remarks to the contributions of honourable members, beginning with the Opposition spokesman, Mr Comben. Mr Comben made a number of interesting comments during his speech. The honourable member would probably like some answers to his queries, so I will endeavour to do that.

The Government has maintained a funding base with regular increases. This has been supplemented extensively by funding from outside sources, which now equals 55 per cent of the budget. I admit that in the future there will be a need for more funds to allow for expanded facilities and capabilities.

The amendment to the Hospitals Act is only to allow for agreements and arrangements with QIMR. The honourable member's reference to a particular case at Gympie and Bundaberg hospitals will be investigated and I will advise the member of the outcome by correspondence. However, in future I would appreciate it if the honourable member would follow the normal channels before attacking in this Parliament one of our hard-working hospitals without giving it the fair opportunity to present the other side of the case, as there are always two sides to every story.

I turn to the member for Aspley, Mrs Nelson. I am sure that Dr Kidson would very much like me to thank Mrs Nelson for her kind words about him. I noticed that he glowed a very bright red during her speech. Nevertheless, it is nice to be recognised and to have the hard work that has gone into the QIMR given some genuine credit by a member of Parliament.

Mrs Nelson mentioned her concerns about cancer, in particular, skin cancer, and the Federal Government's lack of understanding, shown by its Medicare rebate. I am very pleased that the honourable member raised this matter. It cannot be stressed too often that the withdrawal of Federal funding from these areas will only make the job so much harder for Queensland.

I turn to the member for Townsville, Mr Burreket. The honourable member stated his concern in relation to north Queensland. I visited Townsville not so long ago. Mr Burreket and I went to James Cook University and discussed for some hours proposals for the benefit of north Queensland in terms of the research that could be carried out. I believe that a great deal will be heard from James Cook University in the form of

some proposals in the very near future. I thank Mr Burreket for his genuine interest in north Queensland and its health needs.

I thank the member for Ashgrove very much for his contribution. I have a few answers that perhaps he was looking for. $10m is provided over seven years to QIMR and the University of Queensland for research and education, including the Tropical Health Program. A separate grant is made to James Cook University for disease surveillance. The productivity per dollar and per capita at QIMR is about the same as it is at the Walter and Eliza Hall Institute in Melbourne. Productivity is measured by scientific publications.

The trust has raised $526,774 since its commencement. It also administers a total trust fund of $3m. I thank the member for Ashgrove for his interest in that area. The extensive background research that went into his speech indicated that he is genuinely supporting the QIMR in every sense of the word. I travelled through the tablelands with the member for Tablelands, Mr Gilmore. He made a very practical contribution that indicated the strong support of the people of north Queensland. The honourable member's concerns reflected the concerns of all north Queenslanders, namely, that the withdrawal of funds for the mosquito eradication programs in the north will have very serious effects in a very short time.

When I went to Sydney, I repeated those representations to Dr Blewett. Although I had a 2½-hour meeting with him, I still could not get my point across. A point that I made at the Health Ministers conference was criticised strongly by Victoria, which felt that the matter was not a problem for the rest of Australia.

I suggest that Mr Gilmore has hit the nail on the head. Ross River fever, malaria and dengue fever pose serious threats to the health of Queenslanders. Although those diseases have been contained and controlled in far-north Queensland, if the withdrawal of funding and a lack of interest by other people who should be more responsible persists, the number of people suffering from those diseases will increase in a very short time.

The amendments to the Act will facilitate the financial administration of the institute by making it a statutory body to conform to the provisions of the Financial Administration and Audit Act. From being a small organisation financed wholly by the Government in the 1940s, the institute has become a major research institution attracting more than half of its funds from outside sources. Major sources of financial support for the institute are the National Health and Medical Research Council and the Queensland Cancer Fund. A number of other organisations also provide research moneys.

An important feature of the proposed changes permits the institute to participate in joint ventures not only with hospitals and universities but also with industry. The institute is being given an opportunity to take part in the economic development of Queensland. Honourable members will be aware that the institute is already involved in a major malaria joint venture in association with the Commonwealth Serum Laboratories and the Walter and Eliza Hall Institute in Melbourne.

The QIMR is a modern research organisation with an established reputation in Australia and a growing reputation overseas. The institute is playing an important role in the development of medical research in the south-west Pacific and south-east Asian regions, which currently receive substantial funds as part of the joint Tropical Health Program established by the Commonwealth involving the University of Queensland, James Cook University and the institute. The amendments will strengthen the institute's ability to participate in such activities.

I commend the Bill to the House.

Motion agreed to.

Committee

Hon. L. T. Harvey (Greenslopes—Minister for Health) in charge of the Bill.

Clauses 1 to 17, as read, agreed to.

Clause 18—

Mr SHERLOCK (10.30 p.m.): Clause 18 repeals section 13 of the Act and establishes accountability of the statutory authority under the Financial Administration and Audit Act 1977-1985.

I also draw the attention of the Committee to clause 21, which repeals section 20 and removes the necessity to produce an annual report. Of course, that is scooped up under section 46J of the Financial Administration and Audit Act.

The clause is included in the Bill to provide for accountability. I have already made reference to the fact that a public accounts committee would only add to that.

Clause 18, as read, agreed to.

Clauses 19 to 24, as read, agreed to.

Bill reported, without amendment.

Third Reading

Bill, on motion of Mrs Harvey, by leave, read a third time.

The House adjourned at 10.33 p.m.